SENATE—*Wednesday, February 21, 1968*

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

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

Gracious God, keeper of our destiny, we pray Thy blessing upon our country, especially our President and these leaders who seek guidance. May there be fresh winds of Thy power blow upon them for the tasks of this day.

Teach Thy people the arts of peace and service. Deepen our understanding of the righteousness that exalteth a nation. So incline us to do Thy will that this Nation may be a blessing to all mankind.

We pray for the people of all lands who are today suffering and dying because of the failure to find solutions to war, poverty, and ignorance. Forgive us, O Lord, and show us the way to sane living. We pray in the Master's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, February 20, 1968, be dispensed with.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 269) to authorize an exchange of lands at Acadia National Park, Maine.

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

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges; and

S. 1821. An act to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H.R. 12603) to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAY, Mr. JONES of Alabama, Mr. KLUCZYNSKI, Mr. BLATNIK, Mr. WRIGHT, Mr. GROVER, Mr. SCHWENGEL, and Mr. CRAMER were appointed managers on the part of the House at the conference.

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

H.R. 1879. An act for the relief of Stanislaw and Julianna Szymonik;

H.R. 10851. An act for the relief of New Bedford Storage Warehouse Co.; and

H.R. 15399. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 1879. An act for the relief of Stanislaw and Julianna Szymonik; and

H.R. 10851. An act for the relief of New Bedford Storage Warehouse Co.; to the Committee on the Judiciary.

H.R. 15399. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; to the Committee on Appropriations.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

THE 53D ANNUAL REPORT OF FEDERAL TRADE COMMISSION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman, Federal Trade Commission, transmitting, pursuant to law, the 53d annual report of the Federal Trade Commission, covering its accomplishments during the fiscal year ended June 30, 1967, which, with an accompanying report, was referred to the Committee on Commerce.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Alaska, which was referred to the Committee on Commerce, as follows:

S.J. RES. 30

A joint resolution relating to the Continental Shelf fisheries

Be it resolved by the Legislature of the State of Alaska:

Whereas the United States presently has a 12-mile exclusive fisheries zone which is not adequate for the conservation of the stock of fish which this country will need to utilize fully in order to remain a major fishing nation; and

Whereas the United States has slipped to sixth place in world fisheries behind such nations as the Soviet Union and Communist China, who intend to expand their fishing efforts in the North Pacific; and

Whereas the commercial fishermen of the Pacific Northwest, as well as the economy of the United States as a whole, are being detrimentally affected by the heavy flow of imports of foreign seafood products, gear conflicts and other competition from the massive foreign fleets on the fishing grounds, and the depletion of precious resources because of over-fishing and destructive fishing practices of foreign fleets; and

Whereas the United States has failed to implement fully two provisions from Geneva Conventions which would give our nation valuable bargaining tools in fisheries negotiations with other nations, the first of which states that sedentary species of fish on the Continental Shelf are part of the Shelf and are considered to be the exclusive property of the coastal nation and the second of which provides for conservation of the living resources of the high seas and allows the United States to designate conservation areas and promulgate conservation measures to protect these resources;

Be it resolved that the Congress of the United States is respectfully requested to enact legislation declaring the Continental Shelf of the United States to be this nation's exclusive fisheries zone.

Copies of this Resolution shall be sent to The Honorable John W. McCormack, Speaker of the U.S. House of Representatives; to The Honorable Carl Hayden, President Pro Tempore of the U.S. Senate; and 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.

Passed by the Senate February 1, 1968.

JOHN BUTROVICH,
President of the Senate.

Attest:

EMYLOU LLOYD,
Secretary of the Senate.

Passed by the House February 7, 1968.

WILLIAM K. BOARDMAN,
Speaker of the House.

Attest:

PATRICIA R. SYMONDS,
Chief Clerk of the House.

WALTER J. HICKEL,
Governor of Alaska.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. HOLLAND:

S. 3012. A bill for the relief of Dr. Eduardo Fernandez-Dominguez; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. YARBOROUGH, Mr. BREWSTER, Mr. BROOKE, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HATFIELD, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MORSE, Mr. MOSS, Mr. NELSON, Mr. PERCY, Mr. RANDOLPH, Mr. TYDINGS, and Mr. WILLIAMS of New Jersey):

S. 3013. A bill to make supplemental appropriations for the fiscal year ending June 30, 1968, to carry out the programs under the Economic Opportunity Act of 1964; to the Committee on Appropriations.

(See the remarks of Mr. JAVITS and Mr. YARBOROUGH when Mr. JAVITS introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 3014. A bill for the relief of Maria Giuseppa Bario; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3015. A bill to provide for a coordinated national safety program to reduce boating

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accidents, and deaths and injuries resulting therefrom;

S. 3016. A bill to authorize appropriations for certain maritime programs of the Department of Commerce; and

S. 3017. A bill to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936; to the Committee on Commerce.

(See the statements of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. HARRIS:

S. 3018. A bill for the relief of Hortensia Elena Viso; to the Commitee on the Judiciary.

By Mr. GRIFFIN (for himself and Mr. HART):

S. 3019. A bill to amend section 6(h) of the Military Selective Service Act of 1967 in order to clarify the deferment status of persons pursuing full-time courses of training at junior or community colleges, and for other purposes; to the Committee on Armed Services.

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

By Mr. PELL (for Mr. PASTORE and himself):

S. 3020. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

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

By Mr. LONG of Missouri (for himself, Mr. SYMINGTON, Mr. CARLSON, and Mr. PEARSON):

S.J. Res. 146. A joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri; to the Committee on the Judiciary.

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

S. 3015—INTRODUCTION OF BILL FOR RECREATIONAL BOAT SAFETY

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference, at the request of the Secretary of Transportation, a bill to provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom.

The need for such legislation is buttressed by the fact that in 1966 alone 1,318 deaths resulted from boating mishaps. In that year alone over $7.3 million in property damage was attributed to boating accidents. While the activities of the Coast Guard and the various State and local governmental entities in promoting boating safety are well known and appreciated, it is clear that there is a necessity for additional and stronger safety programs.

The bill proposed would create a working partnership between the Federal Government and the various States by authorizing the Secretary of Transportation to establish safety standards applicable to the manufacture of recreational boats and associated equipment, approve State boating safety programs that comply with Federal requirements and make grants-in-aid to States to assist in carrying on boating safety programs

There is much that can be done in the area of boating safety which does not require legislation and this bill is merely part of an overall Federal program to reduce boating accidents.

Mr. President, I ask unanimous consent that there be printed in the RECORD following my remarks the letter of transmittal from the Secretary of Transportation to the President of the Senate, the text of the bill, and a section-by-section analysis of the proposed legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis of the bill will be printed in the RECORD.

The bill (S. 3015) to provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3015

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby declares that the purpose of this Act is to reduce boating accidents, and deaths and injuries resulting from such accidents. Therefore, Congress determines that it is necessary to authorize the establishment of standards for boats and associated equipment moving in interstate commerce, and to assist the States in carrying out safety programs.

DEFINITIONS

SEC. 2. As used in this Act—

(1) "Boat" means any vessel not more than sixty-five feet in length manufactured primarily for non-commercial use.

(2) "Associated equipment" means (A) any system, part, or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair, or improvement of such system, part, or component, or (B) any accessory or equipment for or appurtenance to a boat.

(3) "Manufacturer" means any person engaged in (A) the manufacture, construction, or assembly of boats or associated equipment, or (B) the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly by the retail purchaser, or (C) the importation into the United States for sale of boats, associated equipment, or components thereof.

(4) "Secretary" means Secretary of the Department in which the Coast Guard is operating.

(5) "State" means a State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

BOAT SAFETY REGULATIONS

SEC. 3. (a) The Secretary is authorized to issue regulations establishing safety standards for the design, construction, materials, and performance of boats and associated equipment; establishing the procedures and tests required to measure conformance with standards; requiring the installation of associated equipment; and requiring or permitting the display of seals, labels, plates, insignia, and other devices for the purpose of certifying or evidencing compliance with boat safety regulations.

(b) The Secretary is authorized to issue regulations requiring associated equipment, or labels or other devices evidencing compliance with regulations issued under this Act with respect to associated equipment, to be used or carried on boats used on the navigable waters of the United States.

(c) In establishing boat safety standards, testing procedures and examinations, the Secretary may consider standards, procedures, and examinations recommended by qualified public or private agencies and organizations. The Secretary may, if he considers that boating safety will not be substantially affected, issue exemptions from the requirements of the regulations established under this section, on such terms and conditions as he may impose.

(d) Whenever a Federal boat safety standard established under section 3(a) of this Act is in effect, no State or political subdivision thereof shall have any authority either to establish or to continue in effect, with respect to any boat or associated equipment, any safety standard applicable to the same aspect of performance of such boat or associated equipment which is not identical to the Federal standard. The Secretary may waive the applicability of this section where exceptional circumstances existing within a State warrant the establishment by that State of a safety standard higher than one established by the Secretary.

PROHIBITED ACTS AND ENFORCEMENT

SEC. 4. (a) No manufacturer shall manufacture for sale, sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States, any boat, or associated equipment, or components thereof to be sold for subsequent assembly by the retail purchaser, on or after the date any applicable regulation issued under section 3(a) of this Act takes effect, unless it complies with such regulation.

(b) No person shall use on the navigable waters of the United States any boat or associated equipment manufactured on or after the effective date of regulations issued under section 3(a) of this Act which does not conform with such regulations.

(c) No person shall use any boat on the navigable waters of the United States in violation of regulations issued under section 3(b) of this Act.

(d) If any boat or associated equipment is used on the navigable waters of the United States in violation of subsections (b) and (c) of this section, the Secretary may direct the operator to terminate operation of the boat until the condition creating the violation is corrected.

(e) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act, or to restrain the sale, offer for sale, or the introduction or delivery for introduction, in interstate commerce, or the importation into the United States, of any boat or associated equipment which is determined, prior to the first purchase of such boat in good faith for purposes, other than resale, not to conform to applicable Federal boat safety standards, upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. The failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(f) Subsection (a) of this section shall not apply in the case of a boat or associated equipment intended solely for export, and so labeled or tagged on the boat or associated equipment and on the outside of the container, if any, which is exported.

INSPECTION AND INVESTIGATION

SEC. 5. (a) Every manufacturer subject to the provisions of this Act shall establish and maintain such records, make such reports,

and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this Act, or the regulations issued pursuant thereto. A manufacturer shall, upon request of an officer, employee, or agent authorized by the Secretary, permit such officer, employee, or agent to inspect at reasonable times factories or other facilities, books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with this Act and the regulations issued pursuant to this Act.

(b) All information reported to or otherwise obtained by the Secretary or his representatives pursuant to subsection (a) containing or relating to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers, employees, or agents concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

PENALTIES

SEC. 6. (a) Any person who violates section 4(a) of this Act shall be liable to a civil penalty not to exceed $1,000 for each violation, except that the maximum civil penalty shall not exceed $100,000 for any related series of violations. If such violation is willful, such person shall also be fined not more than $10,000 or imprisoned not more than one year, or both.

(b) Any person (1) who uses a boat or associated equipment on the navigable waters of the United States in violation of sections 4(b), 4(c), or 4(d) of this Act, or (2) who fails to comply with regulations issued pursuant to section 5(a) of this Act shall, in addition to any other penalty prescribed by law, be liable to a civil penalty not to exceed $500 for each violation. For any penalty incurred under this subsection, the boat shall be liable and may be proceeded against by way of maritime action in rem in the district court of any district in which the boat may be found.

(c) The Secretary may compromise any civil penalty for an amount to be determined by him.

DELEGATION OF AUTHORITY

SEC. 7. The Secretary may, subject to such regulations, supervision, and review as he may prescribe, delegate to any qualified private person, or private or public agency, or to any employee under the supervision of such person or agency, any work, business, or function respecting the examination, inspection, and testing necessary to carry out his responsibilities under section 3 of this Act.

STATE BOATING SAFETY PROGRAMS

SEC. 8. (a) In order to enhance boating safety and encourage consistency in State regulation, the Secretary is authorized to approve State boating safety programs designed to reduce boating accidents, and the deaths, injuries, and property damage resulting therefrom. Such approval shall be a condition to Federal financial assistance under this Act. In order to be approved, a State boating safety program must comply with regulations prescribed by the Secretary. Such regulations may include, but need not be limited to, requirements for boat operator education, safety and enforcement patrols, safety inspections, testing and examination of boats, boat operating zones, operator licensing programs, boating accident investigation and analysis, hazardous debris removal, and emergency services. The Secretary is authorized to waive or amend for a reasonable period of time any regulation prescribed under this subsection to permit the evaluation of new or different boating safety programs which are suggested on an experimental, pilot, or demonstration basis by one or more States if he finds that the public interest would be served by the waiver or amendment.

(b) The Secretary shall not approve any boating safety program under this section which does not—

(1) designate the State authority or agency which will administer the boating safety program; and

(2) provide that the designated State authority or agency will make such reports in such form and containing such information as the Secretary may require.

APPORTIONMENT OF FUNDS

SEC. 9. (a) The Secretary shall apportion funds appropriated under this Act to the several States as soon as practicable after July 1 of each fiscal year for which funds are available. The apportionment shall be made on the following basis:

(1) 50 per centum of the amount available shall be apportioned among the several eligible States according to percentages to be determined by dividing the number of motor boats registered in each eligible State by the total of motor boats registered in all eligible States.

(2) 50 per centum of the amount available shall be apportioned by the Secretary among the eligible States in amounts to be determined by him, taking into account such factors as the extent to which the waters of a State are used by boats from without that State, the need to undertake innovative State programs which might offer significant advancements in the effectiveness of boat safety programs, and the financial need of the States.

(b) The term "eligible State" as used in this section means a State which has an approved boating safety program in existence or has submitted a boating safety program for approval under section 8 of this Act.

(c) Amounts apportioned to an eligible State shall be available for expenditure by that State for a period of two years following the date of apportionment. Funds unobligated by the State at the expiration of the two-year period shall be withdrawn by the Secretary and reapportioned at his discretion.

(d) The amount apportioned to any State for any fiscal year may not exceed 75 per centum of the cost of carrying out the State's approved boating safety program for that year, including the cost of training personnel for State and local boating safety work and the cost of administering the State program.

PAYMENTS

SEC. 10. (a) Amounts apportioned under section 9 shall be computed and made available to the States as follows:

(1) The Secretary shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be expended by each State during the period, the estimate to be based on such records and information pertaining to the State program as the Secretary may require. Where the Secretary finds that his estimate of the amount to be made available to a State for any prior period was greater or less than the amount which should have been made available to that State for such prior period, the amount for the current period may be increased or decreased, as the case may be, by the appropriate amount.

(2) Notwithstanding any other provision of law, the Secretary shall schedule the payment of funds consistent with program purposes and applicable Treasury regulations, so as to minimize the time elapsing between the transfer of such funds from the United States Treasury and the subsequent disbursement thereof by a State.

(b) Whenever the Secretary's after reasonable notice to the designated State authority or agency, finds that—

(1) the boating safety program submitted by the State and approved by the Secretary has been so changed that it no longer complies with the standards established by regulations; or

(2) in the administration of the boating safety program, there has been a failure to comply substantially with the standards established by regulations; or

(3) the aggregate expenditure of funds of the State and political subdivisions thereof, exclusive of Federal funds, for boating safety programs will be maintained at a level which falls below the average level of such expenditures for the preceding two full fiscal years; the Secretary shall notify the State authority or agency that no further payments will be made to the State until he is satisfied that the program conforms to the established standards, the failure is corrected, or the level of State effort is increased.

(c) The Secretary shall, by regulation, provide for such accounting, budgeting, and other fiscal procedures as are necessary and reasonable for the proper and efficient administration of this section.

APPROPRIATION AUTHORIZATION

SEC. 11. (a) For grants to States to assist in meeting the costs of establishing and maintaining boating safety programs, there is authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1969, and such amounts as may be necessary for each of the succeeding fiscal years to and including the fiscal year ending June 30, 1971, such appropriations to remain available until expended when so specified in an appropriation act.

(b) Amounts appropriated under subsection (a) of this section shall be available for the necessary costs of administering sections 8, 9, and 10 of this Act.

(c) There is authorized to be appropriated such amounts as may be necessary to carry out other sections of this Act.

CONSULTATION AND COOPERATION

SEC. 12. (a) In carrying out his responsibilities under this Act, the Secretary shall consult with existing committees and organizations having an interest in boating and boating safety and he may establish representative boating safety advisory committees.

(b) The Secretary is authorized to assist and cooperate with State and local governments, private industry, and other interested parties to increase boating safety.

SHORT TITLE

SEC. 13. This Act may be cited as the "Recreational Boat Safety Act of 1968".

The letter and section-by-section analysis of the bill presented by Mr. MAGNUSON are as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 6, 1968.

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

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill "To provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom."

The proposed bill would authorize the Secretary of Transportation to:

1. Establish safety standards applicable to the manufacture of recreational boats and associated equipment, and to regulate as necessary items of equipment carried on board recreational boats;

2. Approve State boating safety programs designed to reduce boating accidents if they comply with certain Federal requirements; and

3. Make grants-in-aid to the States to assist in carrying out their boating safety programs.

This bill is part of a comprehensive program which the Department is undertaking

at the direction of the President to improve boating safety. Other features of the program, which do not require authorizing legislation, including a stepped-up research effort to develop safer boat designs and improved lifesaving equipment; an enlarged educational and an informational program aimed specifically at small boat owners and operators; a more effective system for collecting and analyzing data concerning the circumstances and causes of recreational boating accidents; and a thorough reappraisal of the existing waterway marker systems, weather and hazard warning devices, and operational rules to insure they meet the special requirements and operational experience of small recreational boat users.

This comprehensive approach to improved boating safety is necessary, and the time to act is now. Paralleling the increase in family incomes and in the amount of leisure time, millions of Americans have turned to boating as a major form of sport and recreation. Currently there are more than eight million small boats in use in the United States and their number increases at the rate of 4,000 a week. This sharp and continuing rise in the level of small boat activity, however, has brought with it an increase in boating accidents and deaths.

In 1966, 1,318 deaths occurred in boating accidents. This is an increase in fatalities of 34 percent in the last five years. The boating fatality rate is equal to about 16 deaths per 100,000 boats. The result is that today almost as many persons are killed in boating mishaps as in all types of aviation accidents combined. According to such statistics as are available, there were more than 4,300 boating accidents in 1966 in excess of 1,500 reported injuries, and more than $7.3 million in property damage. Available data show an increasing ratio of accidents and injuries to boat population.

Despite significant activity by the Coast Guard and the preventive efforts of State and local government, small boat safety calls for a greater Federal effort, in cooperation with the States, local governments, and industry, to reduce the risk of accident, injury, and death in recreational boating. Efforts to increase recreational boat safety have been severely hampered in the past for many reasons. Because most boats operate on non-Federal waters, Federal involvement has been limited in scope and in character. Though much of the responsibility has been left with the States and with local governments, there has been no Federal assistance or incentive for the development of meaningful boat safety programs. Further, there has been no significant private or governmental research effort to develop safer boat design and better lifesaving equipment. And where equipment has been devised that could help prevent accidents and save lives, Federal authority has not been sufficient to induce or compel industry and other segments of the boating community to provide for its installation and use. Moreover, while most small boat accidents appear to be attributable to operator fault, there has not been an education and training program sufficient to meet the needs of eight million small boat owners.

To sum up, the special problem of small boat safety demands new programs and policies that are truly sufficient, in scale and type, to meet the challenge. The proposed bill will authorize regulatory action to be taken when necessary, and will permit the Secretary to offer some incentive to more effective State action. The recommended appropriation authorization of $5,000,000 in fiscal year 1969 for a grant-in-aid program is sufficient to help some States improve existing programs and to encourage others to make a start. On the basis of this experience, we can assess the long-run requirements for an effective, nationwide approach to boating safety.

The Bureau of the Budget has advised that enactment of this proposed legislation is in accord with the President's program.

Sincerely,

ALAN S. BOYD.

SECTION-BY-SECTION ANALYSIS OF A BILL TO PROVIDE FOR A COORDINATED NATIONAL SAFETY PROGRAM TO REDUCE BOATING ACCIDENTS, AND DEATHS AND INJURIES RESULTING THEREFROM

Section 1 contains the declaration of purpose.

Section 2 defines the following terms used in the Act.

(1) "Associated equipment" would include any item or system installed in or attached to a boat which may affect the safety of a boat or its occupants.

(2) "Boat" would include all vessels whether or not mechanically propelled.

(3) "Manufacturer" would include persons manufacturing not only finished products, but also component parts for assembly by the ultimate purchaser-user.

(4) "Secretary" would mean the Secretary of Transportation but would also provide for the case where the Coast Guard may operate as a service in the Department of the Navy.

(5) "State" would include the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

Section 3 provides broad authority to the Secretary to permit, as necessary, the safety regulation of the design, construction, and performance of boats and associated equipment, and the use of associated equipment. Additionally, the Secretary would be authorized to issue regulations requiring or permitting the display of labels or other devices evidencing compliance, to exempt any boat or associated equipment when boating safety is not endangered so as to accommodate special use boats such as powered racing boats, and to consider the standards, testing procedures and examinations recommended by the qualified public or private agencies and organizations in establishing his boating safety standards. Finally, the section would provide that once a Federal boat safety standard was established, a State or local standard touching upon the same aspect of performance could not be established or continued in effect unless it was identical to the Federal standard, except where the Secretary found exceptional circumstances to exist warranting a waiver.

Section 4 prohibits the manufacture for introduction into interstate commerce, or the importation of any boat or associated equipment unless it complies with applicable standards. It would also prohibit the use of any boat or associated equipment on the navigable waters of the United States unless it complied with applicable regulations. The Secretary would be authorized to stop the operation of any boat being used in violation of the prohibitions until the discrepancy was corrected. U.S. district courts would have jurisdiction to restrain violations of the Act.

Section 5 provides authority to make inspections and investigations necessary to determine compliance with the provisions of the Act. Trade secrets and similar matter furnished to or discovered by the Secretary in the course of such inspections and investigations would be protected.

Section 6 provides penalties for violations of the Act or regulations issued thereunder. Manufacturers would be subject to a civil penalty of $1,000 with a maximum of $100,000 for a related series of violations. If the violation was willful, the manufacturer would be subject to a criminal penalty of a fine of not more than $10,000 or imprisonment for not more than one year or both. Other persons violating provisions of the Act or the regulations would be subject to a civil penalty of $500. The Secretary would be authorized to compromise any civil penalty for an amount to be determined by him.

Section 7 provides broad authority for the Secretary to make use of qualified public or private agencies or organizations in exercising his responsibilities under section 3 of the Act.

Section 8 provides broad authority to the Secretary to issue regulations containing standards for State boating safety programs and to approve State boating safety programs complying with the standards. The section would permit the Secretary to waive his standards for a reasonable time for innovative State programs if boating safety would be enhanced by the waiver. A State boating safety program submitted for approval under this section would be required to designate the State authority or agency which will administer the program and to indicate that such information and reports as the Secretary might require would be furnished.

Section 9 provides the basis upon which funds would be apportioned to eligible States under a grant-in-aid program. Fifty percent of the funds available would be apportioned on the basis of motorboat registration. The remaining fifty percent would be apportioned after taking into account the extent to which waters of a State are used by boats from outside the State, the need to undertake innovative State programs, and the financial needs of the States. Additional provisions of the section would (1) define eligible States as those which have an approved State boating safety program or have submitted such a program for approval, (2) permit funds apportioned to a State to be available for two years, and (3) set the maximum of the Federal amount apportioned to a State at seventy-five percent of the cost of the State boating safety program.

Section 10 provides for the payment of apportioned funds to the eligible States. The Secretary must estimate for each calendar quarter the amount to be expended by the State for that quarter and pay that amount adjusted for any differences resulting from previous estimates. The section also sets forth circumstances under which the Secretary may stop payments to a State. Finally, the section authorizes the Secretary to establish by regulation such accounting, budgeting, and other fiscal procedures as may be necessary.

Section 11 authorizes an appropriation of $5,000,000 for fiscal year 1969, and such amounts as necessary for future fiscal years, for the purpose of making grants to States to meet part of the costs of State boating safety programs.

Section 12 authorizes the Secretary to consult with existing committees and organizations interested in boating and boating safety and to establish representative boating safety committees. It also authorizes the Secretary to cooperate with and assist other Federal departments and agencies, State and local governments, and private industry, and other interested persons to increase boating safety.

Section 13 cites the Act as the "Recreational Boat Safety Act of 1968".

S. 3016—INTRODUCTION OF BILL TO AUTHORIZE APPROPRIATIONS FOR MARITIME PROGRAMS

Mr. MAGNUSON. Mr. President, I introduce, by request of the Secretary of Commerce, for appropriate reference, a bill to authorize appropriations for certain maritime programs of the Department of Commerce for fiscal year 1969. Last year, Congress enacted legislation requiring annual authorization of the program of the Maritime Administration of the Department of Commerce, and this

bill is the first such authorization bill required under the new legislation.

The annual authorization legislation enacted last year arose because we believed that this would enhance the concern and attention that must be paid to our present maritime difficulties. We must undertake a vastly expanded effort in the maritime field if we are to preserve our defense posture, protect our economy, and correct our balance-of-payments deficit.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD together with the letter of transmittal from the Acting Secretary of Commerce to the President of the Senate, and a statement of the purposes and provisions of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement of purposes and provisions of the bill will be printed in the RECORD.

The bill (S. 3016) to authorize appropriations for certain maritime programs of the Department of Commerce, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated without fiscal year limitation as the appropriation act may provide for the use of the Department of Commerce, for the fiscal year 1969, as follows:

(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $119,800,000;

(b) payment of obligations incurred for operating-differential subsidy, $206,000,000;

(c) expenses necessary for research and development activities (including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operations), $6,700,000;

(d) reserve fleet expenses, $5,279,000;

(e) Maritime training at the Merchant Marine Academy at Kings Point, New York, $5,177,000; and

(f) financial assistance to State Marine Schools, $1,900,000.

The letter and statement of purposes and provisions of the bill, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., January 31, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed four copies of a draft bill "To authorize appropriations for certain maritime programs of the Department of Commerce," and four copies of a Statement of Purpose and Need in support thereof.

We have been advised by the Bureau of the Budget that there would be no objection to submission of this proposed legislation from the standpoint of the Administration's program and that enactment would be in accord with the program of the President.

Sincerely yours,

HOWARD J. SAMUELS,
Acting Secretary of Commerce.

STATEMENT OF THE PURPOSES AND PROVISIONS OF THE BILL TO AUTHORIZE APPROPRIATIONS FOR CERTAIN MARITIME PROGRAMS OF THE DEPARTMENT OF COMMERCE

On September 5, 1967, P.L. 90-81 was signed by the President. That public law provided that after December 31, 1967 there were authorized to be appropriated for certain maritime activities of the Department of Commerce only such sums as the Congress may specifically authorize by law.

The bill authorizes specific amounts for those activities listed in P.L. 90-81 for which the Department of Commerce proposes to seek appropriations during fiscal year 1969. The bill authorizes appropriations in the amounts contained in the Department's budget submission for fiscal year 1969. A short justification for the various items in the draft bill follows:

SHIP CONSTRUCTION, CONSTRUCTION-DIFFERENTIAL SUBSIDY, AND COST OF NATIONAL DEFENSE FEATURES

Funds authorized to be appropriated under this heading would provide for the payment of construction-differential subsidy and national defense allowances on replacement vessels constructed for service on essential foreign trade routes by subsidized United States operators. In addition, these funds will provide for the acquisition of ships replaced by and traded in on newly constructed vessels and for the expenses associated with placing these replaced vessels in the National Defense Reserve Fleet. Finally, funds for the administration of the ship construction program are included.

The total authorization under this heading is $119,800,000 and the budget will propose transfer to the "Salaries and Expenses" appropriation for administrative support of not to exceed $3,150,000 and for transfer to the appropriation for reserve fleet expenses of not to exceed $700,000. This latter transfer would be in addition to the sum authorized in the bill for reserve fleet expenses which is discussed below.

OPERATING-DIFFERENTIAL SUBSIDIES

The appropriation authorized under this heading would provide for liquidation of subsidy obligations incurred under permanent contract authority to ship operators in order to maintain a United States merchant fleet in support of United States foreign commerce and capable of serving as a naval auxiliary in event of a national emergency. The program is designed to pay the difference between the fair and reasonable cost of certain expenses (wages and subsistence of crew, insurance, vessel maintenance and repair) and the estimated cost of the same items if the ships were operated under foreign registry. The amount authorized to be appropriated for this item is $206,000,000.

RESEARCH AND DEVELOPMENT

Funds authorized to be appropriated under this heading are intended to finance MarAd projects designed to improve the competitive position of the American merchant marine while reducing the Government's share of the costs of its construction, operation, and maintenance. Major categories within the appropriation are: directed research, dealing with the adaptation of known technology concepts to problems of the marine industry; advanced concepts, providing for long-range research into new merchant marine concepts. In addition, the appropriation under this heading will finance the operation of the N.S. *Savannah* as well as reimbursement to the "Salaries and Expenses" appropriation for expenses applicable to Research and Development activities. The authorization for this appropriation is $6,700,000 of which the budget will propose $3,400,000 for operation of the nuclear ship *Savannah* and $931,000 for transfer to the appropriation for "Salaries and Expenses" to cover administrative expenses. Further, transfers from this appropriation are authorized to the "Vessel Operations Revolving Fund" to cover losses resulting from expenses of experimental ship operations.

RESERVE FLEET EXPENSES

Funds are provided under this activity for the preservation and security of priority merchant ships maintained for national defense purposes. Additionally, security is provided for those ships not of a high priority nature awaiting sale.

This activity is one of three limitations under the "Salaries and Expenses" appropriation. $5,279,000 are authorized to be appropriated for this purpose. In addition, as noted above under the heading Ship Construction, Construction-Differential Subsidy, and Cost of National Defense Features not to exceed $700,000 may be transferred from funds appropriated thereunder.

MARITIME TRAINING

Funds under this appropriation heading provide for a program of training of cadets for service as officers in the United States Merchant Marine. A four-year training course, including one year of sea-duty is designed to qualify graduates for licenses as merchant marine deck or engine officers.

The authorization for appropriations under this heading is $5,177,000 of which the budget will propose that $2500 be available for contingencies for the Superintendent of the Academy. In addition, the budget will propose a limitation on the average yearly cost per cadet of uniform and text book allowances of $475. The budget further will propose that this appropriation may be reimbursed for expenses incurred in support of activities financed from other appropriations.

STATE MARINE SCHOOLS

Funds under this appropriation are intended to provide Federal assistance to participating States for the training of cadets as officers in the merchant marine. The assistance is in the form of direct grants to the States; allowances to cadets for uniforms, textbooks, and subsistence; and for repairs to Federal training ships on loan to the schools.

The authorization for this purpose is $1,900,000. The budget will propose that $625,000 be earmarked for maintenance and repairs of Federal training ships on loan to the schools and $1,275,000 be earmarked for direct grants and allowances to cadets.

S. 3017—INTRODUCTION OF BILL TO CHANGE MAXIMUM RATE OF INTEREST ON LOANS INSURED UNDER TITLE XI OF MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Mr. President, I introduce, by request of the Secretary of Commerce, for appropriate reference, a bill to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act of 1936.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD together with the letter of transmittal from the Acting Secretary of Commerce to the President of the Senate, and a statement of the provisions of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the bill, letter, and statement of provisions will be printed in the RECORD.

The bill (S. 3017) to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Mer-

chant Marine Act, 1936, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1104(a)(5) of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"(5) Shall secure bonds, notes, or other obligations bearing interest (exclusive of premium charges for insurance, and service charges, if any) at rates not to exceed such per centum per annum on the principal obligation outstanding as the Secretary of Commerce determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department of Commerce."

The letter and statement of provisions presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., December 20, 1967.

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

DEAR MR. PRESIDENT: Submitted herewith are four copies of a draft bill "To change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936." The accompanying statement of purposes and provisions explains the changes the bill would make in existing law and the need for enactment of the bill.

The Bureau of the Budget advises there is no objection to the submission of this legislation to the Congress from the standpoint of the Administration's program.

Sincerely yours,
ALEXANDER B. TROWBRIDGE,
Secretary of Commerce.

STATEMENT OF THE PURPOSES AND PROVISIONS OF THE BILL TO CHANGE THE PROVISION WITH RESPECT TO THE MAXIMUM RATE OF INTEREST PERMITTED ON LOANS AND MORTGAGES INSURED UNDER TITLE XI OF THE MERCHANT MARINE ACT, 1936

Section 1104(a)(5) of the Merchant Marine Act, 1936, provides that to be eligible for mortgage insurance a ship mortgage must, among other requirements, secure bonds, notes or other obligations bearing interest (exclusive of premium charges for insurance) at a rate not to exceed 5 per centum per annum on the unpaid principal balance or not to exceed 6 per centum per annum on such balance if the Secretary of Commerce finds that in certain areas or under special circumstances the mortgage or leading market demands it.

By reference to section 1104(a)(5), section 1104(b)(6) places the same requirement on loans with respect to the maximum interest rate if they are to be eligible for insurance. This refers to loans which are made to finance construction of the ship and which precede the mortgage which is placed on the ship after the ship is completed.

The bill would amend section 1104(a)(5) to substitute for the 5 and 6 percent maximums a provision that the interest rate shall not exceed a rate determined by the Secretary of Commerce to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department of Commerce. Under this language, there could be circumstances under which the rate determined by the Secretary to be reasonable would exceed 6 percent.

Since November 1966, the Department has approved interest rates under the terms of the existing law as follows:

Interest rate:	Date Approved
5.75 percent	November 17, 1966
5.10 percent	February 1, 1967
5.50 percent	March 20, 1967
5.50 percent	April 21, 1967
5.40 percent	May 25, 1967
6.00 percent	June 28, 1967
6.00 percent	August 10, 1967

At the present time the Department has applications for mortgage and loan insurance totaling $252,002,000 for 45 ships and 691 barges which are to be built by private owners with privately generated funds to upgrade and modernize the American merchant marine. Under existing law, if the market should require a rate of interest higher than 6 percent, the Department could not insure these loans and mortgages and the vessels therefore could not be built.

Companies with plans to build ships do not want to take the risk that the Department will be unable to provide title XI insurance because of the demand for rates in excess of 6%. If the ceiling were removed, the Department could negotiate freely without the restraint caused by the ceiling and the pressure on the operator, who is willing to pay the price of high rates for assurance that financing will be available when needed.

S. 3019—INTRODUCTION OF BILL RELATING A FAIR DRAFT POLICY FOR COMMUNITY COLLEGE STUDENTS

Mr. GRIFFIN. Mr. President, today I am introducing a bill to clarify the military draft status of students who attend community and junior colleges.

This measure would accord impartial treatment to those full-time students at such institutions who are pursuing a course which does not lead to a bachelor's degree.

Corrective legislation of this nature is needed, Mr. President, particularly in view of a ruling issued by the Director of the Selective Service System last August 9. At that time, General Hershey declared that only students who are enrolled in programs leading to a bachelor's degree can qualify for the standard student—II-S—deferment.

Under his new policy, thousands of nondegree 2-year college students across the Nation have been barred from student deferment.

By segregating bachelor's degree students from other full-time students whose courses do not lead to a bachelor, the new regulation raises serious questions of equity; and it threatens to undermine the role of the 2-year college in American education.

Mr. President, let me outline the problem in greater detail.

The present precarious draft position of the nondegree student at a community college results from two recent administrative actions.

On August 9, 1967, the Selective Service System issued a bulletin declaring that:

> Local boards may consider for Class II-A those registrants who are pursuing a full-time course of study that will not lead to a baccalaureate degree. This will place such registrants in the same category as apprentices and other trainees.

Under the new policy, the student deferment is made applicable only to individuals enrolled in programs leading to the baccalaureate degree. Generally speaking, under this policy, only liberal arts candidates at community colleges are eligible for student draft deferment. Other students may be considered for class II-A, which is an occupational deferment.

But, because of more recent changes in the regulations which control occupational deferments, the class II-A category has now emerged as a local option with no link to coherent national standards. On February 16, General Hershey recommended, upon the advice of the National Security Council, that only graduate students in the health professions be automatically classified II-A on a national policy basis. As a result, local draft boards have almost total discretion in determining who, in addition to the medical students, may be eligible for occupational deferment. The judgment of the local draft board is supposed to be based on a showing of "essential community need."

In the process of revising the regulations, the long-established lists of essential activities and critical occupations have been abolished. Except for persons in the fields of medicine, local draft boards are no longer guided by a uniform set of recommendations on granting occupational deferments.

The effect of the two announcements is to place the nondegree student in double jeopardy. In contrast to the liberal arts candidate, who receives the standard II-S student deferment, the vocational student may or may not be classified II-A—and even in the latter case, his status is at best tenuous.

Even prior to the elimination of the occupational lists, local boards were applying General Hershey's August 9 regulation differently from State to State and from city to city. Such variations underscore the uncertainties and potential hazards for students classified as II-A, as distinguished from II-S.

Mr. President, it is by no means certain that a liberal arts student who enrolls at a 2-year community college will go on to earn a bachelor's degree. Yet, under present regulations, his student deferment depends on such an assumption.

Mr. President, it should be understood that, prior to the August ruling, nondegree students were normally granted the regular student deferment by the Nation's 4,000 draft boards.

The Director of the Selective Service System has chosen to base his discriminatory August regulation on an interpretation of the 1967 Military Draft Act. In attempting to justify the order, General Hershey wrote me as follows:

> With respect to the interpretation of PL 90-40, . . . the Military Selective Service Act of 1967 and its legislative history clearly discloses that in writing section 6(h)(1), the Congress intended only degree candidates to be deferred under that section.

Mr. President, a review of the legislative history on this point does not support such a conclusion.

Indeed, the record reveals no clear intent of the Congress to exclude nondegree students from receiving the student deferment. There was no specific reference to the draft status of students attending community and junior colleges, either in the committee reports or in the floor debate.

The House report came closest to clarifying the draft position of 2-year students, by specifying that the undergraduate student deferment should continue to apply until an individual achieves his "first professional degree." Because an associate professional degree is attainable after 2 years of college, the relevant sections of the House report actually support an interpretation of student deferment policy embracing the 2-year student, rather than excluding him as General Hershey has directed.

The Senate report is silent on this issue. In contrast to the Senate, the House appeared to be insistent upon setting forth a firm, statutory policy on undergraduate student deferments. However, certain implications can be drawn from the Senate report, particularly as the report relates student deferments to deferments for apprentices. The Senate Armed Services Committee went so far as to declare that:

If student deferments are to be continued, the Committee believes that apprentices should be permitted to qualify for deferment under conditions no more restrictive than those applicable to undergraduate college deferments.

Obviously, the committee considered apprentices as important to the national interest as college students. That being the case, there is no reason to believe the committee considered nondegree, vocational students any less essential. It is significant that the Senate report did not distinguish between the bachelor's degree candidate and the nondegree 2-year student—preferring, like the House, to settle for the all-embracing term, undergraduate college student.

The language of the statute itself does not justify the distinction which General Hershey has drawn in his directive. The relevant provision reads as follows:

The President shall, under such rules and regulations as he may prescribe, provide for the deferment from training and service in the Armed Forces of persons satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning . . . A deferment granted to any person under authority of the preceding sentence shall continue until such person completes the requirements for his baccalaureate degree, fails to pursue satisfactorily a full-time course of instruction, or attains the twenty-fourth anniversary of the date of his birth, whichever first occurs.

Under his interpretation, General Hershey seems to be saying that community and junior colleges are not "colleges" or "similar institutions of learning." Yet, such an interpretation is hardly logical, and makes no sense. If community and junior colleges are not "colleges," under the terms of the act, then certainly they must fall within the category of "similar institutions of learning." Otherwise, the latter phrase is a meaningless, verbal indulgence.

Furthermore, the second sentence—the so-called throwback provision—does not exclude the non-degree student from entitlement to a student deferment. And, yet, that is the inference which the Selective Service System insists upon weaning from the provision.

Mr. President, I have dwelt upon the legislative history because it clearly refutes the argument of the Selective Service System that Congress intended the discriminatory application of the draft law decreed by General Hershey. Instead, I am convinced that his new policy is based upon a faulty interpretation of the law and the legislative history.

Mr. President, the rapid development of the 2-year institution is due in no small measure to funds made available by the Federal Government under the Vocational Education Act. In 1967 alone, 75 new community colleges were opened. Since 1965, they have been started at a rate of more than one a week.

The phenomenal growth of the 2-year college has helped to meet the educational needs of many thousands of young people who do not wish, or who are unable, to embark upon a 4-year BA degree program. To treat such individuals as nonstudents under our draft laws is degrading and inequitable.

Moreover, the new draft ruling contradicts the whole thrust of Federal and State policy in this field during the past several years. It is a step backward in our endeavor to upgrade and expand the role of vocational education.

One might even say that, as far as the Federal Government is concerned, the right hand does not seem to know what the left hand is doing. The administration is expending funds to expand 2-year colleges—and at the same time it proclaims a policy which discriminates against students who enroll in their courses.

In his recent message on education, President Johnson said:

A high school diploma should not be a ticket to frustration.

We must do more to improve vocational education programs. We must help high schools, vocational schools, technical institutes and community colleges to modernize their programs, to experiment with new approaches to job training.

I endorse the President's emphasis on education at the community college level. But, unfortunately, the Selective Service System takes a different view.

The manpower crisis in America today is a harrowing paradox: jobs go unfilled everywhere, but there are 3 million Americans unemployed. For the first time in history it is possible to speak of a manpower shortage in the midst of an overabundant labor pool.

One answer to the problem is to expand the opportunity for post-high-school training. I believe that young people who are being educated to acquire a needed skill are just as important to the Nation as many who are pursuing a liberal arts degree. Their claim to student status is as sound and valid from the standpoint of the national interest as is the claim of the liberal arts candidate.

In closing, Mr. President, I wish to bring to the attention of the Senate a recent article by Dr. James B. Conant which appeared in the Saturday Review of January 13, 1968. Dr. Conant, describing what he termed "The End of Orthodoxy," wrote:

Today, unlike twenty years ago, the words "college student" do not necessarily mean a youth enrolled in a four year institution. . . .

I raise here an old question: why four years? why not two?

I suggest that all who are responsible for employment policy consider . . . de-emphasizing the B.A.

Mr. President, the legislation I have introduced today recognizes an already established fact: the great variety of postsecondary education in America today has blurred the traditional significance of the baccalaureate program.

Mr. President, I ask unanimous consent that the article by Dr. Conant to which I have referred be printed at this point in the RECORD, along with copies of several letters, and the text of the bill which has been introduced.

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

The bill (S. 3019) to amend section 6(h) of the Military Selective Service Act of 1967 in order to clarify the deferment status of persons pursuing full-time courses of training at junior or community colleges, and for other purposes, introduced by Mr. GRIFFIN (for himself and Mr. HART), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 3019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(h)(1) of the Military Selective Service Act of 1967 (50 App. U.S.C. 456(h)(1)) is amended—

(1) by striking out in the second sentence "baccalaureate degree," and inserting in lieu thereof the following: "baccalaureate degree (or, in the case of a person not a candidate for a baccalaureate degree who is enrolled in a program which is normally completed in less than four years, until such person completes the requirements of such program).";

(2) by striking out in the last sentence "As used in this subsection," and inserting in lieu thereof the following: "As used in this subsection (1) the term 'similar institution' includes junior and community colleges, and (2)"; and

(3) by adding at the end thereof a new sentence as follows: "The President shall determine whether or not persons satisfactorily pursuing a full-time course of instruction at a professional, scientific, or technical institution which furnishes education or training at or above the secondary school level should be granted deferments from training and service in the Armed Forces; and he is authorized, under such rules and regulations as he may prescribe, to provide for the deferment under this paragraph of any category or categories of such persons he determines should be granted deferments."

The article and letters, presented by Mr. GRIFFIN, are as follows:

THE END OF ORTHODOXY

(By James B. Conant)

Dr. Vanderslice has pointed out a number of important ways in which industry can help educational institutions, and vice versa. I am sure all university presidents, either active or in emeritus status as I am, must have cheered his opening remarks about money. Certainly the private colleges desperately need increased financial support from companies. Certainly those concerned with publicly supported schools, colleges,

and universities must welcome Dr. Vanderslice's statement that industry should support a broadening of the tax base for education in the United States.

In commenting on his reference to higher taxes, I cannot resist the temptation to insert a word in favor of a bit of heresy. A year ago, in a second report of interested citizens on the "Comprehensive High School," I presented data which show the startling lack of equality of educational opportunity between one school district and another. Few people realize the almost accidental way our public schools are financed. Adjacent districts may differ in their taxable resources by several fold. As long as local real estate taxes carry a large share of the cost, such differences are reflected in the expenditures per pupil.

I have slowly arrived at the conclusion that a radical rethinking of the financing of our public elementary and secondary schools is overdue, and that in each state the entire financial responsibility should be that of the state and not the local school district. My conclusion would be the same in regard to the rapidly expanding two-year community or junior college.

On his second point—the way in which industry can advise state and local school systems about the kind of graduates it can use—I will skip over the vexing but all important question of jobs for the disadvantaged in our large cities and address myself to industry's relation to college students. Today, unlike twenty years ago, the words "college student" do not necessarily mean a youth enrolled in a four-year institution. In many states, the expansion of the local two-year college has been phenomenal. By 1974, nearly a third of all college freshmen will be enrolled in two-year institutions.

Before World War I, many a member of the academic community—professor or administrator—felt impelled to do his or her part to impress on employers the importance of a college education. As a consequence, we find a half century later that the phrases "well educated" and "the holder of a bachelor's degree" are treated as synonymous. Four years' exposure to full-time formal education has come to be accepted by the business community as a prerequisite for many types of employment. I raise here an old question: Why four years; why not two?

I challenge the validity of the widely accepted premise about post-high school education for two reasons. First, because the pattern of public higher education is in process of rapid and drastic change. And secondly, because some, at least, among the present college generation are thoroughly dissatisfied with their lot.

Not long ago I attended, as a guest—a Rip Van Winkle from the distant past—a series of panel discussions on "Goals for American Higher Education." Two of the speakers represented college student organizations. If their evidence has any validity, they and their contemporaries were far from certain as to why they had entered college. One said that all his contemporaries agreed that the education they were pursuing was "without purpose." Could not such a situation have arisen at least in part because the length of a span of years has come to be the measure of a liberal education? Does not our present pattern, which involves a high-prestige value for the bachelor's degree, postpone too long entry into a significant career for many youths? I suggest that all who are responsible for employment policy consider emphasizing the two-year associate of arts degree and deemphasizing the B.A.

I call attention to the role of industry in influencing young people in the community college who have to decide what they should do on completion of the two-year course. The role of guidance and counseling is now shifting from the high school to the community college. The leaders of business can help the two-year colleges by sympathetic understanding and friendly counsel. This is not a new job, but one whose importance gains with every year.

FLINT COMMUNITY JUNIOR COLLEGE,
Flint, Mich., January 2, 1968.

Hon. ROBERT P. GRIFFIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRIFFIN: I am sure that you are aware of General Hershey's ruling covering occupational and non-transfer students at community colleges. He has indicated that these students should not be classified II–S. This is a discriminatory action for it means that so-called transfer students at a community college can be classified as II–S and occupational students at the same college taking the same courses cannot be classified II–S. Any support that you can give us in having this ruling changed would be greatly appreciated.

Sincerely,

CHARLES DONNELLY,
President.

MONROE COUNTY COMMUNITY COLLEGE,
Monroe, Mich., December 22, 1967.

Senator ROBERT P. GRIFFIN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: I am writing to enlist your support in changing a discriminatory practice in the draft classification of college students.

Junior-Community college students enrolled in career programs are presently being classified as II–A rather than the customary II–S. This practice does not seem to be based on the sound judgment when we consider the critical need for trained technicians.

It is my firm conviction that students enrolled in career programs should receive the same consideration presently being given to students enrolled on a four-year program.

Sincerely,

JACK R. MCDONALD,
Area Chairman Science-Math.

OAKLAND COMMUNITY COLLEGE,
Bloomfield Hills, Mich., December 12, 1967.

Hon. ROBERT P. GRIFFIN,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: The recent administrative ruling by General Hershey blatantly discriminates against the thousands of young students—most of whom are from low- and middle-income families, disadvantaged urban and rural areas, and members of minority groups—who are enrolled in occupational programs which terminate at the end of one or two years and do not necessarily lead to a baccalaureate degree.

The Administration and the Congress have both indicated their awareness of the importance of the training of skilled occupational personnel as evidenced by the passing of the Allied Health Professions Act of 1966, for example.

I urge you to look carefully into the implications of General Hershey's ruling and do all you can to remedy this injustice by permitting appropriate 2–S classifications for students enrolled in occupational programs which do not lead to a baccalaureate degree.

I will be happy to provide you with any additional data in this regard you feel might be helpful.

Very truly yours,

JOHN E. TIRRELL,
President.

LANSING COMMUNITY COLLEGE,
Lansing, Mich., January 10, 1968.

Hon. ROBERT P. GRIFFIN,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: Enclosed is a letter to President Johnson concerning the recent administrative ruling that does not permit students at Lansing Community College to be classified as "College Students" with II–S Selective Service classification.

It is President Gannon's and my desire that you have a copy of this letter in your files. As indicated in the letter to President Johnson, we would also appreciate any efforts on your part to bring about clarification of Lt. Gen. Hershey's ruling or to have it completely voided.

Thank you for your time and attention.

Sincerely,

KENNETH H. SPROULL,
Dean, Student Personnel Services.
PHILIP J. GANNON,
President.

MONTCALM COMMUNITY COLLEGE,
Sidney, Mich., December 11, 1967.

Hon. ROBERT P. GRIFFIN,
U.S. Senate,
Washington, D.C.

DEAR BOB: You perhaps have already become acquainted with the problems for community college students which have grown out of the Selective Service Extension Act passed by Congress earlier this year.

As you know, the difficulties seem to arise out of General Hershey's interpretation of the wording of the act rather than out of any intent expressed by Congress in the law. The approximate wording reads, in effect, "until he has completed the Bachelor's Degree". It is General Hershey's feeling that this means that only students pursuing a baccalaureate degree are eligible to be given a II–S deferment on the basis of college attendance. Accordingly, draft boards from all over the United States are considerably confused as to the deferment rights of students enrolled in various technical/vocational programs of study in community colleges. Some are granting II–A occupational deferments while others are automatically throwing these students into the draft-eligible pool and are drawing upon them without further consideration of deferment.

We have conducted a continuous dialogue with the Montcalm County Selective Service Board and fully believe that the conscientious members of that body are considering each youngster individually. However, it is my guess that they feel a certain lack of direction in granting deferments to our occupational students. For one specific example, a young man was recently drafted while enrolled as a second year student in Automotive Mechanics. Others failed to enroll last fall because they were notified that the Automotive Mechanics program did not entitle them to draft deferment and they would be subject to call in any particular month regardless of the fact that they were attending Montcalm Community College.

Throughout the entire situation, the officials of Montcalm Community College have not overlooked the obligation of each young man to assist in the defense of his country. However, if deferments are being granted to college students, it is our feeling that all young men enrolled at our institution should be treated on an equal footing.

Last week the American Association of Junior Colleges released a policy statement on selective service. I have enclosed that statement against the possibility that you have not yet received one. It describes the situation much better than I have done in this letter.

We appreciate your interest in this problem and would be grateful for any effort on your

part to help clarify the intent of Congress to the Selective Service officials.

Sincerely yours,

DONALD D. FINK,
President.

S. 3020—INTRODUCTION OF BILL FOR THE RELIEF OF CERTAIN DISTRESSED ALIENS

Mr. PELL. Mr. President, I join my senior colleague, Senator PASTORE, in introducing a bill for the relief of the distressed families of Sicily—homeless and in dire straits as a result of the earthquake that destroyed their communities and evoked the sympathies of the entire world.

From the first news of the disaster we have been in close touch with the situation—in contact with the governments of Italy and with our own Government—and with the public relief efforts to mitigate the suffering.

Notwithstanding the relief assistance that has been given and may be afforded them, they are still without homes. Because of the conditions existing there, they have no place to go.

We believe America can find a place for some of them. We have arrived at our decision not in haste but in reasoned consultation with all parties concerned.

Ten years ago—before my own service in the Senate—Senator PASTORE reacted to a similar situation—the earthquakes in the Azores in 1958.

Senator PASTORE sponsored a bill which culminated in Public Law 85-892, the act of September 2, 1958, for the purpose of permitting the admission to the United States of the Portguese nationals distressed by that calamity in the Azores.

The present bill which we are introducing is patterned on that excellent public law.

It would provide for the issuance of 3,000 special immigrant visas to persons in Sicily who are out of their usual place of abode because of natural calamity, are unable to return thereto, and are in urgent need of assistance for the essentials of life.

Such visas may also be issued to their spouses and children accompanying them, without regard to the numerical limitation.

No visa would be issued under this bill if a regular visa number was available. The aliens encompassed by this bill would be exempted from the payment of visa fees.

The bill provides for a termination date 2 years from now; that is, January 31, 1970.

Mr. President, it is the sincere hope of Senator PASTORE and myself that this bill will be promptly enacted.

Time is of the essence—and it is the propitious hour for our United States again to demonstrate its true humanity—its helping hand to those who are in need of refuge, relief, and the very essentials of life.

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

The bill (S. 3020) for the relief of certain distressed aliens, introduced by Mr. PELL (for Mr. PASTORE and himself), was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 146—INTRODUCTION OF JOINT RESOLUTION GRANTING CERTAIN POWERS TO THE KANSAS CITY AREA TRANSPORTATION AUTHORITY

Mr. LONG of Missouri. Mr. President, on behalf of myself, the senior Senator from Missouri [Mr. SYMINGTON], the senior Senator from Kansas [Mr. CARLSON], and the junior Senator from Kansas [Mr. PEARSON], I introduce, for appropriate reference, a joint resolution which would grant the consent of Congress to certain amendments to the Missouri-Kansas bi-state compact.

This compact was agreed to by the two States with the consent of Congress for the purpose of establishing the Kansas City Area Transportation District and Kansas City Area Transportation Authority. The authority was established to provide public transit within the district.

Because questions have arisen as to certain powers of the authority, the two States have adopted needed amendments and congressional consent has been requested.

Representative BOLLING is introducing for himself and other affected Representatives an identical resolution. Our resolution would remove any legal questions as to the right and power of the authority to recognize unions representing its employees, to deal with representatives of employees, to enter into labor contracts, and to provide for pensions and other employee benefits.

It is my hope that the Congress will act quickly on this resolution.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 146) granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri, introduced by Mr. LONG of Missouri (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

RESOLUTIONS

TO PRINT AS A SENATE DOCUMENT A REPORT ENTITLED "FEDERAL ARCTIC RESEARCH"

Mr. BARTLETT submitted the following resolution (S. Res. 259); which was referred to the Committee on Rules and Administration:

S. RES. 259

Resolved, That there be printed as a Senate document a report entitled "Federal Arctic Research", prepared according to the instructions of Senator E. L. Bartlett, chairman, Legislative Appropriations Subcommittee, Committee on Appropriations, by George A. Doumani, Science Policy Research Division, Legislative Reference Service, Library of Congress.

SEC. 2. There shall be printed one thousand additional copies of such document for the use of the Committee on Appropriations.

COMPENSATION OF SUBCOMMITTEE EMPLOYEES

Mr. BYRD of West Virginia (for Mr. MANSFIELD and Mr. DIRKSEN) submitted a resolution (S. Res. 260) providing for compensation for investigating subcommittee employees, which was considered and agreed to.

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

NOTICE OF HEARINGS—UNITED NATIONS PEACEKEEPING FORCE

Mr. CHURCH. As chairman of the Subcommittee on International Organization Affairs of the Committee on Foreign Relations, I wish to announce that the subcommittee will hold public hearings on March 27 and 28 on Senate Concurrent Resolution 47, which relates to the establishment of a United Nations Peacekeeping Force.

The concurrent resolution was introduced by Senator CLARK on October 10, 1967, and to date has 20 cosponsors, including myself.

Persons interested in testifying on the resolution are requested to get in touch with the chief clerk of the committee, Mr. Arthur Kuhl, as soon as possible.

The hearings will be held at 10 a.m. in room 4221, New Senate Office Building.

WHITE HOUSE CONFERENCE ON AGING: NOTICE OF HEARINGS

Mr. KENNEDY of Massachusetts. Mr. President, I wish to announce that the Special Subcommittee on Aging of the Senate Committee on Labor and Public Welfare has been authorized to conduct hearings on March 5 and 6 in room 6222, New Senate Office Building, on Senate Joint Resolution 117.

That resolution, introduced on October 18, 1967, proposes that a White House Conference on Aging be called in 1970, approximately one decade after the historic conference of January 1961. The resolution also provides funds to encourage States to call individual conferences in preparation for the national conference.

If the Congress acts early this year on Senate Joint Resolution 117, it would be following approximately the same time pattern that led to the conference in 1961. The late Representative John F. Fogarty, of Rhode Island, introduced legislation for that conference on January 8, 1958, because he anticipated that careful preparations would be necessary for a successful national conference.

The March 5 and 6 hearings will be open. Statements from knowledgeable individuals will be welcome for our hearing record. I will also note that the hearing will take place as the National Council on the Aging conducts a regional conference in Washington, D.C. I am sure that at least several of the participants in that conference will also be able to address the subcommittee, and I will look forward to their testimony.

MONTANAN DRAWS PRAISE AT OLYMPICS

Mr. MANSFIELD. Mr. President, on behalf of my distinguished colleague who is now presiding over the Senate, and myself, I wish to say that, while the United States did not do as well at the Olympics as we may have wished, we did offer several of the highlights of these winter games. We did especially well in the area of skating, and I am especially pleased that a young Montanan was a member of the Olympic figure-skating team from the United States. Young John Misha Petkevich, of Great Falls, Mont., has done extremely well, since he is relatively new to the international aspect of this competitive sport. He performed extraordinarily well in Grenoble, France, where he had an enthusiastic reception. Although there were several mishaps, he did end up in sixth place in the figure skating. Montana is proud of John Misha Petkevich.

We are also proud of the other Montanans who participated in the Olympics, all members of the U.S. luge team. These included 21-year-old Jim Murray, a resident of Avon, a graduate of the Deer Lodge High School, and a student at the University of Montana; 20-year-old Sheila Johansen, of Billings, a graduate of Terry High School, and a University of Montana student; and 16-year-old Kathleen Roberts, of Miles City. Miss Roberts, incidentally, is one of the youngest members of the U.S. delegation.

Mr. President, the Great Falls Tribune carried a series of articles on John Misha Petkevich which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks, together with a feature which appeared in the January 29, 1968, edition of Sports Illustrated.

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

[From the Great Falls (Mont.) Tribune, Feb. 9, 1968]

PETKEVICH IS NOT ALONE

(By Mayo Ashley)

In all the recent excitement about Great Falls' entry in the Winter Olympics, John Misha Petkevich, we tend to overlook three other Treasure Staters on the Olympic team. Granted their method of getting to Grenoble was not as spectacular as Petkevich's and their sport is not as well known, but their accomplishment is just as praiseworthy.

The trio are all members of the U.S. luge team that has yet to begin competition. Luge team members include 21-year-old Jim Murray, a resident of Avon, graduate of Deer Lodge High School and student at the University of Montana; 20-year-old Sheila Johansen of Billings, a graduate of Terry High School and also a U of M student; and 16-year-old Kathleen Roberts, Miles City. Miss Roberts, incidentally, is one of the youngest members of the U.S. delegation.

The luge team is managed by Dave Rivens of Miles City, Capt. Bruce Medley of the ROTC unit at UM is head coach. Truly the luge is an event Montana should be watching with interest.

Luge racing is done down a chute, similar to that used by bobsleds on a sled much like the ones your children use to slide down hill. However, luge is not a children's sport—far from it. It is one of the most dangerous and taxing events on the Olympic program. The U.S. team is not expected to win any medals this year but the Montanans will gain experience that should stand them in good stead in 1972.

While on the subject of the 1968 Winter Olympics it would seem an appropriate time to mention one Montanan who isn't there—Terry Casey. Casey, killed last summer in an auto wreck, would have been on the U.S. hockey team at Grenoble. U.S. coach Murray Williamson said some time ago, right after the team for Grenoble was first firmed up, that Casey was a steadying influence on the club. He claimed the Americans settled down and played better hockey when the colorful Great Falls rinksman was in action. Had Casey lived to participate in the Olympics he probably wouldn't have improved the team a great deal but perhaps he could have kept them from taking the lumps they have been taking so far. The performance of the 1968 team is far below that of the 1960 gold medal crew and Casey might have made it better.

While on the subject of Casey, we learned this week, from Lee Bohnet, sports information director at University of North Dakota, that Casey's old jersey (No. 12) has been retired. Such an honor is only right for an All American of Casey's caliber. The university is also starting a memorial fund in Casey's honor. The money will be placed in a trust fund for the education of Casey's daughter, Terry Lee, who was born Oct. 15. UND coach Bill Selman, in praising his longtime star said his biggest ambition was to play in the Olympic Games. Williamson, at ceremonies retiring Casey's jersey, remarked "In my estimation he was the best American center in amateur hockey."

Selman called Casey "the most popular hockey player I've ever been associated with and certainly the first Montanan ever to make it in big time hockey."

Casey, survived by his wife Nancy and his daughter, scored 57 goals and had 61 assists in three years with the Sioux. Testimony to his sportsmanship is the fact that he was assessed only seven minor penalties, amounting to 14 minutes, in 88 college games.

Bohnet and Sioux athletic director L. R. Marti are still collecting money for the memorial fund at the University of North Dakota, Grand Forks.

Casey's sister, Kathy, a fine skater in her own right is currently acting as a pro for the Lakewood Figure Skating Club in Tacoma. She had several fine performers in the recent Northwest Pacific Championships at the Civic Center.

[From the Great Falls (Mont.) Tribune, Jan. 21, 1968]

J. M. PETKEVICH WINS OLYMPIC SKATING BERTH

PHILADELPHIA.—John Misha Petkevich, a philosophy student at the College of Great Falls in Montana, wowed a crowd of some 7,000 with a spectacular free-skating performance Saturday to carry him from fourth place to third over Scott Allen, the 17-year-old Harvard University freshman who won this title in 1964 and 1966 and was runnerup in the alternate years.

Petkevich, a 5-foot-8 150-pounder who may seek the priesthood, received a standing ovation.

Third place automatically qualified Petkevich a berth on the 1968 U.S. Olympic team. The winter Olympics begin Feb. 6 in Grenoble, France.

The men's singles title of the U.S. Figure Skating Championships at the Spectrum, a new arena, went to Tim Wood, a John Carroll University pre-law student.

Runnerup went to Gary Visconti, a teammate of Wood from the Detroit Figure Skating Club.

Wood, a 5-foot-10 political science major, who lives in Bloomfield Hills, north of Detroit, said Thursday after he took the lead in the compulsory school figures, that he came here, "feeling I was better than Visconti and Scott Allen," the No. 1 and No. 2 ranked U.S. men's singles skaters.

The slim-built Midwesterner, who proved a man of his word, wasn't the best free skater on the ice Saturday. That was Petkevich.

Wood's over-all performance including the school figures carried him to the title over defending champion Visconti.

Wood credited his stunning upset of the two top-ranking American figure skaters to his coach, Ron Baker.

"Ron is responsible for getting me to where I am," the winner said.

Baker said his protege was 50 per cent better than last year when Wood finished third to Visconti and Allen at the Nationals in Omaha, Neb. The coach credited it to maturity, hard-training and experience.

Along with Visconti and Petkovich, Wood also automatically made Uncle Sam's World Team for the championships starting Feb. 27 in Switzerland.

In over-all points, Wood tallied 132.48 to 130.29 for Visconti, who was given an assignment to skate in the Nationals by the Navy in which he has 21 months to serve. Visconti is stationed at the Grosse Ile Point (Mich.) Naval Air Station.

Wood, Visconti and Petkevich thus joined the three pairs teams which made the Olympics and World teams Friday night: Ron and Cynthia Kauffman, the pairs champions from Seattle, Wash., and the second and third place finishers, Sandi Sweitzer and Roy Wagelain of California and Jo Jo Starbuck and Kenneth Shelley of Arctic Blades Skating Club, Paramount, Calif.

[From the Great Falls (Mont.) Tribune, Jan. 21, 1968]

"IT WAS JUST WONDERFUL," MOTHER SAYS

PHILADELPHIA.—"It was just wonderful," Mrs. Frank Petkevich, mother of Great Falls figure skater John Misha Petkevich described the winning performance of her son Saturday in the free-style division of the United States Figure Skating championships.

The victory, which lifted John Misha into third place in the over-all standings after a fourth-place finish in the compulsory figures, gave him a certain berth on the U.S. Olympic team for the 1968 games in Grenoble next month.

In skating composition and style, he scored a perfect 6.0 mark on the card of one of the five judges. He also had three 5.9s and one 5.7.

In technical merit, the scores were two 5.9s and three 5.8s.

A perfect score would have been 60 points. John's total score was 58.6.

Telegrams to Petkevich poured into the "City of Brotherly Love" from throughout Montana, congratulating him on record breaking performance which drew a standing ovation from 7,000 persons in Philadelphia's new Spectrum arena and was carried on nationwide television.

However, Mrs. Petkevich said she hadn't even had a chance to congratulate John, who was immediately taken to a news conference and from there proceeded to prepare for a special guest performance Saturday night, a feat usually reserved for over-all division winners.

Mrs. Petkevich, who called back to Great Falls from the Spectrum after a telephone blackout had occurred in their motel located 10 miles from the stadium, said John had been worried Friday night about his performance Saturday upon which his Olympic hopes rode.

She said his spirits rose Saturday morning and told her "I'll certainly go out and do my best" just prior to departing for his winning effort.

Petkevich was to attend a skaters' meeting after Saturday night's finals at which the U.S. Olympic team was to be officially named.

The team is to travel to New York Monday

for uniform measurements and continue from there to Grenoble for practice for the Olympics which open Feb. 2 in the French city.

[From the Great Falls (Mont.) Tribune, Jan. 28, 1968]

JOHN MISHA WOWS 'EM IN PHILADELPHIA TOO—NATIONAL ACCLAIM FOR PETKEVICH LOUD, LONG

"It's like catching and passing Jim Ryun in the homestretch. He had to stage an impossible performance. And he did."

Those were the words Bob Ottum, Sports Illustrated writer, used to describe John Misha Petkevich's freestyle performance in last week's U.S. Figure Skating Championships in Philadelphia.

The quote was typical of national praise for the Great Falls skating wonder who won an Olympic berth with a spectacular come-from-behind performance at the Spectrum on his first place finish in freestyle.

"Petkevich Wows 'em In Great Falls—and Spectrum" screamed an eight-column banner head in the Philadelphia Sunday Bulletin following conclusion of the championships Saturday night.

SOME ARE YUM-YUMS

A lady close to the skating scene noted, "The skaters work as hard as concert pianists, and they're tougher than they look. They have a lot of ego. Some are yo-yo's and some are yum-yum's. That Petkevich—ah, he's a yum-yum. If he asked you to dance, a gal would turn over two tables getting on the floor."

"Ice skaters aren't exactly Tony Galento types," said Bulletin sports writer Sandy Grady. "They are slim-hipped, smiling and polite as ushers at a Main Line wedding. They must have Arnold Palmer's nerves, Bart Starr's dedication, and Oscar Robertson's cool grace."

On the other hand, former world champion and this year's runnerup Gary Visconti defended his flamboyant style to Ottum, "What the h— else can I do? Anyone who says we're not athletes ought to try it one time. It takes strength and coordination." The 120-pound Visconti, who says he is trying to be a male version of Peggy Fleming, says, "It's tough."

PETKEVICH STOLE SHOW

Though Tim Wood and Visconti, both from the Detroit Skating Club, walked off with top over-all honors, it was Petkevich who stole the show in front of the record 54,678 people who watched the four days of competition.

"Few skaters jump as high as this boy," said Jim Grogan, the Ardmore expert who teaches at Squaw Valley. "He's capable of a triple Lutz and a triple Salschow (three aerial spins). He has conditioning to finish strong—something the judges like." Grady compared him to the Damascus—the great racing horse known for his come-from-behind finishes.

"And the crowd was knowing," Grady described the free-style performances. Visconti, small and serious in a green suit and red bow tie, was applauded politely by the experts in the pressbox: "nice double Lutz . . . three wally mumps very nice . . . good flying axel . . . a bit jerky though." They applauded Pat Lalor, whose father laid down the Spectrum ice. Pat didn't have much luck—he is coming back from a hurt leg. He fell once, and had a dangling boot lace, but skated with style. Tim Wood, angular and agile in a blue turtleneck, obviously had the class—a clean, economical poise, like Musial at bat. But it was Petkevich who brought the crowd up to a standing ovation with his beer-barrel-polka power."

HANG UP THE STICKS

"Like high jumpers," Grady continued, "skaters rarely watch each other's acts. But when Petkevich lifted the mob off its feet, the other 10 guys were like pool shooters who'd run into a hot hustler. They could hang up the sticks."

"The crowd applauded as if he'd run the 3.58 mile," said Grady. "His cheeks were flushed, more from the kissing and handshaking than the triple Salchows." Petkevich autographed programs for 30 minutes.

"I was nervous all day, until the music began," said Petkevich. "Then in the middle, I thought, 'thank God, I'm doing all right.' The crowd makes you feel—go, go, go."

Petkevich, who entered the meet relatively unknown despite a fourth place finish in the 1967 Nationals and a winning performance in freestyle in the Grenoble Games, had been dubbed an also-ran by national observers.

READY FOR BIG TIME

"He did some obligatory work on the compulsory stuff and rebuilt his free-skating routine around 'Espana Cani'—bullfight music filled with rhythmic, staccato guitars and castanets," noted Ottum, "combined with secret jumps, it made him ready for the big time."

Petkevich, however, held some reservations on his performance, admitting a leg injury had kept him from executing his triple jump, but "that goes back in for Grenoble."

For a place known better for its battles between Custer and the Indians, an 18-year-old Montana boy whose name is so long its frequently misspelled, John Misha Petkevich is putting frosting on the cake for his family, state and nation.

[From the Great Falls Tribune, Feb. 6, 1968]

TRIPLE FLIP? PETKEVICH'L SEE HOW FAR BEHIND HE IS

GRENOBLE, FRANCE.—Should he or shouldn't he. That's the question which John Misha Petkevich will have to answer by Feb. 16 when the Olympic men's free figure skating will be held at the ice stadium here.

The question, of course, is whether he should try his triple flip, which has never before been done in figure-skating competition, according to Petkevich's coach, Arthur Bourke.

John Misha, however, successfully has executed it several times in practice, and only a strained tendon in his right leg prevented him from including it in his spectacular exhibition of free skating during the National Championships at Philadelphia last month.

It was in Philadelphia that he came from behind following the required-figures portion of the program to overtake Scott Allen and move into third place and a berth on the U.S. Olympic team.

"I would like to try the triple flip here," Petkevich said Monday. "But I'm not sure yet whether I will, because if I should strain my leg doing it, my other jumps might be affected, too."

CAN'T TAKE A CHANCE

"On the triple flip," Bourke said, "John pulls with his right leg. But on most of his other jumps he lands on his right leg. So he can't afford to weaken it or take a chance on straining it further."

The 18-year-old native of Great Falls, Mont., is possibly the most exciting free skater here, but his past weakness in required figures, which are held first and count 60 per cent of the scoring, usually meant he was far behind the leader before the free figures were conducted.

WORKING HARD ON FIGURES

Petkevich has worked hard on his required figures since arriving 10 days ago, and he said hopefully Monday, "One of the Olympic judges, who saw me skate in the Nationals, came by today and said my figures look much improved."

The wiry, blond youngster flashed a shy smile and added, "Since I'm competing against a double world champion (Austrian Emmerich Danzer), I really hope I can do my triple flip.

"But also, I'm actually competing more against myself, and I want to make each routine better than the one before."

Petkevich indicated he probably won't decide until after the required figures are run off on Feb. 13–14.

Then he'll see how far behind he is and take it from there.

[From the Great Falls (Mont.) Tribune, Feb. 9, 1968]

WORLD'S GREATEST FREESTYLER—PETKEVICH'S FIGURES WILL DETERMINE PLACING

(By Bob Lochner)

GRENOBLE, FRANCE.—Dick Button, two-time Olympic figure-skating champion and a TV commentator for the 1968 Games, calls John Misha Petkevich "the greatest free-skater here," but that doesn't mean the Great Falls native is a cinch for the gold medal.

There's a little matter of compulsory figures.

They're both dull to watch and dull to practice, but they count as 60 per cent of the total scoring, and it's pretty tough to beat those odds even though you are the world's best in free-skating, which makes up the other 40 per cent.

"I've been working very hard on my compulsory figures since arriving in Grenoble," Petkevich said Thursday. "And what really encouraged me was a couple of days before the Games opened, this Olympic judge who saw me skate in the Nationals at Philadelphia came by and said they look much improved since then."

ICE A FACTOR

He flashed a quick, half-shy grin and added, "A number of skaters have said the ice in the Stade de Glace (Ice Stadium) is too white, and this might hurt some of the ones who are very good at compulsory figures, because the tracings don't show up very well."

The good ones might not look much different from the bad ones, in other words.

However, John Misha made it clear he intends to cut the best possible compulsory figures regardless of the condition or color of the ice.

WILL HE JUMP?

What he's not so sure of is whether he will attempt his incredible "triple-flip" as part of his free-skating performance on Friday night, February 16. This little maneuver is just what the name implies—not one, not two, but three flips in quick succession. According to his coach, Arthur Bourke, double-flips are relatively common, but a triple-flip has never been done in competition.

Triple-flip or not, Petkevich still has a barrel of spectacular tricks to throw at the 15,000 people and the judges who will grade him on the climatic night. One of them is called the "Bourkey," after his coach, and it was described in a recent issue of Sports Illustrated as "a jump in which he kicks sideways, whirls, arches and generally hangs around up in the air long enough to wash out a pair of sweat-socks."

Asked about it, the slender, blond-haired Petkevich laughed and said, "That's about it. Boy, I just saw that story. Wasn't that something?"

The story played Petkevich, who came from behind to make the Olympic team because of his great free-skating performance, ahead of the 1-2 finishers at Philadelphia, Tim Wood and Gary Visconti, both of whom are obviously better at compulsory figures. These will be skated Tuesday and Wednesday, February 13–14.

If John Misha should happen to crack the first three—or perhaps even the first five—those two days, watch out, world!

He takes two breaks in a rigorous training

routine that finds him on the ice for five or six hours a day, seven days a week. These are from mid-May to mid-June, and mid-August to mid-September.

ADMITS ROMANCE

"That's when I date," John Misha said. Asked if there was any one girl he liked back home, he blushed slightly and said, "Yes, but don't mention her name. I don't want her to know it."

It's about 5,000 miles from Gibson Lake and the Civic Center Ice Arena to the Stade de Glace, but John Misha Petkevich made it—and without any triple-flips en route.

[From the Great Falls (Mont.) Tribune, Feb. 13, 1968]

JOHN PETKEVICH BEGINS QUEST TODAY FOR OLYMPIC GOLD MEDAL

(By Ralph Thornton)

GRENOBLE, FRANCE.—The mistral blew chill, cutting through the thin practice jersey of John Misha Petkevich as he skated on the outdoor rink at the Olympic Ice Center.

A mistral is a cold, dry, violent wind that whistles out of the north through the valleys in southeastern France and pierces to the bone at 40 degrees.

John Petkevich, on the other hand, is an exciting young American skater who blew in from Great Falls, Mont., like a breath of fresh air onto the figure skating scene.

He will begin his quest for an Olympic medal today when the first three of six compulsory figures are skated. The final three compulsory figures are scheduled for Wednesday.

"Being from Great Falls is my greatest asset," he said after his practice session. "It's not a well-known skating center, but the people are wonderful." Before his appearance in the U.S. Nationals last month in Philadelphia, he received telegrams from 310 residents of his home town wishing him luck.

PRESSURE TO MOVE

"National skating bigwigs put a lot of pressure on us to move," said John's coach, Art Bourke, a former Canadian who teaches the 300-member Great Falls Figure Skating Club. "They said he wouldn't get anywhere being from Great Falls."

"And," John said, "they implied I wouldn't learn my figures properly from Mr. Bourke. But we showed them."

"Mish," as his friends know him, is the son of a Great Falls radiologist, Dr. Frank Petkevich.

John, 18, is a freshman at College of Great Falls and hopes to attend Harvard in the fall, where he plans to major in philosophy.

On the ice the 5-foot, 7-inch lad looks taller than he is, perhaps because of his athletic leaps. His normal 147-pound weight has jumped to 150 here because "he cannot pass up a single pastry shop in Grenoble—and there are hundreds," his coach said.

At the Olympic Village, where the athletes live, he does not eat any of the ethnic food offered.

"The U.S. teams have been warned not to," he said. "Some of our skaters became ill after eating Oriental food. Something about the way they cook chicken, and the cheese isn't pasteurized."

The grandson of Lithuanian immigrants, John is no 90-day wonder in U.S. skating, though he has come up fast the past three years. He has been skating 11 years, his first big win being the national junior title in Berkeley, Calif., in 1966.

BOURKEY JUMP

John's free-style skating, which brought a Philadelphia audience to its feet last month, features a closing jump invented and named a "Bourkey" for his coach.

It is a reverse side stag with a full revolution coming out of it—actually two maneuvers in one, done in mid-air.

He is undecided whether to do his "triple flip" in the finals here Friday.

In that flip he takes off from a left inside edge, goes into the air for three complete revolutions and lands on a right back outside edge.

"I've done it about 50 times in practice," John said, "but lately I've noticed it pulls the ligaments of my right leg when I land and it bothers me on other figures. So I stopped."

He may use the flip only during his final Olympic performance. If he does, the audience, too, may flip. For it has never been done in international skating circles.

John practices on the ice here three or four hours a day along with Japanese and Korean skaters, so he has not studied his European rivals.

What is the secret to his special agility—at times he appears to hang in the air as if suspended on wires?

"Some people know," he confided, "but I think I'll keep it quiet for at least another four years. Then I'll tell everyone, so it will help other skaters."

SECRET WEAPON

"Right now it's my secret weapon—like a football play."

Another secret is his music.

"We tried to create something unusual," said Bourke, who made a special trip to California last year to scout for music and stumbled on an obscure recording entitled "Espana Cani" in a record shop.

"When I first heard it I thought, 'That it.'

"No one had ever used Spanish music before, and we weren't sure how the judges would like it. But the first time we tried it at Los Angeles they loved it. The place went wild.

"Many coaches pick heavy music their young skaters don't understand. The result is they don't get involved with the music. They must feel it."

Lately John has been reading the "Story of Philosophy" by Will Durant—"I'm already up to Schopenhauer"—and he enjoys the writing of Bertrand Russell. His own philosophy?

"I don't know yet. Nothing extreme, sort of middle-of-the-road approach."

Who does he think he has to beat for a medal?

"I don't know. I never watch the other competitors and couldn't if I wanted to."

He may, in fact, never see their performances except in movies long after the Olympics. But it will not affect his own performance.

"I'll go out there and do my best—that's what I'm here for," he said. "I'm just proud to represent the people of Montana and Great Falls."

[From the Great Falls (Mont.) Tribune, Feb. 14, 1968]

DISASTER ONCE AGAIN HITS U.S. SKIERS; PETKEVICH 13TH

GRENOBLE, FRANCE.—For one fleeting moment Tuesday, a youthful band of American girls stood on top of the ski world. But disaster again overtook them and dealt the United States another heart-breaking blow in the Winter Olympics.

The U.S. girls—Judy Nagel, 16; Wendy Allen, 23; Rosie Fortna, 21, and Kiki Cutter, 18—stunned onlookers by grabbing four of the top six places in the first run of the slalom.

But France's Marielle Goitschel came along and snatched the gold medal as the Americans were shut out when three of them were disqualified for missing gates on the first run and Miss Nagel fell on the second.

Miss Goitschel, giving France its third Alpine victory in the Games, had a combined time of 85.86 seconds, .19 ahead of runnerup Nancy Greene of Canada. Another French girl, Annie Famose, got the bronze in 87.19.

Americans also got off to a poor start in the men's figure skating as expected winner Emmerich Danzer of Austria took a narrow lead over countryman Wolfgang Schwarz after two of the five compulsory figures.

Tim Wood of Bloomfield Hills, Mich., was fourth, Gary Visconti of Detroit sixth and John Petkevich of Great Falls, Mont., 13th.

Toini Gustafsson of Sweden captured her second gold medal, winning the women's five kilometer cross-country ski race ahead of two Russians. No Americans were entered.

Russia's undefeated defending champions took over undisputed possession of first place in the hockey tournament by defeating Sweden in a battle of unbeatens 3–2 as Canada edged previously unbeaten Czechoslovakia 3–2

When the times went up for the first run of the slalom—through the 56 gates—it looked like an incredible day for the U.S. Alpine team, seeking its first medal after a series of injuries.

Miss Allen of San Pedro, Calif., had a spectacular 39.25, followed by Miss Nagel's 40.19. Miss Goitschel was third at 40.27, Miss Fortna of Warren, Vt., next at 41.31, then Miss Greene at 41.45 and Miss Cutter of Bend, Ore., at 41.46.

"We just never have been able to get a break," said U.S. Coach Bob Beattie with tears in his eyes after watching Miss Nagel fall. "Everything has gone against us, but the kids have never quit fighting."

Danzer and Schwarz, who have finished 1–2 in every world and European figure skating championship since 1966, appeared on their way to duplicating that finish in these Olympics as they are expected to do.

Schwarz held a slight lead after the first figure, a "back outside three-change three," but Danzer moved ahead on the more difficult "forward outside rocker" for a two-tenths of a point edge on his countryman. Danzer had 352.5 points and Schwarz 352.3.

Patrick Pera of France was third with 342.2 followed by Wood, the U.S. champion, with 334.5. Visconti had 324.7 and Petkevich, one of the better free skaters who is weak on compulsory figures, 300.4.

Erica Lechner of Italy was the new leader in the revised women's luge competition on completion of three of the four runs, after Ortrun Enderlein and Anna Maria Mueller were disqualified after finishing 1–2. Miss Lechner's combined time was 2:28.66.

Officials said an unidentified judge and three witnesses reported seeing the East German girls, along with teammate Angela Knoesel who held fourth place, warming their sled runners at the starting ramp for the third run. This is illegal.

Christa Schmuck and Angelika Duenhaupt, both of West Germany, took second and third. Kathy Roberts, 16 of Miles City, Mont., was 14th in 2:33.60, Ellen Williams of Old Tappan, N.J., 16th, and Sheila Johansen of Billings, Mont., 17th, in the field of 21.

Manfred Schmid of Austria led the men's luge singles after three heats with Kim Layton of Tahoe City, Calif., six seconds behind in 26th place with a combined time of 2:58.-64. Jim Murray of Avon, Mont., was 28th, Mike Hessel of Eugene, Ore., 30th, and Robin Partch of St. Cloud, Minn., 46th, among the 47 racers.

The luge jury was to meet early Wednesday morning to determine if the weather-plagued event can be completed on the 1,000-meter ice course, softened by high temperatures.

[From the Great Falls (Mont.) Tribune, Feb. 15, 1968]

PETKEVICH DRAWS ONLY HIGH PRAISE

(By Ralph Thornton)

GRENOBLE, FRANCE.—The international crowd which turns out daily to watch the Olympic figure skating trials has nothing but praise for the slender lad from Great Falls. And John Misha Petkevich isn't out of medal position yet, though the compulsory figures became more difficult as the week wore on.

"Here is where age and experience begin to tell," said Carl Gram, New York, chairman of the U.S. Figure Skating Committee.

Going into Wednesday's difficult figures Petkevich was ranked 13th. He finished the compulsory figures in 8th place.

"We're glad he's on the team." Gram said "He's a quiet boy, but everyone on the team likes him."

"We've been rained out of several practices," he continued, "but John works like the devil to make it up. He's always the last one to leave the ice."

Petkevich, whose father, Dr. Frank Petkevich, arrived Monday and whose mother has been at rinkside since these soggy Olympics began, had a quiet dinner in town with his parents before the final day of figures.

If freestyle skating counted more than 40 per cent of the score, he would have little to worry about.

"Believe me, they know his name here in Grenoble," Gram said. "And after Saturday the world will know it."

"His freestyle skating performance to Spanish music is an exciting one, and when we were here in November for the Olympic preview he shook the house down.

"They couldn't wait to get him back."

[From the Great Falls (Mont.) Tribune, Feb. 16, 1968]

MEDAL POSSIBLE FOR PETKEVICH

GRENOBLE, FRANCE.—Montana figure skater John Misha Petkevich of Great Falls still has a chance at a medal in the Winter Olympics here. But the chance is a slim one.

Petkevich made a big move on Wednesday from 13th to eighth place in the compulsory figures. He is expected to move further up during today's free skating, where he is considered one of the world's best. However, the move may not be enough to get him into the top three.

Petkevich is expected to please the audience as much as any other skater today, but figure skating judges here are not as influenced by crowd reaction as are the hockey referees, who seem to blow their whistles on command of the fans. Carl Gram, assistant manager of the U.S. team, said "The judges are used to being booed and having eggs thrown at them over here and they remain unmoved through it all."

Gram, in speaking of Petkevich's skating Wednesday, said "He skated very well. He has confidence and poise and works hard. Normally we don't expect as much change in position as he gained yesterday."

Mrs. Frank Petkevich, his mother, was so excited she could hardly speak after the scores were announced but her husband remained calm. Their son is not talking to reporters until the event is over because of the intense mental and physical preparation he is undergoing.

[From the Great Falls (Mont.) Tribune, Feb. 17, 1968]

IN SKATING AT GRENOBLE PETKEVICH FINISHES IN SIXTH PLACE

(By Will Grimsley)

GRENOBLE, FRANCE.—Tim Wood's comeback bid for an Olympic gold medal fell short Friday night, but the tenacious teenager from Bloomfield Hills, Mich., finished close on the heels of Austrian figure skating king Wolfgang Schwarz to earn a silver award and bolster sagging U.S. fortunes at the 1968 Winter Games.

Gary Visconti of Detroit finished fifth and John Petkevich of Great Falls, Mont., sixth.

Wood, 19, who trailed the 20-year-old Vienna language student by 14.2 points after Wednesday compulsory figures, which counted 60 per cent of the final score, closed the gap slightly with a brilliant free-skating performance, then watches Schwarz nail the gold medal with an equally stirring final effort.

Patrick Pera of France protected his third-place edge and picked up the bronze medal in the free-skating finale at the Stade de Glace.

Wood's brilliant performance broke a two-day medal famine for the U.S. Oympic contingent after Italy's Eugenio Monti shot within reach of a second bobsledding gold medal and heavy fog helped super-skier Jean-Claude Killy move a step forward in his bid for the Alpine Triple Crown.

In boosting the U.S. medal total to seven—one more than its accumulation in the 1964 Games at Innsbruck—Wood led a trio of young American skaters who cracked the top six places in the men's event.

Petkevich, an 18-year-old new-comer to the U.S. squad, skated immediately after Wood. He captivated the crowd with his whirl-wind acrobatics—only to lose all hope for a medal by falling twice.

Petkevich, who excels in free skating, tumbled first during a simple turn, then fell again at the end of a difficult triple spin leap. "I've never fallen on that particular part of my routine before and I probably never will again," he said afterward.

[From the Great Falls (Mont.) Tribune, Feb. 17, 1968]

GRENOBLE, FRANCE.—Final standings in the men's figure skating competition in the Winter Olympic Games Friday, with ordinals and place points:

Name	Ord.	Pts.
1. Wolfgang Schwarz, Austria	13	1,904.1
2. Timothy Wood, Bloomfield Hills, Mich	17	1,891.6
3. Patrick Pera, France	31	1,864.5
4. Emmerich Danzer, Austria	29	1,873.0
5. Gary Visconti, Detroit	52	1,810.2
6. John Petkevich, Great Falls, Mont	56	1,806.2
7. Jay Humphrey, Canada	63	1,795.0
8. Ondrej Nepela, Czechoslovakia	70	1,772.8
9. Jsergei Tchetveroukhine, Russia	93	1,737.0
10. Marian Filc, Czechoslovakia	97	1,734.2

[From Sports Illustrated, Jan. 29, 1968]

BOLD BOURKEY FOR JOHN MISHA

(By Bob Ottum)

A little bit of Vince Lombardi is all right, but what this country really needs now and then is a culturally jazzy event like the U.S. Figure Skating Championships, which were held last weekend in Philadelphia. The best of America's most esoteric group of athletes got together and fought it out on the far fringes of sport, and after a season full of the crack of helmets against kidney pads it was a refreshing change. Let's hear it for competitors with guts enough to take on all comers to the tune of something like the *Grand Pas Classique*.

There they were, bounding around, whirling, slashing, flying off the ice into the rafters of the Spectrum, maybe the only athletes in the world who suit up in sequins, spangles and stretch suits. When it was all over on Sunday night 12 survivors of the 138 in the competition got their reward: the chance to represent the U.S. in Olympic figure skating at Grenoble next month.

Beyond that, after the last Lutz had been Lutzed and the final triple Salchow attempted, the championships had produced an astonishing variety of happenings: 1) an Olympic veteran had been forcefully retired by a cyclonic young skater, just like in those old Sonja Henie movies; 2) a record total of 54,678 people whooped it up during the four days of competition—there was a nearly packed house of 14,216 on Saturday night; and 3) the U.S. team suddenly found itself with surprising depth it had never had before.

"The thing is," said Gary Visconti, the defending national champion, who fell to second place in Philadelphia but still won a ticket to France, "that now the Europeans won't know who to watch out for. We've been sending teams with only one or two strong members, but now, boy, we've got a crew where they'll have to watch all of us, because any one of us could sneak off with the whole thing."

Visconti is right. The U.S. has put together an all-star team that will bear close watching. The women will be headed by Peggy Fleming, and anyone who wouldn't watch Peggy is out of his mind, anyway. Behind Peggy are Albertina Noyes and a 14-year-old sprite from Rockford, Ill. named Janet Lynn, and either of them could stop the Olympic show. As for the men, Visconti was edged out of his championship by a supple youngster named Tim Wood, who has been after him for years. And in the struggle for the third and last spot in the men's group, former Olympian and National Champion Scott Ethan Allen was sent down to the farm team—which means the anticlimatic world championships to be held after the Olympics—by a kid from Montana who was the hit of the show. He is a blond 18-year-old who skates with three names and all the cool of a guy who *knows* he is not going to fall down and shatter. John Misha Petkevich moved up from the fourth-place ranking he had held after the school figures to dominate the free skating, win a surprising third overall and beat out Allen for a place on the Olympic squad. Lest you are not properly impressed, what he did was roughly equivalent to catching and passing Jim Ryun in the homestretch.

Why? Well, figure skating operates on a competitive point system. Under the system, before a gifted skater can haul off and take his competitors apart he must first go through a compulsory series of skating maneuvers known as school figures, which seem designed to prove that he can distinguish the inside edge of a skate blade from the outside edge. Figure skating places an inordinate amount of emphasis on this sort of silly warmup—it counts 60% toward the final score—and it takes precedence over skating freestyle, even though freestyle is what the game is really all about, no matter what the purists tell you. The result of this archaic system is that a good free skater who is bored by the school figures can come out of the preliminaries hopelessly behind, while a fair free skater who is good at compulsory routines can rack up a fierce lead before the finals.

Which brings us back to John Misha Petkevich. Going into Saturday afternoon he had finished his school figures with 70.72 points, 22 ordinals and no chances, a score to which you need pay no attention. The only thing you should know is that Petkevich was fourth. To move past the talented Scott Allen into third place, he had to stage an impossible performance. And he did.

Petkevich is 5' 8" and 150 pounds of spring steel and surprises. "I was nervous about this thing all day," he said. "I had planned to try this triple flip about midway in my routine, see? But then I pulled a muscle in my leg, and I decided I better not go for it. So I gave them everything else I had. And suddenly, about three quarters of the way through, I knew I had them, and I just sort of said, 'Thanks, God, for letting me win,' and went right on skating."

Who needs triple flips? Petkevich came off the ice in one flying thing he calls the Bourkey, after his coach—a jump in which he kicks sideways, whirls, arches and generally hangs around up in the air long enough to wash out a pair of sweat socks. He added some snazzy Salchows, lots of Lutz jumps and a flying split jump that covered half the distance to Pittsburgh. His performance left the old figure skating pros in tears, though old figure-skating pros have a marked tendency to cry pretty easily. Even so, when it was all over, the audience—not completely sure what it had seen but positive that whatever it was it was historic—gave him a standing ovation. Figure-skating judges make up the far-right wing of sports, but for all their tendencies to be conservative they went

slightly wild, too. Four of the judges gave Petkevich 5.9 points, and one gave him a perfect 6, which no American man has received since 1964. Coach Arthur Bourke (whose jump now will become the most widely copied move in figure skating) gave John Misha a bear hug that was harder than anything else the kid had been through all day.

Petkevich has been coming on unnoticed for years. He won the free-skating event at the pre-Olympics last year in Grenoble (after placing 14th in the school figures), but everyone made the mistake of assuming that it meant little, because not all of skating's hot shots were entered. Petkevich, who has been at this game since he was 2 years old, figured it was time to attack. He did some obligatory work on the compulsory stuff and rebuilt his free-skating routine around *España Cañi*—bullfightish music filled with rhythmic, staccato guitars and castanets. He began to work on the secret jumps and, he adds, "that triple flip goes back in for Grenoble."

He was a tough act to follow. Tim Wood, who is more of a perfectionist than a dazzling performer, had come into the finals well up on school points and moved calmly through his free-skating routine to take first place overall. Visconti, who specializes in grandstand finishes, staged the next-best show of the meet with his free-skating routine, including one triple something that started out as a Salchow and ended up in a three-turns-and-a-flashing-smile, as though he had planned it that way all along. Visconti is the Fran Tarkenton of skating. He brings an element of unpasteurized excitement to the sport. For one thing, he has courage to claim that he weighs 120 pounds, which is patently impossible; he is so small that if he were a sports car his roll center would be three feet underground. Yet he shrugs off his flamboyant style. "What the hell else can I do?" he says. "I always have to come from behind, so I always give them everything I've got when I'm out there. But that's what this sport is all about. It may sound funny, but this sport is tougher than anything else I can think of. Anyone who says we're not athletes ought to try it one time. It takes strength and coordination, but you know what I'm really trying to do? I'm trying to bring some grace to it. I'm trying to be—well—a *boy* Peggy Fleming. It's tough."

And nobody laughed when he said it.

Champ Fleming, who has similar ideas about skating, has never been stronger or more graceful than she was in Philadelphia. She skated—floated actually—to an easy victory on Saturday night, a 109-pound wisp in an orange costume, and she made it look easy.

"Well, that's the idea," she said. "We have to make it look easy. Yet you have to make like a track star just to get through a number. Listen, all runners have to do is run around the track. We have to work much harder—and do it all in time to music. I don't know, maybe I should start grunting and grinding a little to make this thing look tougher and get more sympathy."

There is no need. Peggy got five 5.9 votes on the technical merit of her program and three 5.9s and two perfect 6s on composition and style, further contributing to skating scoring history. How symathetic can judges be?

After the girls had finished, Petkevich came back on the ice for an exhibition round. On one flying Russian split jump he took off to what had to be a new height-and-distance record for figure skaters, finally came back down to the ice and brought the crowd roaring to its feet all over again. "The crowd really turns me on," he chortled afterwards. "Before today's events I was all set not to get to see Grenoble. But now I'm ready. I'm really ready to go."

And he won't need a plane. He could *jump* that far.

PRESERVATION OF GLOVER-ARCHBOLD PARK

Mr. MANSFIELD. Mr. President, I am in receipt of a letter from Mrs. Anne Archbold, which I should like to read to the Senate. The letter is addressed to the Honorable Walter E. Washington, Commissioner of the District of Columbia.

DEAR COMMISSIONER WASHINGTON: As a memorial to my father, John Dustin Archbold, I dedicated to the United States in 1924 some 27 acres in the Foundry Branch Valley as part of the District of Columbia's park system. With the donation of Charles Carroll Glover, Sr., this created what is now known as the Glover-Archbold Park.

It was my purpose that this beautiful wooded valley be preserved perpetually for the benefit and pleasure of the public. Over the years my family and I, together with the Glovers, have had to resist efforts to convert the valley for other than the original purpose. It should remain and be enjoyed by all as a natural sanctuary.

I am told that the Department of Highways is anxious that a Three Sisters Islands Bridge be constructed at the bottom of the Park. I am told that any such construction would lead to a highway project within the Park, which would destroy the purpose for which the land was given. I urge most strongly that the bridge proposal be disapproved, and ask your support to this end.

Sincerely,

MRS. ANNE ARCHBOLD.

Mr. President, I hope that the wishes of Mrs. Archbold will be observed and adhered to, because after all, without the Glover-Archbold gift there would be no parkway, no beautiful valley in that part of Washington at this time. I would not like to see it destroyed.

COMMUNIST ENSLAVED NATIONS

Mr. DIRKSEN. Mr. President, commemorating the proclamation of the independence of a nation is a magnificent event. We know how the Americans cherish the annual Fourth of July celebration. Among nations that have fallen to the onslaught of the Soviet Communist Union, there is a strong passion for commemorating their independence days and it grows stronger in each succeeding year that these people must remain slave rather than free.

Members of Congress from both sides of the aisle speak in the Halls of Congress extolling the gigantic struggles for freedom from Soviet communism. The world knows of the gallant fight of the Ukrainians, Lithuanians, Latvians, Estonians, Hungarians, Rumanians, Poles, and the peoples of other nations behind the Iron Curtain in trying to break away from the chains of slavery, even though that gallant fight ended in further destruction to these people behind the Iron Curtain. Despite killings, the shedding of blood, and untold sacrifices, these people still dream, hope, and pray for national independence.

Mr. President, January 22, February 16, and February 24 are the independence days of the Ukrainians, Lithuanians, and the Estonians, respectively. The independence days of other peoples behind the Iron Curtain will follow during the year. Speeches in the Halls of Congress give strength and hope to the people behind the Iron Curtain, but their quest for freedom cannot live on speeches alone. For a number of years I submitted to the Senate concurrent resolutions similar to House Concurrent Resolution 416, adopted by Congress. This law calls upon the President to take such action as may be necessary to bring before the United Nations for its consideration the question of the forcible incorporation of the Baltic States Republics into the Soviet Union. Mr. President, I ask that the United Nations be requested to enlarge the resolution to include bringing before the United Nations for its consideration the question of the forceful incorporation of all nations that are now within the orbit of the Soviet Union against their free will. Many of my colleagues in both Houses have spoken on the great issue of liberating these people, but I believe we should generate these words into an effective resolution passed by the Congress of the United States. Only then will the Lithuanians on February 16, the Estonians on February 24, and all other peoples of formerly free nations who are now behind the Iron Curtain truly commemorate their respective independence days.

Mr. President, these are anniversaries well to be remembered when we stop to consider the fortitude of the Baltic and nations of all captive peoples, and the tenacity with which they have clung to the ideal of freedom. The days should be remembered. While the statement I make comes a little belatedly, I still wish to salute the fortitude, the stamina, and the fidelity to freedom of the Baltic people and the people of all other nations who are still numbered among the captive groups.

NATIONAL FUTURE FARMERS OF AMERICA WEEK

Mr. CARLSON. Mr. President, our Nation is now observing National FFA Week in honor of the Future Farmers of America, an organization of young men who believe in, and work for, self-dependence so they, in turn, can contribute to the welfare of others and our Nation.

I think it is most appropriate that in this week we also honor and pay tribute to the father of our country, for George Washington was not only a great national leader but an outstanding and proud farmer as well.

George Washington's legacy of example and a proud heritage and the goals of the Future Farmers are inseparable. FFA chapters use the bust of Washington as the symbol of the chapter treasurer, and the treasurer opens each meeting with these important words:

> I keep a record of receipts and disbursements just as Washington kept his farm accounts—carefully and accurately. I encourage thrift among the members and strive to build up our financial standing through savings and investments. George Washington was better able to serve his country because he was finacially independent.

Mr. President, the members of the Future Farmers of America have taken this great example of citizenship and assumed the responsibility of serving this

generation just as Washington served his.

Today, the spotlight of publicity and attention unfortunately falls on a small minority of our youth who choose to defy and dissent. This week, let us recognize and pay tribute to this great organization of young people who make positive contributions to our society—who believe in and set the example for rugged individualism so that they may serve others.

The Future Farmers Creed explains this organization's purpose well:

I believe in less dependence on begging and more power in bargaining; in the life abundant and enough honest wealth to help make it so for others as well as for myself; in less need for charity and more of it when needed; in being happy myself and playing square with those whose happiness depends upon me.

Mr. President, during my years of public service I have considered my association with these young men both inspirational and challenging; an inspiration to see the experiment of democracy born anew in our coming generations and a challenge to join with them in their work, and to do as well.

I am proud to say that I was among those who sponsored and supported the public law which granted the Congressional Charter of Incorporation to the Future Farmers of America. My pride in this organization and my faith in young people is rekindled every opportunity I have to enjoy meeting and talking with these fine young men.

It has been my pleasure to visit the annual convention of the FFA held each year in Kansas City. All who come into contact with the Future Farmers are richer from the experience.

Mr. President, during National Future Farmers Week, let us all join with these young people in their quest for the goals we all share—life's abundance, honest wealth, less need for charity, and more of it when needed. I commend the Future Farmers of America and their leaders for their efforts in continuing to make the American dream come true, and I pledge them my continued help and support.

AMENDMENT OF EXPORT-IMPORT BANK ACT OF 1945

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1155.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1155) to amend the Export-Import Bank Act of 1945, as amended, to change the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes, which was strike out all after the enacting clause and insert:

SECTION 1. The Export-Import Bank Act of 1945 is amended—

(a) By changing "Export-Import Bank of Washington", wherever that name refers to the legal entity created by the Export-Import Bank Act of 1945, to "Export-Import Bank of the United States."

(b) By inserting "(1)" immediately after "(b)" in section 2(b) of that Act, and by adding the following at the end of section 2(b):

"(2) The Bank shall not guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase of any product, technical data or other information by a national or agency of any nation.

"(A) which engages in armed conflict, declared or otherwise, with armed forces of the United States; or

(B) which furnishes by direct governmental action (not including chartering, licensing, or sales by non-wholly-owned business enterprises) goods, supplies, military assistance, or advisers to a nation described in subparagraph (A):

nor shall the Bank guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase by any nation (or national or agency thereof) of any product, technical data or other information which is to be used principally by or in a nation described in subparagraph (A) or (B).

"(3) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with any credit sale of defense articles and defense services to any country designated under section 4916 of the Internal Revenue Code of 1954 as an economically less developed country for purposes of the tax imposed by section 4911 of that Code. The prohibitions set forth in this paragraph shall not apply with respect to any transaction the consummation of which the President determines would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives. In making any such determination the President shall take into account, among other considerations, the national interest in avoiding arms races among countries not directly menaced by the Soviet Union or by Communist China; in avoiding arming military dictators who are denying social progress to their own people; and in avoiding expenditures by developing countries of scarce foreign exchange needed for peaceful economic progress.

"(4) In no event shall the Bank have outstanding at any time in excess of 7½ per centum of the limitation imposed by section 7 of this Act for such guarantees, insurance credits or participation in credits with respect to exports of defense articles and services to countries which, in the judgment of the Board of Directors of the Bank, are less developed."

(c) By changing in section 2(c) of that Act, "$2,000,000,000" to read "$3,500,000,000".

(d) By changing the last sentence in section 3(d) of that Act to read: "Members, not otherwise in the regular full-time employ of the United States, may be compensated at rates not exceeding the per diem equivalent of the rate for grade 18 of the General schedule (5 U.S.C. 5332) for each day spent in travel or attendance at meetings of the Committee, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently."

(e) By changing, in section 7 of that Act, "$9,000,000,000" to read "$13,500,000,000".

(f) By changing, in section 8 of that Act, "June 30, 1968" to read "June 30, 1973".

Mr. SPARKMAN. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPARKMAN, Mr. MUSKIE, Mr. WILLIAMS of New Jersey, Mr. HICKENLOOPER, and Mr. TOWER conferees on the part of the Senate.

S. 3013—INTRODUCTION OF BILL TO MAKE SUPPLEMENTAL APPROPRIATIONS TO CARRY OUT THE PROGRAMS UNDER THE ECONOMIC OPPORTUNITY ACT OF 1964—AMENDMENT TO H.R. 15399

AMENDMENT NO. 531

Mr. JAVITS. Mr. President, while the Senate has been gagged for the last month on the civil rights debate, a desperate situation has been continuing in the slums and depressed rural areas around the country. Because of inadequate congressional funding and because the administration decided to attempt to build up its concentrated employment program within the scope of existing appropriations, valuable full-year antipoverty programs have been undergoing major cuts. Moreover, it has become increasingly clear that funds for needed summer programs, made available last year through a special supplemental appropriation bill, will be largely unavailable this year.

Mr. President, we must move to correct this situation, which promises but to feed the fires of frustration and resentment. To that end Senator YARBOROUGH and I introduce a bill to provide $150 million in supplemental funds for summer jobs and antipoverty programs. We are joined in this bipartisan endeavor by 19 Senators; Senators BREWSTER, BROOKE, CASE, CHURCH, CLARK, GRUENING, HARRIS, HART, HATFIELD, KENNEDY of Massachusetts, KENNEDY of New York, LONG of Missouri, MORSE, MOSS, NELSON, PERCY, RANDOLPH, TYDINGS, and WILLIAMS of New Jersey.

I would like to review for my colleagues the background on why such a supplemental bill is needed.

Recognizing that special problems arise in the Nation's cities during the summer, due to high youth unemployment and poor living conditions, exacerbated by high temperatures, the Federal Government has in recent years conducted special antipoverty programs during these months. These programs have been essential in terms of supplying needed services and providing a constructive outlet for the energies of slum-dwellers; they have been consistently supported by mayors throughout the country. Such programs are especially needed for the coming summer, in view of the expectations which have been created through efforts in previous years and to provide a constructive alternative to the exhortations of the militants.

But while the need is even greater this year, less money will be available from the Federal Government. Last summer, about $600 million went into summer programs for youth, including portions of full-year programs which applied to summer months. This year, the comparable figure is $560 million. But even that figure is illusory, for it includes pro-

grams such as title I of the Elementary and Secondary Education Act and college work study which do not zero in on the geographic areas or the youth populations which most need attention.

The heart of the summer program last year was the $75 million appropriated for special community action and Neighborhood Youth Corps projects. These are the funds which are relatively unrestricted and which mayors can wheel into action in the sectors that most need it, according to variances in local conditions. Under the Green amendment, these funds will most likely be under the control of local officials. Yet this year the administration plans no summer supplemental.

Rather, it is planning to squeeze out limited summer funds by cutting back and closing down full-year programs—an approach which may create more resentment than the summer programs could ever overcome. For example, this robbing Peter to pay Paul for summer programs, coupled with a similar operation to fund the concentrated employment program in fiscal year 1968, has forced the reduction of Headstart by $14 million, legal services for the poor by one-seventh, and neighborhood health centers by over one-fifth. The Job Corps has been forced to cut back by $10 million—a penny-wise reduction which requires it to mothball some $20 million in capital investment.

This squeeze will produce about the same amount of funds for summer community action programs as was available for this purpose last year—$35 million; but the $47 million provided by the supplemental appropriation last year for special summer job programs under the Neighborhood Youth Corps will not be available. The result will be a loss of over 70,000 jobs—and the figure is kept that low only by reducing other summer Youth Corps programs from 12 to 10 weeks.

In this manner, Mr. President, by cutting back on the number of weeks involved in the program, the administration is trying to minimize the reduction in the number of slots between last year and this year and make it appear less than it is. But the simple fact of the matter is that the money is not there.

We need go no further than the administration's own stated positions to know that this money is needed and can be usefully spent. In its budget presentations for fiscal year 1968 the administration asked for substantially more antipoverty funds than it ultimately got. By his own budget requests, we know the President needed more antipoverty funds. For example, $2.06 billion was requested for the war on poverty, and only $1.77 billion was appropriated. Under the Manpower Development and Training Act, $401 million was requested, but only $385 million was appropriated, and within that figure, the $20 million request for title I experimentation and demonstration programs was cut to $15 million—those funds were particularly useful last summer and produced such efforts as Project Pride in Washington, D.C.

I do not think there is any doubt in the administration that this extra money is needed. Rather, I believe that the President has determined that the surtax is his first priority and that he cannot afford to compromise his chances on that measure by introducing a supplemental bill. I think this is a situation where the Senate can and should take the initiative.

I think that the impact of these cutbacks in full-year and summer programs can best be understood by citing specific examples of what is going on around the country. For example:

In Dallas, full-year versatile CAP is being reduced by 10 percent and summer Neighborhood Youth Corps from 1,454 to 600;

In New York City, there were 24,000 federally funded summer Youth Corps slots, to be reduced to 8,000 this year, and versatile CAP is being reduced by 10 percent;

In Chicago, summer Youth Corps is going from 20,000 slots last year to 9,000 this year, and there is a cut of 15 percent in versatile CAP and 10 percent in Headstart;

In Miami, the versatile CAP has been cut over 27 percent, with Headstart cut by 24 to 30 percent—the Assistant Director there commented, "we're just dead";

In Detroit, summer Neighborhood Youth Corps will probably drop from 2,750 and 2,000, and

In Atlanta, versatile CAP is being cut by 32 percent and Headstart by 25 percent.

This supplemental money is absolutely crucial from any practical or moral point of view. We know the situation in our cities and depressed rural areas to be just as serious as it was in 1967 yet, less summer money is being made available this year than last and the administration refuses to submit a summer appropriation bill.

This is just another example of sadly distorted priorities. Failing to provide this relatively small amount of summer money and cutting back widely accepted full-year programs would escalate the level of frustration and discontent in the slums. You cannot raise justified expectations in the ghettos by providing needed programs, and then cut back those programs and leave anything but futility and frustration. This provides ammunition to the militants, who assert that peaceful progress is not possible.

I note that the administration demonstrates a firm sense of priorities and an ability to act quickly when an additional $100 million is needed for military assistance to South Korea, but that it does not show anything like that sense of priority for the crisis in the cities.

Mr. President, let me summarize. A summer supplemental appropriation is badly needed in view of the fact that—

First. There is a high probability that our cities will be in worse shape this summer, with increased levels of frustration and disappointment with summer programs;

Second. There will be less summer money available this year than last, with a crucial reduction in the kind of flexible money most needed, especially for youth jobs; and

Third. Some summer funds are being produced by cutbacks of valuable full year programs, causing increased resentment.

The bill we are offering would make $150 million available for special summer programs. There is a proviso that 25 percent of the funds appropriated could be allocated to full-year programs which have been cut back below present program levels, including Headstart, Job Corps and Health Services. The bill places a preference upon the funding of programs providing jobs and upon projects whose results will be visible within the poverty areas themselves. In this manner a double impact is achieved—not only are the unemployed given jobs, but the work will produce visible and psychologically important effects in the ghettos themselves. An important and successful model in this respect is the summer program conducted last year in Washington, D.C., by Pride, Inc.

Mr. President, I ask unanimous consent that the text of the bill we are offering be printed at this point in the RECORD.

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

The bill (S. 3013) to make supplemental appropriations for the fiscal year ending June 30, 1968, to carry out the programs under the Economic Opportunity Act of 1964, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

S. 3013

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, namely:

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF ECONOMIC OPPORTUNITY

Economic opportunity program

For an additional amount for expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964, $150,000,000 to be available for expenditure for programs under such Act focusing on the summer of 1968: *Provided,* That the Director of the Office of Economic Opportunity shall reserve not to exceed 25 per centum of the sums appropriated by this Act for the purpose of carrying out full year programs under the Economic Opportunity Act of 1964 whose funding levels would otherwise be reduced below amounts needed to sustain such programs at their operating levels in effect prior to December 1, 1967, as determined by the Director of the Office of Economic Opportunity: *Provided further,* That preference shall be given in expending the remainder of this appropriation to summer projects providing work and training opportunities which (1) are developed and conducted with participation by residents of the areas and members of the groups served, and (2) are located in and will contribute to the physical or other improvement of areas having high concentrations or proportions of unemployed or low-income persons. Sums appropriated by this Act shall remain available until expended.

Mr. JAVITS. Mr. President, the need for this summer money is well recognized throughout the country. I ask

unanimous consent that there be printed after the conclusion of my remarks an article from the Washington Post of February 1 and an editorial appearing on January 28 and an article appearing on February 13 from the New York Times.

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

(See exhibit 1.)

Mr. JAVITS. I would point out, Mr. President, that one of these articles reports that the delegates called together for the President's Youth Opportunity Council meeting on January 29 overwhelmingly supported a supplemental summer appropriation in the amount of $275 million, almost twice the amount we are requesting today.

I would also like unanimous consent to have printed at the end of these remarks two telegrams which I have already received from the mayors of Dayton, Ohio, and Dade County, Fla., supporting this supplemental bill. My colleagues should know, Mr. President, that the Executive Committee of the U.S. Conference of Mayors has itself already called for a summer supplemental in the amount of $250 million.

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

(See exhibit 2.)

AMENDMENT NO. 531

Mr. JAVITS. Mr. President, I also submit for myself alone—since our cosponsors were not solicited concerning introduction of this bill as an amendment, although they were informed that it might be so handled in the Appropriations Committee—this same measure in the form of an amendment to H.R. 15399 passed by the House yesterday.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 531) was referred to the Committee on Appropriations.

EXHIBIT 1

[From the Washington Post, Feb. 1, 1968]

YOUTH COUNCIL ASSAILS CUTS IN JOB PROGRAMS

(By George Lardner, Jr.)

Delegates called together by President Johnson's Youth Opportunity Council said yesterday that they were "appalled" at his cutbacks in "already inadequate" Federal funds for job programs in the long, hot summer ahead.

Vice President Humphrey sent them home with a pep talk insisting that the proposed new Federal budget wasn't that bad, but promising to "present" their demands for more money to the President and Congressional leaders.

"I was already on the ball team," he told the conference. "But now I want to make a home run."

The conference began awkwardly Monday when mayors and representatives of the Nation's 50 largest cities were told that the Johnson Administration had decided not to seek the $75 million extra that it won last year to round off its $600 million summertime youth budget.

Complaints bounced back and forth until yesterday morning when a band of youthful delegates—representing, as they put it, "Black power, Jewish power, Spanish power and Indian power, all equal to youth power"—submitted a resolution of protest.

The conferees put the Administration on the spot by approving it, informally but overwhelmingly. Besides rapping the cutback, it called for a supplemental appropriation of $275 million to augment the summer youth program funds in the budget made public Monday.

The youths who drafted the proposal met with Humphrey in the Capitol later in the day to press their case.

Meanwhile, Administration officials acknowledged that even by their calculations the funds proposed for job programs this summer fall $40 million short of what Congress approved last year. They said the other $35 million that appeared to be missing in Neighborhood Youth Corps and Community Action money was made up by increases in other job programs tucked away in the budget.

Anxious to counter impressions of stinginess, the officials also contended at a press briefing that another $50 million could be secured for the summer out of elementary and secondary education funds to be spent at the option of local school officials.

The school officials plan to spend the money during the regular school year, not the summer.

In his windup talk to the Conference, Humphrey urged the delegates to go home and lobby their school boards to use the funds for the summer instead. He avoided a clear public endorsement of higher appropriations than the President has proposed.

But the young delegates who met with him in the Capitol said the Vice President promised to do all he could to get more money from Congress, too.

"It was a gentlemen's agreement that he would pursue this," said Jesse James of San Francisco's "Mission Rebels." As Humphrey told the Conference later, however, the Vice Presidency "has very little authority."

[From the New York Times, Jan. 28, 1968]

SQUEEZE ON THE POOR

Vice President Humphrey is meeting in Washington this week with the mayors of the nation's principal cities to plan youth employment programs for the long, hot summer that is sure to come. Mr. Humphrey is unquestionably right in his analysis of the problem: worthwhile jobs and good recreation programs, rather than nightsticks and tear gas, are the best form of riot control.

But Congress and the Administration are sending Vice President Humphrey into this summer campaign without the means to accomplish his mission. Last year, on an emergency basis, Congress passed a special appropriation of $75 million to finance summer programs. But this year President Johnson is asking the Office of Economic Opportunity to reserve $35 million of the money authorized for the community action program to pay for these emergency summer operations.

This means that New York and other cities will get that much less in Federal money for their year-round community action programs, forcing a cutback of upward of 10 per cent. Even worse, the Administration is apparently counting on the cities and private employers to take over more of the financial burden of the summer programs. The contribution that private employers make to solving these problems is obviously elastic and impossible to forecast precisely; but no gift of prophecy is needed to foretell that the cities, most of them financially strapped, will not be able to take the place of the Federal Government. There will have to be additional Federal money or it will be a very hot summer indeed.

President Johnson meanwhile is reallocating about $134 million in poverty funds for the fiscal year ending this June 30. His objective is to shift more money into programs to train and provide jobs for adults who have been out of work for long periods. Again, this additional help for the "hard core" unemployed is desirable and needed, but the money for it is coming out of the hide of other programs just as meritorious. Thus Head Start classes will accommodate 13,000 fewer children. Sixteen Job Corps centers are to be closed. The Neighborhood Youth Corps will be able to help 170,000 fewer high-school-age youngsters from low-income families. New programs to help the aged, encourage family planning, and aid the rural poor will not be possible.

Congress is ultimately to blame for this policy of robbing Peter to pay Paul. If there are to be special summer projects to prevent riots and new programs to help unemployed adults, Congress has to approve a supplemental appropriation to pay for them. And it is up to President Johnson to ask for it. The poor have been squeezed enough.

[From the New York Times, Feb. 13, 1968]

CITY POVERTY PROGRAM OVERSPENT BY $4 MILLION—BIG YOUTH-JOB PROGRAM AND U.S. CUTS CAUSE DEFICIT—FREEZE ON HIRING IS ORDERED AS PROBLEM INCREASES

(By John Kiener)

The city's antipoverty program has overspent its budget by more than $4-million because of a huge drive to employ poor teenagers last summer and Federal cutbacks of funds, according to estimates by city officials.

The Human Resources Administration is sharply cutting back programs, has imposed a freeze on hiring and promotion and is forgoing plans for expanding services to the poor. It hopes thus to make up the deficit of $2.1-million in the Neighborhood Youth Corps and about $2-million lost because of Federal action.

"There is no question that we are in a financial jam," Mitchell I. Ginsberg, administrator of the agency, said yesterday in confirming the deficit.

Officials from the Mayor's office, the Budget Bureau and the Human Resources Administration have been meeting to discuss the problem.

Their calculations are complicated by the fact that the city does not yet know how much Federal money it will get and because funds are allocated on different periods—the fiscal year, which ends June 30, and the antipoverty effort's program year, which ends Oct. 31.

Last summer Mayor Lindsay ordered the Human Resources Administration to put as many slum youngsters as possible on the payroll of the Youth Corps, in hopes of cutting down the possibility of racial violence.

The program, designed to help keep youths in school by giving them vacation and part-time work in public-service jobs, enrolled more than 43,000 youngsters—more than any other city in the country.

But that program ran over its budget by $5.2-million.

City officials had hoped to pay for the extra jobs by picking up unused Youth Corps allotments from other cities, or by getting additional funds from the Federal Office of Economic Opportunity or the Labor Department, the Youth Corps' co-sponsors. This money, however, did not materialize.

The city has made up about $3.1-million of its Neighborhood Youth Corps deficit out of accruals—money budgeted, but not used, in other programs.

City antipoverty officials are grim about the cutbacks, but they do not question the wisdom of the Mayor's order to expand the job rolls for youths.

"When you put 43,000 kids on the payroll, there's no question it helps keep the city cool," said one official. "Now we're going to have to tighten our belts."

The city is faced with an additional problem because of Congressional cutbacks and the Presidential transfer of Federal antipoverty funds.

While the antipoverty legislation was going

through Congress last fall, the Office of Economic Opportunity authorized the city to spend money at the same rate—about $1.7-million of community action funds—on a month-to-month basis.

The assumption was that at least enough money would be appropriated to keep programs operating at the same strength as last year. But Congress appropriated $1.77-billion instead of the $2.06-billion requested by the President.

The President announced he would set up job-training programs for adults. He transferred $134-million for this purpose from the funds authorized for Head Start, the preschool education program, Legal Services, Neighborhood Youth Corps, the Job Corps and other community action projects.

Federal antipoverty officials still do not know exactly how much money New York is to get this year.

But Federal and city officials estimate that the Congressional cutbacks and Presidential action means that the city has spent at a rate that will go more than $2-million over its allotment.

City officials note with some irony that two years ago they "lost" $10-million in antipoverty money because of inability to get programs operating, but that the current fiscal crisis comes at a time when many programs have begun to operate with relative efficiency.

The problem, they add, is partly a result of the city's ability to use money effectively for the Neighborhood Youth Corps.

"Congress complains about the way the program is administered," Mr. Ginsberg said bitterly, "but how can you run a meaningful program when you don't know from month to month how much money you have?"

EXHIBIT 2

MIAMI, FLA.,
February 21, 1968.

Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

Dade County's Youth Opportunity Executive Committee met February 20, 1968. And strongly supports proposed supplemental appropriation for summer anti-poverty and jobs program community urgently needs continuous funding for successful anti-poverty programs as basis for summer planning now going on. Funds for jobs and training programs for hard core youth and adults desperately needed.

CHUCK HALL,
Mayor of Metropolitan Dade County.

DAYTON, OHIO,
February 20, 1968.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

As mayor of a city that can measure some real and important benefits from the special funds made available for special summer programs last year, I have been distressed at the prospect of less for this summer when all measurables indicate a dire need for more. I believe that all segments of my community agree with my evaluation. We in Dayton are heartened to learn of the proposed supplemental appropriation legislation to be introduced by Senators Yarborough and Javits. We urge you strongly to give your support to the measure. Making it possible for cities like ours to increase rather than diminish our special summer programs and at least maintain the level of full-year programs is critically important. Copy of wire being sent to Senators Lausche and Young.

DAVE HALL,
Mayor, City of Dayton.

Mr. YARBOROUGH. Mr. President, in 1959 there were 39 million Americans living below the poverty level. In 1966, this figure had decreased to 30 million. The reason for this 23-percent decrease in 7 years is that this Nation, under the capable and determined leadership of two compassionate Presidents, John F. Kennedy and Lyndon B. Johnson, made a commitment to come to the assistance of those living in the shadows of American affluence.

Many of my distinguished colleagues in the Senate today played major roles in the development of that commitment. We mobilized imaginative thinking, bold plans, and adequate funds to launch what was termed a war on poverty. Our pledge to these millions of Americans—people whom Michael Harrington called "the other America"—took the form of a Headstart program; a Neighborhood Youth program; a legal aid service; a Job Corps; and many other programs that touched the very poverty pockets and ghettos of the land.

The commitment we have developed since 1961 can demonstrate success in terms of hard facts: Jobs obtained, education completed, income raised, and so forth. But its real success cannot be so easily demonstrated. Poverty is, of course, more than a lack of income. It is primarily a spiritual concept—it is a way of life. It is less the absence of sustenance than it is the absence of hope.

Above all, the commitment that I feel, and the commitment that John Kennedy and Lyndon Johnson have spoken of so eloquently, is a commitment of national concern. It is the President, the Senate, the Congress, and concerned Americans everywhere saying to those trapped in the ghettos and barrios of misery and despair that someone cares. The success of this commitment can be measured only in terms of hope restored and promise extended.

It is for this reason that I join in sponsorship of the $150 million supplemental appropriation for programs to aid the urban poor. This is a reaffirmation of our pledge of concern; a demonstration of our good faith.

Due to heavy financial burdens in other parts of the world, there have been cuts in programs that form a vital part of our commitment to the poor. The Headstart program has been reduced by $14 million, Job Corps has suffered a $10 million cutback, and funds for neighborhood health centers have been squeezed by one-fifth.

In addition to this cutback, there is no request for funds to develop vital summer programs in the cities. In late May and June of this year, some 3.8 million youth will step from schools into the streets. The huge majority of these young people will be idle, with no productive outlet for their energies. The appropriations bill we introduce today will help provide that outlet.

Some will undoubtedly assail this measure as an attempt to appease rioters. Such is not the case. These people would have us employ the heavy hand of force against urban restlessness. No one can deny that rioters and looters must be dealt with, but merely to say that is to ignore the causes of restlessness. As an outstanding rural newspaper in my State, the Pleasanton Express, commented in a most thoughtful editorial last week:

The problems of the ghettoes have to be met. We who live in small towns simply aren't equipped to comprehend the misery and hopelessness that exists there.

This is a problem that isn't going to go away. It can't be ignored and those who say, "Shoot 'em all," aren't being much more helpful than the rioters themselves.

On the other hand, some will assail this attempt to deal with the problem as mere tokenism. Again, such is not the case. No one pretends that this supplemental appropriation is going to solve the problem, nor does anyone pretend to know for sure what the solution is. But this measure is a sincere attempt by men of good will to cope with the myriad of problems faced daily by those who live in the ghettos. At the very least, this measure would help reaffirm our commitment to these people.

During the past few years we have worked hard to build hope and extend promise. It is wrong to cut off both hope and promise to conserve dollars. We cannot now abandon our commitment—indeed, it is essential at this critical time to reaffirm that commitment.

This appropriation is submitted irrespective of the prospects of summer violence in the cities. Congress is not so naive as to think that $150 million can quell militancy. Rather this supplemental is offered to help meet the needs of the employable unemployed.

SUMMER JOB PROGRAM DESPERATELY NEEDED

Mr. WILLIAMS of New Jersey. Mr. President, I support the bill to provide a supplemental appropriation for summer job programs proposed by the Senator from Texas [Mr. YARBOROUGH] and the Senator from New York [Mr. JAVITS] which I am cosponsoring.

The reduced appropriation for the poverty program has forced cuts all along the line. I have previously voiced my feeling that we are being penny wise and pound foolish in making reductions in the year-round poverty programs.

But the reductions which are now projected in the summer programs contain the seeds of disaster.

The two critical summer programs are Community Action and the Neighborhood Youth Corps. These have been used to provide emergency summer jobs for unemployed young people and to involve ghetto dwellers in solving the problems of their own environment.

So far as I am able to determine, the community action programs will be funded this summer at approximately the same level as last year—although the funding will be accomplished by robbing other programs, including Headstart, legal services for the poor, neighborhood health centers, and the Job Corps. I might note that these, and particularly Headstart, are among the most successful of the OEO projects.

But, according to the information I am able to obtain, the Neighborhood Youth Corps—the program which provides jobs for the most flammable segment of the ghetto, the young unemployed men—is going to be cut sharply.

Although no final decisions have been made, the present indication is

that jobs under this program will be cut back in Jersey City, N.J., from 750 last summer to approximately 410 this summer and, in Newark, N.J., from 2,610 last summer to 1,870 this summer. In addition, the Neighborhood Youth Corps job program is being cut from 12 weeks to 10. Similar reductions are projected in cities all across the country.

I need not recite the litany of horror which engulfed Newark last summer. I will only point out that the Governor's Commission on Civil Disorder, which reported less than 2 weeks ago, cited unemployment and under-employment as one of the chief causes of unrest in the ghettos.

Last year, with a substantially larger sum of money available for the poverty programs, we enacted a $75 million supplementary appropriation.

The supplementary appropriation requested in this bill is $150 million.

That money will be spent to provide useful employment within the ghettos for those with no jobs and no serious hope of jobs without this program.

The record of last summer shows all too clearly how desperately these jobs are needed and I urge the members of the Committee on Appropriations to keep that record in mind as they consider this bill.

FUTURE AMERICAN LEADERS

Mr. YOUNG of Ohio. Mr. President, unless the fighting in Southeast Asia is tremendously escalated, expanded, and prolonged, about 70,000 Negro Vietnam veterans will be finishing their military service in Vietnam during this year and early next year. They will return to civilian life. What will be the impact of these Negro war veterans on the ghettos and slums of our cities? I predict they will not join up with Stokely Carmichael, "Rap" Brown, and other extremist advocates of violence.

True, many of these Negro soldiers have lived through days and nights in combat when they thought that the last vestige of decency, kindness, and humanity had disappeared altogether from the face of the earth. Perhaps for this and other reasons we may safely predict these Negro veterans following their discharge from our Armed Forces will become tomorrow's Negro leaders and become highly respected and regarded citizens in their respective communities. Furthermore, this summer and next summer there is likely to be much less violence in our cities because of these fine and highly trained young men who recently took off their fatigue uniforms, returned home, and again became civilians.

In Vietnam many of these 60,000 or 70,000 young Negroes for the first time in their lives had the opportunity to do important work. They performed their duties well. They responded to discipline. They acquired self-confidence. They received their pay regularly and sent much of it home to their families. Practically every one of these men made a first-class war record. Many acquired a better education than before and a better education than many of their neighbors back in the cities and towns in the United States.

Our Government is not neglecting and will not neglect these returning veterans. For example, officials of our Labor Department are already making studies to learn of employment needs of Negro veterans and to furnish further job and skill training to meet any additional requirements of these returning veterans. Then, there is the GI bill of rights and provision for higher education at Government expense. Also Project Transition has been organized to provide job training for GI's in Vietnam and in cities in this country for Negro and white veterans nearing the end of their period of service. Preference will be given to hiring these men as teachers in ghetto and other schools and as policemen and firemen in our cities. Of course, some lunatic extremist Negro groups headed by the Rap Browns and Stokely Carmichaels and their like may urge these new civilians to join noisily disturbing and violent agitation programs. I predict they will be soundly rebuffed by the great majority of returning Vietnam veterans.

These 60,000 to 70,000 former GI's have every reason to hold their heads high. They performed very important duties and received official and unofficial commendation for their services. They acquired self-assurance, confidence. Carefree youth became men almost overnight under fire. They are the "cream of the crop" among Negroes of 18 to 30 years of age. It is more than likely they will continue to be the "cream of the crop" 20 and 40 years from now—become American leaders of tomorrow.

PROPERTY RIGHTS CONSTITUTE A BASIC HUMAN RIGHT

Mr. BYRD of West Virginia. Mr. President, I shall vote to table the so-called fair housing amendment because, in my judgment, it is not a fair housing amendment. It is a forced housing amendment. It would constitute discrimination in reverse, in that it would discriminate against the owner of property as against the prospective purchaser. It is also discriminatory, in that, under the amendment, a property owner may refuse to sell, rent, or lease to a prospective purchaser of his own race or color for whatever reason he may wish, and there is nothing that the prospective purchaser could then do about it.

On the other hand, if the prospective purchaser were of a different race or color than that of the property owner, the aspect of Government compulsion would immediately be brought into the situation if this amendment were to prevail.

The amendment would accord rights to the prospective buyer which would be superior to the rights of the owner of property. In other words, the prospective buyer, who has no constitutional, legal, or natural rights in the property whatsoever would, under this amendment, be given superior rights, in instances where color or race became a factor, over the rights of the property owner.

Mr. President, I will not be a party to compelling the property owner to rent, sell, or lease his property against his own wishes to another individual who has absolutely no legal, constitutional, or natural claim thereto whatsoever.

The right to use, manage, or dispose of his possessions cannot be separated from the physical property itself, if property is to have any real value to the individual owner, for insofar as the owner is denied such rights, he is thereby stripped of his full and unrestricted ownership of property.

Property rights constitute a basic human right and have existed long before the Constitution of the United States was ever written.

Property rights are given clear recognition repeatedly in the U.S. Constitution and are given status approaching that, indeed, if not equal thereto, of life and liberty.

The eighth Commandment recognizes the rights of true ownership of property.

Mr. President, I want to see every family have a decent and good house in which to live, but this does not necessitate destroying the rights of the property owner, whether he be white or nonwhite, to refuse to sell, rent, or lease, except in cases of eminent domain, as he thinks best.

Decent housing does not necessarily have to be integrated housing. I have no objection to those who wish to convert their neighborhoods into interracial neighborhoods. But, I recognize the equal right of those who take a different view and who wish to be selective in the managament, use, and disposition of the property which is the product of their own sweat and industry.

If the time-honored rights of property are ever destroyed in America, all citizens, white and nonwhite, will have surrendered a vast portion of their liberty and their freedom.

Why should a Negro property owner be forced, against his wishes, to rent to a white person, and vice versa?

Let him do so if he so wishes, but let us not permit government, at any level, to intervene and compel him to do so, not only against his wishes, but also perhaps against his own good judgment.

Mr. MONDALE. Mr. President, there has been much discussion, in the course of debate over fair housing, as to where the people of this country stand on the question. Despite the fact that several States have strong fair housing laws, over 80 municipalities have adopted fair housing ordinances. With each passing year, the number not only increases but also does so at an accelerating rate.

This morning, we have another example of where a community has had deep and profound debate on this issue and finally, after its citizens understood the issue, voted to support the principle of fair housing.

This morning's AP ticker indicates that the voters of Flint, Mich., where a very serious debate over fair housing occurred, approved by public referendum a fair housing ordinance. That fair housing ordinance stood up under the referendum. It did so by a vote of 20,172 to 20,129.

The petition to remove was brought by Mr. Gerald Spencer, who is a section leader of the ultraconservative John

Birch Society. This was a case where the forces of hatred and the forces of segregation decided that the people of Flint, Mich., did not want fair housing. They tried to remove it through a plebiscite. The voters of Flint decided that they in fact, after long debate, wanted the measure.

I think this is a further evidence of growing public support for the concept that discrimination in the sale and rental of housing should be removed in our country, and arrives at a time just moments before the motion to table will be presented, and shows additional reason why public support exists for this measure.

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. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Is there further morning business?

Mr. JAVITS. Mr. President, in a little while we shall undoubtedly be acting—may I have the attention of the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. In a little while we shall undoubtedly be acting, as the majority leader has already given notice, on a motion to table the housing amendment offered by the Senator from Minnesota [Mr. MONDALE] and the Senator from Massachusetts [Mr. BROOKE].

It should be clear to every Senator precisely what we are voting on, and precisely what support this issue has.

First, let us remember, Mr. President, that a fair housing bill has passed the House of Representatives, which we never acted on; so the argument that it will not get by the other body is not valid.

Second, let us understand very clearly that the terms of the particular housing amendment before us, as every Senator knows—and rightly—will not be the terms upon which we finally vote. The housing amendment before us will, I have no doubt, be shaped and guided by what is felt in conscience to be correct, and by whatever is necessary in order to win the necessary support in the Senate.

The important thing, therefore, to bear in mind in voting on the motion to table, is that this is an expression of the sentiment of the Senate as to whether it wants any fair housing provision in this civil rights bill. Let us understand that very clearly. Does the Senate want any fair housing provision in the bill?

I strongly urge that the Senate should express itself as desiring some fair housing provision, for this reason: As one who, I believe, has a right to speak not only with feeling but with some degree of experience of slums and ghettos, I remind the Senate that the concept we are trying to get across before the long hot summer is that we are endeavoring to do, in every way open to us, justice, which has too long been deferred, more than a century in this country, in terms of equal opportunity.

It is obvious to anyone who sets foot in Harlem, Bedford-Stuyvesant, or Watts, or any such area one chooses to visit: The first thing that assails us is the dilapidation of the housing; and that is likewise the first thing that assails the Negro or member of any other minority group who lives there. This is what he suffers under. This is one of his priority gripes.

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

Mr. JAVITS. I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. JAVITS. By permitting him to move elsewhere, we set a premium upon dignity, and drive home the lesson that if you show initiative, are lively, do a job well, and learn a trade, you get something for it. And one coin that is universally understandable is the ability to get out from under dilapidation, away from the houses with empty eyes or broken windows, which is what they are, and away from the littered courtyards, the littered streets, and the general air of depreciation which, unhappily for all of us, except where it has been broken here and there by urban renewal, by public housing, or by middle-income housing, represents the total antithesis of living which one sees in the slums.

So I ask the Senate, in voting, to bear in mind that we are voting on the principle, Shall there be something on fair housing included in this bill?

In that regard, Mr. President, I think we all ought to be aware of some very high-level endorsements. The AFL–CIO executive council, meeting in Miami Beach, Fla., has written a very eloquent resolution, signed by George Meany, its president, urging that we give favorable attention to the fair housing provision, which I ask unanimous consent to have printed in the RECORD.

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

MIAMI BEACH, FLA.,
February 19, 1968.

Senator JACOB K. JAVITS,
Washington, D.C.:

The AFL–CIO executive council today adopted the following resolution and instructed me to send it to you.

"We urge every Member of the Senate to vote for cloture to halt the filibuster against H.R. 2516, the bill that would grant Federal protection to citizens exercising their civil rights and the amendment that would establish a fair housing law that would give equal access to all housing to all persons everywhere in America.

"There are irreducible rights in this Nation and the Congress must guarantee them. Therefore, it is vital that all Members of the Senate be allowed to vote on these issues and that the undemocratic device of the filibuster be defeated."

GEORGE MEANY,
President, AFL–CIO.

Mr. JAVITS. It will be remembered that the Senator from Minnesota [Mr. MONDALE] and I had a colloquy on the Senate floor recently about the President's letter, and I said I would appeal to the declared Republican candidates for expressions of their views.

I have done so, and at this time I shall read into the RECORD a telegram from George Romney, one of the leading candidates, who says:

It is important to do all possible to demonstrate to those still suffering from social and racial injustice that needed changes can be made without lawlessness violence and civil guerrilla warfare I urge you and all Republican Senators to support cloture as a meaningful step in that direction. National, State, local, and private action is necessary if we are to defeat the effort of those organizing for racial revolution in America.

I ask unanimous consent to have printed in the RECORD at this time the telegram from George Romney, and also a telegram from Roy Wilkins, chairman of the Leadership Conference on Civil Rights.

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

MADISON, WIS.,
February 20, 1968.

Senator JACOB JAVITS,
Washington, D.C.:

It is important to do all possible to demonstrate to those still suffering from social and racial injustice that needed changes can be made without lawlessness, violence, and civil guerrilla warfare. I urge you and all Republican Senators to support cloture as a meaningful step in that direction. National, State, local, and private action is necessary if we are to defeat the effort of those organizing for racial revolution in America.

GEORGE ROMNEY.

WASHINGTON, D.C.,
February 16, 1968.

Senator JACOB K. JAVITS,
Washington, D.C.:

The cloture vote this Tuesday is clearly the critical vote on civil rights in this session of Congress. On behalf of the 115 national organizations in the Leadership Conference on Civil Rights—and more importantly—on behalf of millions of Americans whose rights are involved in the pending bill, we urge you to be on the Senate floor Tuesday at 1:00 p.m. and to vote to shut off debate.

ROY WILKINS,
Chairman, Leadership Conference on Civil Rights.

Mr. JAVITS. As to former Vice President Nixon, unhappily he has been traveling, and I have not actually been able to get to him; but I wish to state for the information of the Senate that his office this morning has transmitted a message to us, which sounds reasonable enough, stating that when he was here as Vice President, his rulings on the various civil rights bills and on cloture would certainly most eloquently indicate his support for civil rights measures, and for use of the instrument of cloture in order to pass them.

That is my report to the Senate in that situation.

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

Mr. JAVITS. I am happy to yield.

Mr. MONDALE. I thank the Senator from New York for his most important comments at this moment, a few moments before the motion to table is presented.

I should like to repeat some of the colloquy which we had yesterday concerning our efforts to revise and reduce the scope of the fair housing proposal.

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

Mr. JAVITS. I ask unanimous consent

that I may have 3 additional minutes, so that the colloquy may be completed.

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

Mr. MONDALE. The revised proposal will be presented to the Senate as a part of the cloture motion which is to be voted upon on Monday next.

We recognized, in presenting the strong fair housing proposal which was the subject of the vote on yesterday, that we were putting the fair housing issue in its strongest terms, involving some 96 percent of the housing in this country, and very strong enforcement and procedural powers as well.

We did so even though we knew there were many Senators who opposed us on cloture in that instance, but who might support us on a reduced version of a fair housing proposal.

I believe I am fair in saying that we are in the process of developing such an alternative proposal at this time, and intend to present it within the next day or so, but that the time element is such that we are not in a position to place before the Senate, prior to the motion to table, the exact terms of that altered and reduced version.

Mr. JAVITS. I ask the Senator from Minnesota, as one of the authors of the amendment, is it fair to say that the altered and reduced version will be a substantial alteration and reduction, that we have in mind coming to an approximation with the House bill, which has already passed the House, and that what we are hoping for, from our fellow Senators today, is a favorable vote on the principle that there shall be something in this bill with relation to open housing, rather than that the amendment as originally offered should stand or fall solely as a work of perfection on the fair housing issue?

Mr. MONDALE. The Senator is correct. What this motion to table today involves is the question of whether, as the Senator from New York put it, there will be some fair housing measure voted upon by the U.S. Senate, and we hope passed by the Senate, with the further understanding that the sponsors of this measure, Senator BROOKE, myself, and others, fully intend to offer at the earliest possible moment, and before the cloture vote on Monday, a much reduced version of our fair housing proposal than that which was involved in the vote on the cloture motion yesterday.

Mr. JAVITS. I thank the Senator.

DOWRIES ARE NO SUBSTITUTE FOR LIBERTIES

Mr. CLARK. Mr. President, the New York Times of February 14, 1968, contained an article written by Richard Eder entitled "Greek Government Will Provide Dowries for Working Girls."

I do not know if the Greek Government is aware of the fact that this report of its efforts in support of cupid were brought to the attention of the American public on Valentine's Day. The coincidence, I am sure, cannot have escaped the attention of the alert editors of the New York Times.

But if the junta believes that by this kind of action they can delude either the people of Greece or the friends of democracy in this country into accepting the continuing denial of constitutional government to what was the world's oldest democracy, they are wrong.

Dowries are no substitute for liberties; and the love of freedom and democratic government among the Greek people is surely still strong.

I have continually urged our Government to keep at arm's length from the present illegal government in Greece, and in particular to refrain from extending any form of military assistance to it, at least in the absence of firm guarantees that constitutional government and free and honest elections will be reinstituted, on a strict and speedy timetable. We must not permit ourselves to be drawn by degrees into so-called normalized relations with what is plainly an abnormal and illegitimate regime.

I ask unanimous consent that the New York Times article to which I have referred be printed in the RECORD at this point.

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

GREEK GOVERNMENT WILL PROVIDE DOWRIES FOR WORKING GIRLS

(By Richard Eder)

ATHENS, February 13.—The ruling junta extended the Greek revolution today to one of this country's most persistent—and for many families, most troublesome—traditions.

Henceforth, an official announcement said, the Government will provide dowries to marriageable working girls.

The announcement was the latest of a series of measures taken by the junta to accentuate its portrayal of itself as the patron of the poorer classes and the enemy of the privileged.

Another measure was announced today that conveys even more sharply the sense of resentment felt by many junta officers, most of whom are of humble backgrounds, toward the wealthy classes of Athens.

This was a ruling that low-priced theater tickets, formerly available to workers only for Wednesday performances, will now be good any day of the week. Under the previous practice, the announcement indicated, wealthier patrons tended to stay away from the theater on Wednesdays.

Other measures announced today include free trips abroad for workers and free expeditions to points of interest in Greece. In addition, clubs for dock workers will be built in 17 port towns and day nurseries for working mothers will be opened.

The announcements did not indicate how many workers would actually benefit from the free trips, the dowries and the nurseries, nor how the hard-pressed budget would be expanded to pay for them.

There were indications, however, that employers would be pressed to support the dowry fund, at least. A $600,000 dowry fund, already set up by the Government, would seek employers' contributions, it was announced, and those who contributed would be given a special Labor Ministry merit flag.

The dowries given to factory and office girls would range up to the equivalent of $1,000. It was not clear on what basis higher or lower dowries would be assigned. Possibly a system akin to that used in the Greek Army will be adopted.

Under a joint contribution plan, the army provides dowries for the daughters of officers. These vary according to the fathers' rank, starting with a few hundred dollars for a lieutenant and ranging upward.

Some light was recently cast on this by Vice Premier Stylianos Patakos, who retired from the army with the rank of brigadier. When his daughter was married shortly afterward, Mr. Patakos, who is by far the chattiest member of the junta, revealed that he had made a financial sacrifice by retiring. As a brigadier, the dowry assigned to his daughter was $3,500. But if he had stayed in the army an imminent promotion to major general would have made it higher.

The dowry is obligatory at all levels of Greek society. The lack of one will make even a beautiful girl unmarriageable unless she emigrates and most working girls in shops and offices put aside part of their wages for their dowry.

The prevalence of the dowry was brought home sharply to one British diplomat at a farewell party just before he left Athens for another post. A Greek friend came up and told him that by leaving he was losing £5,000.

Why was that? the diplomat asked?

"As a British First Secretary, that is what you are worth if you marry into one of our families," his friend told him.

The diplomat was too tactful to ask what a French or Italian First Secretary was worth—they are, in fact, worth somewhat less—but he told a friend afterward that it was one of the more tangible satisfactions of his career.

LEADER IN GREECE SOLIDIFIES POWER

Mr. CLARK. Mr. President, I call attention to an article entitled "Leader in Greece Solidifies Power," written by Richard Eder, and published in the New York Times on February 16, 1968.

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

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

LEADER IN GREECE SOLIDIFIES POWER—PAPADOPOULOS'S ROLE BIGGER SINCE CONSTANTINE'S FLIGHT

(By Richard Eder)

ATHENS, February 15.—Some years ago, a visitor to a remote garrison in western Thrace was invited to join the officer's mess for dinner. As the conversation proceeded, an undercurrent of amiable mockery developed at the expense of one stocky officer.

"That's our Nasser," the visitor was told, amid general hilarity.

"The man sat there while this was going on," the visitor recalled later, "obviously aware that he was being ragged, but looking extraordinarily pleased at the same time."

The officer, who had been banished to the garrison from Athens because the Government suspected him of intrigue, was George Papadopoulos. Mr. Papadopoulos—he recently gave up his rank as colonel—led the coup of last April, became Premier in December after King Constantine had tried and failed to lead a countercoup, and appears likely to remain Greece's ruler for as long as anyone can foresee.

Many observers believe that before he has finished, Mr. Papadopoulos will have moved Greece on a course strikingly similar to that followed by President Gamal Abdel Nasser of the United Arab Republic.

There have been a number of changes in the position of the junta since the King fled to Rome Dec. 13, bringing down with his failure the remaining antijunta structure in the armed forces, and collapsing the hopes of the politicians that something would come along to put them back in power.

A SHIFT IN EMPHASIS

For one thing, the previous emphasis on the transitory nature if the junta's mission has been dropped. It became unnecessary

once the junta no longer had to deal with the King and the moderate groups who wanted a rapid transition to a constitutional democracy.

A constitution is being prepared, but it is not expected to contain anything that would seriously hamper the exercise of power by the Government. There are signs that the junta is working to mobilize popular support as a first step toward holding elections that it can be certain of winning.

But its decision on elections—whether to hold them in the next year or so, as some officials are hinting, or to defer them for several years, as most observers expect it to do—is expected to be subordinated to the junta's determination to stay in power at all costs.

A second change has been in the junta's relations with the outside world. Although it has not turned neutralist, as some observers believe it will eventually, it has begun to play effectively on Western fears of such a shift.

As the weeks passed after the King's flight, and the Western countries continued to suspend their relations in the hope of getting him back, the junta let it be known that if recognition did not come soon, Premier Papadopoulos would be forced to make a statement reappraising Greece's foreign policy.

RELATIONS RESUMED

The rumored direction of this shift was toward France rather than the Soviet Union, but it was enough to convince Washington and London to resume normal relations. Western policy-makers, citing the case of President Nasser, contended that continued pressure on Greece would simply drive her in the wrong direction.

Two events this week demonstrated the new American attitude. Today Premier Papadopoulous, Deputy Premier Stylianos Patakos and Coordination Minister Nicholas Makarezos, along with several other leading members of the junta, spent the day aboard the United States carrier Franklin D. Roosevelt cruising in the Aegean Sea. They were the guests of the United States Ambassador Phillips Talbot, at lunch aboard the ship, and the atmosphere was one of cordiality.

Two days ago Ambassador Talbot gave a less elaborate reception aboard the carrier, which is paying a courtesy visit to Athens. The guests then were several powerful, though less prominent, members of the junta.

A third striking change has been in the public position of Mr. Papadopoulos. Until the King's attempted countercoup, everyone associated with the junta had insisted that its members were equals.

"Can you separate a drop of water?" Mr. Patakos once demanded of a reporter who asked him if some were more equal than others. It is now apparent that Mr. Papadopoulos is no longer being pictured as first among equals but simply as first.

The change was dramatized at a recent ceremony at the University of Athens. Always before, at public occasions, the triumvirate of officers at the head of the junta had made their entry together.

This time, Mr. Patakos and Mr. Makarezos entered the hall first, without causing too much stir. There was a pause, a rush of photographers, and then, to a rhythmic chant of "Papadopoulos!" the Premier came in.

But even though Mr. Papadopoulos continues to be the strongest figure in Greece and has undoubtedly strengthened his position since December, it is believed that important decisions are still reached only after discussion and agreement among the 30-odd officers of the Revolutionary Council.

The fact that the junta has vacillated in many policy decisions indicates that Mr. Papadopoulos cannot, or will not, impose his views against heavy opposition. Nor is he believed to have the power to purge other members of the junta who may disagree with him.

For four days in January, for example, a dispute over Mr. Papdopoulos's efforts to get other junta members holding Government posts to resign from the army rocked the council. While tanks maneuvered on the outskirts of Athens and newspapers received contradictory orders two and three times a night to print or not print photographs of Mr. Papadopoulos and his rivals, the argument continued.

It still is not clear whether all the officers have, in fact, complied.

A WORDY SPEAKER

In the light of all this, there is some question whether the public build-up of Mr. Papadopoulos represents his climb to supremacy or whether it is a junta decision that a leadership image is necessary if a firm popular following is to develop.

It is not certain that Mr. Papadopoulos, who all but winces when he meets an applauding crowd, will be able to fill the role of popular leader. His speeches are considered wordy, diffuse and full of obscure 19th-century turns of phrase not quite correctly rendered. He notably fails to stir audiences.

"He has always been a schemer and maneuverer," one Western military expert said recently. "In the army he was never really popular. He had a small group of devoted associates, men who now figure in the junta, and with these he was able to manage and trick larger and more important figures, often without their realizing it."

As for the junta's policies, the trend, despite many hesitations, appears to be away from an early emphasis on anti-Communism to a stress on the denunciation of corruption in the Greek ruling classes and upper bourgeoisie.

THE DOMINANT TONE

"We are no longer afraid of the Communists," Col. Ioannis Ladas said recently. The de facto head of the Ministry of Public Order and the security police, and one of the most powerful men in the junta, Colonel Ladas was talking to a journalist whom he had just released after having held him for 19 days without charges. It was not the Communists but the "corrupt national ruling classes we are fighting now," he said.

It is becoming clear that the dominant tone of the junta is not that of a right-wing officers' clique seeking to support the privileged as some thought in its early days. It is that of a deprived lower middle class whose instinctive anti-Communism is accompanied by a far more profound resentment of the rich.

Colonel Ladas's discussions with former political prisoners have not shown the inhibitions that make the junta's public speeches seem wordy and obscure. In a conversation with a jailed political leader, Colonel Ladas, recently gave voice to the radical undercurrent in the junta's thinking.

"Do not be deceived," he told him. "You think Papadopolous represents the lower classes in the army. Why, he is one of the elite. His father was a schoolteacher, after all. When I was a child I hardly had shoes, and there were times my breath stank with hunger. Do not think we are going to let the rich people keep their yachts."

This kind of sentiment is only part of the key to what may be expected of the junta. It must be contrasted, as must all of its more radical expressions, with the far more cautious character of its actions to date.

PROTEST MAY MODIFY REFORM

Of the popular measures it has taken—payment of pensions to farmers, dowries to working girls, limiting of worker discharges—none is particularly extreme. It has passed some harsh regulations about tax collection, but a wave of protest may well modify them. It has consistently proclaimed its determination to encourage and protect private enterprise, although some of its adherents want to break up the big banking establishments.

Its talk of pruning the bureaucracy is still little more than that, and one official estimated that in some departments as much as 80 per cent of the staff was excess.

It is only the junta's power that is growing steadily. The uses to which it will be put remain obscure, and if there is any principal conclusion among observers, it is that those who hold power are still timid about using it and uncertain what they want to do with it.

"If there is one factor that will bring down this Government," a diplomat observed recently, "it is not foreign hostility or internal opposition. It is its own inability to know its objectives or how much it wants to pay for them."

His point was that the conflict between the radical instincts and conservative ideology of the junta is apt, in time, to lead to desruptive internal conflict.

Mr. CLARK. Mr. President, the article points out a striking similarity between former colonel, now mister, Papadopoulos, the Premier of Greece, and Mr. Nasser, the dictator of Egypt. I think the similarity is very strong indeed.

I would like to note that the so-called constitution for Greece drawn by a number of eminent Greek jurists and lawyers has been rejected by the Greek junta which intends to form a constitution of its own, no doubt of a totalitarian nature.

Mr. President, I urge our Government not to give the Greek Government the benefit of our assistance. We have recognized them. Perhaps we had to as a matter of diplomacy, but I urge that the American people stand firm against this totalitarian junta which is destroying democracy in its land of birth.

INTERFERENCES WITH CIVIL RIGHTS

Mr. HOLLAND. Mr. President, I will vote to sustain the majority leader on his motion to lay on the table the pending amendment on open housing.

I am a little bit impressed this morning with the evangelical spirit that seems to dominate the efforts of those who are trying to push that kind of amendment down the throats of millions of American people who do not want such an amendment.

I heard my distinguished friend, the Senator from Minnesota, a few minutes ago ask to have placed in the RECORD a news article to the effect that the citizens of Flint, Mich., in a referendum held yesterday had approved an open housing provision by a vote of 21,000 and something to a vote of 21,000 and something. I think there was a difference of some 27 votes between the majority, which favored open housing, and the minority, which did not.

There could not be a clearer showing on the floor that there is a great difference of opinion on the subject even in that community. I suspect that there is a great showing that the majority of the non-Negro people do not want open housing in Flint and that the time has come when the non-Negro population of

this Nation cannot be heard and is not entitled to have its strong feelings felt.

I recall that in similar referenda held in Seattle, Tacoma, and in the State of California—now our greatest State in population—the people by sizable majorities went on record as being against open housing.

I remember that only recently in several suburbs of the great city of Chicago it was shown very clearly that the great majority of the white people there do not want open housing.

I recall that in the city of Milwaukee the same situation has been rather clearly shown through the news articles in recent months.

Mr. President, I strongly believe that it is not the proper function of Congress to ram down the throats of the majority of our people in many of our communities legislation in the social field which they do not believe in and do not support.

Mr. President, believing that, I shall, of course, vote for the motion to lay on the table the pending open-housing amendment, and I hope that it will be eliminated from the bill.

When the time comes that the elected representatives in the Senate and in the House of Representatives of the people of this Nation are not willing to use persuasion and the development of commonsense in affairs of this kind or advise them as to what their votes will be, it will be a sorry day in this country.

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

Mr. HOLLAND. Mr. President, I ask unanimous consent that I be permitted to continue for an additional 3 minutes.

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

Mr. HOLLAND. Throughout the history of this Nation, it has always been one of our cardinal principles that persuasion rather than compulsion is the sound method to follow in legislation of this kind.

Mr. President, I hope that the amendment will be laid on the table, and I do hope that my friends—and I see on his feet my distinguished friend, the Senator from Michigan—realize that such a vote as the Senator from Minnesota has had placed in the RECORD—supporting, he said, the feeling that there was a great wave of support for the adoption of open housing in this country—is based on a thin, attenuated margin of some 27 votes in a vote of over 42,000, which does not present to us a wise course to adopt and follow in this matter.

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

Mr. HOLLAND. I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I think we could argue for some months on the question of where the citizens of this country stand. The vote we have been discussing which occurred yesterday in Flint, Mich., followed several months of bitter and searching debate. The vote represents a decision on a matter involving strong feelings of the citizens in that community. However, the fact is that that is not the only evidence we have.

Nearly 20 States now have adopted strong fair-housing laws. My own State is one. These have been adopted after searching debate. They were adopted by the elected representatives.

Over 80 communities have such ordinances, and more and more communities every day are adopting fair-housing ordinances.

In relation to this issue, perhaps the most significant fact with relation to the support for fair housing is that even with the strongest fair housing proposal that has ever been presented in the U.S. Senate, 55 Senators, representing their States, voted to invoke cloture. There were 18 more Senators who voted aye than no. It was a clear and overwhelming majority. In addition, there were five other Senators who had announced pro fair-housing support who, because of absence or pairs, did not have the opportunity to vote. Thus, we have an expression of overwhelming support across this Nation for the principle of fair housing represented yesterday in the vote on the cloture motion.

If we are going to talk about what people want, as expressed through their elected representatives, in order to determine where people stand on the issue of fair housing, it is very clear that the majority favor fair housing.

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

Mr. HOLLAND. Mr. President, I ask unanimous consent that I be permitted to continue for an additional 3 minutes.

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

Mr. HOLLAND. Mr. President, I ask my distinguished friend, the Senator from Minnesota, if I correctly quoted the article from which he read. I understood the Senator to say that 21,000-odd people had voted in favor of the proposal and that 21,000-odd people had voted against the proposal and that there was a difference between the majority and minority of less than 100 votes. I think the difference was 27 votes. Am I correct or incorrect?

Mr. MONDALE. The Senator is correct. As I said, this followed on the heels of months of bitter debate. I think one should be surprised in such a poisoned environment to have such a referendum, filed in the way in which it was.

Mr. HOLLAND. Mr. President, I do not think the city of Flint, Mich., is a poisoned environment. I think it consists of a very fine group of citizens, and I think that the quoted figures show very clearly that the great majority of non-Negro population of Flint, Mich., do not favor open housing.

I do not see how we could come to any other conclusion.

Mr. MONDALE. Mr. President, I think more of the citizens of Flint today than I did yesterday, because they did, in fact, vote by a majority vote, however close, in favor of the fair housing principle.

I merely saw the Associated Press story. I could not tell how many Negroes voted one way or the other or how many white people voted one way or the other.

I do not believe such information is available to any of us. But I presented this as further evidence that there is growing support in this Nation for the principle of fair housing.

When you have nearly 20 States which, after long debate and discussion, have adopted fair-housing laws, when in each successive legislative session throughout the country more States adopt fair-housing laws—and they have improved upon the laws they did have—and when we saw yesterday a substantial and remarkable improvement in support of fair housing and an overwhelming vote in support of fair housing, I do not know how anyone can argue that the trend is not decidedly in favor of fair housing, and the forces in support of it are growing stronger as the facts are becoming known.

Mr. HOLLAND. May I say that 30 States of the 50 have not voted for open housing. I believe every one of them has had the opportunity to vote to do so in its legislature. My State has had the opportunity to do so, and has declined to do so. Many other States have had the opportunity and have declined to do so.

The fact is that where we have had referendums, the rule has been the other way—people have voted against open housing.

So far as the Senator from Florida is concerned, he will not debate the matter further. He feels that any effort that strives to push down people's throats a social measure of this nature, which is opposed by large groups of people and majorities in many States, is wrong and is not in accord with sound American principles.

PROPOSED TAX ON TRAVEL

Mr. WILLIAMS of Delaware. Mr. President, on September 25, 1967, the International Union of Travel Organizations met in Tokyo, Japan. My attention has been called to a most interesting message which was sent to this organization by President Johnson wherein at that time he urged an expansion of world travel in order to promote international good will.

Three months later, on January 1, President Johnson had completely reversed this position and was asking the American people to stop international travel on the basis that it was resulting in a drain on our gold.

I read the President's message of September 25, 1967:

> As International Tourist year draws to a close it is fitting that we rededicate ourselves to the important task of promoting international goodwill through travel.
>
> This is no small undertaking. And it is worthy of our highest efforts and the unqualified cooperation of all nations. International travel helps satisfy a basic urge in man to learn more about his neighbor in a world which the jet age is making increasingly smaller.
>
> For the first time in history, millions of people have the opportunity to visit distant lands and examine other societies and cultures. World travel lights the way to world understanding. As we advance toward a new decade in which once-distant travel becomes commonplace, let us always hope that our journeys to faraway lands are journeys to a more peaceful, friendly world.
>
> LYNDON B. JOHNSON.
>
> THE WHITE HOUSE, *September 25, 1967.*

What concerns me is not so much this complete reversal of positions on the part of the Johnson administration—I am becoming accustomed to these yo-yo tactics—but what does concern me is this question:

Can it be possible that as late as September 25, 1967, the President of the United States had not been told of the alarming rate at which our gold was disappearing?

I am sure that Secretary Fowler will be anxious to explain this contradiction which he testifies before the Committee on Finance.

SENATOR MARGARET CHASE SMITH CHOSEN WOMAN OF THE YEAR BY CONGRESSIONAL SECRETARIES CLUB

Mr. WILLIAMS of Delaware. Mr. President, I am sure it would be of interest to all Senators and the country that the senior Senator from Maine [Mrs. SMITH] has been selected for another honor, this one of particular significance because it comes from employees on Capitol Hill.

Senator MARGARET CHASE SMITH has been elected Woman of the Year by the Congressional Secretaries Club. The award will be appropriately presented to the Senator at dinner ceremonies on March 23. The senior Senator from Maine, the only lady Senator in the Nation, also has enjoyed the honor of being selected in past polls as one of the 10 most admired women in the world. The Senator is the first lady ever to be elected chairman, or should I say chairwoman, of her party's senatorial conference, or caucus. And I also might add that at the start of this week, the senior Senator from Maine has cast 2,716 rollcall votes in the Senate without a miss, an alltime Senate record.

NATIONAL VISITOR CENTER FACILITIES ACT OF 1967

Mr. JORDAN of North Carolina. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 12603.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 12603) to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JORDAN of North Carolina. I move that the Senate insist upon its amendments and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RANDOLPH, Mr. JORDAN of North Carolina, Mr. TYDINGS, Mr. FONG, and Mr. BOGGS conferees on the part of the Senate.

INTERFERENCE WITH CIVIL RIGHTS

Mr. MILLER. Mr. President, on February 6, the Senate voted to table the pending Ervin amendment. Before the vote was taken, I stated that I would vote against tabling. I stated that I was not sold on the Ervin amendment; and that if the motion to table should not prevail, I would join other Senators in seeking to perfect it.

I also expressed my uneasy feeling that if the motion should prevail, the work of the Senate leadership in trying to devise a compromise would go down the drain, or at least would be much more inhibited than would otherwise be the case.

Unfortunately, the motion to table did prevail. And my uneasy feeling has been well borne out. We are much farther from a compromise now than we were at that time.

I have the same feeling toward the pending amendment as I had toward the Ervin amendment. I cannot support it as it stands, but I would be willing to continue to do what I can to perfect it so that it would be something for which most of my colleagues could, in good conscience, vote.

The vote for cloture yesterday did not, by any means, indicate a vote in favor of the pending amendment; and it ill serves the cause of open housing to claim that it does, just as it ill serves that cause to superficially conclude that a vote against cloture yesterday was a vote against reasonable civil rights legislation.

I shall vote against tabling for the same reason that prompted me to vote against tabling the Ervin amendment. But I must at the same time make the harsh observation that there seems to have been a continuation of the unwillingness to compromise in order to make progress on the part of some of the proponents of both the bill and the pending amendment which has already done much damage and which, as I said yesterday, precludes those who wish to make progress and at the same time do so on a sound and workable basis from voting to close off debate.

I deeply regret that the Ervin amendment was tabled by a majority of my colleagues, because this action has only served to set back the possibility of compromise which is so necessary to the cause of progress in civil rights legislation.

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

Mr. MILLER. I yield.

Mrs. JAVITS. Mr. President, I wish the Senator had been in the Chamber this morning when the colloquy between Senator MONDALE and myself—he is the author of the amendment, together with Senator BROOKE—made very clear that the sponsors intended to lay down before the cloture vote on Monday a different and what Senator MONDALE called a reduced version of this housing amendment.

I would say to the Senator from Iowa that I am sure that the authors of the amendment would be very pleased to have this consultation and the Senator's views as to how he feels it should be changed.

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

Mr. JAVITS. I ask unanimous consent that I may proceed for 1 additional minute.

Mr. MANSFIELD. Mr. President, we should conclude this matter, because some Senators must leave.

I ask unanimous consent that 2 additional minutes be allowed, and no more.

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

Mr. JAVITS. Mr. President, I never make moral judgments about votes. My colleague is fully entitled to vote as his conscience sees fit, for the benefit of his State. I believe that what he is expressing now is eminently reasonable, and I will pledge myself to do everything I can, as one of the Senators working on this measure, to hear his views and to endeavor to accommodate him.

Mr. MILLER. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

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

Mr. MILLER. Mr. President, I thank the Senator for his kind remarks. I was not directing my comments toward any particular proponent of either the pending amendment or the bill.

I wish to point out to the Senator from New York that while I am indeed looking after the best interests of the people I represent from my State, at the same time we do have an open housing statute on the books which was legislated in the last session of our Iowa Legislature; and so from that standpoint the people in Iowa, I think, are amply protected.

However, like all of us, we have to take a look at the Nation as a whole on some occasions, and that is what this is all about.

I wish to make one point clear. It is getting awfully late for compromise, and I think we are farther from the compromise than we were at the time the Ervin amendment was so unfortunately tabled.

I shall vote against tabling for the same reason I voted against tabling the Ervin amendment.

The PRESIDING OFFICER. Is there further morning business?

Mr. DIRKSEN. Mr. President, the distinguished Senator from Minnesota, who is the coauthor of the pending amendment, certainly oversimplifies the vote that was taken yesterday on cloture. That cloture petition was not filed against the amendment. It was filed against the bill, and so it takes with it everything that hinges on the bill. That amendment has been before the Senate for nearly 2 weeks. I have an idea that irritation and desire to get settled this business has as much to do with it as anything, rather than the merits or demerits of the amendment.

With respect to the amendment, what a colossal confession it is to take 2 weeks and come in here this afternoon and say that the author and his associates are now going to provide a very substantial modification in the amendment that is pending. If that is not a confession of weakness in their case, I do not know what it is. But it is a classic example of what happens when you try to write sensitive legislation on this floor before it

has been adequately considered in a committee.

Mr. President, I made a list of what the purport is of all these other amendments. If they were written into this bill it would look like a Christmas tree, for sure.

And so, Mr. President, this ought to be tabled, and as a matter of fact the slate ought to be wiped clean so that we can make a fresh start. I want a bill, I want a good bill, a fair bill, an equitable bill, and an honest bill. I think it can still be done. It will take a lot of time, of course, but here the authors of this amendment today now confess that they are on bad ground and they want to give way and make a substantial modification as a lure for some votes. Mr. President, let us not be deluded as to the reason for what is happening here.

I had a visit with the distinguished Senator from New York [Mr. JAVITS] this morning. I assured him I would be glad to work with him and his associates to get something worked out that would be palatable and that we can sell to the Senate.

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

Mr. DIRKSEN. I yield.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. JAVITS. I ask unanimous consent that we may proceed for 1 additional minute.

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

Mr. JAVITS. Mr. President, when the Senator speaks about luring votes I hope, as my leader, he is not beneath that himself.

Mr. DIRKSEN. Indeed, not.

Mr. JAVITS. Indeed, I hope we will be successful in luring some. But I say to the Senator, apart from the fact I do not agree with him on this tabling motion, I welcome as most refreshing and promising his feeling that we should try to work something out. The Senator from Illinois, after all, was "Mr. Architect" in 1964. I think I have a right to hope he may be in 1968.

PROPOSED STUDY OF AUTOMOBILE INSURANCE

Mr. MAGNUSON. Mr. President, in his state of the Union message; President Johnson proposed "a major study of automobile insurance." This support is welcomed by those of us who have been concerned with this national problem for some time. Following a year of preliminary and exploratory analysis of automobile insurance questions by the Committee on Commerce, I introduced, on December 14, 1967, a joint resolution (S.J. Res. 129) which would authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses. Ten other Senators joined me in cosponsoring the joint resolution. They are: Mr. BARTLETT, Mr. BREWSTER, Mr. CANNON, Mr. HART, Mr. HARTKE, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. MONRONEY, Mr. MOSS, and Mr. PASTORE. The Committee on Commerce will hold hearings on the joint resolution early this spring.

In this connection, the January 26, 1968, issue of Time magazine contains an excellent article entitled "The Business With 103 Million Unsatisfied Customers." The article gives a summary of the ills besetting the automobile insurance industry and of some of the cures that have been suggested. I ask unanimous consent that it be printed in the RECORD.

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

THE BUSINESS WITH 103 MILLION UNSATISFIED CUSTOMERS

The grim statistics of highway travel in the world's most motorized society add up to an irresistible sales pitch for auto insurance. Cars have killed more Americans since 1900 than the death toll of all U.S. wars since 1775. Roughly 24 million cars crashed in 1966 alone, injuring 4,000,000 people, disabling 1,900,000 and killing 53,000.

The economic loss caused by this carnage is well over $12 billion a year, and there is no question that the U.S. desperately needs a highly effective auto-insurance system that would compensate traffic victims rapidly, fairly and at reasonable cost to policyholders. But there is no question, either, that the U.S. auto-insurance system is a model of expensive inefficiency. The country's 103 million drivers have every reason to complain.

In ten years, the average premium has soared 55%. Car owners who take out a standard 50/100/5 liability policy (on which the company will pay up to $50,000 to one injured person, a total of up to $100,000 to all persons injured in one accident, and up to $5,000 for property damage) are also likely to include comprehensive protection (fire, theft, etc.), plus a collision policy requiring them to pay the first $100 in repairs. In Los Angeles five years ago, that package cost $279 a year for a couple with an 18-year-old son, even though his high school driving course got them a 10% discount and he used their low-priced car for pleasure only. Today the cost is $342—up 23%. In Houston, the rate has risen 49%, to $284.40. Boston tops the U.S. with a yearly premium of $711—up 71%.

The price of auto insurance is so high that most people would like to find a way of passing it up. But even though New York, Massachusetts and North Carolina are the only states that make liability coverage compulsory, it is virtually unavoidable everywhere. An uninsured driver must buy it or post equivalent financial security as soon as he is involved in a serious accident or gets convicted of a serious driving offense. And whichever alternative he chooses, he is in trouble. With a damage claim hanging over his head, few if any insurers will accept him as a future risk. If he posts personal security, he may lose his home or savings.

PAINT IT RED

Insurance companies say they are losing their savings, too. Despite the steep rise in premiums, the industry colors itself a bright red. In ten years, physicians' fees have gone up 39% and hospital costs 92%. Weekly factory wages have risen 42%, boosting lost-income settlements. Typical repair bills have climbed more than 50%. As a result, the average bodily-injury claim is up 31%, the average property-damage claim 46%.

What such arithmetic means, say insurance men, is that from 1956 to 1966 the industry paid out $1.6 billion more in liability claims than it received in premiums. Critics answer that this "underwriting loss" actually stems from the unusual accounting used in seeking higher rates. For one thing, the companies put aside a large portion of their premiums as "unearned reserves," count them as a nontaxed liability—then invest them along with other reserves. And when it comes to setting rates, critics add, the companies refuse to consider their investment profits. Still the industry's overall profits are less than 6%—just about the lowest in any major U.S. business. It is only by dipping into investment income that many auto insurers stay in the black.

Chief source of their trouble is the widely misunderstood liability coverage—which is quite unlike other forms of insurance. When a person buys fire, medical or collision insurance, his company pays him directly for his losses. But a liability policy does not protect driver against the cost of injury to himself; it protects him against the possibility of having to pay for someone else's injuries in the event that a court finds him at fault. Once that happens, the driver's company must pay the judgment against him. And with its own money at stake, the company usually tries to beat down the victim's claims, however just. As damage awards mount, the industry compensates for its losses by raising everyone's premiums. But even when a company wins in court and does not have to pay a claim, it may still retaliate against its policyholder by canceling his insurance, a fate that makes other companies regard him as such a poor risk that he finds it very hard to buy a new policy.

PREFERRED RISKS

Compounding this recipe for hostility between all parties is the difficulty of assessing the legal responsibility for auto accidents. In the six states* that have "comparative negligence" laws, a victim who is partly responsible for a crash can recover a proportionate percentage of his losses. In the other 44 states, unless the victim can prove that the policyholder was entirely at fault—and that he himself was utterly blameless—the company need not pay him a cent. Indeed, the worse the accident—a ten-car chain collision, for example—the more difficult it is to pin sole blame on one driver and reimburse anyone. If a driver has a heart attack and his car mounts a curb, hitting ten pedestrians, who is at fault? No one. Who gets paid? No one.

Almost inevitably, the fault system results in wildly erratic settlements. Insurance companies are notorious for overpaying small "nuisance" claims because it would cost more to fight them than to settle. At the same time, the seriously injured victim with high economic losses is often unable to wait for his case to come to trial and is forced to settle for whatever the company offers. If he does gamble on going to court, he may lose the case and get nothing. On the other hand, if he wins he may hit the jackpot.

So much money is involved that it seems to nourish corruption. There are adjusters who take bribes to settle cases, plaintiffs who file inflated claims, witnesses who remember the unrememberable, doctors who commit perjury, and lawyers who squander their talents working for contingent fees (30% of what they win for their clients), which now provide roughly one-third of the U.S. bar's total income.

So great is the cost of lawyers' fees and overhead that it takes an estimated $2.20 in premiums and taxes to get $1 to an accident victim. (Blue Cross delivers $1 in benefits for $1.07.) Nor is inefficiency the only drawback of the ponderous system. Although only 5% of auto cases ever reach trial, they still pre-empt about 65% of the nation's civil-court calendars. It now takes 2½ years to get a civil case tried in most cities.

The fault system also forces insurers to compete almost entirely for "preferred risks"—drivers who seldom drive and peo-

*Arkansas, Maine, Mississippi, Nebraska, South Dakota, Wisconsin.

ple most likely to impress juries if they do get into trouble. As a result, thousands of unpreferred motorists have been unceremoniously stripped of their policies or forced to pay sky-high surcharges, not only because of accidents, but sometimes because they happen to live in "red line" (claim-prone) areas or belong to supposedly risky groups—a category that includes the young, the old, Negroes, actors, barbers, bartenders, sailors, soldiers and men with frivolous nicknames like "Shorty." Divorcees are often blackballed because they might irk women jurors; doctors and clergymen are frowned upon as "preoccupied" drivers. A Manhattan lawyer was banned after someone hit his car in his apartment-house parking lot while he was upstairs asleep; a California housewife with a perfect driving record lost her policy because her husband was a Navy medic—driving an ambulance in Viet-Nam.

All states have "assigned-risk" plans, requiring every insurance company to accept a quota of castoffs, whom they sometimes charge 150% above standard rates for minimum coverage. For some accident-prone drivers, even that price may be a bargain, but insurance companies have been so fast and loose about canceling policies that many of those dumped into the assigned-risk pool do not deserve it. In 1964–65, for example, almost 70% of New York's assigned-risk drivers had clean driving records.

PAINLESS FINANCE

Problems have proliferated so rapidly that soon only the Government may be able to handle the financial hazards of auto insurance. But how? In 1869, the Supreme Court ruled that "insurance is not commerce," thus exempting it from federal antitrust laws and congressional regulation of interstate commerce. In 1945, after the court had reversed itself, the McCarran-Ferguson Act put all insurance under state supervision. But many Congressmen now believe that the states are flunking the auto-insurance part of their job. A Senate subcommittee has called for a "root and branch" investigation of the entire industry. President Johnson echoed the request in his State of the Union message last week, and Senate hearings are due this spring. One likely result is that the McCarran-Ferguson Act may be amended to impose federal standards on lax state insurance commissions.

As if to ward off that result, more state commissions are holding public rate hearings, denying premium boosts and ordering insurers to specify their reasons for cancellations and nonrenewals. But none of this will lower the price of insurance. As cancellations decrease, the industry will find itself handling more high-risk drivers and paying out more in damages. To reduce their losses, they will be forced to raise premiums still higher.

Somehow the industry must be helped to cut its costs. One obvious step is tighter state driver-licensing—or even a federal license for all U.S. drivers. If 20% of the country's drivers lost their licenses, says the Stanford Research Institute, the accident rate would go down 80%.

Some critics urge the Federal Government to do the insurance industry a favor and take over the auto-accident business entirely. Urban Specialist Daniel P. Moynihan, who chairs a federal auto-safety advisory committee, suggests a federal insurance system modeled on workmen's compensation, with awards made strictly on the basis of loss rather than fault. "Financing such a system," he argues, "might be the easiest part of all." Some $3.4 billion a year in gasoline taxes is already being spent to build the Interstate Highway System. When the system is finished in 1973, Moynihan would simply raise the gas tax a penny or so a gallon and switch the revenue to insurance, for which motorists would pay no other premium.

There are serious objections to Moynihan's nonfault Government insurance scheme, however tidy it sounds. For one thing, it would be fought hard by the oil industry, which aches to repeal the present gas tax. For another, it might be so financially painless that U.S. drivers would tend to worry less about their liability for accidents. And Government insurance might become a political football as legislators vied to curb needed rate raises.

Most experts still feel that private enterprise, with all its built-in advantages of business competition, should be given a second chance rather than a death sentence. They argue that the way to cut auto-insurance costs is to design a system that automatically compensates most victims regardless of fault, and still gives them the option of going to court to ask for more. Such mixed systems are already operating in several other countries, notably in Canada's Saskatchewan Province, where auto insurance costs two-thirds as much as identical coverage in adjoining North Dakota.

A much discussed mixed system geared to the U.S. is now being advocated by Law Professors Robert E. Keeton of Harvard and Jeffrey O'Connell of the University of Illinois. In their book *After Cars Crash*, they propose a novel form of auto insurance called "Basic Protection," which would pay benefits more widely and efficiently, yet preserve both private enterprise and the right to file lawsuits for severe injury and economic loss.

Under B.P., all motorists would carry compulsory insurance that started paying victims immediately, regardless of who was at fault. The injured motorist, his passengers and any pedestrians he hit would be paid directly by his own insurance company—not the other fellow's—up to $10,000 per person and $100,000 per accident, mainly for medical expenses and wage losses up to $750 a month. Collateral benefits from Blue Cross and other sources, which juries are not permitted to consider when setting awards, would be deducted from B.P. payments; but such collateral coverage would entitle motorists to lower premiums. B.P. would also exclude property damage and payment for pain and suffering, which the authors consider a boondoggle in most cases. Even so, motorists could insure themselves and their families at extra cost against pain, inconvenience and "catastrophe" losses above $100,000.

OUT OF BUSINESS

If a victim's losses exceeded B.P. limits, he could still go to court and sue for damages above $10,000, plus pain and suffering, if it amounted to more than $5,000. In turn, a B.P.-insured motorist would be personally liable for paying judgments exceeding those amounts.

Some experts claim that B.P. would cut insurance costs as much as 25%, while compensating 25% more victims. A few top companies favor parts of the plan; Insurance Company of North America has run newspaper ads supporting it. Pessimistic insurance men, however, foresee costlier, slower claim procedures, rising payments to now uncompensated victims—and no letup in accident suits because claims above B.P. would still attract swarms of contingent-fee lawyers. The American Trial Lawyers Association (the negligence bar) does not agree. It seems to fear that B.P. would put them out of business. In fact, after the scheme won the support of 250 Boston lawyers last summer and unexpectedly swept past the lower house of the Massachusetts legislature, a lobby of panicked negligence lawyers killed it in the state senate. The plan is pending or soon to be introduced in the legislatures of California, Connecticut, Illinois, Minnesota, New Jersey, Rhode Island and Wisconsin—in all of which negligence lawyers are fighting it.

Whatever the outcome, debate over the Keeton-O'Connell plan ought to spur auto insurers to self-reform. Some big companies have already moved toward nonfault by using an "advance payments" plan: if their policyholder is clearly liable, the victim is immediately paid for his out-of-pocket losses—without being asked to waive his right to any future settlement. The companies report that such claimants seldom sue later on. Other companies, notably State Farm Mutual and Allstate, have cut overhead by using computerized billing and their own low-commission salesmen rather than outside agents. Auto insurers might also save the public millions by selling group policies to companies and unions. Beyond that, they could swing their weight behind safer car design. If auto insurers offered big discounts for cars with easily repaired fenders or sturdy bumpers of uniform height, Detroit might soon find that it would pay to provide them.

The trouble is that many of these ideas are still just that—ideas. With bright exceptions, too many auto insurers refuse to believe that sweeping reform is needed, that exasperated motorists across the land are awakening to the suggestion that far better coverage is possible.

Two courses are open. One is Government auto insurance, which the industry dreads as a door-opener to further Government intervention in the insurance business. The other is fast industry action proving that private enterprise can best serve the motoring public. In every state legislature, the industry can and should unite to pit its great lobbying power against the negligence lawyers and in favor of a nonfault system—the Keeton-O'Connell plan, perhaps or an even better one, if insurance experts can devise it.

NINTH ANNUAL REPORT OF ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. MUSKIE. Mr. President, on January 31 of this year, the Advisory Commission on Intergovernmental Relations submitted its Ninth Annual Report to the President of the United States, the Vice President, and the Speaker of the House of Representatives. Members will recall that the Commission was established by Congress in 1959 "to give continuing attention to intergovernmental problems in Federal-State, Federal-local, and State-local, as well as interstate and interlocal relations."

The Advisory Commission is composed of representatives of the public and from each level of government. The senior Senator from North Carolina [Mr. ERVIN], the senior Senator from South Dakota [Mr. MUNDT], and I have served on the Commission since its establishment. On the House side, Representative FOUNTAIN, of North Carolina, chairman of the Intergovernmental Relations Subcommittee of the House Committee on Government Operations, and the original sponsor of the bill creating the Commission, and Representative DWYER, of New Jersey, are also charter members. The other House member is Representative ULLMAN, of Oregon.

In addition to the six members of the Congress, the Commission has three members from the executive branch: the Secretary of the Treasury, the Attorney General, and the Director of the Office of Emergency Planning. Other members include four Governors, four mayors, three State legislative leaders, and three elected county officials. The public is represented by three members, one of whom is the Commission's Chairman.

A year has elapsed since the submis-

sion of the Commission's Eighth Annual Report. It is appropriate then that the Senate be apprised of the Commission's activities during the last 12 months. The Honorable Farris Bryant of Florida was appointed Chairman of the Commission last year and is providing outstanding leadership—initially as a representative of the Federal executive branch and presently as a public member. Mr. William G. Colman, the Commission's Executive Director, continues his capable handling of the Commission's staff work.

During 1967, general meetings of the Commission were held in April, July, and October; and this year in February. Two major reports requiring implementation were adopted during the course of the 1967 sessions: the first deals with "State and Local Taxation and Industrial Location." The second is a far-reaching study of "Fiscal Balance in the American Federal System" and explores the size, shape, and significant features of fiscal federalism; the history, development, and present operation of the Federal grant-in-aid system; fiscal disparities among local governmental jurisdictions within metropolitan areas; and in-depth case studies of central city-suburban disparities in 12 selected metropolitan areas. The latter report will be published in the very near future. Information reports issued by the Commission last year included: "A Handbook for Interlocal Agreements and Contracts," "1968 State Legislative Program," and "Proceedings: National Conference on Legislative Leadership, October 13–14, 1967."

Senators will be interested in what has occurred as a result of these and earlier reports, as well as of other Commission activities. Since it is a continuing body, the Advisory Commission on Intergovernmental Relations does more than simply draft studies and make recommendations. Its members are desirous to see their recommendations put into effect and have devoted a significant share of their energies to encouraging adoption of Commission proposals at the relevant levels of government. In this respect, I strongly urge my colleagues to review pages 25 through 35 of the report.

Finally, Mr. President, the Ninth Annual Report of the ACIR sets forth "Highlights in Intergovernmental Relations in 1967" which already have received considerable attention in various quarters and serve as a succinct chronicle of the challenges that confronted American federalism during the past year. Mr. President, I ask unanimous consent that this portion of the report be inserted in the RECORD.

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

I. SOME HIGHLIGHTS IN INTERGOVERNMENTAL RELATIONS IN 1967

In 1967, the American political system—and in turn, federalism and the federal system—was on trial as never before in the Nation's history with the sole exception of the Civil War. The major crisis threatening the political system and, indeed, the whole fabric of American society, was in the Nation's cities. The crisis was characterized by serious rioting, the breakdown of law and order, and in a number of areas, the disappearance of any meaningful sense of community among the residents of blighted neighborhoods.

URBAN AMERICA: CITIES IN DISTRESS

Racial unrest and civil disorder

During 1967 some of the worst racial disturbances in the Nation's history broke out in many cities of the country: Newark, Detroit, Omaha, Minneapolis, Wichita, Rochester, and many other places, large and small, across the country suffered outbreaks of violence, burning, and looting. The National Guard was called out in a number of States to suppress the rioting, and Federal troops were sent into Detroit.

The immediate response generally was one of bewilderment and often outrage coupled with uncertainty as to what could be done to restore social health to the stricken cities. Contributing most to this uncertainty was the apparent lack of a clear link of cause and effect. A history of neglect and disregard for the welfare of minority groups in Newark contrasted with Detroit's record of continued concern with, and steady improvement in race relations over a period of several years. Yet both suffered greatly from the rioters and looters. There was concern at all levels of government lest accelerated action on programs for central city rebuilding be construed by some as "rewarding the rioters." In general, the effect of the riots upon Federal, State and local governmental action was to weaken "welfare" measures and to toughen "police" measures.

From the standpoint of federalism, a significant feature of the racial unrest and civil disorder was the tendency of local officials and news media to speak almost entirely in terms of remedial action by the Federal Government, occasioned perhaps by the feeling that only through access to Federal financing could sufficient resources be mobilized. Paradoxically, the apparent reason for much of the dissatisfaction of minority groups in the cities was and is rooted in local government structure and fiscal arrangements—including the "white noose" of the suburbs, under-financing of central city schools, inadequate housing, unbalanced patterns of State aid, and repressive restrictions upon the administration of public welfare. These and other sources of unrest stem primarily from State constitutions and statutes and are not directly controllable by Federal law or regulation.

Economic and fiscal crisis of central cities

During 1967, subjective and statistical evidence piled high to dramatize the fact that many central cities of the Nation are facing not only a desperate social and political crisis, but dire economic and fiscal difficulties as well. Few could ignore that elementary and secondary education in the central city ghettos would have to be strengthened greatly in fiscal resources and in quality of teachers if Negroes and other minority group children were to have an even break upon graduation from high school.

Yet, a study of the Advisory Commission on Intergovernmental Relations, covering the 37 largest Standard Metropolitan Statistical Areas in the country, showed that State financial aid to local schools tended to favor suburban schools over central city schools. Hardly any States have revised their school aid formulas to recognize specifically the much higher financial investment required to educate disadvantaged children. Added cost accrue for smaller classes to assure more individualized attention, for keeping school open longer hours, for offering additional recreational opportunities and for measures required to compensate for an inadequate home environment. The Commission's studies show that the schools serving low income central city children are receiving less per pupil as well as per capita than those serving the more affluent suburbs. *It is the paradox of education in metropolitan America that where the needs are greatest, the resources are scarcest; the children needing education the most are receiving the least!*

Need for a new look at urban-rural population balance

The year 1967 witnessed a growing consensus on the need for re-examining Federal, State and local policies—as well as activities in the private sector—that tend to influence the distribution of population in the United States. There was growing recognition of the tremendous future costs involved in the in-migration to large central cities of low income, nonwhite populations from small towns and rural counties across the country. A number of people, including the Secretary of Agriculture, began to underscore the long-range benefits both from a social and fiscal viewpoint of retaining and attracting an increasing share of the future population to small town and rural America.

In a similar vein, recognition was being given to the diseconomies of congestion—transportation costs, environmental pollution and higher living costs incident to further concentration of population in large metropolitan centers. As the year drew to a close, however, new questions were being asked about a theory of population redeployment. Some contended that the problem of the hour was to meet present urban needs and that "keeping people down on the farm" would not cover the great fiscal and social deficits arising from the masses of underprivileged urban in-migrants who are already in the large metropolitan centers and are likely to remain there regardless of how much progress is made in industrializing the countryside. Others contended that alternative migration patterns can and must be encouraged, but that public policy and funds should be directed only toward "natural growth centers." Still others argued that to achieve balanced rural growth, private and public efforts must reach first into the hard core rural pockets of poverty.

Rising crime and juvenile delinquency

As the year progressed, there was growing concern about the continued increase in the incidence of crime and juvenile delinquency. This increase occurs not only in the urban centers, but continuing a trend of several years, is found in the suburbs and rural areas as well.

Early in 1967, the President's Commission on Law Enforcement and the Administration of Justice delivered an impressive report backed by a considerable number of in-depth studies of particular areas of this vital subject. Many recommendations were submitted; those dealing with Federal action were couched in fairly specific terms while those dealing with State and local action were somewhat more general. As the year progressed, however, the question of how to improve State-local relations in this field began to receive attention comparable to that focused on improving Federal-State relations. Questions arose in connection with the Administration's Crime Control and Safe Streets bill as to whether Federal grants for assistance to law enforcement activities should go to the States or directly to localities. Part of the argument advanced against using State government as an intermediary in this process was the fact that only a limited number of States possessed an overall police and law enforcement capability.

State Attorneys General, in addition to concerning themselves with the impact of court decisions upon law enforcement and with other means of attacking the growth of crime and juvenile delinquency, have become increasingly concerned with the relationship between the State Attorney General and local prosecutors and police. Similarly, the relationship of the State police to county sheriffs and municipal police officers has come in for increasing attention. There is little doubt that the field of law enforcement and administration of justice offers one of the most difficult and challenging areas of intergovernmental cooperation in the United States today.

Increasing involvement of private enterprise in urban problems

The urban riots of 1967 produced wide disagreement on many points. One point of consensus, however, did emerge—the restoration of vitality in the Nation's urban areas is an assignment surpassing the present capabilities of any one level of government and even of all levels acting collectively. It was increasingly agreed that private enterprise must become more deeply involved in urban problems if these problems are to become manageable and if the metropolitan areas themselves are to remain governable.

At year's end signs were appearing of a dedication on the part of many large business and financial institutions to the amelioration of the problems rending the political and social fabric of the Nation's cities. The decision of a number of insurance companies to assist in financing low income housing through rent supplements and other devices, and the active involvement of a large number of businessmen in the "Urban Coalition" formed at the height of the summer's rioting were decidedly encouraging developments.

A possible barrier to private enterprise cooperation in the solution of urban problems, however, was identified during the course of the year. A number of State constitutions forbid any commingling of public and private funds for public purposes. These constitutional restrictions date back to the railroad scandals of the middle and late 1800's. The New York Constitutional Convention proposed in the document placed before the voters of the State (which was rejected for other reasons) that the State give positive authorization and encouragement to public-private participation in programs designed to serve a public purpose.

Rent supplements come of age

The first session of the 90th Congress again saw a "Perils of Pauline" drama in regard to rent supplements. As in both sessions of the 89th Congress, the question repeatedly before each House was: "Shall this program survive?"

The Rent Supplement Program is one of the most crucial—and controversial—weapons in the attack on the so-called "metropolitan problem." One of the major elements in the problem is the increasing disparity—economic, social and fiscal—between the central city and many of its surrounding suburbs. Housing in many suburban communities is priced at a figure completely out of reach of low income families. In effect a fiscal and economic wall is constructed around the central city which reserves the suburbs for the middle and higher income portions of the urban population.

During its first session, the 89th Congress enacted a rent supplement plan making possible the housing of low income people in the more prosperous communities without risking the fierce emotional opposition that public housing projects often arouse. The program encourages private nonprofit organizations to provide housing rather than expanding the role of government in the construction and management of additional public housing facilities. Because the rent supplement program can have the effect of dispersing low income families throughout the metropolitan area, the program itself faces continued opposition from suburban constituencies. Some of the opposition seems to be racist in motivation. In 1967, however, following a summer of rioting, there came a growing recognition that someday, somehow the "white noose" around the central city ghettos would have to be cut.

A crucial factor in the battle for new appropriations for the rent supplement program was the decision of a number of large insurance companies to make use of the program and to pool resources in a cooperative effort to provide over $1 billion worth of low income housing for central city neighborhoods.

While it is too early to predict success for the rent supplement program, the participation of large business enterprises in the program and the provision of sufficient appropriations to finance the housing of a sizeable number of people should begin to remove the program from those "infant mortality" risks which beset any new and innovative endeavor—public or private.

Growth of metropolitan councils of government

1967 witnessed the formation of a large number of regional councils of elected officials in the Nation's larger metropolitan areas. These bodies commonly known as "councils of government" or COG's owe their establishment to two major factors: First, there was and is a growing recognition on the part of metropolitan and suburban residents alike of the necessity of cooperation in the carrying out of a number of highly complex and interrelated governmental programs in the large metropolitan areas. It has come to be recognized that the right hand must know with reasonable assurance what the left hand is doing as multitudes of local governments function side by side in the large metropolitan centers.

Second, a provision incorporated in the Demonstration Cities and Metropolitan Development Act of 1965—Section 204—required, beginning July 1, 1967, the review and comment by an areawide body upon certain Federal grant-in-aid applications from political subdivisions of metropolitan areas. The activation of Section 204 in mid-year required that where no such body was in existence, an appropriate body had to come into existence lest all political subdivisions in the metropolitan area find themselves cut off from possible Federal aid for a variety of physical development projects in the future.

The general tendency in a number of areas was to turn to a body of elected officials as the new instrumentality rather than an appointive body of city planners. However, in some instances it was impossible to obtain interlocal agreement on a body prior to the July 1 deadline. In these cases existing or new bodies were designated by the Governors as the agencies to exercise the review and comment functions under the Act. All told, however, only 33 COG's were so designated out of a total of 203 designees. It is too early to forecast whether in time COG's or independent planning agencies will emerge as the "chosen instrument" to perform the review and comment function.

In April, with the assistance of a grant from the Ford Foundation, a conference of representatives of Councils of Government from over the country was held in Washington. At this conference the potentialities and limitations of COG's were explored frankly. It was agreed generally that these bodies had a number of potentialities, with each metropolitan community deciding for itself how strong or how passive it desired the COG to be. As was stated on one occasion a COG can be "anything from an Elk's lodge to a metropolitan government."

Manning the ramparts of local government

Throughout the year, principal attention from the news media and the public was directed to the cities that happened to be in trouble that day or that week. Naturally, but regrettably, attention passed over the continuing evidences of able and responsible government in the midst of adversity. Much more was written about why things went wrong in Cavanagh's Detroit than why they did not go badly wrong in Lindsay's New York or Tate's Philadelphia, or Daley's Chicago, or countless other places. Excepting only the Presidency, the position of big city mayor was the toughest around in 1967, for in many cases the ultimate in effort, dedication and ability failed to stem a rising tide of disaffection. The ordeal of the mayors and of the officials of the large urban counties merited—and generally received—an understanding response from other levels of government.

STATE GOVERNMENT—A NEW FRONTIER

It is becoming increasingly apparent that a considerable portion of the "infrastructure" of metropolitan problems is soluble only by State action. Restrictions upon the debt carrying and taxing capacities of local governments; criteria for annexation of unincorporated areas; standards for the exercise of zoning powers; machinery for adoption and enforcement of building and housing codes; the ease or difficulty with which small suburban communities may be incorporated; the independence or dependence provided in the inherent powers of local governments in metropolitan areas—all of these very crucial determinants of the social, political, and economic fate of central cities is a matter of State constitutions or statute.

Gubernatorial concern

Indicative of the extremely broad range of needed State action in dealing with the problems of the cities, were the recommendations advanced in a report prepared for the Committee on State-Urban Relations of the National Governors' Conference, headed by Governor Richard Hughes of New Jersey. The report offered eighty-five specific proposals for State government action ranging from studies and reappraisals of local governmental structure to State financing of rent supplements, to revision of condemnation policies and procedures. The report constituted a highly useful checklist for concerned Governors, State legislative leaders and local officials. In addition, the Federal-State Relations Committee of the National Governors' Conference prepared a special report entitled "Call and Commitment," which listed a long series of steps desirable for consideration by governments at all levels.

In a related development last summer, Governor Nelson A. Rockefeller of New York initiated the establishment of a State-Urban Action Center to be responsible for developing tools and providing technical assistance to Governors and State legislative leaders seeking solutions to urgent urban problems. The Center is being financed initially with private foundation support and is established under a bipartisan board of trustees. The cochairmen are former New York City Mayor Robert Wagner and former Minnesota Governor Elmer L. Anderson. The Center has opened offices in both New York City and Washington.

Institutes for excellence in State government

Under the leadership of former North Carolina Governor Terry Sanford, and with financial support from the Ford and Carnegie Foundations, the first of what eventually will be a series of institutes for State government was established at the University of North Carolina in Chapel Hill—an institute for State planning. Each institute is to be a center for research and the developer of tools and techniques for improving State government. Each is to be university based, to have a small professional staff, and to be governed by a board of trustees including ex-Governors and other prominent persons. Each institute, after completing its research and preparing recommendations for consideration by the States will go out of operation; the maximum life of an institute is to be five years. Through this process it is hoped that the best minds and resources can be brought to bear upon critical problems of State government and the best of experience of each State made available to the others.

Governor Sanford's unique "Institute for State Programming in the Seventies" was only one aspect of his broader "Study of American States." He also was a prime mover in the establishment of the "Education Commission of the States" of which 45 States now are members. Set up by interstate compact, the Commission provides machinery

for the States to pool information and resources and share experiences in the field of education. In addition, Governor Sanford's well received book *Storm Over the States* was released in October 1967. It presents a perceptive analysis of the role of State government in the federal system and offers politically practical recommendations for buttressing federalism by strengthening the States.

Establishment of Washington office of National Governors' Conference

In March the National Governors' Conference opened a Washington office. The office was charged with following closely developments at the Federal level affecting the States, and with serving as the staff arm of the National Governors' Conference in the area of Federal-State relations. The office immediately launched an aggressive program of action.

Through the Federal Office of Emergency Planning and the new Governors' Conference office, States were urged to designate "Federal-State Coordinators." Significantly, the number of States with designated "Coordinators" increased from fewer than a dozen at the beginning of 1967 to 46 at the end of the year. During 1967, two conferences of these coordinators were held. The two conferences served as forums within which Federal agencies described their programs and representatives of States raised questions and voiced criticisms and suggestions.

The new office initiated a weekly newsletter to the Governors alerting them to upcoming hearings, Congressional votes and prospective administrative actions. Through the efforts of the Office, views of Governors on pending issues were assembled and presented to the Executive and Legislative branches of the National Government.

Rapidly increasing taxes and expenditures of State governments

The year 1967 saw greater receptivity on the part of citizens with respect to bond issues and new taxes:

Record tax increases were voted in a number of States.

Borrowings to assist local government also reached record proportions.

California's Governor Reagan proposed and the legislature approved tax increases of around $1 billion a year, the largest State tax increase in the Nation's history.

New York State voters approved a $2.5 billion bond issue to be used for a variety of State and local purposes in the field of transportation, including sizeable amounts for urban mass transportation. This was the largest State government bond issue in the Nation's history.

Approximately 85 percent of the bond issues placed before the people in 1967 were approved in contrast to 1966 when barely half of the bond issues were approved. (There were exceptions to the 1967 trend—in California, nearly 60 percent of the issues were rejected.)

New financing and new programs authorized by the legislatures of the various States in 1967 were in striking contrast to the "hold the line" stance of the first session of the 90th Congress. Many new programs in the field of domestic government in the United States were undertaken by the States and the local governments, in contrast to a relative *status quo* situation at the National level.

Increased concern of business organizations with State and local government problems

A new force in the modernization of State and local government emerged in 1967. The business community displayed active support for an increased role in the federal system for State and local government, especially the latter. Often in the past, business organizations have objected to new Federal programs on the grounds that they represented an unwarranted intrusion into what was more properly a sphere of State government activity. All too often, however, the same organizations or their State counterparts would go before State legislative committees and oppose State government programs directed to the same general objectives on the ground that the best government was the least government.

The year just closed, however, saw a "crossing of the Rubicon." The Committee for Economic Development, the United States Chamber of Commerce, and the National Association of Manufacturers took important steps to marshal support in the business community for grass root efforts to strengthen and modernize State and local government and to utilize the fiscal resources needed at those levels to deal effectively with emerging problems.

The Committee for Economic Development for several years had been concerned with the antiquated structure of State and local government. Its 1966 report on the *Modernization of Local Government* received extremely wide notice throughout the United States. A second report offering *A Fiscal Program For A Balanced Federalism* was issued in June 1967. In it, CED urged Congress to strengthen State tax capabilities by giving taxpayers partial Federal income tax credits for State income tax payments.

A month later, in July 1967, CED released its report on the *Modernization of State Government*, which called for the general reforms that political scientists have urged for several decades—shortening the ballot; strengthening the power of the Governor to budget, to appoint, and to reorganize; and most importantly, rejuvenating the State legislature as an important force in the American federal system.

Later in the year the Chamber of Commerce of the United States adopted a policy statement favoring structural improvements in State government similar to those enunciated in the CED report. The Chamber had earlier established a unit within its organizational structure responsible for State and local government modernization and had conducted small conferences in nearly all States with State and local Chamber executives, municipal league and county association directors and others for the purpose of explaining and developing support for the new program.

1967 also marked a growing concern on the part of the National Association of Manufacturers with regard to problems of federalism, particularly the strengthening of State and local government. An intergovernmental relations newsletter was initiated and a person responsible for following problems of federalism and of State and local government modernization was added to the Washington office of the Association.

State constitutional revision

In terms of State constitutional revision, 1967 was a "mixed bag." The greatest disappointment of the year came with the performance of the New York State Constitutional Convention. Dogged at the outset by partisan bickering and presented at the end with a "take it or leave it" package of very controversial proposals, the new constitution went down to a resounding defeat at the polls. On a lesser scale and despite three years of labor the initial draft of the proposed Rhode Island constitution was referred back to the Constitutional Convention for revision—since it faced near certain defeat at the polls. A vote now has been scheduled for April 1968. On the more hopeful side, several States adopted individual constitutional amendments which called for general constitutional revision or adopted piecemeal revisions of their constitutions. At the end of the year, 22 States were engaged in either overall or limited constitutional revision activity.

State legislatures began to assume a role of increased significance in the federal system during 1967. This was occasioned partly by the influx of new, younger members as a result of "one man-one vote" reapportionment. Partly it reflected a growing recognition on the part of the American business community that strong State legislatures are essential to responsive State government and that responsive State government is essential to a strong America.

The activities of the Citizens Conference for State Legislatures, and the "self-starting" efforts of many legislatures for a self-appraisal all began to bear fruit. An improvement in public climate could be detected in terms of a desire to unshackle the State legislatures—at least to some extent—and to permit them to operate as strong and effective lawmaking bodies.

Increasing State financial assistance to urban areas

The Commission stated in its *Eighth Annual Report* that the "wholesale involvement and participation by the State in the functions of urban government continued to be the exception rather than the rule. At year's end in 1966 only eight States were assisting financially in the construction of local sewage treatment plants." At year's end in 1967, 20 States were rendering such financial assistance. It is true that the dramatic increase in State financial participation in municipal water pollution abatement could be traced at least partially to a special incentive provision for State government participation contained in the Water Quality Act of 1965. Nevertheless, it was apparent that State governments were showing willingness to issue bonds and to raise taxes in order to begin to fulfill one of the long neglected functional responsibilities of State government. In one area—Chicago—Mayor Richard Daley was one of the principal catalyzing forces hurrying along a lagging interstate effort needed to begin cleaning up lower Lake Michigan.

In other fields as well, the number of States participating in a meaningful financial way in areas previously dominated by Federal-local relationships was encouraging. Eight States were giving financial assistance to urban mass transportation, and eleven States were giving similar assistance in the field of urban renewal. (See Appendix B.)

So by the end of 1967, while "wholesale involvement and participation by the State in the functions of urban government" continued to be the exception rather than the rule, the pattern seemed to be changing. In another year or two such participation may become the rule rather than the exception. When States involve themselves in large-scale programs of financial assistance to urban communities many of the arguments of political scientists, State officials, and others against the so-called "bypassing" of the States in Federal-local programs will become academic. When the States become financially involved, they will begin to control the channeling of Federal aid funds to urban areas.

Meanwhile, many State leaders continued to assert that the States should be the "prime contractor" for all Federal grants—including grants to localities—regardless of whether they provide some of the matching funds. In Washington this view had more support in the House than in the Senate or the Administration—as witnessed by the passage by the House of the Cahill Amendment to the "crime control" bill and the near-passage of the Quie Amendment to the elementary and secondary education bill.

However, there seemed little likelihood that the Administration would countenance a "State's rights" policy on Federal grants, and votes to spare in the Senate were available to block such an approach. On the other hand, the Administration was showing signs of agreeing to a policy of State channeling

if particular States would "buy in" to the particular programs.

Establishment of State departments of urban affairs and community development

In 1967 the trend continued toward the establishment of more State agencies concerned with local government and urban affairs. The principal newcomers were: (1) Missouri which established a full-fledged State Department of Community Development; (2) Washington which set up a similar department; (3) Ohio which created a State Bureau of Urban Affairs; and (4) Connecticut which launched a well financed Department of Community Development. Several States in addition to those mentioned made organizational arrangements during 1967 for increased attention to problems of urban and local government. In Michigan, Governor Romney repeatedly called for creation of a Department of Urban Affairs but has not yet received legislative approval of the proposal.

The preference in 1967 seemed to be for full-fledged "line" departments with substantive and financial responsibilities, in contrast to the strictly technical assistance and advisory functions performed by the so-called "offices of local affairs" typified by the Office of Local Government in the State of New York—one of the pioneers in this field. (A tabulation of State agencies showing the functions exercised is contained in Appendix C.)

Stalemate on State taxation of interstate commerce

Turning now to more negative aspects of the evolution of the concept of "States' responsibilities as well as States' rights," a near-stalemate continued in the very difficult and controversial question of State taxation of corporations doing business in more than one State. H.R. 2158 by Representative Willis of Louisiana based upon a study conducted by a special subcommittee on the House Judiciary Committee was pending in the House Rules Committee from late July on to the end of the year. Opposition to any further Federal enactments in this field was led by the Council of State Governments. It offered instead an interstate compact designed to facilitate the adoption of a uniform formula for the appointment for tax purposes of corporate multistate income and to provide machinery to resolve interstate disputes over jurisdiction. The development of the compact which was adopted by 14 States in 1967, and the other steps taken by the States during the year were prompted in large measure by the threat of Congressional action.

Industrial development bonds: A growing problem

During the year industrial development bonds continued to be issued by local governments throughout the country in increasing numbers. The use of these bonds began to have a new effect as the year drew to a close—strong competition with the "legitimate" issuances of State and local governments for strictly governmental purposes. The tight money situation combined with the increasing volume of the industrial bond offerings were forcing up the interest rates on both kinds of issues. It was also becoming apparent that the industrial bond problem was not confined to revenue bonds as distinguished from general obligation bonds. In late November, Mississippi marketed over $100 million of general obligation industrial bonds.

An increasing number of State and local officials began to be convinced that strong action by the Congress was necessary if the whole edifice of tax exempt State and municipal securities was not to collapse. Sentiment was increasing that Congress should in some way curb the issuance of industrial development bonds with tax exemption privileges. The great difficulty involved in framing such legislation was the fear that curbing the tax exempt status of this type of issue might be considered in later years a precedent for curbing the tax exemption privileges of general purpose State and local government securities.

FEDERAL PROGRAMS—UNCERTAINTY, CONTROVERSY, AND PROGRESS

The welfare problem

Throughout the year increasing concern was expressed about the shortcomings of existing Federal-State welfare policies and programs. Many contended that public welfare policies initiated in 1935 had the effect of discouraging the transfer of individuals from welfare rolls to a self-supporting status. This situation stems from the fact that most outside earnings have been taken into account in determining how much aid the individual will be given, and outside earnings reduce the welfare entitlement by an equal amount. There also was concern about the lack of incentive in existing welfare policies and programs for the recipient to undertake adult education courses and work training that would qualify him for a self-supporting job. The House of Representatives endeavored, in reporting out the Social Security Amendments for 1967, to remedy some of these deficiencies. The House bill required most welfare recipients to accept work training programs or be denied benefits, permitted recipients to earn some money without a commensurate reduction in the welfare allotment, and limited future ADC-roll expansion. The limitation on ADC-roll expansion was considered by many to be too punitive in nature, but generally the House version prevailed in the bill sent to the President.

Coupled with dissatisfaction over current welfare policies and programs is the strong belief on the part of many that (1) responsibility for financing public assistance is incorrectly allocated among the various levels of government, and (2) a "guaranteed annual income" or a "negative" income tax would be a more effective means of meeting the public assistance needs of the Nation. Others, however, believe that such approaches would tend to remove all motivation whatever for welfare recipients to move off the welfare rolls into productive employment. With regard to intergovernmental responsibilities in the field of welfare, some States are beginning to assume an increased share of welfare costs. Massachusetts is scheduled to take over all financial responsibility for welfare in 1968, joining the ranks of eleven other States that require little or no local financial participation in categorical or general assistance.

Widespread disarray in Federal categorical grant system

The enactment by Congress of more than 200 grant programs during the 1963–66 period produced dissatisfaction on the part of the recipients with the way the programs were operating and dissatisfaction in Congress as to the degree of coordination among the various Federal agencies concerned. More and more during the year, the need was expressed for consolidation of separate grant programs and for some kind of "computerized" system of information about the Federal programs that would facilitate participation by smaller units of government.

President Johnson, in his message to the Congress early in the year dealing with the "quality of Government," called for efforts to consolidate grant programs into a smaller number of categories and to simplify requirements for application, funding, and fiscal reporting. The Bureau of the Budget developed proposed legislation to authorize the use of several appropriations for closely related or "packaged" local or State programs. As the first session drew to a close, however, the legislation was not yet moving.

Increasing representation of State and local governments in Washington

A corollary of the proliferation of categorical grants and the increasing difficulty of penetrating the Federal "jungle" was the establishment by State and local governments of Washington offices. At year's end 17 States, 24 cities and four counties had taken steps to provide themselves with "on the ground" representation in the Nation's capitol beyond that provided by their representatives in Congress. (See Appendix D)

Poverty program: Whither community action?

Throughout much of the year the future of the Poverty Program was in doubt. Its authorization was due to expire June 30, 1968, and legislation was before the Congress to extend the program for an additional year or two. For some time it seemed doubtful that any kind of poverty bill would pass the House of Representatives.

However, with the support of a coalition of Southern conservatives and Northern "moderates" a bill fashioned by the House Educa- achieve a comfortable majority in the House tion and Labor Committee managed to when it finally came to a vote in November 1967. The provision that saved the bill was the so-called "city hall amendment" which placed control over community action programs essentially with units of general local government—cities or counties—with a "bypass" provision operative in those cases where the local government chose not to initiate a community action program or chose to initiate it along lines not compatible with requirements of the Economic Opportunity Act. Only in those cases would the Director of Economic Opportunity be empowered to establish direct Federal relationships with private, nonprofit organizations to operate community action programs in these particular localities. The "city hall amendment" alleviated the concern expressed by some mayors and many county officials about the "bypassing" of general local government which had taken place under the Community Action title.

Improved communications between State governments and the Federal executive branch

During 1967 former Florida Governor Farris Bryant, the Director of the Office of Emergency Planning, led teams of Federal officials to 40 State capitals for day-long visits with Governors and other State administrators for the purpose of exchanging views and airing problems of Federal-State relations. A large number of problems were identified; a considerable number were solved or mitigated; others were left for remedial action through legislation.

The Bryant trips clearly improved the attitudes on the part of both Federal and State administrators, and increased understanding at each level of the problems faced at the other level. In addition to disclosing inadequacies in Federal organization and procedures, the visits also disclosed serious shortcomings in the constitutional, legal, and fiscal structure of State governments. At year's end both Governors and Federal administrators were arming themselves to cope with the weaknesses and shortcomings that had been identified in their respective systems during the course of the year.

Also during the year Vice President Humphrey continued his vigorous program of consultations and "trouble-shooting" with mayors, county officers and other local government officials. At his encouragement a Washington meeting was convened of a cross section of school board members from across the country for the purpose of discussing and questioning new Federal programs and policies.

The Heller plan

At the opening of the 90th Congress nearly 100 separate bills were introduced in the

House and Senate to provide Federal-State-local revenue sharing along the general lines of the original "Heller-Pechman plan" under which a designated percentage of Federal income tax collections would be set aside for distribution to the States (and/or localities) with few strings attached. As these measures were introduced studies were made by the National Governors' Conference, the Advisory Commission on Intergovernmental Relations, the National League of Cities, and others. It became increasingly apparent that many questions would have to be resolved before a satisfactory formula for sharing of Federal revenues with States and localities could be devised. The proponents of revenue sharing began to concede that "some" strings would need to be attached to Federal bloc grants. Similarly, opponents of the plan began to concede that some form of general fiscal support would be necessary in the years ahead, other than that which could be accommodated within the framework of the categorical aid system.

In October 1967, the Advisory Commission on Intergovernmental Relations, after more than a year's study of "fiscal federalism" adopted a recommendation calling for a "middle of the road" approach to the question of revenue sharing. The Commission urged broadening the "fiscal mix" of Federal grants-in-aid to include not only (1) categorical grants for purposes of stimulation and demonstration but also (2) functional bloc grants for the purpose of continuing support within designated functional fields of significant National interest and (3) general support funds alloted on the basis of population with variations in tax effort taken into account. The Commission went on to say that if the Congress should decide to distribute general support funds directly to localities as well as to the States, safeguards would be required to insure that local spending of Federal general support funds in no way conflicts with existing comprehensive State plans.

FEDERALISM AT THE CROSSROADS

America's federal system is on trial today as never before in this century of crisis and change. Hopeful signs can be found at all levels of government and within the perspective of the past three decades some suggest drastic changes—for the better. Yet, when measured against present and prospective needs and expectations, progress seems discouragingly slow.

Throughout the Nation's history a distinguishing feature of the federal system has been its remarkable capacity—with but one failure—to adapt to changing circumstances and shifting demands. But now the rate at which circumstances and demands shift and change is of a totally different magnitude and imposes a new dimension.

Despite this new dimension, many States and localities still cling to policies and practices that hardly satisfied the modest requirements of a bygone era and are grossly unsuited to cope with today's urgent challenges. Despite this new dimension, some policies and attitudes of the Federal establishment continue more attuned to the problems and solutions of the thirties and forties, than to the horizon of the seventies and eighties.

The challenges of today are cast in seething racial unrest and civil disorder, burgeoning crime and delinquency, alarming differences in individual opportunity for education, housing and employment. Historically, these constitute one more—albeit a highly dramatic—chapter in the age-old American struggle to fulfill the mighty promise of Jefferson's Declaration within and through the balanced, constitutional system framed by the Founders in the Great Charter of 1789.

The manner of meeting these challenges will largely determine the fate of the American political system; it will determine if we can maintain a form of government marked by partnership and wholesome competition among National, State and local levels, or if instead—in the fact of threatened anarchy—we must sacrifice political diversity as the price of the authoritative action required for the Nation's survival.

FARM BARGAINING

Mr. METCALF. Mr. President, on February 15, the Senator from Minnesota [Mr. MONDALE] and nine cosponsors introduced S. 2973, the National Agricultural Bargaining Act of 1968. Our bill would create a national collective bargaining system for determining fair farm prices. On Tuesday, February 20, the Washington Post, in an editorial, termed the bill an "ingenious effort to give farmers powers comparable to those possessed by labor unions." 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:

FARM BARGAINING

The National Agricultural Bargaining Act proposed by Senator Mondale of Minnesota and several colleagues is an ingenious effort to give farmers powers comparable to those possessed by labor unions.

It would provide for a National Agricultural Relations Board which would conduct referenda by the producers of farm commodities suffering from unreasonably low prices. The farmers would then elect representatives who would bargain with processors for a fair price.

The sale or purchase of the affected commodity at less than the established price would be prohibited by law. For all the terminology of labor relations involved, this is basically a price fixing bill. Instead of fixing the price at "fair market value" or "the cost of production plus a reasonable profit" as did farm plans in the twenties, the level would be negotiated. To that extent, it is an improvement on arbitrary pricing.

Secretary of Agriculture Freeman wondered in a recent address if "farm bargaining power is an idea whose time has come." The progress of the Mondale bill will be one measure of the truth or falsity of that conjecture. The general assumption in the past has been that farmers are too dispersed, too disunited and too diversified in interest to get together on bargaining methods. That assumption has been reinforced by sporadic efforts at "farm strikes" like those of the thirties, which frequently ended in violence ineffectually employed to stop the non-strikers. The Mondale bill would interpose the law where the earlier efforts relied on voluntary withholding. The enforcement problems do not seem as formidable today as they did a generation ago but they might still be considerable.

The disparity between the returns of an unorganized agriculture and those of organized labor and industry is such that any proposal holding out some promise of diminishing it deserves hearing and study. The farmer has found that he cannot rely on the generosity of processors and consumers.

THE VIEW FROM MOUNT VERNON—TRIBUTE TO REPRESENTATIVE FRANCES BOLTON, OF OHIO

Mrs. SMITH. Mr. President, with the celebration of George Washington's Birthday, I invite attention to what one of our colleagues has done to preserve the view from Mount Vernon.

Tomorrow, the Secretary of the Interior will create Piscataway Park. This park will save for all time, for the people of the Nation, the magnificent view from Mount Vernon which meant so much to our first President.

The creation of the park carries out an act passed by Congress in 1960.

But the passage of that act, was in itself a tribute to FRANCES BOLTON, of Ohio.

As the vice regent of the Mount Vernon Ladies' Association of the Union, which has preserved Mount Vernon itself, she has worked for years to save this view. Starting in 1955, she began to use her own funds to buy up the farms along the Maryland shore of the Potomac opposite Mount Vernon to keep them from being converted into sewage plants, oil tank farms, and other commercial uses.

Let me tell the Senate about it in her own modest words:

Many years ago, we set out to protect the visual environment of Mount Vernon, America's number one historical shrine.

Up to that time, preservation was primarily in private hands. For example, a century ago, Mount Vernon itself was offered to both the Federal government and the State of Virginia.

Both refused.

A frail woman, Ann Pamela Cunningham undertook the task, and created the Mount Vernon Ladies' Association of the Union. This private group purchased and still preserves this national shrine.

Miss Cunningham's parting injunction was, "Let one spot in this grand country of ours be saved from change. Upon you rests this duty."

In 1955, an oil tank farm was projected for this spot where we stand in the center of the view that thrills millions of visitors each year.

As Vice Regent from Ohio of the Mount Vernon Ladies' Association, I used some funds which had come to me by inheritance, to acquire the property to preserve it.

This was just the beginning. During the next few years, additional land was acquired by the Accokeek Foundation.

Then an unthinking local agency determined to condemn the land we sought to preserve to use for a sewage treatment plant. The Moyaone Association and the Alice Ferguson Foundation joined with us to seek a solution to this catastrophe.

No private entity could withstand that threat.

No help was available from local or state governments. This forced the Congress to counter the local threat. In 1961, the area was delineated as a National Park, based on lands to be donated by the Foundations along the river front, and donations by private owners of scenic easements on a much greater area.

Skeptics in government predicted freely that no scenic easements by the average citizen would ever be donated. They stated outright that government purchase was the only solution which had ever worked.

In this day of big government and big corporations, it sometimes seems that the individual has become superfluous, and the great engines of government and corporations will replace him. But our project created a place for the individual.

This resulted in the greatest joining together of private, Foundation and governmental effort in such an undertaking.

Our task is far from finished. But over these challenging years, we have explored some exciting new roads. The officials of the executive departments, who jeered at our efforts, now cheerfully follow the path. Many states and municipalities have passed similar legislation and are using the tools we helped forge to preserve their environments.

I have often felt there will never be enough money in the public treasury to do all that is necessary for preservation and conservation of natural beauty. But there is no limit to what an imaginative program utilizing new approaches to public and private cooperation can do. Through such an effort, we can, and will, evolve new and better tools for preservation and conservation, on a much broader base.

We of the Accokeek Foundation are proud of what everyone has done here for George Washington and Mount Vernon and we are ready to help to the best of our ability.

The press throughout the Nation has recognized what our beloved colleague from Ohio has done. Editorials, appearing over the past decade, praise not only the action which Congress has taken, but also what was required to make it possible for Congress to act. Apparently not content with that, the Accokeek Foundation, which FRANCES BOLTON heads, undertook studies which developed and refined the new concept of scenic easements. As a result, the State of Maryland enacted pioneer tax reform legislation recognizing public purposes of these donations, and in Prince Georges County passing the first local scenic space laws in the land, giving tax credits to the donors.

This project is being widely copied throughout the 50 States and many local jurisdictions.

The machinery developed at Piscataway Park is well on the way to becoming a model for future use elsewhere.

Our colleague from Ohio has done something about natural beauty, and cleaning up the Potomac River. She has created a model which can be followed in all of our jurisdictions.

In her work, she has been aided locally by hundreds, as well as thousands of conservationists throughout the country. She has created something which may not be duplicated again in our lifetime.

This has been in addition to the work that Representative FRANCES BOLTON has done for her constituents in Ohio, and her work on foreign affairs and for nursing and her many other interests. We in Congress are grateful to Mrs. BOLTON's people in Ohio for giving us such an energetic and forceful leader. All of us here in the Congress know how hard FRANCES BOLTON has worked on all of the projects in which she is interested.

We in the Senate and House of Representatives cannot let this Washington's Birthday pass without recognizing what she has done for George Washington, for all of us, and for all of the people throughout the Nation.

In keeping with the decade of time and effort she has given to leadership in this work, and the generous use of her own personal funds, I believe that the park itself or some feature of it should be named for Representative FRANCES BOLTON. It is the least we can do to show our appreciation.

THE UNEMPLOYMENT RATE

Mr. MONDALE. Mr. President, the Nation is now in its seventh consecutive year of economic expansion—an unparalled achievement. But, as a recent AFL–CIO News editorial points out, unemployment during 1967 stood at just about the same level reached a year earlier.

I agree with the editorial's conclusion:

An unemployment rate stuck at 3.8 percent is not good enough.

I also agree with the conclusion that future progress in achieving the goal of full employment rests on congressional determination to enact public policies which assure continuing progress in reducing unemployment.

Mr. President, I ask unanimous consent that the editorial entitled "The Job Standstill" be reprinted at this point in the RECORD.

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

THE JOB STANDSTILL

In terms of jobs the economy marked time in 1967. There was no progress in terms of reducing unemployment, and total employment gains were the smallest since 1963.

The Labor Dept.'s year-end review of the employment situation discloses that the actual number of unemployed was up slightly from a year earlier and that the rate at 3.8 percent of the labor force was unchanged from 1966.

Non-farm payroll employment showed a smaller increase than either 1966 or 1965 with nearly all of the rise concentrated in government, trade and miscellaneous services.

Manufacturing employment remained practically unchanged, with an increase of 150,000 compared to 1.1 million in 1966.

Hourly earnings also reflected the state of the economy—up 12 cents, but only 4 cents over 1966 in terms of real purchasing power.

The 1967 workweek was below the 1966 and 1965 levels, adding further to the problems of earnings and purchasing power.

The no-progress year of 1967 brought to a standstill, then, a six-year trend in reduction of the unemployment rate. In 1961 the rate stood at 6.7 percent; two years later it was 5.7; in 1965 it dropped to 4.5 and the following year to 3.8.

The failure to improve on the 1966 performance stems primarily from the failure of Congress to adopt the necessary public policies and programs to assure continuing progress in reducing unemployment.

The second session of the 90th Congress will have the opportunity to redress this situation and vote up policies and programs that will give every American, the opportunity of a decent job at a decent rate of pay. An unemployment rate stuck at 3.8 percent is not good enough.

LITHUANIAN INDEPENDENCE

Mr. DOMINICK. Mr. President, today I join Senators in saluting the 50th anniversary of Lithuanian independence. History records an independent nation of Lithuania reaching hundreds of years back into time and encompassing a strong, proud people. We all know of the ruthless termination of that sovereignty under the heel of Soviet Russia. We also know that the flame of freedom is still nurtured by Lithuanians whether they be in their captive land or in exile around the world.

Despite overwhelming pressure, the people of Lithuania have never allowed their hope for freedom to fail. They have offered one of the most courageous examples of steadfastness in Eastern Europe, and the desire to determine their own course in history is still the uppermost ambition of its citizens. Never has the hope for national independence nor the dedication to the ideals of freedom been suffocated.

As we celebrate the spirit of Lithuanian independence, we must rededicate our efforts in seeking the return of freedom to this oppressed nation. Let us reassert our position that all men should have the right to live as free men; to govern themselves; to maintain their human dignity.

At the same time, let us stop accommodating communism in the hope that this will somehow advance freedom. As I have said many times in the past, whenever we trade with the Communists, we should demand concessions that would bring a greater degree of freedom to the enslaved people suffering under the domination of communism. It is time to start making demands that will spread freedom, not restrict it.

The inspiration of Lithuania, not only to the other captive nations but to free nations as well, serves as a guidepost to all of us who cherish freedom. We in America must show the people of Lithuania our determination and support for their struggle to regain their freedom. We pledge ourselves to the redemption of independence and sovereignty in Lithuania. I salute the Lithuanian people and pledge that their struggle will not be in vain.

A CHALLENGE TO STATE LEGISLATURES: SENATOR MUSKIE'S ADDRESS TO THE CITIZENS CONFERENCE ON STATE LEGISLATURES

Mr. TYDINGS. Mr. President, last week Johns Hopkins University, in Baltimore, was host to the Citizens Conference on State Legislatures. That conference had as its principal speaker the distinguished Senator from Maine [Mr. MUSKIE], who, as all of us in the Senate know, is an expert in the problems our States and the federal system face. Senator MUSKIE, a former Governor of Maine and chairman of the Subcommittee on Intergovernmental Relations, has achieved national recognition for his study of the problems of the Federal system. His keen analysis of those problems and sound proposals for their solution are well known.

In his address at Johns Hopkins, Senator MUSKIE stressed the key role and responsibility of State legislatures in rejuvenating the States place in the Federal system. He pinpointed the crucial burden State legislatures must bear in redressing the balance of power which State inaction has upset. Senator MUSKIE stressed the State revenue problems and the imbalance in State fiscal policies, particularly overreliance on the property tax base and inadequate equalization of funds between urban areas and rural areas and between central cities and the suburbs. In that regard he cited the nationally acclaimed fiscal reform enacted by the reapportioned legislature of my own State of Maryland last year.

Senator MUSKIE's address at the citizens conference is a comprehensive review of some of the major problems facing State legislatures. It emphasizes the

key role that State legislatures must play if a healthy Federal-State partnership is to be restored and preserved. I commend that address to all the Members of Congress and the readers of the CONGRESSIONAL RECORD. I ask unanimous consent that it be printed in the RECORD.

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

REMARKS BY U.S. SENATOR EDMUND S. MUSKIE TO THE CITIZENS CONFERENCE ON STATE LEGISLATURES, JOHNS HOPKINS UNIVERSITY, BALTIMORE, MD., FEBRUARY 15, 1968

Almost a century ago, Lord Bryce in his American Commonwealth looked synically on the role of States as he observed them at that time. He found a style of corruption and ineptitude which happily does not exist today. Nevertheless, he was one of the first to point out that the State—as a level of government—could have a special value for the future of American government. He said:

"Federalism enables a people to try experiments in legislation and administration which could not be safely tried in a large centralized country. A comparatively small commonwealth like an American State easily makes and unmakes its laws; mistakes are not serious, for they are soon corrected; other States profit by the experience of a law or a method which has worked well or ill in the State that has tried it."

This statement is relevant today. Indeed, the concept of the States as laboratories can be even more meaningful today. Why must they wait for the Federal Congress to show them the way? Why cannot they move ahead with broad and progressive new programs, particularly at a time when the national government is so preoccupied with international problems?

The challenge, I believe, rests inevitably with the legislatures of our 50 States. With reapportionment taking hold, they can become the true representatives of the citizens of their States, and in this role, they are basically responsible for the domestic future of this country.

Yet in recent years probably no part of our Federal system of Government has been more maligned, criticized or condemned than our 50 State legislatures.

This attitude has considerable justification in their performance, but it does not solve the problem, and it could discourage us from considering effective reforms. It could tempt us to embrace the conclusion that State government is a "lost cause," an anachronism which has no further utility in the solution of the complex domestic problems of today and tomorrow.

For we are involved in the basic question as to whether the States can survive as viable partners in the Federal system. And at the heart of State government lies the State legislature.

Governors, however strong their hold over their agencies and budgets, must eventually come before their legislatures for approval. State administrators, however progressive their ideas and programs, must subject themselves to the scrutiny of State legislators. Local leaders, however much they cherish home rule of local government reorganization, in general must obtain State legislative support.

And, the individual citizen, concerned with reforming the elective powers, with modernizing his State constitution, with strengthening human rights and improving social welfare, must turn eventually to the State legislature for initiative and action.

If our State legislatures do not face up to the public problems of our time—and the anticipated escalation of these problems as we move toward the 21st century—then we can only expect a greater incursion of Federal control and a by-passing of State authority. The history of our Federal system is dramatic evidence that the American people expect it to be an instrument for dealing with problems and the inadequacies of State and local government will not be permitted to stand in the way.

This would result in a new federalism that the vast majority of Americans do not want.

The will to preserve State government is strong, and in fact, growing among many responsible political leaders. But the citadel for the preservation and progress of statism—the State legislature—has too long been one of negativism and indifference. My abiding fear is that change in this critical sector of American government is not taking place fast enough to cope with the oncoming demands of a rapidly rising population, particularly in our urban areas.

Legislative reform requires attention to the mechanics of modernizing State legislatures: annual sessions of longer duration; better salaries, staff and office space; reduction of the number of committees; removal of constitutional restrictions and the like. I might even get into the mysterious world of programing-planning-budgeting, of the post audit review, of computerized informational systems and legislative reference services.

Such housekeeping reforms are already under way in a number of State legislatures and should be pressed in others.

Tonight I would like to talk about more substantive reforms. We must now convert our State legislatures into responsible and responsive participants in our Federal system. In my opinion, this must take place in four basic areas.

First. State executive reorganization: In structure; in management; and in personnel.

In too many States, the executive branch is a labyrinth of departments, boards, agencies and commissions with their own bosses and bureaucratic kingdoms, not under the budgetary or operational control of the State's chief executive.

How can we face the future of a growing government in every State, urban or rural, without more unified leadership in planning and programming, and more centralized responsibility for the carrying out of statewide social and economic development programs?

As Federal assistance to the States develops in the direction of broader grants, comprehensive planning assistance, regional development programs, Governors must be given and must utilize all the tools of modern management, and State legislatures will have to provide the oversight to see that such management is effective.

Similarly, the State legislatures must have the responsibility to create programs which will upgrade the administrative, professional and technical employees responsible for State and local services. This includes a realistic State merit system, modern personnel management, training opportunities, and most important, higher salaries for quality people.

The Intergovernmental Personnel Act, which passed the Senate last year, and which hopefully is proceeding toward final enactment in this session, is a Federal incentive toward improving State and local administration. But the giant step must be taken by the State legislatures themselves. If the States are to remain senior partners in our Federal system, the State legislatures must put administrative quality above politics.

Second. State tax and financial reform: At this time of great prosperity and economic growth, when income and profits are soaring, when we are reaching a gross national product of over $800 billion, the States must tap this prosperity for their own social and economic development programs. They cannot depend upon increased Federal financial support, when our Federal fiscal commitments are so concentrated on military, space, and other national and international commitments.

If the States are to play a role in the decentralization of domestic responsibility in a time of national stress, they must obtain the maximum revenues possible from their own sources on a fair and equitable basis. They must apply these revenues to meet the priorities which the Federal Government cannot reach.

Unfortunately, until recently, the history of State constitutional and legislative action in this area has been far too sluggish. Much more must be done to meet the growing critical need for State resources.

State legislatures can help in working on two fronts. First, they can develop a fair and balanced package of broad based taxes, including increased taxes on income and sales, blended with an increased State borrowing capacity, in order to provide a major State fund for State-sponsored programs.

Second and more important, they should examine the local property tax which currently provides 87 percent of local revenues and correct the inequities, abuses and administrative incompetence rampant at this level of government. In particular, the legislatures must curb the mounting madness of thousands of separate taxing authorities which has sharpened economic and social hostilities and has produced widening variations of tax responsibility.

Third. The distribution of State and local resources: Merely improving the marshalling of State resources is not enough. How these resources are allocated—where the money goes—makes the critical difference between good and bad State and local government. Here is the area where State legislatures have abdicated their responsibilities to the greatest degree.

Testimony before my Subcommittee on Intergovernmental Relations, and a comprehensive study by the Advisory Commission on Intergovernmental Relations, of which I am a member, have highlighted some serious patterns of imbalance in the distribution of funds and the implementation of programs and planning between the suburban areas and the core cities.

For instance, an analysis of the 37 largest standard metropolitan statistical areas in the country showed that State financial aid to local schools favored suburban schools over central city schools where the cost of educating disadvantaged students was far higher than educating suburban students. Hardly any States have revised their school aid formulas to recognize this higher financial need of the central city.

"It is a paradox of education in metropolitan America," said the Advisory Commission's report, "that where the needs are greatest, the resources are the scarcest; the children needing education the most are receiving the least."

The Advisory Commission has uncovered other areas of fiscal disparity in per capita local highway expenditures, in police and fire expenditures, in public welfare expenditures, and in per capita State and Federal aid in general.

The central cities are the victims of these fiscal imbalances and have to shoulder the burden of providing governmental services to millions of people who move into their areas during the day and abandon them in the evening. These same cities have the highest costs of governmental services, the greatest problems of poverty, crime and urban unrest, the largest amount of dilapidated buildings, the most serious problems of health. Yet they are not being permitted to tap sufficiently the expanding metropolitan tax bases which surround them, or the overall State aid available to local communities.

Thus, the real challenge for State legislatures is (1) to develop methods for equalizing metropolitan tax resources to help the cities, and (2) to develop effective equalization formulas for State aid to cope with increasing urban demands.

I should like to say here, particularly because it involves this very State and city which host us this evening, that the Maryland State Legislature deserves a great deal of credit for recognizing this problem by developing methods of equalization of special benefit to Baltimore and other priority areas. California and New York have also moved in this direction. But by and large, the State legislatures have not taken substantial steps in this vital area.

As chairman of the Subcommittee on Intergovernmental Relations, and as a member of the McClellan Subcommittee investigating riots in this country, I have had an inside view of the tensions and disillusion of the poor in our cities. In the past this disillusion has bordered on violence, but nobody listened. Now, that violence, and hatred, and even rebellion, are manifest throughout the Nation. It involves many thousands of people. It involves the future of our allies.

This is essentially a state problem. Are our state legislatures listening, or will they again abdicate their responsibility for urban unrest to the Federal Government?

Fourth. The structure and management of local government.

The results of the studies of both my subcommittee and the advisory commission indicate that as population increases, near chaos in governmental coordination at the local level is developing.

The sad results are haphazard development, waste, and inequity. We now have over 92,000 local governing units, most with independent powers of taxation, planning, financing, and operation. Some of these are general purpose governments such as counties, cities, boroughs, towns, and villages whose boundaries and powers, rooted in the past, are often not consistent with modern public needs. Others are "special purpose" districts which have been allowed by state legislatures to take over basic programs such as education, water, sewage, transportation, urban renewal, and real estate planning.

Whatever the reason for these special governments, their recent growth poses a major three States. At present there is no effective derly development. They overlap and conflict with general purpose governments. Their independent powers put them beyond the control of local elected officials, and often beyond public scrutiny. And too often they have become "little single-function empires," bent on protecting their own sovereignty rather than integrating with other units of government.

The New York metropolitan area is a terrifying thicket of general and special purpose governments. It is made up of 17 counties, 551 municipalities, and 1,400 other local districts and authorities located in three States. At present there is no effective means for achieving an all-round approach to critical regional problems.

New York City is not unique. Variations of its problem exist in most urban areas throughout the country. Indeed, it is meaningless to talk about comprehensive public development when political structures remain so fragmented and competitive at the local level.

The role of existing local units of government should be completely reassessed to reduce special purpose districts and to consolidate taxing, financing and operating responsibilities in the hands of viable general-purpose governments. To be effective, greater power over the coordination of services must bring with it the strengthening of local management and greater freedom of action at the local level to plan, finance, and implement public programs. At the same time, the States should reserve sufficient authority to step in when local "home rule" is not serving the interests of all its people.

The role of metropolitan and other area-wide planning agencies must be developed, particularly as machinery for resolving interlocal disputes and providing for more efficiency in local spending. Federal aid already exists for such agencies, and more is provided under legislation presently before Congress.

And finally, the States might well consider the wisdom of assuming direct financial responsibility for the programs of welfare, education, manpower training, poverty, and housing which so long have placed an extraordinary burden on the fiscal capacity of our local communities. This could free the local units of government to be more effective in providing basic local services such as fire, police, street maintenance and other custodial functions.

In conclusion, I would like to leave one thought with you—that decentralization of government in this country is healthy and necessary for freedom and competition.

Despite their differences in population and geography, the States are the best present mechanism to promote that decentralization. In time, I would hope that some of them—notably those in New England—would move closer together to form a more creative regional unity.

One of the more obvious challenges to the Federal system is the following:

1. People problems spill over the boundaries of political jurisdictions—local and State—thus inhibiting single jurisdictions from taking effective action to deal with them.

2. Resources—e.g., air and water—in the same way, are increasingly beyond the capacity of single jurisdictions to protect and conserve.

Thus the concept of regionalism emerges as the level at which we ought—more and more—to deal with such problems.

But the Federal system does not provide for regional government, and so we have

1. Ungoverned and ungovernable metropolitan areas.

2. Improperly managed air and water resources.

3. An accelerating deterioration in the quality of opportunity, of environment, and of life itself for too many people in such areas.

As *Max Ways* pointed out in the January issue of *Fortune* magazine:

"Trust is the cornerstone of civic order, but few of us, white or black, really trust the communities in which we live . . . the whole world knows the condition of U.S. cities—and has known it for decades. The billions we have poured out for foreign aid and propaganda, the more numerous billions we spend for military support of our foreign policy, are half cancelled by the damage that is done to U.S. prestige by our long-standing inability to deal effectively with gangsterism, poor, traffic jams, junkyards, billboards, and all the rest of the noxious mess. What, much of the world asks, is the point of being the richest and most powerful nation, if such problems can't be handled better? What is the point of capitalism? Of democracy?"

POST OFFICE TO CONTINUE SERVICE AFTER ENEMY ATTACK

Mr. LONG of Missouri. Mr. President, for years it has been comforting to all of us to know that through wind, rain, sleet, and snow, the mail will be delivered. According to Art Buchwald, writing in the Washington Post on February 1, the Post Office expects to deliver not only through wind, rain, sleet, and snow, but also through nuclear attack.

It is heartening indeed to know that even after a nuclear holocaust we can climb out of the rubble drop our mail in the corner mailbox, return to the rubble from whence we came, and rest assured that our mail will proceed happily along to its destination.

For those who missed Mr. Buchwald's article, entitled "Nothing Can Change the Post Office, Not Even an Enemy Attack," I ask unanimous consent that it be printed in the RECORD.

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

[From the Washington Post, Feb. 1, 1968]

NOTHING CAN CHANGE THE POST OFFICE, NOT EVEN AN ENEMY ATTACK

(By Art Buchwald)

Anyone who doubts that the Federal Government is prepared for World War III just doesn't know how organized Washington really is. The other day someone who works for the Treasury Department received his instructions in writing on what he was to do in case of enemy attack.

They read as follows, and I haven't made a word of it up:

". . . All National Office Employes with or without emergency assignments should follow this procedure. If you are prevented from going to your regular place of work because of an enemy attack—keep this instruction in mind—go to the nearest post office, ask the postmaster for a Federal employe registration card (sample shown on reverse side), fill it out and return it to him. He will see that it is forwarded to the office of the Civil Service Commission which will maintain the registration file for your area. When the Civil Service Commission receives your card, we will be notified. We can then decide where and when you should report for work . . . You should obtain and complete your registration card as soon after enemy attack as possible, but not until "you are reasonably sure where you will be staying for a few days . . ."

Nobody believes it will ever happen, but let us suppose that Robert Smiley (a fictitious person working for the Treasury Department) has just crawled out of the rubble after an enemy attack and remembers the instructions concerning civil defense for Federal employes.

After walking for four days and 350 miles, Smiley finally finds a Post Office that is still standing. He staggers up to a window, but just as he gets there, the man behind it says, "Sorry, this window is closed," and slams it down.

Smiley stumbles to the next window and is told to get in line behind 20 other people. Two hours later he gets to the head of the line and croaks, "I want to register . . ."

"I'm sorry," says the Post Office clerk. "This window is just for stamps. Registered mail is at the next window."

"No, no," says Smiley. "I want a Federal Employe registration card."

"We don't sell those. Now do you want any stamps or don't you?"

"You see," says Smiley, holding onto the window, "I was instructed after the enemy attack to find the nearest Post Office and fill out a card."

"You better try the Parcel Post window," the clerk suggests.

Smiley goes over to the Parcel Post window and gets in line with 30 people. Four hours later he is informed that the Post Office has run out of Federal employe registration cards. They suggest he try another Post Office.

Smiley staggers out into the road and starts walking again. Four hundred miles up the highway he finds another Post Office. After catching his breath, he takes the card shakingly to the counter and starts to fill it out. But the pen won't work. He informs the Postmaster of this and the Postmaster replies, "We know it, but there's nothing we can do about it. There's a war on."

"But I've got to register," says Smiley, "or

the Civil Service Commission won't know where I am in case the United States Treasury wants to start up again. Couldn't I borrow your pen?"

"What? And ruin the point? Listen, why don't you go over to the Smithtown Post Office. I hear their pens are still in working order."

Clutching the card, Smiley walks 60 miles to Smithtown where he fills it out. He mails it that very day.

Years later, Smiley is still waiting for a reply. For in his haste and fatigue, Smiley had forgotten to write down his return zip code.

SUPPORT FOR THE NATIONAL AGRICULTURE BARGAINING ACT

Mr. HARRIS. Mr. President, in keeping with my continuing efforts to help the American farmer receive a fairer price for the products he sells, I add my support to the bill recently introduced by the distinguished Senator from Minnesota [Mr. MONDALE] and entitled "The National Agriculture Bargaining Act of 1968." This legislation is designed to supplement the Food and Agriculture Act of 1965, and will give the American farmer an additional means of bringing about the orderly marketing of agricultural commodities.

Agriculture has not kept pace with our rapidly advancing economy in the past few years. Farm prices have continually declined, while costs of production have continually increased. Farmers now find themselves in a cost-price squeeze which, if not corrected, will surely force many more of them to cease operations. The farmers are not to blame for this situation. They have cooperated with the Government, for the most part, in controlling their production, and the Secretary of Agriculture, acting under the provisions of the Food and Agriculture Act of 1965, has made every effort to strengthen farm prices and income. Regrettably, however, these efforts have not been sufficient, and it is now necessary to take further steps toward strengthening farm prices. Collective bargaining for farmers, I feel, will provide the supplement we need to enable the present farm program to operate more beneficially.

The Wagner Act of 1935 gave to the working people of this country the right to bargain and receive a fair price in return for their labor. The Farm Bargaining Act of 1968 would extend this same right to the farmer. I realize, Mr. President, that this is a highly complicated measure, and that it will require a great deal of careful study and consideration. But the principle is sound, and the need for legislative action is a pressing one. Therefore, I have requested that my name be added as a cosponsor of S. 2973, and I am hopeful that the Committee on Agriculture and Forestry will initiate action on the bill at the earliest possible date.

THE PRESIDENT LOWERS THE PRIORITY OF THE SST

Mr. PROXMIRE. Mr. President, I commend President Johnson for the decision reported in this morning's New York Times to slow down the supersonic transport development program.

When the announcement of the President's decision is made later in the week, as the Times story indicates it will be, I hope it will spell out a truly substantial reduction in expenditures on the SST in fiscal 1969 from the $351 million figure written into the budget message sent to Congress last month.

If the President makes a big cut in SST spending, this will constitute the best evidence we have had to date that the President is making a determined effort to slow the pace of Government spending and concentrate cutbacks on programs that are least essential at this time.

I would be pleased if this decision presaged a further decision by the Administration to take an entirely new look at the Government's role in development of the SST giving adequate assessment to the enormous social and economic costs involved as well as to the benefits.

I would be even more pleased if a similar slowdown were also announced in the area of public works expenditures where even more substantial cuts are possible.

As I have said often, I believe a cut in Federal spending is the surest and most effective way of blunting the kind of inflation we are now experiencing without putting a damper on the still less than vigorous growth of the economy. A tax increase would be just the wrong medicine. And spending cuts combined with a tax increase would be too much an overkill. Spending cuts alone would do the job—cuts concentrated on such programs as the SST, space and public works.

I am hopeful that slowing down of the SST program is a good omen—a signal of future White House intentions with respect to Government spending.

I have repeatedly criticized the SST program on the floor of the Senate on the ground that it occupied far too lofty a place on our list of national priorities. I have criticized it on many other grounds as well but the priorities question has always been uppermost.

The administration's budget for fiscal 1969 was a big disappointment to me because it gave the SST a higher priority than it has ever had before at the most inappropriate time conceivable. While the budget called for cutbacks in some vital domestic programs, budget expenditures for the SST were conspicuously increased from $100 million in the present fiscal year to $351 million in fiscal 1969.

If the President cuts this figure back substantially, he deserves to be applauded. He has made the wise decision, in any case the Times reports, to "lower the priority of the project rather than risk losing it altogether."

I ask unanimous consent that the New York Times article be printed at this point in the RECORD.

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

SUPERSONIC PLANE WILL BE DELAYED—ADMINISTRATION TO SLOW PACE OF PROJECT FOR AIRLINER—POLITICAL REASONS SEEN

(By Evert Clark)

WASHINGTON, February 20.—The Administration has decided to slow further its program to develop a supersonic airliner.

An announcement is expected this week, probably tomorrow.

Industry sources said that although technical reasons would be given as the cause, the real reason was chiefly political—an attempt to reduce the request for funds for the supersonic plane for the fiscal year 1969 to a level acceptable to Congressional critics of the program.

While the program has enjoyed strong support from a majority of Congress, it has also been a prime target for a highly critical minority. The argument most often used against the plane is that it is not necessary at a time when war in Vietnam and social needs at home are forcing high Government spending that encourages inflation.

In effect, the Administration has decided to lower the priority of the project rather than risk losing it altogether in the kind of bitter floor fight that has occasionally threatened it in the past, these sources said.

The Administration has already asked Congress for less money for the 1969 fiscal year than it had once planned, this was because design work did not move as fast last year as had been expected and because recent new orders for the planes made more airline money available to the program, which lessened the need for Government funds.

The Boeing company won a Government-sponsored design contest at the end of 1966. But in the final stages of that contest the company proposed last-minute changes that would further improve the design. The company spent most of last year incorporating these changes, finally completing the design for two flight test models last November.

Less than a month ago, the target date for the first flight of a prototype was still late 1970. But Administration leaders, briefing newsmen on the President's proposed budget, said the probability of meeting that date had decreased. They said contractors could have been moved at a faster pace in 1967, but that the slower pace would produce a better plane.

That same argument is expected to be used again to justify the new slowdown.

The demands of the Vietnamese war on the superjet contractors, most of whom are also producing military equipment, may also be offered as a reason.

It is understood that William M. Allen, Boeing's president, telephoned word of the new slowdown to the presidents of airlines that have ordered the plane.

The new delay was apparently discussed with Boeing officials yesterday by Secretary of Transportation Alan S. Boyd and three members of the Senate Commerce Committee who were visiting Boeing's plants in the Seattle area.

REQUEST CRITICIZED

The visitors included Senator Warren G. Magnuson, the Washington Democrat who heads the committee; Senator A. S. Mike Monroney, Democrat of Oklahoma who heads its aviation subcommittee, and Senator Howard W. Cannon, Democrat of Nevada.

The four men are on a tour of airports and aircraft plants.

In his budget proposals for the 1969 fiscal year less than a month ago, the President asked Congress to approve $223-million in new funds for the supersonic transport. He said spending for the same fiscal year would reach $351-million. Since that time, critics of the program have again raised the question of the project's priority.

The first prototype of the British-French Concorde superjet has been built and is expected to fly this spring—at least three years ahead of the American plane. The Concorde is expected to begin carrying passengers within three years.

Airlines throughout the world have ordered about 125 of the Boeing planes and about 75 Concordes. The Boeing plane, 318 feet long, will carry about 300 passengers at speeds up to 1,800 miles an hour. The Con-

corde will carry about half that number at a speed of about 1,500 miles an hour.

POLITICAL ACCOUNTABILITY

Mr. MONDALE. Mr. President, last session I introduced a bill calling for the creation of a Council of Social Advisers. The aim of the council would be to provide the Nation as a whole, and policymakers in particular, with a better notion as to where we are socially in order that we be able to make more rational decisions about where we ought to be heading.

Bertram M. Gross, director of the national planning studies program at Syracuse University, spoke at the seminar-hearings which were conducted on this bill. His concern was and is with helping public policymakers deal with the increasing complexities that confront them. At a recent policy conference of the Conservative Party in Canada, he again discussed the "intelligence gap," and the great difficulty policymakers have in finding out what the "status quo" really is.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Gross' address titled "Political Accountability in a World of Confusing Change" as an indication that the subject of social accounting is being seriously considered by Canadian Conservatives as well as by public officials of both persuasions in the United States.

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

POLITICAL ACCOUNTABILITY IN A WORLD OF CONFUSING CHANGE

(Special address by Bertram M. Gross,[1] at the Progressive-Conservative Policy Advisory Conference, Montmorency, Quebec, August 10, 1967)

Mr. Chairman (I was about to say "Fellow Conservatives" but I must restrain myself), it's very exciting to visit the colossus of the North and to see that political leaders here are also conducting a cautious flirtation with eggheads. Down below the border where I come from we also have a Conservative Party. They're called Republicans. And the Democrats have a saying, "The Republicans are really a grand old party—the only trouble with them is, they should stay out of politics". Now from what I've learned after being here two hours, you have not been following that admonition and neither shall I. I came here to talk politics, to talk on an academic plane about the politics of power, the winning of power and the use of power constructively in this world of baffling change.

Now in this century any government in power in any political system must make some form of accounting regularly to the people. But there is no international law requiring honesty or even completeness in political accounting. The older forms of accountability are found in budget messages, annual reports, political conventions, political campaigning and the like.

In the last third of this century new forms of accountability are being initiated. National plans, plan evaluation, annual economic and social reports, systems analysis and program budgeting (spin-offs in part from the new weaponry of defence and offence) are leading to unprecedented new ways of harnessing our data processing potentials to the needs of people to know and politicians to inform or misinform.

In the United States, for example, work has already been started on the first of a new series of annual social reports of the President.

Long-range preparations are being made to convert our historic, antiquated State of the Union Message into an up-to-date, professionally grounded, popularly understandable review of the changing state of the nation. And a few farsighted Mayors and Governors are beginning to plan for annual reports on the state of the city, the state of the metropolis and (this sounds better in French, I am sure) the state of the State. I give credit to a fellow New Yorker, another Conservative, Nelson Rockefeller, for that last phrase.

In developing our reporting to the people and in the professional assistance which political leaders are demanding on the provision of reliable system state information, we find something called a "credibility gap." I am sure you don't have anything like that here, but below the border it is said that political leaders who know what's happening, don't tell the public. That's the credibility gap. Yet there's also an intelligence gap. The intelligence gap occurs when people don't withhold information that they have because they don't have the information in the first place; they have too little to withhold. This we have found in doing the professional work for the first Social report of the President of the United States; this we have found is our predicament below the border.

Our first great Republican leader had a phrase which is often quoted, and I'll try to embellish it a little bit. He said "You can fool all the people some of the time and some of the people all the time, but you can't fool all the people all the time." Let me add that political leaders have proved their capacity to fool themselves most of the time. I might say in passing this is a very important function of government—fooling one's self. It provides that element of stability without which confusing change could not be tolerated.

Now in the rest of my remarks it may look as though I'm telling you something. That's a rhetorical form designed to ease the pain of the additional confusions, Mr. Chairman, that I shall bring to this session. I'm speaking in the spirit of the great American movie producer, Sam Goldwyn, who is reputed to have said, "For your information, let me ask you a question." I am going to do him one or two better and, instead of telling you things, I'm going to ask three questions.

The first should not, of course, be addressed to the Liberal Party or any other party. It's strictly *your* kind of question. It is, *"What is the status quo?"* Conservatives, I'm told, at least where I come from, are supposed to be for it. I haven't met one yet who knows what it is but he's for it anyway. The second question is, "How do political leaders react to change?" and the third is, "What *should be* the status quo?" and if I remembered my Latin better it would be "the status quo erabit" instead of "est". I must warn you I will use certain strange words in English not Latin, as I proceed, such as "mega-expectancy" and "circular mosaic" and "idealistics." That's the way that "technopols" such as myself talk about the problem of getting and using political (forgive the expression) power.

WHERE ARE WE?

What is the status quo?

That's the question that Rip Van Winkle asked on waking up after a long nap in the Catskills. When he went to sleep we were a British colony. When he woke up he heard about George Washington, who has then the President of the United States. There had been a change in the system. And many of us today should really confess that our name is probably Van Winkle because we've dug ourselves into so many esoteric specialized caves, polished up the intricacies of so many old issues of a previous century or the beginning of this, that we've lost track of where we really are today and are not quite aware that there has been a system change. This applies to what I might vaguely refer to as the West, or North America as part of the West.

The most obvious aspect of system change can be described in terms of science and technology. I will not bore you by going through the tremendous "advances"—I use that word tentatively—in the techniques of information processing the movement of people and things through space and many other things. Let me merely say in passing that if there is one thing which is inconstant and continuously varying, it is the direction, rate and nature of scientific and technological change. We can send machines around to photograph the back side of the moon but we can't develop a transportation plant that integrates air and ground transportation in New York City, or any other city of America or of the North American continent. Also, if we talk too much about science and technology we lose track of many more important social changes that really are at the heart of the systemic revolution, the shift from advanced industrialism to the first stages of the emerging post-industrial society. I will mention a few of these very quickly.

First, we are becoming a service society. We don't need so many people any more to produce goods. Manufacturing is beginning to fade off in terms of employment in the same way that agricultural employment with increased agricultural productivity has always faded off with the industrial revolution. Second, we have gone beyond the stage of large scale organizations, of big business, big government, big labour. By now, the growth of integrated social action has transcended the boundaries of formal organizations. So, if we now look at the social reality of our post-industrial world, it is found in the macro-system, in the organizational complex, in the family of organizations that constitute the banking system or subsidized agriculture or civil air transport or the defence-space complex or any other of the huge systems that are often made up of combinations of government, private groups and universities and technical laboratories. Third, the talk about the white collar class taking over, with the decline of blue collar workers, is outrageously out of date. It is not white-collarism that has come to the fore but professionalism, professionalism that has extended to every form of activity; and extended professionalism and specialization that goes far beyond the concept of the professions as composed of the doctors, lawyers, engineers and teachers. Every science, every sub-science, every sub-profession, has its new meritocracy, ladder, channels of advancement, forms of barriers to advancement until certain proficiencies are proved.

This extended professionalism has meant a multi-linguistic development which guarantees that at any faculty meeting the members of an Economics Department or a Mathematics Department or a Sociology Department cannot understand each other any more—if they're any good. When you really *get there* in terms of specialization, the divisions multiply at such a rate that serious communication in the specialized jargons upon which scientific progress depends is made almost impossible. Fourth, despite the statistical lies that have been made readily available in our country at least, on divorce and family breakdown and things like that, we have seen an extension of family life unprecedented in history, characterized not only by

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early marriages but by longer life expectancies which mean that for the first time, men and women live together in nuclear family units for truly long periods after children leave home.

While this is a fantastic social phenomenon, it is rooted upon a major shift of investment from the business sphere to the household. The National Bureau of Economic Research in America, which helped invent the GNP as a statistical series (with some help from Marshall), has come to the conclusion that we must now talk about the "factory in the home." In the United States at least, for every five dollars of business investment every year there are seven dollars of hard-goods investment in the house, that's apart from the investment of family funds outside the house. What I'm saying about the role of the family, I might say, does not at all comport with popular impressions that all you have is family breakdown in the modern world.

Fifth, the geographical spread of employment, population and human activity, the new pattern of urban settlement throughout the world, has obsolesced to an important degree the concept of the metropolitan area. And in the most dynamic, powerful and influential portions of the world we now have the metropolitan family or the aggregate of metropolitan areas which constitute, in that horrible Greek word, the megalopolis. We are now in a world situation where the largest bulk of the political influence culture, science and administration of the world is concentrated in a dozen megalopolitan areas.

I wish I could put on a screen here the insulting map which Barbara Ward published in the Economist only three weeks ago. She shows the outlines of "nor-meg" that's the northeastern megalopolis in the United States from Washington up to Boston, and then she has a little spur here and she calls this the "Canadian extension."

The growth of the megalopolitan world is merely one aspect, however, of the emergence for the first time in world history of a truly world society, a world society of increasingly inter-dependent organizations and inter-dependent nations. A world society not of good neighbours (and I cannot recollect ever living in a neighbourhood of them) but a world of neighbours and increasingly closer neighbours. This is a world society in which the bi-polar simplifications of the immediate post-war II world, of the divisions of the world into something called "here-and-there", East and West and a third force in between has utterly dissolved, leaving all sorts of people hanging on to old shibboleths, among them some of the funniest being the people who are still trying to believe in themselves as a third force.

Now these social changes have given rise to a whole host of new expectations. We hear about the revolution of rising expectations in the under-developed world. This is nonsense. Anybody who has travelled in the under-developed world finds that the expectors there are the small handful of elites that were educated in the west, and their big complaint is the apathy, the low level of expectations of their people. The real revolution in terms of expectations is in those countries that are moving into post-industrialism. And there we find that people expect not only longer life, which they're getting, but greater activity expectancy. Not merely vegetation after the age of 60 but a new job, a new career after 65 and even after 70. Not only greater earning expectancy but greater learning expectancy as new opportunities are provided for education, re-tooling and re-thinking at all stages in life.

This is consistent with the new concept in post-industrialism of education as a continuing part of life. It even gets to the point where they expect professors, full professors, to learn. Of course, the spinster rate has gone down tremendously. That, of course, means that greater marriage expectancy is the birthright of every young girl and every infant boy. This marriage expectancy is rising very quickly, but, as I stated a little while ago, this also means a great expectancy of moving into the new phenomenon (not known in the past), of the post-child family. "God bless" the kids, now that they're gone, let's enjoy life. Let's even find an architect who can design a house for a couple who, in the "P.C." period, can learn how to live together without having to rely on children to resolve their conflicts for them. The democratic revolution of the early twentieth century of course led the people to expect more participation in decision-making, but now the last of our mega-expectancies is the urge to enjoy, to participate in beauty. And this in a sense is the deepest meaning behind the phrase which Lyndon Johnson has been using, the effort to orient the United States toward the quality of life rather than merely the quantity of goods and services. These mega-expectancies, in turn, are continuously churned up by the now ideology of post-industrialism.

One of my colleagues, Daniel Bell, wrote a book proclaiming—this is the title—"The End of Ideology"—but as the inventor of the phrase has been very active in bringing into the new ideology of post-industrialism which I will call R.- and D.-ology: Research and Development-ology. Its principle, which is a restatement of the conviction of Benjamin Franklin and Thomas Jefferson and the other successful rebels against the British, of the basic principle that any problem can be solved briefly, given enough investment of high quality R and D hours and appropriate provision, not only for research and development but for testing and evaluation. This R- and D-ology spreads from hard goods systems to soft systems in social science and it is part of our conviction that, by God, there's no problem we can't solve if we put our best brains to it. . . .

This in turn, of course, leads to expectancies for solutions to new problems that people cannot solve. And I might say in this connection, if you are searching for solutions, my own observation in this context is that *solutions create problems, good solutions create big problems, and excellent solutions create fantastic problems.* And in this kind of a world of galloping, uneven change with people moving off in all directions (even women wanting political posts) I heard a psychiatrist say a few days ago, "What is the world coming to? First they wanted to own property, then they wanted to vote, then they wanted jobs, now they want to enjoy sex. Where are we going?" All those things were not accepted at the beginning of the century. It's in this sense that I try to see the various things that are happening. But really I cannot so I appropriate from my Canadian colleague, (who wrote his splendid book on "The Vertical Mosaic") and I talk instead about the circular or revolving mosaic, a kaleidoscopic revolving world in which it's difficult to get your bearings, in which the centre may not hold and things may fall apart.

HOW DO POLITICAL LEADERS REACT TO CHANGE?

The issue here is not simply that political leaders bury their heads in the sand, or, carefully place both ears to the ground at the same time, in trying to sense what is going on. That is not the main problem. The main problem is that in the face of change, political leaders react. *That is what makes so many of them reactionaries.*

It would be a very dangerous thing to live in a world or country where all political leaders tried to lead. You need stability in a system. You cannot afford too many people who know what the *status quo* is. But we need some political leaders who try to lead. I am much more sanguine than the Canadian commentator who sees a decline in the proportion of politicians who are really political animals. Now, I am just wondering how he counted the politicians; whether he knew one when he saw one. When I look for politicians, the first place I look is at the bureaucracy. Next I ask, "Where's the fellow who can understand campus politics?" In the world of the political animal we may be seeing a strange mutation. I mean a real mutation, not what happens in California when Class B actor becomes a Class B governor. I mean the kind of situation you have (and I can prove my objectivity by referring only to Republicans) when you have in office people like Rockefeller and Lindsay in my state, Percy in Illinois and Hatfield from Oregon, all of whom are men who could not only review a book without a ghost writer, but, if given enough time, could write a fair one. But these are also men who, having this intellectual capacity, are also capable of organizing strong, varied, widely dispersed "ghost stables." This means that as part of the new mutancy in political conservative leadership, they have fond out that it is not enough to steal ideas from third parties. Of course, we don't have any third parties around in the United States that you can really steal an idea from. The last person to do that was Franklin Delano Roosevelt who annihilated the socialist party by appropriating all their ideas. Norman Thomas gave up and decided there was no use running for office any more. The Communist Party was thoroughly subverted by the reform ideas the New Deal took from the Socialists.

I am not familiar with the Canadian scene. I do not know how much further you have to go in stealing either the ideas or the idealogues from your minor parties. But the essence of the new political mutation which brings forth people capable of leading a little is the ability to work with the intellectuals of the country. Our Republicans are very good at that. They have been working with the intellectuals for a long time. They only have one rule: park your brains in the vestibule before you come into the parlour. The trouble in working with intellectuals is that they are bound to bring into your party deliberations and ideas which will lead to international party conflict.

As a university professor, I am more skeptical of professors than any non-academic could possibly be. In fact, I would even coin a phrase that Confucius should have written—"Don't trust a braintrust till it is tested," and it takes time to test "technipol" brains. Yet to grapple with the new facts of life, with the new dynamics of the real status quo, means that internal conflict must be faced, must be kept in its place, but must be welcomed within a party.

WHAT SHOULD THE STATUS QUO BECOME?

Above all, the price of political leadership, in a world of utterly baffling change, is to take the tremendously difficult risk of setting forth ideals for the future *status quo*—for the evolving future state of your nation.

In this connection, I would like to tell you the name of a game and start it. The name is "Idealistics." This is a special version of the easier game which is called "Futuribles," invented and led off by my esteemed colleague, Bertrand de Jouvenel in Paris. Conjecturing about the future is "futuribles," Idealistics is conjecturing about that future towards which you are willing to risk your political face and life. In this connection, by the way, I might step back a moment and say that a very good test of the political leader of the future is whether or not he tries to save face or issues. I have come to think that the man who tries to save his face doesn't have one worth saving. You can only cope with confusing change by learning, and the kind of information processing machine that man is can learn only through some version of trial and error. The

recognition of error is rather difficult. Idealistics is a special game of error, of taking a flyer on the future to portray the kinds of system states that really meet deep-felt needs of your people, or even futures that may meet needs that they are not at all aware of, and may not thank you for when you talk about them.

The first rule of idealistics is that you are out of the game if you start by mentioning anything which is straight, hard-goods technology. That is too easy. Let us not think of a future in which I can get back to New York City or to Syracuse in a half an hour; I am perfectly willing to take a longer period of time. I would suggest for reflection, with your fingers crossed, such idealistics as the following:

1. *A United Nations with financial resources of its own.* A very capable group of international lawyers has done a service to political leaders of all countries by developing a step-by-step program of international treaties and declarations, whereby the non-national two-thirds of the world (because after all the nation-states claim only the one-third of the earth's surface) would be fully internationalized. They have developed a specific program whereby the United Nations could, in keeping with the highest concepts of international law and order, take claim to the mineral and fishing resources of the high seas, and through leasing rights and provisions, develop in the course of the next decade, sufficient resources to guarantee its own sustenance and activities. The Antarctic, I am told, is a tremendous source of wealth. It happens to be one of the few areas of the world in which the Russians and the United States are cooperating on a scientific venture of unprecedented proportions in an unprecedented manner. That is a land area. The arctic circle is a sea area and could only be claimed, by our historical concepts of international law, by an international body. Perhaps Canada has some special role to play in the future of the Arctic regions.

2. *Creative regionalism.* As part of idealistics, creative regionalism is a form of social organization designed to utterly baffle and confuse anybody who tries to explain things in terms of simple hierarchy—that is, distinctions between, above and below, and who is boss and who is subordinate. In a world of declining hierarchy, I believe that our forms of living together throughout the world must call for vast new experiments in both federalism and regionalism. In a period of relative stagnation in the United States of ideas to back up President Johnson's slogan of "creative federalism" perhaps we might turn to the north for examples of how to do better in creative regionalism.

3. *Organization individualists.* In the world of the macro-system, of the large-scale complex of interrelated, intersecting organizations, I think we should aim to bid goodbye to what William White called the "organization man" and begin to talk about the "organization individualist." He is the person who sees a challenge to his creativity and his innovational capacities in the resources and in the confusions that are unrivalled in large scale complex macro-systems. The government's systems advisers, civil servants and civil service reformers have a great contribution to make to the promotion of organizational individualism.

4. *Female power.* At a time when the term "black power" is uppermost in the minds of many people in the United States, I would like to turn attention away from our oppressed minority to talk about the subservient majority, and use the term "female power." I am very serious on this. I think a mark of maturity in the post-industrial world will be when more opportunities in all walks of life are opened up for women. I'm including the opportunity not only to be a man in a man's world, but to be a woman in a world of men and women, an opportunity to be recognized for working in child care and housework. I must say I find nothing more fantastically humiliating than the question, which pervades a lot of questionnaires and census questions in our countries: "Are you a housewife or do you work?"

A Dutch psychoanalyst has written a book called "The Male Myth" in which he suggests the the problems that men face, and that young men face in adjusting to the modern world, can never be solved until greater opportunities are provided for women to develop free from our heritage of myth and taboo as to what is expected from a girl, what is expected from a wife, what is expected from a woman. And I have no hesitation whatsoever in predicting that before 1984, in less than twenty years, the recognition of female power, the untapped, the unleashed potentialities of women to be creative in their own way, the recognition of this potential in our society will be the acid test in the success of any major political party in the post-industrial world.

We, in the United States, have been rapidly progressing backward in this subject. The figures on jobs for women and married women completely gloss over the nature of the jobs and the salaries and the career opportunities provided. In fact, at a time when forward-looking people throughout the world know that part-time jobs are the only feasible things to add (and it's really moonlighting) to the work of the housewife, we still in our economic analysis of the labour force, regard part-time employment as something which indicates a weakness in the labour market and economic structure. We are still not directly oriented in any of our bureaucracies, whether municipal government, or state government, or universities, or hospitals, or schools, to the obvious mathematical fact that three part-time women may often do more work than two full-time ones.

5. A fifth idealistic proposition that I would offer for your attention is disguised under the technical term "interface." Interface is what the engineers talk about when they concern themselves with communication between many levels of two cooperating systems. Instead of layering you can have an interface at many levels, so that people can talk to each other freely. The interface which we must work on, because it cannot come automatically, is the interface between people in different roles in life, in different sciences and professions who cannot speak with each other. Then there is that tremendously difficult interface between "professionals" and those people who have not yet entered the professional ladder of modern meritocracy.

Here is an increasingly important role for the politician. He must find a common language. He must be able to communicate the wisdom of the *avant garde* scientist who depends on increasingly specialized jargon: *he must communicate this in some way to his electorate.* You talk in simplistic terms here about bilingualism. There is a bilingual problem, yes; but again without knowing enough about Canada, I know that in the United States we have *a multi-lingual problem in English.* We have to develop multilinguistic skills in English. I could have presented my lecture thus far in terms that only three persons in the room would have understood; maybe I would not have understood it myself. We need training in multilingual skills and perhaps if you must face up to talking various versions of French as well as various versions of English. I suppose this is a good training ground for the more difficult problem of living in the multilinguistic, hyperspecialized, hyperprofessional world of this post-industrial society.

WHAT SHOULD PEOPLE BE TOLD?

And so, having reflected in public on the questions of where are we, and how do political leaders react and where should we go, I come back to the question of political accountability. This can be formulated in a question also: What should the people be told?"

Now, I believe Canadians probably are in the delightful position of standing between two myths, both of them rather ridiculous. The British myth is embodied in the Official Secrets Act is, "Don't tell anybody anything." It is a gentlemen's world and gentlemen know. They don't have to be told, and they don't tell.

The American myth, which is just as silly, is the myth of the goldfish bowl, "Open agreements openly arrived at and tell the people everything." Well, we are not going to go very far in politics if you say you are going to tell it all. Who would listen?

But underlying both of these outdated attitudes, of course, is the gnawing question "Do we know enough to tell? What is our capacity to deal with the intelligence gap?" I must say that in our task force operations on the first Social Report of the President in the United States, we have all learned very great humility. The intelligentsia, to the extent that it is represented in these operations in Washington seems to be the very first to confess that they lack intelligence—intelligence in the information-gathering sense.

I am tempted to conclude my remarks on the problem of accounting to the people in a situation where you may not be sure what *has* happened (let alone what should happen) by quoting a marvellous story by Sir Geoffrey Vickers in a radio talk over B.B.C. called "The End of Free Fall." This is the story of the man who jumped off the Empire State Building, and after he got to the twentieth floor said, "I'm doing alright so far." Sir Geoffrey commented upon this saying: "So far, so good, but maybe its time to think about building a parachute into the system." My particular kind of parachute—the one I am helping design at this moment and have been bringing to your attention—is the development of some form of national, regional, and state systems accounting which will help us know the *status quo*, the state at which we have been, and help give us a better idea as to where we might and should be going.

FREEDOM OF INFORMATION

Mr. LONG of Missouri. Mr. President, this month's bulletin of the American Society of Newspaper Editors contains an article entitled "FOI Cleanup Hitters With Good Followthrough," written by Representative DONALD RUMSFELD.

Representative RUMSFELD is a knowledgeable and articulate spokesman in the freedom of information field. I believe his article should be read by all Senators. The American Society of Newspaper Editors is to be commended for its continuous interest in obtaining a truly effective freedom of information law.

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:

FOI CLEANUP HITTERS WITH GOOD FOLLOWTHROUGH

(By DONALD RUMSFELD, Member of Congress, 13th District, Illinois)

When the new Federal Public Records Law (5 U.S.C. 552) became effective on July 4, 1967, some Freedom of Information advocates hailed it as the long-sought panacea

for bureaucratic secrecy. Others condemned it as nothing more than "an open invitation to withhold legitimate information from the American people."

It is my view that experience with the new law will demonstrate that while it is certainly not an immediate cure-all, it is nevertheless far from a wholly meaningless instrument. The answer will prove to be somewhere in between the extremes.

The "Freedom of Information Act" was the result of a 12-year effort on the part of the press, the Bar and the Congress to begin to deal with decades of unwarranted secrecy in the Executive Branch of the Federal Government. Certainly, no single piece of legislation can be expected to erase instantly years and years of administrative habit. Those who framed the law did not envision it as an overnight answer for a problem as complicated and as diverse as that of a secretive bureaucracy.

Events since the law's inception have shown that, far from being useless, it has already had a salutary effect on the Executive Branch. Most federal officials have recognized and accepted the inevitability of conforming to the law, and nearly all federal agencies and departments have rewritten their information regulations in keeping with the law's goal of disclosure.

It is important to understand then that the FoI law was drawn up by two Congressional committees after some 200 hearings and investigations and after publication of 17 volumes of hearing transcripts and 14 volumes of reports.

It is the product of the collective judgments of many experts—editorial, legal, academic and political. It is a product of the deliberative process of our system of government, which, while not perfect, is the most nearly perfect system of government yet devised by man.

Thus, while the law is not perfect, it represents a most important step in the direction of the public's right to know about its government, and it is a foundation upon which further progress can be based.

The FoI law amends Section 3 of the Administrative Procedures Act of 1946. Section 3 had been used for years by the Executive Branch as authority for withholding various types of information including that which might prove to be embarrassing or harmful politically. This section included such "useful" phrases as "requiring secrecy *in the public interest*," "except those required *for good cause* to be held confidential" and "persons *properly and directly* concerned." The new law closed these loopholes.

Another significant accomplishment of the new law is its provision for a judicial remedy if a Government agency or employe refuses access to records not excepted by statute. Under this provision, upon complaint, the United States District Court is empowered to enjoin the agency from withholding the records and order it to produce "any records improperly withheld from the complainant." The burden for proving that records can legally be kept secret is on the agency.

Theodore Sky, a Washington lawyer who heads a special public information subcommittee of the American Bar Association, commented recently: "The new mood this law creates may well be the most important result." Philip Elman, a member of the Federal Trade Commission, has said the most significant thing about the law is that it legislates a basic change in Government policy and establishes a new policy reflecting dissatisfaction with the status quo. One thing, Elman noted, is clear: When in doubt, Government officials should disclose.

Whether or not the law will work as its advocates hope will depend not merely upon court enforcement and intelligent administration by the Executive Branch of the Federal Government, but, even more important, on the degree of followthrough that the nation's news media is willing to provide. To date, the press role in assuring proper implementation of the law has been spotty.

While newspaper editors, publishers and broadcasters whose testimony helped Congress pass the law might not be expected to rush to court to enforce the people's right to know, they can be expected to push the Government agencies as hard as possible. Yet, thus far, very few of the appeals against administrative secrecy have been filed by the press.

The files of the House Subcommittee on Foreign Operations and Government Information (Moss Subcommittee) show that only 26 per cent of the government information problems handled by the Subcommittee in the six-month period since the law has been in effect were brought to its attention by newspapers, magazines or broadcasters. Lawyers, businessmen and other citizens with a special interest in particular government records accounted for 64 per cent of the Subcommittee's information work. Members of Congress accounted for the other 10 per cent.

The same pattern is apparent in appeals filed directly with Federal agencies.

A spot check of major agencies by the Washington office of the University of Missouri Freedom of Information Center indicates that fewer than 25 per cent of the appeals against initial refusals of public records were filed by the press. And the FoI Center reports that the major enforcement provision of the new law is used even less by the press. Of a dozen court cases filed in the last six months, not a single one was based on press attempts to enforce the people's right to know.

Do these figures indict the press for failure to carry out a responsibility as champion of the democratic right of access to government information, or do they merely prove what some editors and Washington correspondents have been arguing for many years—that the competent reporter backed up by a responsible newspaper can dig out the facts of government without help from congressional committees, new laws or the FoI unit of a journalism society?

The failure of the press to use fully the new FoI law and the appeal procedures resulting from it focuses on a "yes" answer to both questions. The press needs little help in ferreting out facts which secrecy-minded bureaucrats want to hide. If a government document is not put on the public record, the substance of the document can almost always be uncovered by the inquiring reporter.

But, and much more important, it should be remembered that the FoI law is not a law to provide easier access by the press to government information. The law is based on the public's, not the press', right to know. The press serves as a channel for transmission of government information. If the press is to be fully effective in its transmission, it must do more than use the routine techniques for digging out the truth about government plans and policies.

Under the pressure of deadlines, overworked reporters attempt to dig out the news of the moment. It seems that too few are permitted the time to dig deeper for the government records which may make a good story better or which may make a future story. This situation partly explains the failure of the general press to use the FoI law as a weapon to guard the public's right to know. But it does not justify that failure.

As a case in point, a number of reporters in Washington, D.C., had been aware for some time that the Agency for International Development (AID) was refusing to make available upon request details of millions of dollars of contracts it had entered into around the world. This matter came to my attention in late October, 1967, and, seeing no press challenges to the withholding, I presented the facts of the case in a speech on November 3 before the Chicago Chapter of the Federal Bar Association. Press coverage of the speech was slight.

Then, in late December, after we pursued this matter with AID, the agency agreed to adopt a policy of disclosure.

However, to my knowledge, the story of AID's reversal of its position in favor of disclosure was carried only by the Chicago Daily News Wire Service and one or two other newspapers.

The point is that the press did not in this instance recognize the opportunity to urge this major governmental agency to stop withholding information involving the expenditure of millions of taxpayers' dollars. Further, the press did not treat either the story that the withholding was taking place or the story that AID had properly reversed its previous policy of withholding.

This is but one isolated example. Unfortunately, there are others occurring every day both in and out of Washington, D.C.

How many editors and publishers are sufficiently familiar with the details of the FoI law?

How many editors have embarked on a program of informing their reporters on the uses of the law as a tool in gaining access to information?

How many reporters have had the time to study and consider the uses of the law?

How many newspapers and radio and television stations have developed plans to challenge the unwarranted withholding of information by Government agencies?

The answers to these questions would seem to provide evidence that the press has not yet begun fulfilling its responsibility to guarantee that the law is made to work.

When the FoI crusade began in the early 1950's, there were a dozen or so editors and publishers who devoted a great deal of time and energy to attempts to reduce secrecy in government. They were joined by Harold L. Cross and Jacob Scher, both eminent lawyers and both devout believers in the FoI cause.

Today most of these early FoI crusaders are no longer active in the profession. There have been too few to take their places. The need is there.

The stake of the press in the FoI movement is greater than ever before. If the FoI law is not made to work effectively, it will wither and die and further legislative remedies may expire with it.

In short, the press has a job facing it. It is the job of making a success of one of the most important laws to be passed by the Congress in the past 20 years.

As Thomas Paine said: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

APPROPRIATIONS FOR FEDERALLY AFFECTED SCHOOL DISTRICTS

Mr. HARRIS. Mr. President, yesterday the junior Senator from Arkansas [Mr. FULBRIGHT] submitted Amendment No. 530 to H.R. 15399, the urgent supplemental appropriation bill for fiscal year 1968, increasing by $91 million fiscal year 1968 appropriations for school maintenance and operation in federally affected areas and major disaster areas, as authorized under Public Law 81–874, as amended. I give my wholehearted support to this amendment.

Senator FULBRIGHT is to be commended for introducing this measure. It would bring appropriations up to the level of 1968 entitlement for Federal aid to local school districts which are burdened by the obligation to provide educational

services to the children of families employed by the Federal Government in local communities all over the Nation. The effect of cuts made in this program under mandatory budget reductions enacted on December 18, 1967, in Public Law 90–218, is especially drastic for school districts near military bases where increased military personnel assignments have been necessitated by the demands of the Vietnam war.

Mr. President, Oklahoma is one of the States to which the junior Senator from Arkansas referred when he said:

It is probable, however, that, from the standpoint of the relationship to the total educational expense of a particular State, other States which would lose less money would nevertheless be more severely handicapped in maintaining their educational services.

The Lawton Public School District, near Fort Sill, is a case in point. The steady increase in military personnel assigned there would have brought the level of impact funding to $1,500,000 during this fiscal year. The cut now scheduled will mean a loss of $300,000 which is an equivalent of removing 50 teachers from the payroll. This is a school district which is furnishing the maximum amount of local support permitted by law, and the families of men now fighting in Vietnam are among those who will suffer most because of this drastic cutback. I have received a letter from Superintendent Hugh Bish, of the Lawton public schools, which explains what this cut means to the children in his school district. I ask unanimous consent that the text of the letter be printed in the RECORD.

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

LAWTON PUBLIC SCHOOLS,
Lawton, Okla., February 14, 1968.

HON. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARRIS: The school administration here in Lawton is deeply concerned about the Congressional and Presidential directive to reduce already-approved appropriations for the current fiscal year. This is especially true in light of the effect a cut in 874 funds will have on our ability to offer a quality program to the students of the Lawton Public Schools. The cutback of funds will result in a serious decrease in educational services within our total program and will be detrimental to all our students, including the sons and daughters of military personnel. Considering the contributions of our military personnel to our national defense effort, it appears unfortunate that this would be the time chosen to weaken the quality of the educational program we offer their children. It would appear that we should be doing more, and not less, for those who are doing so much.

During American Education Week I received a letter from the Commanding General at Fort Sill complimenting the Lawton Public Schools for our efforts to offer a good school program to the children of military personnel. I would consider this letter to be not only a compliment to the local system but also to our Congressional delegation which has fought hard to make funds available to schools in impact areas. It is only through such funds that school systems like Lawton are able to offer our students at least a comparable educational program.

In the wake of the recent governmental action the Lawton Public Schools will lose approximately 20% of our 874 money. Since Lawton receives approximately $1,500,000, this loss will be almost $300,000. This is equivalent to the loss of 50 teachers from our payroll and will seriously hamper our total program. Lawton, like most impact areas, has had a steady increase of impact students due to the Vietnam War and our world commitments, and the present governmental action will seriously dilute our effort to maintain a program even closely comparable to our past efforts. The local support of our schools is at its maximum with our local citizens voting the legal maximum of funds for buildings, maintenance and operation.

We would urge that the $20,810,000 now withheld from the 1968 appropriation be released for allocation prior to the close of the fiscal year. Also, we request your support in obtaining a supplemental appropriation for 1968 sufficient to pay 100% of the entitlements as soon as reasonable estimates indicate the amount needed.

Any action which you can take to encourage the above appropriations would be appreciated.

Very truly yours,

HUGH BISH,
Supertintendent.

U.S. RATIFICATION OF HUMAN RIGHTS CONVENTIONS WILL GIVE NEEDED BOOST TO U.N.

Mr. PROXMIRE. Mr. President, I feel strongly that the need for Senate ratification of the Human Rights Conventions on Genocide, Political Rights of Women, Forced Labor, and Freedom of Association, is greater than ever.

This continued inactivity on the human rights conventions constitutes an unpardonable disservice to the United Nations which was founded in San Francisco more than 22 years ago.

I am fully in accord with the idea that the United Nations is the "last best hope of mankind." There is support for this thought in the fact that the U.N. has received the full endorsement of the last five American Presidents.

Furthermore, the U.N. has been permanently located in this country since 1950. The people of this country, too, have backed the U.N. for the past two decades because they realize it serves the cause of world peace.

I feel that a strong United Nations can be a great factor in our search for world peace. Our procrastination is a cruel answer to the needs of mankind because the United States does care deeply about the rights of man.

FEDERALLY AFFECTED SCHOOL DISTRICTS

Mr. FULBRIGHT. Mr. President, yesterday I submitted an amendment—No. 530—to H.R. 15399, the urgent supplemental appropriation bill for the fiscal year 1968. My amendment would increase, by $91 million, fiscal year 1968 appropriations for payments to local school districts in federally affected areas and major disaster areas, as authorized under Public Law 81–874, as amended.

This morning, I received from the Arkansas Department of Education a report regarding the impact upon Arkansas school districts if these funds are not appropriated. Mr. Fay Bohannon, director of school plant service for the department, advised me:

There is no way for the school districts to offset the twenty percent loss in Public Law 874 funds. It is too late to place a proposed tax rate increase on the ballot for the next school election.

I understand that local school districts all over the Nation are in similar circumstances, and I believe that the Federal Government is obligated to provide funds sufficient to meet entitlements under Public Law 81–874. Therefore, this supplemental appropriation should be approved by Congress.

I ask unanimous consent that the letter which I received from the Arkansas Department of Education together with statistical information contained in that letter be printed in the RECORD.

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

STATE OF ARKANSAS,
DEPARTMENT OF EDUCATION,
Little Rock, Ark., February 19, 1968.

HON. J. WM. FULBRIGHT,
U.S. Senator, New Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: This letter is to provide you the information concerning Public Law 874 funds as they affect Arkansas public schools which was requested by Mr. James Cash, Administrative Assistant.

We have prepared a table for you which shows very clearly what the proposed twenty percent reduction will mean in the loss of maintenance and operations funds for each school district. In this table we also show the tax rate for each school district that is in effect at the present time. Some of these districts have proposed tax increases for the coming school election which is March 12. The average school millage voted in 1967 was M & O, 23.3; D.S., 19.5; Total, 42.8.

There is no way for the school districts to offset the twenty percent loss in Public Law 874 funds. It is too late to place a proposed tax rate increase on the ballot for the next school election. If a school district could vote extra taxes this year, under existing laws no extra funds would be available for this fiscal year and only forty percent could be expected for the 1968–69 school year. So you see that once these federal funds become a part of the school's operating budget, it is very difficult to make immediate adjustments that will not prove harmful to the school's educational program.

The proposed reduction in Public Law 874 funds will cause serious problems in several school districts. Gosnell School District, for example, will be affected seriously. The proposed expenditures for current expense items for 1967–68 is $585,610, compared to an entitlement in Public Law 874 funds of $284,427. A loss of $56,886 will cause a serious hardship on that school district since a check of this school district's budget shows an estimated ending balance of $28,473, provided that all assistance programs are funded one hundred percent. I am sure you are acquainted with some of the problems of Pulaski County Special School District. This school district cannot afford a loss of $181,093 with problems it has that relate primarily to rapidly increasing enrollments. The table reflects that other districts will probably curtail some phases of its school program if the proposed cut in funds is carried out.

Please keep in mind that Title I funds of Public Law 89–10 do not offset deficiencies in

maintenance and operations costs. Title I funds are directed mainly toward providing and improving educational opportunities for the disadvantaged and cannot be channeled to cover general maintenance and operations costs. It appears that some leaders in government confuse the purposes and intent of both laws and results in considerable misinformation.

We are pleased to provide you with this information. We trust that it will be of some value to you in helping the school districts that are affected by the proposed reduction in Public Law 874 funds. If we can be of further assistance, please let us know.

Sincerely yours,

FAY BOHANNON,
Director, School Plant Service.

Name of school district	1967-68 entitlement	50 percent (1st payment)	30 percent (final payment)	Balance of entitlement (not to be funded)
Arkadelphia	$23,659	$11,829	$7,097	$4,733
Altus Denning [1]	3,096	1,548	928	620
Ashdown	3,890	1,945	1,167	778
Beebe	6,138	3,069	1,841	1,228
Bismarck	9,847	4,923	2,954	1,970
Blytheville [1]	65,745	32,872	19,723	13,150
Cabot	34,786	17,393	10,435	6,958
Charleston	4,348	2,174	1,304	870
Coal Hill	3,325	1,662	997	666
Conway	23,659	11,829	7,097	4,733
County Line [2]	2,557	1,278	767	512
Dardanelle	5,627	2,813	1,688	1,126
De Queen	6,522	2,261	1,956	1,305
De Witt [1]	13,295	6,647	3,988	2,660
Dollarway	54,353	27,176	16,305	10,872
Dover [1]	3,454	1,727	1,036	691
Dumas	3,069	1,534	920	615
Fayetteville [1]	23,225	11,612	6,967	4,646
Fort Smith	88,244	44,122	26,473	17,649
Fouke	12,533	6,266	3,759	2,508
Gillett	3,454	1,727	1,036	691
Gillham [2]	2,059	1,029	617	413
Gosnell	284,427	142,213	85,328	56,886
Greenbrier	3,708	1,854	1,112	742
Greenwood [1]	27,422	13,711	8,226	5,485
Hartford [2]	1,534	767	460	307
Heber Springs	5,359	2,679	1,607	1,073
Horatio [2]	2,941	1,470	882	589
Jefferson County [2]	$1,790	$895	$573	$322
Lake Hamilton [2]	3,378	1,689	1,013	676
Lavaca	3,197	1,598	959	640
Little Rock	220,701	110,350	66,210	44,141
Lockesburg	4,604	2,302	1,381	921
Mansfield	5,115	2,557	1,534	1,024
Mineral Springs	4,092	2,046	1,227	819
Morrilton [2]	14,067	7,033	4,220	2,814
Murfreesboro	4,731	2,365	1,419	947
North Little Rock	167,024	83,512	50,107	33,405
Ozark [2]	16,625	8,312	4,987	3,326
Paris [2]	4,732	2,366	1,419	947
Pine Bluff	122,007	61,003	36,602	24,402
Plum Bayou Tucker	4,604	2,302	1,381	921
Pulaski County Special	905,461	452,730	271,638	181,093
Quitman	2,557	1,278	767	512
Rison	5,371	2,685	1,611	1,075
Russellville [2]	23,831	11,915	7,149	4,767
Saratoga	11,076	5,538	3,322	2,216
Sheridan	10,614	5,307	3,184	2,123
Texarkana [2]	201,548	100,774	60,464	40,310
Van Buren	12,789	6,394	3,836	2,559
Vilonia	5,499	2,749	1,649	1,101
Watson Chapel	42,715	21,357	12,814	8,544
White Hall	43,994	21,997	13,198	8,799
Woodlawn [2]	1,534	767	460	307
Total	2,565,932	1,282,951	769,794	513,187

[1] Estimate based upon 1966-67 application (1967-68 application has not been received).
[2] Estimate based upon 1967-68 application.

THE WISDOM OF ARTHUR HOLLY COMPTON

Mr. SYMINGTON. Mr. President, the late Arthur Holly Compton was one of the greatest scientists, humanitarians, and educators of the 20th century. In addition, he was my valued friend.

It was Dr. Compton who directed the key program of the wartime development of nuclear energy. Later he was to become Chancellor of Washington University in St. Louis.

It is fortunate that his writings and a biography are now presented in a book entitled "The Cosmos of Arthur Holly Compton." This excellent book edited by Marjorie Johnston and an editorial advisory committee with an introduction by Vannevar Bush, I believe, will be of interest to Members of the Senate.

The Chicago Sun Times published an interesting review of the book on January 21. I ask unanimous consent that the review be printed in the RECORD.

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

THE MANY WORLDS OF DR. COMPTON

(By Norman Hilberry, educator and consultant, participated in the construction and operation of the world's first nuclear chain-reacting pile at the University of Chicago in 1942. Professor in the department of nuclear engineering at the University of Arizona)

("The Cosmos of Arthur Holly Compton." Edited by Marjorie Johnston, with an introduction by Vannevar Bush; John J. Compton, Edward N. Condon, Thomas S. Hall and Howard Lowry, editorial advisory committee. Knopf. $10.)

Few individuals ever gain such a thorough understanding of themselves and, with that understanding, achieve such a depth of personal motivation as did the late Arthur Holly Compton, once a physicist at the University of Chicago. Nor have many of us ever been able, or perhaps even willing, to develop our personal philosophies of living with that firmness of foundation and that definiteness of detail that was characteristic of his own adjustment both to that world of nature in which he resided and that much more complex realm of the human mind in which he actually lived.

The excellence of his adjustment to the physical world is attested by his acknowledged eminence as a scientist; the worldwide respect for his accomplishments in the world of human relationships is a measure of his stature as a humanist. In both regions of human endeavor his guiding principle was the search for truth. In science (the study of the body of natural law), he was devoted to the objective search for new, experimentally verifiable knowledge, to the achievement of an understanding of the place of that knowledge within the physical system as a whole, and to a conscientious attempt to make it of use to main in his everyday life. In religion (the body of principles that obtain in the objectively unverifiable domain of the abstract which is characterized by the phenomena of personal awareness and of the human spirit), he was an equally ardent student and applied, as best the human mind can in this area of its own existence, the same continual search for new insight into human behavior, new comprehension of the laws of cultural change, and the same dedicated effort to make these advances in social science effective in the betterment of man's day to day relationships with man.

His physical world extended from familiarity with those tiniest of elementary units of matter and energy of which our universe is composed to a continuing concern with those rapidly receding galaxies of stars that at present mark the fantastically remote outer boundaries of that universe. His human world encompassed with a truly sympathetic concern every segment of this earthly globe and embraced within that concern every human being, whatever his rank or race. Of few individuals, indeed, who have inhabited this planet Earth can it be said with such justice as it can be said of him, "He was proud to be a citizen of the United States but he felt almost equally at home in every corner of the cosmos as we know it."

The present volume constitutes an example of that most difficult of all literary enterprises, the preparation of a posthumous autobiography. Marjorie Johnston and her editorial advisory committee are to be congratulated on the excellence of their product. They have selected from Compton's writings with such skill that they have depicted his intellectual growth from teen-age initiate in science to Nobel Laureate in physics, from youthful idealist to world renowned humanist, in a manner that I am sure would win his most sincere approval. Indeed, had he attempted the task himself, objective as he was concerning his own place in the history of our times, I am not sure that he would have achieved as complete and illuminating a critique of that place as does this perceptive selection from the broad range of his writings.

The volume starts with a foreword by Vannevar Bush and introduction by Marjorie Johnston and the editorial advisory committee. The Bush foreword constitutes a personal tribute to Arthur Compton, the scientist, the scientific administrator, and the scientific humanist, by one of his close associates whom he most admired. I am sure that in Compton's own estimation this evaluation of himself would rank high amongst the multitude of high honors bestowed upon him by illustrious organizations throughout the world. As an aside, it would be a fine thing if Bush's brief essay could be read, then studied and eventually understood in the fullness of its implications by every youth aspiring to a career in science.

The introduction also constitutes a significant biological contribution in itself. It not only outlines the editorial philosophy upon which the book is designed and presents an excellent biographical brief but it pictures with clarity one of Arthur Compton's most basic approaches to life which might otherwise have received less than adequate emphasis. The writings selected for the book depict him as a research scientist and as an ever exploring humanist and they do so

effectively. They do not do full justice, however, to his role as educator. Clearly implicit at every point throughout this exposition is his awareness that increase of knowledge and understanding in any phase of human affairs is significant only to the extent that it is broadly and understandably transmitted to others. The selections presented attest this truth, for I believe that in every case they reflect his recognition of the urgent need for cogent communication between men as man's best if not indeed his almost solitary tool by which to achieve his continuing survival.

Education was far more to Compton than a profession; to him it represented man's sole avenue to the achievement of his ultimate humanity. Compton was the scientist and the humanist, but far and beyond that, he was the teacher. This the introduction makes explicit in a sense that of necessity the text leaves largely implicit.

Space does not permit a detailed discussion of each of the 10 sections into which the editorial matter of the volume is divided. To quote from the introduction:

"The plan of the book is simple. It opens with brief personal reminiscences, followed by a section on the general relevance of science to human affairs. After an examination of several aspects of the philosophical background of science, there follow examples of the intellectual adventure of scientific pursuits, as seen in the author's work and in that of other scientists. The last half of the book is devoted to specific social and political issues in which science plays a role."

Nor am I about to attempt the impossible and try to present the impact of the text in some sort of easily swallowable literary pill. The book must be read in order to be appreciated; it must be read with attention and then reread with critical care to be fully understood.

Compton's writings are all notoriously devoid of verbal padding. If a word appears, it has a purpose and that purpose will not be revealed by speed reading. But the values one gains and the insights into our world and its problems that one achieves by a diligent perusal of this volume will far more than justify the effort. It should be required reading for every young would-be scientist and for those in each succeeding stage of scientific metamorphosis. It should be studied attentively by every humanist concerned about the trends our culture is taking and who is seeking pathways toward a more secure and sane future. It should be on the *must* book list for every intelligent layman, for it provides in a uniquely useful way a picture of the ever-increasing importance of the role which science and technology are destined to play not only in bettering his creature comforts but even more in the shaping of his whole philosophy of life.

Our society owes gratitude to Marjorie Johnston and her editorial advisory committee for a major educational task accomplished with exceptional success. I only hope that the readership achieved will not only be comparable with the thought and effort expended in the editorial enterprise itself, but, perhaps even more, that it will be commensurate with the potential benefits to our society that could attend an ever-broadening understanding of the truths proclaimed in the Compton writings it presents.

OEO'S GREEN AMENDMENT GUIDELINES

Mr. CLARK. Mr. President, in the past few weeks reports have appeared in the press and statements have been recorded in the CONGRESSIONAL RECORD criticizing the guidelines developed by the Office of Economic Opportunity to implement the so-called Green amendment.

The Green amendment continues to be the subject of controversy both in and out of Congress.

As chairman of the Subcommittee on Employment, Manpower, and Poverty, and as chairman of the House-Senate conference committee on the 1967 amendments to the Economic Opportunity Act, I would like to make it quite clear that so far as I am concerned, OEO has done a good job in an extremely short time in fashioning guidelines to implement the Green amendment.

The painstaking process by which OEO's guidelines have been drawn up has included consultations with interested groups both in and out of Congress, and at the Federal, State, and local levels.

The guidelines as far as they have been developed are, in my judgment, in accord with the spirit and intent as well as the letter of the provisions of the Green amendment as reported by the conference committee and enacted into law.

They have been carefully drawn, and are still being revised, to assure that the cardinal principals of community action are preserved—to assure that there will continue to be effective and full representation and participation of the poor in all decisions affecting their interests, and to assure the effective mobilization of all community resources in a comprehensive, coordinated attack on poverty.

The Green amendment was, throughout its consideration in the House and in conference, to say the least, controversial. It was subject to varying interpretations both by Members of Congress and others interested in its outcome. Because the meaning of the provisions of the Green amendment were far from clear to the members of the conference committee last year, the committee made many changes in the language of the Green amendment—changes which were both clarifying and substantive—changes which strengthened the bypass provisions and changes which preserved the concept of resident participation.

The committees of Congress will have another good hard look at OEO and its programs next year. Meanwhile, I hope that OEO will be permitted without undue interference to work out the obvious and very serious administrative problems involved in implementing the Green amendment. Let us let OEO run a poverty program for a change without its having to continually justify its very existence, and without its being subjected to perpetual harassment.

FREEDOM WEEK

Mr. BENNETT. Mr. President, tomorrow our Nation will celebrate a national holiday to pay honor and homage to our first President, George Washington. Since a prior speaking engagement will take me away from Washington, I regret that I will not be here to hear the annual reading of George Washington's Farewell Address. However, I take this opportunity to invite attention to Senate Joint Resolution 140, which I introduced on February 7, to authorize the President to issue an annual proclamation designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week.

This joint resolution is identical to Senate Joint Resolution 110 which I introduced in the 89th Congress and which was cosponsored by 21 Senators.

The purpose of this joint resolution is to give more dignity and respect to this national holiday in honor of our first President. A Presidential proclamation would also act as a reminder to all of us of the cherished freedom which we have under our constitutional form of government.

The Freedom Week program originated with the Sertoma Clubs of America. I am informed that Sertoma now has more than 450 clubs throughout the United States which annually hold special programs during the week in which Washington's birthday is celebrated. As a part of their program, the Sertoma Clubs distribute copies of the Declaration of Independence to schools and libraries and to municipal, county, and State offices. Local Sertoma Clubs also sponsor speech and essay contests and give awards to students who present the best speech or essay on the subject of freedom and responsible citizenship.

Freedom Week has been very successful in Utah because the Sertoma Clubs have been most active in encouraging our youth to learn more about our American Government and the responsibility which each of us has in being a good citizen. It is quite obvious to anyone who reads today's newspapers or listens to radio and television broadcasts that there is a need for concerted action by all responsible citizens to exert themselves to inculcate in our youth the spirit of responsible citizenship. It is for this reason that the Sertoma Clubs International has asked for the approval of Senate Joint Resolution 140. I am hopeful that the Judiciary Subcommittee on Federal Charters, Holidays, and Celebrations might favorably report Senate Joint Resolution 140 at an early date.

Mr. President, I ask unanimous consent to have placed in the RECORD a proclamation issued by the Governor of the State of Utah proclaiming Freedom Sunday and Freedom Week in the State of Utah.

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

A PROCLAMATION ISSUED BY THE STATE OF UTAH

Whereas, this Nation was conceived by a people filled with the spirit of freedom, responsibility and self-reliance. The birth of the United States of America was attended by men and women who pledged their lives, their fortunes and their honor that this Nation might have freedom; and

Whereas, if we are to reap the fruits of freedom, we must keep the laws! We must preserve our Constitution! We must construct new laws in accordance with truth. These laws must be honored, respected, revered and obeyed! Our lives, and the lives of all generations, depend on our concern for our fellow men. We must build, not destroy. We must provide enlightenment and hopeful opportunity for all. We must infuse dignity, the joy of work and brotherhood throughout the land; and

Whereas, Americans can and will solve their own problems with new ideas equal to the challenges before them . . . but, with the courage, integrity, industry and honor of our Founding Fathers . . . as embodied in the Constitution of the United States;

Now, therefore, I, Calvin L. Rampton, Governor, of the State of Utah, do hereby proclaim February 18, 1968, as Freedom Sunday, and urge all Utah citizens to join with me in attending the church of their choice to express gratitude for our bounteous blessings, and the week of February 18 through 24, 1968, as Freedom Week, and February 22, 1968, to be proclaimed as Patriot's Day in honor of George Washington.

CALVIN L. RAMPTON,
Governor.

Attest:

CLYDE L. MILLER,
Secretary of State.

AN URGENT APPROPRIATION

Mr. BARTLETT. Mr. President, the Committee on Appropriations and the Senate itself will consider soon H.R. 15399, the urgent supplemental appropriation bill for the current fiscal year.

I am in complete agreement with the use of the adjective "urgent" to describe the items included in the bill. However, the bill does not include funds for what I consider an equally urgent program—the program of Federal aid to school districts affected by Federal employment.

A combination of cutbacks has put the funding for this program at only 80 percent of its authorization for fiscal year 1968.

This reduction, particularly because it comes when the school year is more than half over, has created chaos in many local and State school budgets.

This reduction, because of the relatively large number of children of Federal employees attending schools in Alaska, hits my State particularly hard. If the program had been fully funded, Alaska State and local school boards would have received $12,172,490. Because of the cutback, the State will receive $9,762,046, a reduction of $2,410,444.

Before outlining my understanding of how the cutback came about, I want to put to rest a charge that has been raised that this reduction was "a vicious attack upon Alaska alone."

Of course, the charge is absolutely incorrect. The act authorizing Federal aid to impacted school areas clearly states that in those years appropriations do not meet the full authorization, payments to all States will be cut back the same percentage. While I admit that Alaska may be as hard hit or harder hit than any other State by this approach because of the large percentage of federally connected students in our schools, that is the law, and as fair a way as I know to carry out such reductions. Nine States, including Texas, suffered greater reductions than Alaska. So much for that charge.

However, many Alaska school districts, as well as districts elsewhere in the Nation, are facing serious budgetary problems because of this cutback.

I ask unanimous consent that letters from school officials in Alaska expressing concern about this reduction be printed at the conclusion of my remarks. While I do not agree with all the observations made in these letters, I think they do point out the hardship this reduction will have on public education in Alaska.

I will call attention to just one of the letters. In the small town of Hoonah, about 90 percent of the public school students live on Federal lands. As a result of the reduction, Hoonah will receive $15,000 less than its full entitlement under the program. The superintendent of Hoonah public schools, D. L. MacKinnon, Jr., reports that because there "is no fat" in his budget, the only way he can balance his budget is to dismiss four of his 18 teachers who serve a student body of almost 300 students.

Mr. President, our priorities are indeed out of adjustment if the education of our youth must suffer in order to save less than $100 million.

This most unfortunate cutback occurred in this manner:

The House of Representatives initially approved the administration's budget request of $416,200,000 for this program, some $60 million less than was needed to fund the full authorization.

The Subcommittee on Appropriations for the Departments of Labor, Health, Education, and Welfare, and Related Agencies, of which I am a member, increased the appropriation to $450 million, a figure which would have permitted payments in excess of 90 percent of entitlements. The full Committee on Appropriations and then the Senate approved this increase.

Unfortunately, the House would not yield in conference, and $416.2 million was the final figure.

The figure was cut back in House Joint Resolution 888, to $39,390,000 after Congress instructed the executive branch to reduce expenditures.

That is how we arrived at the present state of affairs.

The question now is what we can do to correct the situation.

As a member of the Subcommittee on Deficiencies and Supplementals, I intend to urge that an appropriation for the Public Law 874 program be added to H.R. 15399. The junior Senator from Arkansas [Mr. FULBRIGHT] yesterday submitted an amendment to the supplemental appropriations bill to add $91 million in order to fund the Public Law 874 program to its full authorization. I know that this amendment will be given ample consideration by the Subcommittee on Deficiencies and Supplementals Appropriations. I intend to support it.

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

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

HOONAH PUBLIC SCHOOLS,
OFFICE OF THE SUPERINTENDENT,
Hoonah, Alaska, February 5, 1968.

Senator BOB BARTLETT,
U.S. Senate, Washington, D.C.

DEAR SENATOR BARTLETT: Our school district has just received a very serious financial setback for the school year 1967–1968. In the remainder of this letter I would like to emphasize the importance of PL 874 funds to our schools.

I would like to comment in detail on the PL 874 cutback and the tremendous impact it will have on our district operation between now and June 30, 1968. At the present time, 90% of our students live in federally affected areas, with about 70% of the parents working on federal lands. Therefore, we receive the highest percentage of PL 874 funds of any locally operated school district in Alaska. This amounts to about $65,000 on a $220,000 budget for the 1967–1968 school year.

We have now been informed that we are to receive only 50% of our initial estimated entitlement. This would have originally been about $47,000, which we would receive in March. Now this has been reduced to around $32,000, which will leave my district with a deficit of $15,000 to finish the present school year. We do not have that extra $15,000 in the bank. We have no slush fund or extra fat in our present budget. That money is a must to make our *payroll* at the end of this school year. Like other school districts, we were working towards a zero balance and we can see ourselves going in the hole by $15,000.

As you know, all textbooks, supplies and basic commodities have been purchased and paid for; therefore, there is no chance to save money here. Perhaps we could turn off the heat or lights, but it is cold out and we are still on the shorter dark days so I can see no way to save in this area. Maybe we should let the janitor or maintenance man go, but this would be most costly in the long run. Therefore, we come back to the teachers. Our school has 18 teachers for almost 300 students. In order to save $15,000 at this stage of the year, I would have to reduce the staff by four teachers.

In an economically deprived area where we are working to improve the educational level and reduce poverty, and then be forced to cut back on the educational program in the community seems to me to be fundamentally unsound. Our children are being robbed of good teaching.

The City of Hoonah is without a tax base in which to raise revenue to replace federal impact funds. Due to the tremendous amount of federally-owned land in our city, it has been necessary for us to make use of PL 874.

We need help from somewhere to supplement our loss of revenue in the initial payment. In the 1968–1969 budget, we would have had a chance to work some of this deficit out. But I can see no way out of this problem for this year without special help from the legislature.

The other possibility would be to get a change back to making the initial payment at 75% and making the 20% cut in the final payment. This would at least allow us time to make some adjustment on next year's budget.

Any help that you could lend us would be greatly appreciated.

Sincerely,

D. L. MACKINNON, Jr.,
Superintendent.

HOONAH, ALASKA,
February 9, 1968.

E. L. BARTLETT,
U.S. Senator,
Washington, D.C.:

The proposed reduction of Public Law 874 moneys will have disastrous effects on Hoonah's schools. We will have to reduce our professional staff by four this year and two the coming year. Our high school is not accredited and this reduction will delay accreditation by several years. Our native children are receiving substandard education now and need additional help if they are to take their place in society and not be forced to live in these poverished conditions as adults. Ninety percent of Hoonah's land is federally restricted and not taxable. One-third of our budget is dependent on Public Law 874 moneys.

We urge you to do all you can to have this reduction changed.

DAN SHARCLANE,
President, Hoonah Board of Education.

GREATER JUNEAU BOROUGH SCHOOL DISTRICT,
Juneau, Alaska, February 7, 1968.

Hon. E. L. BARTLETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BARTLETT: We have just been advised that our revenues from Public Law 874 will be prorated, and that we may expect to receive only 80% of the funds from this source to which we are entitled for the current year. This amounts to approximately a $30,000 shortfall in revenue, and the information is provided at a time when the school year is over half completed and we are committed to the expenditures as budgeted.

Somewhat earlier we had been advised by the Alaska Department of Education of a 40% reduction in the funds available through the state-administered but federally-funded Vocational Education Program. I do not know whether this was a consequence of a federal proration of funds or not, but I do know this will result in an additional revenue shortfall of approximately $15,000 for this school district.

It is my understanding that the Administration's proposed budget for the 1968–69 school year is such that we can expect a reduction of approximately 10% in our Public Law 874 revenues. We must also expect a further reduction in our federal support of Vocational Education programs. In addition, it is my understanding that the appropriation designed to cover the costs of the Elementary and Secondary Education Act has been reduced so that we may expect a decrease of over 50% in the funds available under Title II (library materials). I note that provision is made for new programs such as dropout prevention, bilingual education and special education for the handicapped. I do not as yet have any indication of how these programs might effect the Juneau School System, but frankly I am fearful of making a serious obligation under these programs, laudatory as they are, in view of the Federal Government's continuing history of leaving school districts holding the bag, so to speak, after a commitment is made. You will recall that we received 8¢ per type "A" lunch served when that program was started, and we now receive 3.5¢ per meal.

I know that you are sympathetic to our problems and will work diligently to bring about a more sensible solution to them. If there is any way in which I could be of assistance to you, please feel free to advise me.

Sincerely,

W. D. OVERSTREET,
Superintendent of Schools.

KENAI PENINSULA BOROUGH SCHOOL DISTRICT,
Kenai, Alaska, February 12, 1968.

Hon. ROBERT BARTLETT,
House of Representatives,
Washington, D.C.

DEAR MR. BARTLETT: We have been advised by the State Department of Education that there will be a drastic cut in Public Law 874 Funds appropriated for Alaska, and consequently in the amount to be received by the Kenai Peninsula Borough School District.

The District has counted on the use of these funds for a number of years and failure to receive them would mean a reduction in the school program. It is urged that you make every effort to reinstate this loss of funds in Public Law 874.

Sincerely yours,

STERLING S. SEARS,
Superintendent of Schools.

PETERSBURG PUBLIC SCHOOLS,
Petersburg, Alaska, February 15, 1968.

Hon. ROBERT BARTLETT,
Senate Office Building,
Washington, D.C.

DEAR MR. BARTLETT: We of the Petersburg School District would like to call your attention to the funding cut of P.L. 874 monies, and ask your assistance in getting the full amount of these funds restored. The loss of these funds will work a definite hardship on the Petersburg District as well as all districts of Alaska. Also, we anticipate further impact due to expanded logging operations in our area.

Your attention on this matter will be greatly appreciated.

Thank you.

Sincerely,

T. F. SMITH,
President,
Petersburg School Board.

NOME, ALASKA,
February 19, 1968.

Senator BARTLETT,
U.S. Senate,
Washington, D.C.

We are writing in regard to the Federal cut backs involved with Public Law 874. We are sure that you are aware of and sympathetic to our needs in this respect. Locally the Nome School District is dependent on this revenue, which represents a major part of our school district budget. In a district where unemployment may run as high as 90 per cent, local revenue just cannot make up the difference. The Nome School District would loose 20 to 50 per cent of its P.L. 874 $30,000.00 entitlement. This cut in current operating income would * * * to provide $70,000.00 in local effort. We certainly will appreciate your interest and consideration of this situation.

JAMES A. CASH,
Chairman, Legislative Committee,
Nome Education Association.

KETCHIKAN, ALASKA,
February 19, 1968.

Senator BARTLETT,
U.S. Senate,
Washington, D.C.:

Please register our protest against cutting of Federal education funds for Alaska. We need more school buildings for a growing population and an expanded curriculum for our school system. A cutback would be detrimental to our educational system here.

HENRY S. LITTLEFIELD,
Mayor, Metlakatla Indian Community.

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT,
Fairbanks, Alaska, February 5, 1968.

Senator E. L. BARTLETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BARTLETT: I am greatly disturbed by the prospective 20% reduction in the P.L. 874 entitlement for 1967–1968. The Fairbanks North Star Borough School District cannot provide a quality educational program for its youngsters if it is to lose over $80,000, of an estimated $6,240,000, General Fund income. Impact aid is vital to the operation of our schools.

In spite of its pleas for reductions in current spending, the administration continues to propose new federal programs which will require funding from current revenues. Is P.L. 874 impact aid to suffer in order to support the administration's pet political programs?

I believe that P.L. 874, as presently written, is a just and equitable law. It provides for the disbursement of public funds to federally impacted school districts on a sound basis which is free of political influence. I am in favor of its continuation and full financial support. It should not be abandoned to support new federal programs which have more political influence.

Please offer your support in providing 100% funding for P.L. 874 in 1967–1968 and future years. Don't allow "pork barrel" politics to rob us of the funds it provides.

Respectfully,

W. W. VANCE,
Business Manager.

INDEPENDENCE OF LITHUANIA

Mr. CLARK. Mr. President, this week marks the 50th anniversary of the independence of Lithuania. The anniversary has a special significance, not only for the thousands of Americans of Lithuanian descent but also for Americans of every ethnic origin, because it was the fundamental belief in liberty and freedom which created our own Nation.

There could be no more appropriate time than the present to salute the perseverance with which the Lithuanian people have pursued man's most noble goal—freedom and national independence.

In the face of bitter and sometimes harsh opposition, the Lithuanian people have refused to relinquish hope or lose faith in their objective. Their love of liberty remains undiminished. Their yearning for national independence lives on. Such faith and dedication to the principles upon which America was founded should be an inspiration to us all.

I welcome this opportunity to pay tribute to the thousands of Americans of Lithuanian descent, who have never wavered in their commitment to their rich national heritage.

ALL OF US ARE CONSUMERS—BETTY FURNESS SPEAKS IN WACO, TEX., ON CONSUMER PROTECTION

Mr. YARBOROUGH. Mr. President, last week the President's special assistant for Consumer Affairs, Betty Furness, spoke to the Democratic Women of McLennon County in Waco, Tex. Her message is important because information is what consumers vitally need and all of us are consumers.

For consumers to have freedom of choice, and for us to have a truly free marketplace, the consumer must have adequate information. This means he must not be deceived by clever packaging, or misleading advertising, or unintelligible interest rates, or fraudulent contracts.

Those who oppose the consumer legislation proposed by the President will have to show that busines has an inherent right to deceive which is greater than the consumer's right to information.

The array of bills pending before Congress meets many of our known abuses. But legislation does not offer us a whole remedy. Unsuspecting consumers can still be abused if they do not know that the law protects them. As we legislate cures to current abuses, we must devise effective means for vigorous programs of education.

With education we can begin to fight the real war against persons like the door-to-door salesman that defraud the elderly, and the blind, and the illiterate. These salesmen will sell goods at an attractive price and then produce a contract that secures the purchase with a mortgage that creates for the unsuspecting homeowner a debt hundreds of times the original purchase price. Some unscrupulous finance companies more interested in money than in morals handle millions of dollars of such mortgages each year.

This is the type of abuse we must stop, for as long as it is legal, we cannot expect the poor consumer to have any respect for the law.

The fight against consumer abuse has a great spokesman in Miss Furness. She continues to show not only her concern for consumers and her grasp of their problems, but also has ability to reach them in a way that can be understood.

I commend her remarks to the Senators and ask unanimous consent that they be printed in the RECORD.

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

REMARKS BY BETTY FURNESS, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, BEFORE THE DEMOCRATIC WOMEN OF MCLENNAN COUNTY, WACO, TEX., FEBRUARY 15, 1968

(NOTE—Although this text is the basis of Miss Furness' oral remarks it should be used with the understanding that sentences or paragraphs of it may be omitted in the oral presentation or that other remarks may be included that do not appear in the text.)

It's a pleasure to be in Waco, especially to meet with a group of Democratic women.

Democrats in McLennan County have much to be proud of: your Congressman is chairman of one of the most important committees in the Congress, particularly important when it comes to consumer issues.

As chairman of the House Agriculture Committee, Bob Poage is in a unique position to aid and advance the American consumer. His record on consumer issues is among the best in the Texas delegation.

And Ralph W. Yarborough, your senior United States Senator, has supported *all* the consumer bills that have been considered by the Senate and has been a sponsor of most of them. I think the American consumer has no closer friend on Capitol Hill.

These are good times on Capitol Hill for the consumer because the Congress—and I don't need to point out that it's a Democratic Congress—is responding with energy and concern to the growing needs of the little man in the marketplace.

President Johnson has proposed the broadest and most comprehensive consumer program ever offered by an American Administration and we have every reason to believe that most—if not all—of his consumer bills will be enacted in this session of Congress.

The goal of this program, as the President has said, is to "assure every American a fair and honest exchange for his hard earned dollar."

The legislation he has proposed is designed to correct abuses in the marketplace that prevent fair and honest exchange.

Our marketplace has become so vast, so complicated, the consumer needs more protection and more information than we would ever have dreamed of only a generation ago.

There was a time in this country—a short time ago, as a matter of fact—that the family produced almost everything it needed right at home.

Our grandmothers baked their own bread, knitted our sweaters, crocheted bedspreads and braided rugs.

Their husbands grew the crops, built the houses and the sheds and went no further than the barn for a bucket of milk.

Anything that couldn't be produced at home, usually was produced nearby or at least it was sold by somebody who knew what he was selling and could be counted on to tell *you* what you were getting for your dollar.

The local storekeeper was a neighbor down the street, not the agent of a giant corporation in New York.

Well, times have changed.

The American marketplace is now a vast complex of conglomerates, computers and clever advertising.

The market is national and sometimes international in scale and the man with the least amount of information and the least protection is the man who shoulders the whole thing, the consumer himself.

We have become consumers of countless goods that were beyond imagination only a decade or so ago.

Dishwashers and radios, electric refrigerators and permanent press fabrics, nylons, plastics and instant foods, were miracles to no few of us here tonight and I guess all of us watched television happen before our very eyes.

But the miracles of the marketplace, the abundance and variety of our marketplace, are not without their drawbacks.

Miracles can be complicated matters you know, and what could be more complicated than the inside of the television set or the wording of the guarantee on that television set or the credit contract that got the television set in your home in the first place.

And I can tell you for sure, that a consumer without adequate information is a likely victim for fraud.

That's why the President has set a consumer goal for his Administration, a fair and honest exchange in the marketplace.

I think he has already constructed a broad and firm foundation for that goal.

In the last three years, a Democratic Congress has enacted bills he has asked for that will protect the consumer against impure and unwholesome meat, death and destruction on our highways, misleading labels and packages, fire-prone fabrics, hazardous appliances and home products, dangerous toys, substandard clinical laboratories, and unsafe tires.

That's the foundation and we're already hard at work on the superstructure.

The Congress is now considering a Truth-in-Lending bill which will go a long way in curbing despicable abuses in the American credit system.

I don't need to tell you how many Americans—especially poor and elderly Americans—have been bilked beyond belief because they signed contracts or notes or mortgages without being told what the cost of those deals would be.

Both the Senate and the House have passed Truth-in-Lending bills and are now in the process of deciding which of the two to enact.

We hope it will be the House bill because the Senate version is not as strong a bill as we need.

Both bills require businesses offering credit—loan shops, banks, stores or whatever—to tell the consumer exactly what he's paying in interest charges. The Senate bill, however, exempts revolving charge accounts and loans with charges under $10.

Revolving charge accounts are an important part of the credit business and more and more stores are turning to that system.

A store will tell you you're only paying one and a half percent in interest. What they mean is one and a half percent per month and when you multiply that times twelve months you come up with 18% which is no small interest charge.

A store manager once told me it's too difficult to figure out annual rates on revolving charge accounts because they're not always for the whole year.

That reminds me of the lady who was stopped for speeding and when told she was doing seventy miles an hour said: "How can that be? I've only been out for 15 minutes."

The House bill includes all forms of credit and credit advertising and that's what we need.

I don't think the consumer should be put on a merry-go-round of revolving credit without the slightest chance of catching the brass ring.

This bill isn't regulating credit, after all, it's merely providing the consumer with more information.

The Congress is also considering now the eight-point consumer program the President has proposed for 1968.

The program will benefit the consumer in an amazingly broad area of the marketplace.

It covers fraud and deception in sales and abuses and death and accidents on our waterways.

It will launch a major study of automobile insurance and bring new standards of inspection of fish and poultry.

It will protect Americans against dangerous radiation from television sets and other electronic equipment.

It will insure that warranties and guarantees are not misleading and begin an effort to improve repairs and service of consumer products.

And a Consumer Counsel will be appointed to serve as a lawyer for the American consumer, to represent the interests of the little guy before courts and regulatory commissions.

That's a good program, a broad and sound program, and obviously the program of a Democratic Administration.

But let's make it clear now that it's also a pro-business program. Its intent is to bring an informed and confident consumer into a stable and honest market.

What could be better for business than that?

I think people will eat more fish and more poultry if they're sure that what they are buying for their families is clean.

We've passed a bill which will insure a high standard of inspection for meat. It's only fair that we do the same for the competitors of the beef people, the fish and fowl industries.

And this is no minor problem.

Millions of pounds of uninspected fish and poultry are consumed at American tables every year. This is a threat to health that must be eliminated.

The Deceptive Sales Act that the President has asked for as one of his eight points will also be pro-business as well as pro-consumer.

Honest business is hurt just as the consumer is hurt by misleading or fraudulent business practices.

Sales racketeering is fast becoming a national scandal.

The stories of door-to-door robbery are countless and overwhelmingly sad.

Not long ago there was a woman living in a poor Washington neighborhood who was paid a visit by a door-to-door salesman who talked her into having a hot water heater and radiator installed.

The woman, who is partially blind, lived in a small house with her 76-year-old mother. She needed the hot water heater and the radiator and didn't know that the $900 the salesman quoted was well above the market value for what she was getting.

Nor did she know when she and her mother made their marks on the contract she signed that she had put a second mortgage on her home for $7,500 plus 7% interest!

Unable to afford a lawyer, she and her mother are now paying $50 a month on the mortgage in addition to what she owes on the first.

I don't know how much she owes but when I heard this story she had already made 15 payments and still owed more than $7,400 on the principal.

This is not an isolated incident. The cases of misleading or downright fraudulent sales are becoming common in every quarter of the country.

We intend to do something about that.

The President is also greatly concerned about abuses in automobile insurance.

He has asked the Congress to authorize the Secretary of Transportation to make a major new study of automobile insurance which is

easily one of the greatest consumer frustrations of them all.

The consumer has too often been the victim of arbitrary cancellations, premiums that are too high, settlements that are too little or too late.

A man sleeping in his apartment has his premiums jacked up when someone runs into his car which is sitting quietly in his duly authorized parking space downstairs.

A divorcee is told she can't have insurance at anything but the highest rate because she is "preoccupied."

So are clergymen and so are doctors, insurancemen tell us.

A man who's never had an accident or committed a moving violation gets a 30% surcharge tacked on his premium because he inadvertently runs a stop sign, though no damage is done.

A Vietnam veteran is turned away by an insurance company because he's been out of the country for more than a year.

These stories may seem novel but they're not—problems with automobile insurance have become a first class consumer frustration.

The President's proposed study will examine these problems carefully and give us some guidelines for solving them.

The new consumer program will also take up the problem of repairs and warranties and guarantees and I can tell you for certain that no problem is bothering the consumer more than this one area.

The home appliance people are saying that I've singled them out for a special attack.

Well, that's not the case, as a matter of fact, but I *have* raised this issue, and will keep raising it, because I've received more complaints about it than any other single consumer problem, without exception.

I think the complaints are best summed up by the lady who once told me, "I wish I could buy an appliance that would last until I finished paying for it."

Not only are our appliances and automobiles too complicated to fix ourselves, the warranties on them are too confusing for us to understand and qualified repairmen are too few and far between for us to get our hands on them.

I sometimes think that the cost of repairs goes up at the same pace that the abilities of repairmen go down.

Something has to be done about this—it's one thing to get these miraculous new gadgets into our kitchens but it's quite another to get our money's worth out of them.

The President has directed me, the Chairman of the Federal Trade Commission and the Secretaries of Commerce and Labor to begin work immediately to encourage improvement in the quality of service and repairs, assure that warranties and guarantees mean what they say and say what they mean, let the consumer know how long he may expect a product to last if he uses it properly, and determine whether Federal legislation is needed.

We think we're going to work hard at finding ways to get young people interested in the repair and service trades.

Most of the points in the President's consumer program will require legislation and there's a lot of work to be done on Capitol Hill if we're going to build on the foundation we've already got.

The Congress is considering eight bills proposed by the President last year and six more he asked for in his Consumer Message last week.

We hope to get them all passed because we do, after all, have Democratic majorities in both Houses. But it won't be easy.

The Republicans have made it clear that as a group they're not exactly interested in consumer issues.

Sixty-eight percent of the Senate Republicans voted to delay action on the Fair Labeling and Packaging Bill, an important measure that was designed to let consumers know what and how much is in those boxes they buy.

In the House, more than half the Republicans voted against the establishment of a Product Safety Commission which the President wanted to establish so we could get dangerous products out of the home.

House Republicans voted four to one against the strong meat inspection bill passed by the Senate.

The Republican position on consumer issues was made clear in their 1964 platform when they pledged "an end to power-grabbing regulatory actions . . . and the ceaseless pressing by the White House, the Food and Drug Administration and the Federal Trade Commission to dominate consumer decisions in the marketplace."

Is it power-grabbing to want flammable fabrics, dangerous electric devices, and diseased meat removed from the marketplace?

I don't happen to think so. It think it's a classic case of government's basic responsibility to protect its citizens from danger, death and disease.

Are we trying to dominate consumer decisions in the marketplace by asking for laws that would give consumers more information to make their own decisions?

I think it's just the reverse: we want *consumers* to dominate consumer decisions in the marketplace.

The President has built a program that will do that and I've come to Waco today to urge you to get behind him and his program.

Consumers are the deepest grass roots we have. After all, everybody is a consumer, all 200 million of us.

We must let the Congress know, both now and in November, that the country wants and demands more protection, more information and more service for the consumer.

And the country's consumers need to know who their friends are, and who they aren't. I hardly need to tell a group of Democratic women in Texas the answer to that.

Thank you.

THE PROBLEMS AND HOPES OF OAS

Mr. MONTOYA. Mr. President, the problems of the hemisphere are no longer isolated from the long-range interests of the United States. What affects our friends to the south eventually affects every citizen of the United States.

It behooves us to work through existing organizations to see to it that the people of Latin America attain a standard of living that is in keeping with their legitimate expectations. The Organization of American States is such an institution, embodying all that is hopeful for the future.

The problems of the underdeveloped world are all present in full measure in Latin America. The OAS is working effectively and diligently at solving and alleviating them. Much of its work is relatively unpublicized.

Yet such work by such an organization will solve the problems, uplift the people and channel their energies in positive directions. The OAS recognizes, as others do not, what is happening. It is in the field daily in an unceasing struggle against huge odds to win a battle we cannot afford to lose.

Sol M. Linowitz, our Ambassador and representative to the OAS, summed up the problems and hopes of the OAS in a significant address delivered just the other evening. It is well worth noting by the membership of this Chamber. I offer it for inclusion in the CONGRESSIONAL RECORD for the benefit and enlightenment of other Members.

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

ADDRESS BY AMBASSADOR SOL M. LINOWITZ, U.S. REPRESENTATIVE, ORGANIZATION OF AMERICAN STATES, AT THE CLOSING BANQUET, SECOND INTERNATIONAL CONFERENCE ON WAR ON HUNGER, WASHINGTON, D.C., FEBRUARY 20, 1968

I want to begin my remarks here tonight by congratulating you—the participants in this Second International Conference on the War on Hunger. I congratulate you because from what I have learned about your proceedings I believe I say with complete accuracy that rarely has any international conference—on any subject—had the unanimity that marked yours today.

But rather than speak about "you", I want to speak about "us" for I am both honored and delighted to be a part of this conference. I am gratified, then, that we have made considerable progress in the War on Hunger here today, if only by sharpening our focus on the many problems involved in the long-range food and population battle.

We have made appreciable progress in demonstrating that we actually *care* about the deprivations suffered by two-thirds of the human race. We have examined some of the facets of the problem; we have discussed ways of using the wealth and the talent and the ingenuity of the American people—and indeed, of *all* people—to prevent hunger and suffering in the less developed world.

We have charted a course for future action without sacrificing the need for flexibility in planning, or for contingencies which are bound to arise.

And, perhaps most important of all, we have spoken with a single voice.

It is apparent that this audience does not need to be convinced. We all know what the problems are, and we know the terrible penalty that our country—and the whole world—will pay if we fail to apply ourselves unstintingly to the problems of the War on Hunger.

Our task now is to convince others and this is no easy assignment. The trials and the concerns of 1968 are pressing and immediate. How do you convince someone to worry about what may happen in the year 2000 when he feels he will be lucky if he makes it through 1968?

Yet we *must* convince others to act on the knowledge that we possess. We must do so by sharing with them the knowledge that was so evident here today. It is true that more and more people are becoming aware of the long-range battle to stem human hunger. But this mere awareness must be transformed into a resolve to do something about it in this time of paradox in which we live—a time when we have learned to achieve most and to fear most, when we seem to know more about how to make war than how to make peace, more about killing than we do about living, a time when great achievements in science and technology are overshadowed by incredible advances in instruments of destruction.

It is a time when we recall the observation of the late Justice Robert Jackson that we fear not the primitive and ignorant man but the educated and technically competent who has it in his power to destroy the earth. We are at a time when we can send men aloft to walk the sky yet recall Santayana's frighteningly timely words that men have come to power who "having no stomach for the ultimate burrow themselves downward toward the primitive."

In such a world and at such a time, we must determine what we can do to move mankind toward peace and plenty, how we can both attain and share in the great social opportunities of our lifetime. There is no escape from facing front and asking the hard questions. We can only choose where we can best take our stand—a stand that becomes increasingly urgent as the chasm steadily widens between the "haves" and the hundreds of millions of "have-nots" in the developing world.

The gap between the so-called "developed north" and the "underdeveloped south", has been described by Barbara Ward as "inevitably the most tragic and urgent problem of our day." The tragedy is in the economic despair and emptiness that marks the lives of all too many in the developing countries; the urgency is in preventing a political reaction—a reaction that has already begun—that could be, and is, damaging international peace and security.

Our nation learned a century ago that it could not live half slave and half free. We are learning today that our world cannot live on any such basis either—more than half hungry and only the minority nourished. There is no security for anyone in such a world of injustice and resentment, a world in which the future balance of power will ultimately be decided by men and women who now go to bed hungry, and awaken to a new day of malnutrition and the pangs of slow starvation.

Not so long ago we could talk about them in comfort as a sociological phenomenon, people who required our sympathy and even our charity; but they were far away—and lacked the immediacy of proximity. They lack it no longer. Science and technology have stripped away our comfort now as surely as they have stripped away the mysteries and the defenses of time and distance.

They are no longer far off in some godforsaken jungle or even more godforsaken slum of civilization; they are a transistor's length away right down the runway. They know that we all share this planet—yet while we of the developed world share its benefits and rich years they share its deprivations and lean years.

Let's take a moment to look at them—not in millions or billions, but in microcosm. Here they are:

During the next 60 seconds 200 human beings will be born on this earth. 160 of them will be colored—black, brown, yellow, red. About half will be dead before they are a year old. Of those who survive, approximately half will be dead before they reach their sixteenth birthday. The survivors who live past 16 will have a life expectancy of about 30 years. They will be hungry, tired, sick most of their lives. Only a few of them, if that many, will learn to read or write. They will till the soil, working for landlords, living in tents or mud huts. They—as their fathers before them—will lie naked under the open skies of Asia, Africa and Latin America—waiting, watching, hoping—starving.

These are our fellow human beings, our neighbors, if you will. Is it any wonder that despair and revolt at hunger, envy and even anger over the inequality of life is the most urgent political and economic fact of our day?

If one thing is clear, it is that we must find answers, not by denying their existence, or by permitting our interest in them and their problems to swing from too much to too little and back again. For that is the way to disaster, and if we would avoid it we must master our ambivalence or it will master us.

We have now learned there is no such thing any longer as a separated or isolated area of concern; that what threatens peace and stability in one part of the world, in Latin America, the Middle East or Southeast Asia, threatens peace and stability everywhere.

Above all perhaps we have learned that hunger is a threat to the peace

—the hunger caused by insufficient food;

—the hunger of insufficient opportunity;

—the hunger of insufficient development;

—the hunger of insufficient hopes.

Knowing this, don't we have to ask ourselves again: "What is our proper role?" Don't we have to take another hard look at our foreign aid program? Can we afford the luxury of turning away from a program that has shown itself to be the most effective public policy yet devised not only to help conquer world hunger but to encourage economic growth and sufficiency in the recipient nations?

I ask this question because, with all its obvious urgency, Americans have always suffered a dichotomy on the subject of foreign aid. You may remember that at the time our founding fathers were putting together the Constitution, Benjamin Franklin asked that the sessions of the Constitutional Convention be started with a prayer each day, invoking divine guidance upon the deliberations; but Alexander Hamilton protested. The Constitutional Convention, he insisted, was not in need of "foreign aid."

This spirit of Alexander Hamilton is very much with us in 1968. For nearly two centuries later, foreign aid is still suspect in all too many quarters.

Yet for every impediment and criticism tossed at it, there is also an appreciation and understanding of its importance. In 1946, a time when the world was still emerging from the carnage of World War II, and before the inauguration of the Marshall Plan, Pope Pius XII foresaw the direction this country would take toward rebuilding world society. "The American people," the Pope declared, "have a genius for splendid and unselfish action, and into the hands of America God has placed the destinies of afflicted humanity."

And our last four Presidents—of both parties—Presidents Truman, Eisenhower, Kennedy and Johnson—have all vigorously supported foreign aid. Every Secretary of State has backed foreign aid. Every Congress since the end of the Second World War has approved a foreign aid program—although, unfortunately, in steadily lessening amounts. So despite all the outcries against wastefulness and inefficiency—and there is need for concern and most careful scrutiny—there must be a good reason for foreign aid; despite repeated attempts to stifle the program in its entirety, it must be doing something right.

For example, that remarkable experiment, the Marshall Plan, not only set Europe back on its feet, but it was the first step in the long process of proving to the Russians the overriding and exemplary strength of the market economy. It was a process which, incidentally, has now not only stabilized Western Europe but is carrying the consumer goods revolution right into Russia itself. And Europe, which not too long ago was on the receiving end of aid, now is a source of aid itself to the less developed world, an international Horatio Alger story with a moral that points up both the value and the success of our aid policy in raising the living standards through economic development.

Yet, there is still too much confusion and misunderstanding about just how much of the United States tax dollar goes into foreign aid. Let me clarify some facts: We devote only one-half of one percent of our gross national product to foreign assistance. By comparison, the United States allocated twice as much for foreign aid—$7.2 billion—in 1949, *despite the fact that our gross national product then was one-third of what it is today.*

To a very large extent, these funds are available in the form of loans which recipient nations repay with interest. In Fiscal Year 1967, for example, 49 percent of all foreign aid funds went for loans. And not to be overlooked is another factor—that our assistance also takes the form of technical cooperation, by which we send skilled professionals overseas to share their knowledge and experience with their counterparts in developing nations. If this technical assistance is to be regarded as giving, then clearly it is the giving of a helping hand, literally. And the dollars spent are, in most cases, paid to American citizens.

Obviously the United States cannot and should not do the whole foreign aid job alone. We cannot be "the stacker of wheat or the hog butcher for the whole world". Neither can we be the head banker, the chief engineer, the solitary policeman, the lonely Sir Galahad out to save civilization. We cannot, we dare not, undertake to play God. But we can continue doing what is right and necessary for us to do—our just part to assure that the prisoners of hunger, of poverty, of discrimination come out of the long shadow of social and economic injustice, that they share in the benefits of modern medicine, that they get better schooling, that they get enough to eat and become full partners in progress and full citizens of the world.

Even under the best of conditions, however, and as the needs of the developing world keep mushrooming, we can no longer fail to face up to the fact that we must reach more fundamental decisions than just how many billions of dollars worth of assistance we are prepared to make available.

Indeed, no matter how much or how little money is appropriated by Congress from year to year for our foreign aid commitments, it is still far too little to accomplish the overall desirable objective of helping the countries of Asia, Africa and Latin America help themselves to achieve full economic self-support. If this objective is to be realized, I believe, private capital must join hands with our Federal Government to make the impact of foreign aid more meaningful and more realistic.

Former President Dwight Eisenhower once said that the main problem of our foreign aid program is that it "lacked a constituency". I believe this is no longer entirely true. I think that the problem today is that the constituency is incomplete. Since the orientation of the foreign aid program under the Marshall Plan, it has moved toward economic development rather than reconstruction and rearmament, and this requires a much greater degree of long term investment.

It requires, I believe, the deeper involvement of America's business and labor communities, and those who have confidence in them, to act on the conviction that the economic growth of developing nations is a necessity to the United States, and therefore to them. Their added support is vital if foreign aid is to achieve a primary goal of encouraging international free enterprise in which the developing nations take their rightful places in the world's markets.

In evaluating foreign aid it is important that we also understand its limitations. It is not a means of buying allies or lifelong friendships for the United States; nor is it an effort to create a universal Pax Americana. Critics who claim that it does not purchase the friendship of the recipient nations therefore are exactly right. It was never intended that it should. The loyalty and gratitude of sovereign nations is not for sale—or purchase.

What are we purchasing with our aid dollars, then?

President Johnson answered that question in his Budget Message last month when he requested the Congress to appropriate $2.5 billion in new obligational authority during Fiscal Year 1969 for economic assistance to

the needy world. "Through its international programs," he said, "the United States seeks to promote a peaceful world community in which all nations can devote their energies toward improving the lives of their citizens. We share with all governments, particularly those of the developed nations, responsibility for making progress toward these goals."

In the light of the work to be done, I can but hope the Congress will heed the President's request. It is a minimal request. It is an urgent request. At stake is the bettering of the human condition. At stake is the long range security of the United States—a security that no less than the security of democracy itself depends upon a viable community of free developing nations with strong, independent economies.

But if we would speed the growth of this community, we must also speed changes in our own ways of thinking, changes perhaps, in our traditional methods of diplomacy.

Our thinking must recognize that, even in a day of "wonder drugs", "instant relief" and "miracle cures" we are dealing with nations which, economically speaking, are still centuries behind the times.

It must recognize that foreign aid, as we know, is not limited to development alone. There are the immediate problems which concern us deeply here—the problems of food and population.

And if we are to survive the population-food crisis, we must think, not in traditional diplomatic terms of influence and power, but in terms of fertilizer, new seed varieties, irrigation, pesticides, family planning, protein enrichment of diets, improved health and hygiene, farm-to-market roads, improved crop yields, bigger and better catches of fish. We must think in terms of education for the illiterate, credit for farmers so they can purchase needed farm inputs, vastly enlarged child feeding programs.

Every 10 to 15 years, our store of scientific and technological knowledge doubles. Unfortunately, we cannot say the same thing for human wisdom. And the difference between what is technologically feasible and what is politically possible may spell the difference between world plenty and mass starvation.

As of now, in 1968, the United States and the other developed nations possess the knowledge, and the technology, to solve the food-population gap. They can, at some sacrifice, amass the capital required to solve it.

But the big question remains: Have we—and the other developed and affluent nations—the will and the tenacity and the courage it will take to do so?

Are we up to waging this War on Hunger in the knowledge that it will be long and costly? Do we understand there is no guarantee that it will win friends or influence people; that it may very well, in fact, win us short term criticism and rancor? And do we understand that if the War on Hunger can be won, the human race can survive on this planet—and that is a goal worth striving for?

Happily, the prospects for averting serious famine and human tragedy are brighter than they were even a year ago. As you have heard here, new food products of high protein content have been developed. New strains of rice, wheat and corn have greatly increased the food-producing ability of land in several of the emerging nations. Intensive family planning programs have been inaugurated in 26 developing nations, and 30 more are prepared to start similar programs or have them under serious consideration. Worldwide grain forecasts indicate that the United States and the other food abundant nations will have the capacity for preventing widespread hunger at least until 1980.

We are, furthermore, on the right track. We have learned much in the past 20 years. We know what works—and, equally important—we know what won't work. We have seen the exciting progress made by countries which have "graduated" from the need for assistance from the United States, and are now well on the road to economic self-sufficiency. Above all, in the last 20 years, we have learned patience.

We have something else, too. Call it freedom, call it capitalism, call it the American way, call it the profit motive the name isn't important. What is important is that it *works*.

We have wrought something of an economic miracle in this country over the last century in agricultural production. We feed 200 million Americans and 700 million other people around the world from the abundance of our farmlands, with a mere six percent of our people. The world has never seen its like.

Alfred North Whitehead has observed that "the vigor of civilized societies is preserved by the widespread sense that high aims are worthwhile. Vigorous societies harbor a certain extravagance of objectives, so that men wander beyond the safe provisions of personal gratifications."

In our concentration on the War on Hunger, in all our foreign aid programs, we *do* have high aims. And, possibly, when we say that our task is to revolutionize agriculture throughout the developing world, and to help the effort to deal with rapidly growing population rates, we are being "extravagant in our objectives."

For we are faced with the biggest management job in history. Economic management on a global scale is the problem of channelling capital into plants to make fertilizer to exploit the newly developed strains of rice and wheat and corn. It means tailoring research to fit local situations. And it is the problem of containing human fertility within the framework of orderly growth.

We must therefore continue our programs of food aid to the underdeveloped nations until their economies become stronger. We must press forward diligently in modernizing agricultural practices in the needy nations. We must help in the effort to attain wider acceptance of family planning programs in those countries where population growth overwhelms every advance in the economy.

And, most importantly, we must demonstrate our dedication, our willingness to support—unstintingly and unceasingly—the battle against mankind's ancient enemies: hunger, poverty, disease, ignorance and despair—the battle against the starvation, the lack of opportunity, the brute conditions of life that we know must be changed for the sake of us all. For in this miniworld of giant extremes in living standards, we dare not forget that "the poorest he hath a life to live as the greatest he."

That we have done so in the past, spontaneously, as a natural reaction to the needs of our neighbors, is not only recorded history, it is a living policy—a basic philosophy that has guided the United States since World War II. It is philosophy that speaks clearly and unmistakably of America's desire for a peaceful world, one governed by the rule of law, one in which every man can live in dignity. It is this desire—one that has shaped American foreign policy for a quarter of a century—that now motivates President Johnson's policy in helping the underdeveloped world catch up with the 20th century.

And this fact adds, I believe, an essential ingredient to all the dissent and debate we hear today about American foreign policy. It tells us truly and accurately the kind of nation we are and what we are about—a nation possessed with a sense of political and social justice unmatched in human history.

And I would go further, too, and say that United States policy in fighting the War on Hunger—in every aspect of our foreign aid—is nothing less than an expression of national dissent and protest—dissent with the inequalities of the status quo and protest against the harsh cruelties of underdevelopment—a protest that will affirm and indeed utilize the tools, the procedures, and the resources we possess to help abolish poverty and injustice in all their forms. It is a protest in which I would ask all Americans to join their government.

I ask them to protest as individuals properly dissatisfied with the human conditions and seeking to improve it.

I ask them to protest against having two-thirds of humanity lead lives that are "nasty, brutish, and short".

I ask them to protest against the disease and illiteracy that affect the overwhelming mass of people.

I ask them to protest against the hovels in which millions of human beings are compelled to live.

I ask them to protest against the lack of opportunity and hope which confronts the millions on this earth.

I ask them to protest against the malnutrition that is slowly starving at least one-fourth of humanity—against babies being born retarded because mothers were starving during their pregnancy.

I ask them to protest against life as usual in the face of unspeakable human tragedy.

There is no simple answer, no magic formula that will, in a blazing flash, right all wrongs. But if we can spark a constructive program for the future—if you will, assert a protest that will build creatively for the future—then we may help prevent any future Viet-Nams and, indeed, make them anachronisms of history. For our success will show that peaceful revolution, peaceful change—*can* be the key to the future.

It can also be our answer to all the preachers of hate and violence—to all who fear becoming a good neighbor to the man in Latin America, in Africa, in Asia—or in Harlem, Watts, Newark or Detroit—to all who blindly seek shelter in a world that no longer exists. In short, it is our answer to all who want to stop the world and get off. It is our answer that we want to stay on; and that we know the best way of doing so is to become a vital part of the world and add our own contribution toward making it a little better, toward showing that we really mean what we say when we talk about the importance of democratic institutions as the answer to the challenge of our age.

This way we can prove our willingness to accept the charge of history and meet our responsibilities with the imagination and compassion befitting the wealthiest and most powerful nation on earth.

And we can do it.

INTERNATIONAL CONSERVATION SOCIETY ENDORSES LEGISLATION TO PROHIBIT IMPORTATION OF ENDANGERED SPECIES INTO THE UNITED STATES

Mr. YARBOROUGH. Mr. President, on Friday, February 16, I introduced S. 2984. A bill to prohibit the importation into the United States and the interstate shipping of endangered species. As I mentioned in my introduction of the bill, the measure is supported by conservationists all over the world. An example of this support came to my attention in the December 1967 issue of Oryx, official publication of the Fauna Preservation Society, which notes that Britain has already instituted such restraints on its own fashion market.

Sponsored by the Queen of England, and numbering among its vice presidents Prof. J. G. Baer, of Switzerland, the Maharajah of Mysore, in India, and American naturalist, author, and editor, Dr. Fairfield Osborn, the Fauna Preservation Society has as its object the saving

of world wildlife—from tigers in India to whooping cranes in Texas.

This valuable support for S. 2984 is another indication of the world's attention to the real intentions of America in the field of conservation. For this proposed legislation is one of the first proofs of our country's real attitude toward preserving world wildlife—that we are sincere enough to take these furs and hides off of our own domestic markets, in order to save them. It is an indication to the world that our international policies are determined by something higher in principle than commercial interest—and the dictates of fashion.

As the magazine Oryx notes:

It is essential that all importing countries should have such an Act if the objects (of conservation) are to be achieved.

Our country, one of the major markets for traffic in endangered species, must act now, by passing this legislation, before such species as the leopard, tiger—even the rhesus monkey—are too far gone to be saved.

Furthermore, as Oryx notes, the act would insure the safety of one of America's distinctive species—the alligator. Now caught in "the inevitable vicious circle—increased poaching, fewer animals, increased prices for skins, more poaching"—this species needs immediate protection if it is not altogether to disappear in America.

Mr. President, I ask unanimous consent that the article, entitled "Rare Animals Bill for the United States of America," be printed in the RECORD.

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

RARE ANIMALS BILL FOR THE UNITED STATES OF AMERICA

A bill to control the importation of endangered species of wildlife into the USA was introduced into Congress in the summer, by Representative John D. Dingell of Michigan, and has the enthusiastic support of all conservationists. If it is passed it will give the USA an Act similar to the British Act passed in 1964, which was promoted by the FPS and is proving a valuable tool in the control of traffic in endangered species. But obviously it is essential that all importing countries should have such an Act if the objects are to be achieved. The British Act works through a Government Committee, on which the FPS Hon. Secretary sits, which vets all applications from zoos, dealers and others to import any animal listed in the schedules to the Act. In the same way the American bill seeks to give the Secretary of the Interior power to prohibit the importation, dead or alive, of any species or subspecies, or parts of them, which he considers to be threatened with extinction after consultation with the exporting country and, when appropriate, with IUCN; exceptions for educational, zoological and scientific purposes would be allowed. The American bill also seeks to extend the present prohibition of inter-state traffic in illegally-taken wild mammals and birds to cover amphibians and reptiles and other categories; this would enable the states to stop the present very considerable traffic in the hides of poached alligators in the southern states. Hides taken illegally are smuggled into a neighbouring state from which shipment is not illegal. As a result of this widespread poaching and law evasion the American alligator has decreased to such an extent that it is now on the danger list. The inevitable vicious circle—increased poaching, fewer animals, increased prices for skins, more poaching—is now in full swing, and nothing but a well enforced legal prohibition can stop it. The price of alligator hide is now $6.50 per foot.

EXPANDING RESPONSIBILITIES OF THE STATES

Mr. TYDINGS. Mr. President, in frequent speeches both in the Senate and across the country, I have expressed my concern regarding the critical great need for State governments, and especially the State legislatures, to modernize their operations and begin to face up to the expanding responsibilities of the States, if our federal system is to be preserved. I have been very proud of the significant leadership the legislature of my own State of Maryland has demonstrated in facing up to modern State problems.

It is always heartening to report encouraging developments in this field. The Citizens Conference on State Legislatures, under the leadership of former Postmaster General Edward Day; former Kansas Governor, John Anderson; and the executive director, Larry Margolis, is beginning to make its efforts felt in various States over the country. The Council of State Governments is beginning to urge upon its constituents the necessity of intensive attention to urban affairs. The Advisory Commission on Intergovernmental Relations, in its recurring reports, points out various areas of needed improvement in Federal-State and State-local relations.

One of the principal areas of State inactivity has been in the field of long-range economic analysis and planning. In one of the first such steps taken anywhere, Jesse M. Unruh, the distinguished speaker of the California Assembly, with bipartisan assistance, has introduced legislation calling for the establishment in the legislature in that State of a joint economic committee. The bill states the following as its basic purpose:

The Legislature finds and declares that the maintenance of the policy of the State of California for full employment, maximum economic productivity and continued economic growth requires that the Legislature have available accurate and independent resources for the collection and analysis of economic information and forecasts. The Legislature further finds that provision of such economic studies and forecasts can best be achieved through the establishment of a joint legislative committee, adequately staffed with economists and other professional personnel, rather than through continued sole reliance upon the executive agencies of state government for such economic information and advice, and to that end this chapter is enacted.

I hope that the legislation in California is successful, and I hope that other States will take note of this additional major step down the road toward responsive and responsible government on the part of the legislature of our largest State.

I ask unanimous consent that the text of assembly bill 265 and introductory remarks by Speaker Unruh be printed in the RECORD.

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

STATEMENT OF ASSEMBLY SPEAKER JESSE M. UNRUH CONCERNING ASSEMBLY BILL 265, CREATING THE JOINT ECONOMIC COMMITTEE

For a number of years, during both Democratic and Republican administrations, I have been extremely concerned over the effects on the Legislature's decision-making capabilities of the way in which the Department of Finance operates and is used by the executive. For some time legislators of both parties have expressed concern over the failure of this important agency to formulate valid revenue and expenditure estimates. I am sure you recall my objections to this failure during Governor Brown's Administration. I have seen little improvement during the present Administration.

Let me give you a few examples of the difficulties which we in the Legislature have in dealing with, or trusting, the Department of Finance exclusively for fiscal data. In 1965 the Petris-Unruh tax reform bill was pending before the Assembly. On the morning of the day that bill was scheduled to be heard in the Ways and Means Committee, the then Director of Finance—by sleight of hand, or other unknown means—came up with a sudden General Fund surplus of more than $100 million which he claimed obviated the necessity for our tax reform measure. It was clear to most of us in the Legislature at that time that this new revenue "find" was designed to kill off the support which AB 2270 had generated among members of both parties.

Again, last fall, in a five-month period we saw a vaunted $210 million deficit in our Medi-Cal program evaporate inexplicably and turn into a $31 million surplus. I am sure we were all chagrined to find that we had spent the final two weeks of our four week special session talking about a program which, at that time, the Administration knew full well was fiscally sound.

Finally, several months ago the present Director of Finance called a news conference to announce that the Governor's Budget would show a $194 million surplus; in the next breath he "warned" that this was only a "paper surplus," none of which could be spent. His explanation was so clear that after 45 minutes of it, when he asked the assembled newsmen if they had any questions, the room—according to one newspaper report I saw—"erupted in laughter."

I think I need not describe more of these instances. Whatever our partisan political affiliation, we are all familiar with them.

I believe that the fiscal affairs of California are too important to be left to political manipulation by the executive branch of government. Assemblyman Veneman's Revenue and Taxation Committee took the first step toward making revenue estimating non-partisan when it insisted on an amendment in last year's tax bill requiring the Controller to audit the cash-flow information presented in the executive budget. I believe this bill is the next logical step.

Assembly Bill 265 creates a new and influential joint committee of the Legislature, called the "Joint Economic Committee". It transfers to that body all duties, functions, and staff presently under control of the Joint Legislative Budget Committee. It adds, however, numerous other important duties which are not exercised by any legislative agency.

The bill constitutes the Joint Economic Committee with the leadership of both parties in both Houses of the Legislature. It is a ten-man committee, the Assembly contingent to be composed of the Speaker, the Minority Leader, the chairmen of the Ways and Means and the Revenue and Taxation committees, and one additional member appointed by the Speaker. Under the present organization of this House, this would lead to a politically balanced Assembly contingent. The Senate half of the committee would be composed of the President pro Tempore, the Minority Leader, the chairmen

of the Finance and the Revenue and Taxation committees, and one appointment by the Senate Rules Committee.

This would be a powerful committee, capable of exerting considerable legislative influence over expenditure and revenue policies. I think everyone will concede that as effective as Alan Post's office now is—and I have always been one of the Legislative Analyst's strong defenders—the Joint Budget Committee has not been active as a committee recently.

We propose to transfer the Legislative Analyst's present duties of line-item, and program-by-program budget review to the Joint Economic Committee. I think we all agree that in this field Mr. Post and his staff have done an outstanding job. Further, the functions of that office of providing confidential fiscal information to Members of the Legislature on request, and of analyzing appropriation bills would remain unchanged.

However, this bill creates new duties within that office, duties which have never been performed and which I believe are most important to the Legislature. A principal new duty is for the committee and its staff to analyze the annual economic report of the Governor, required by law to be rendered by him to the Legislature, and to hold hearings and make a report on it. This is identical to present legislation which created the Joint Economic Committee of the U.S. Congress in 1946. It has proven most successful at the federal level in allowing Congress to gain a broad overview of the economic outlook of the country. We need to do the same thing in California. Only by knowing what the economic indicators are—what are expenditure policies of governments at local and federal levels—can we intelligently make long-term, valid expenditure and taxation decisions in the Legislature. The Governor's annual economic report now gathers dust on our shelves; I doubt if many of us have ever looked at it. This new committee duty will provide legislative scrutiny of that important report.

Other duties of the new committee and its staff include:

1. Monitoring federal fiscal policies which may have an effect upon California's economy, and the Legislature's fiscal decisions;

2. The preparation of economic forecasts, and a comparison of these independently prepared data with similar data developed by the Governor's Department of Finance;

3. Inclusion in the annual budget analysis of an evaluation by the committee staff of the accuracy of Department of Finance revenue and expenditure estimates;

4. Other vital duties of long-range expenditure projections, the development of priorities among state programs competing for funds, continuing studies of performance and program budgeting, to include cost-effectiveness studies of state programs and agencies, and a number of other specialized studies.

Let me make it very clear that in offering this legislation I do not want in any way to be interpreted as being critical of the present Legislative Analyst or his staff. I believe Mr. Post has done an excellent job. But I believe that as a responsible legislative body—and an independent one—we must do more.

Mr. Post has worked with my staff in developing AB 265 and his assistance has been invaluable. We have also consulted with other Assembly committee staff, with noted economists at our universities and out-of-state, and with the staff of the Joint Economic Committee of Congress. We have their overwhelming approval of the concept of this bill.

This is not a Democratic or a Republican bill, as the coauthors on AB 265 demonstrate. Rather, it is a measure which seeks to maintain and strengthen the independence of the Legislature to make informed policy decisions in the fiscal area. With a state budget of five and one-half billion dollars a year, we simply cannot afford—the taxpayers cannot afford—to limp along on partial information any longer. I believe this legislation will go a long way toward a responsible solution of this problem.

CALIFORNIA LEGISLATURE—1968 REGULAR SESSION ASSEMBLY BILL 265, INTRODUCED BY ASSEMBLYMEN UNRUH, VENEMAN, CROWN, AND BAGLEY, JANUARY 29, 1968—REFERRED TO COMMITTEE ON GOVERNMENT ORGANIZATION

An act to amend Section 15901 of, to add Chapter 6 (commencing with Section 10650) to Part 2, Division 2, Title 2 of, and to repeal Article 7 (commencing with Section 9140), Chapter 1, Part 1, Division 2, Title 2 of the Government Code, relating to aides to the Legislature

The people of the State of California do enact as follows:

SECTION 1. Article 7 (commencing with Section 9140), Chapter 1, Part 1, Division 2, Title 2 of the Government Code is repealed.

SEC. 2. Chapter 6 (commencing with Section 10650) is added to Part 2, Division 2, Title 2 of the Government Code, to read:

CHAPTER 6. JOINT ECONOMIC COMMITTEE

10650. The Legislature finds and declares that the maintenance of the policy of the State of California for full employment, maximum economic productivity and continued economic growth requires that the Legislature have available accurate and independent resources for the collection and analysis of economic information and forecasts. The Legislature further finds that provision of such economic studies and forecasts can best be achieved through the establishment of a joint legislative committee, adequately staffed with economists and other professional personnel, rather than through continued sole reliance upon the executive agencies of state government for such economic information and advice, and to that end this chapter is enacted.

10651. There is hereby created a permanent joint committee of the Legislature, to be known as the Joint Economic Committee. The committee shall be composed of ten members, five of whom shall be Members of the Assembly and five of whom shall be Members of the Senate. The Assembly members shall consist of the following: the Speaker of the Assembly, the Chairman of the Asembly Committee on Ways and Means, the Chairman of the Assembly Committee on Revenue and Taxation, the Minority Leader of the Assembly, and one Member of the Assembly appointed by the Speaker. The Senate members shall consist of the following: the President pro Tempore of the Senate, the Chairman of the Senate Committee on Finance, the Chairman of the Senate Committee on Revenue and Taxation, the Minority Leader of the Senate, and one Member of the Senate appointed by the Senate Committee on Rules. The chairman of the committee shall be elected biennially from among the membership of the committee by a majority vote of each house's delegation on the committee.

10652. The Joint Economic Committee shall, on the effective date of this chapter succeed to all powers, duties, and functions of the Joint Legislative Budget Committee.

10653. The Joint Economic Committee shall by a majority vote of its members from each house, appoint an executive director and fix his compensation. The executive director shall, on the effective date of this chapter, succeed to all powers, duties, and functions of the Legislative Analyst.

10654. The executive director shall, subject to approval by the committee, appoint technical and clerical staff necessary to assist him in the performance of his duties. At least two members of the staff thus appointed shall be professional economists, experienced in economic forecasting.

10655. The Joint Economic Committee shall have the following general duties and responsibilities:

(a) The committee shall analyze the annual economic report of the Governor, employing public hearings and staff analysis, and shall submit a report on the economic report as provided in Section 15901. The committee shall include in its report any recommendations for legislative action at both the state and federal levels which it may deem necessary for the continued economic health of the state.

(b) The committee shall monitor federal legislation and federal executive decisions which may have an effect upon the state's economy, and its growth and development. The committee may arrange for representation by the California Legislature before federal agencies and the Congress, where it deems appropriate.

(c) The committee shall prepare economic forecasts and related data, and shall compare such data with similar information prepared by executive agencies of state government and contained in the Governor's Budget and economic report. The committee's annual analysis of the Governor's Budget shall contain an evaluation by the executive director and his staff of the accuracy and adequacy of the revenue estimates and forecasts of state economic activity and other pertinent information contained in the Governor's Budget.

(d) The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the state budget, the revenues and expenditures of the state, the organization and functions of the state, its departments, subdivisions, and such other matters as may be provided for in the Joint Rules of the Senate and Assembly.

(e) The committee shall study and periodically report on the subjects of long-range expenditure and revenue planning and policies.

(f) The committee shall present appropriate economic and budgetary data on the various state programs, such that the Legislature may develop priorities among programs competing for state funds.

(g) The committee shall conduct continuing studies of program and performance budgeting systems, and shall undertake periodically to evaluate the cost-effectiveness of state programs and agencies.

(h) The committee may undertake other special studies, including but not limited to:

(1) Studies of state, debt management

(2) Studies of state-federal-local fiscal relations

(3) Studies of state economic growth, where it can be influenced by the decisions of state government

(4) Studies of the efficiency of state government operations within the several agencies.

(i) The committee shall, in its deliberations and investigations, give particular attention to the impact of scientific and technological advances upon the conduct of state programs and upon the state's economy.

10656. The Joint Economic Committee shall have the power to appoint subcommittees from among its membership to be composed equally of members from each house of the Legislature; to conduct hearings within the state on problems within its jurisdiction; to issue subpenas where necessary to compel the attendance of witnesses; and to compel the cooperation of state executive agencies in conducting its business.

10657. The committee has a continuing existence and may meet, act, and conduct its business at any place within this state, dur-

ing sessions of the Legislature or any recess thereof, and in the interim period between sessions.

10658. The provisions of the Joint Rules of the Senate and Assembly relating to investigating committees shall apply to the committee and it shall have such powers, duties, and responsibilities as the Joint Rules of the Senate and Assembly shall from time to time prescribe, and all the powers conferred on committees under Section 11, Article IV, of the Constitution.

SEC. 3. Section 15901 of the Government Code is amended to read:

15901. (a) The Governor, utilizing his staff and the resources of state agencies responsible to him in preparation thereof, shall transmit to the Legislature not later than the 30th calendar day of each regular session an economic report setting forth:

(1) The rates and levels of employment, production, income and purchasing power obtaining in the state and needed to carry out the policy of full employment;

(2) Current and foreseeable trends in the levels of employment, production, income, and purchasing power;

(3) A review of the economic program of the state and its political subdivisions, as affected by economic decisions and policies of the federal government, and a review of economic conditions affecting employment in the state or any considerable portion thereof during the preceding year and of their effect upon employment, production, income, and purchasing power;

(4) A program for carrying out the policy of full employment, together with such recommendations for legislation as he may deem necessary or desirable;

(5) A statement of economic forecasting data designed to indicate future state revenue needs, assuming existing expenditure levels of state government, and a similar statement, assuming any proposed increases in expenditures recommended by him.

(b) The Governor may transmit from time to time to the Legislature reports supplementary to the economic report, each of which shall include supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy of full employment.

(c) Upon receipt of the annual economic report of the Governor, the Joint Economic Committee shall conduct public hearings on the substance of the report, and no later than 45 days after receipt of the Governor's report the Joint Economic Committee shall issue a report on the economic report of the Governor. Such report shall include recommendations concerning the accuracy of the economic information contained in the Governor's report, together with any recommendations concerning the Governor's report which the committee may wish to make.

LEGISLATIVE COUNSEL'S DIGEST

AB 265, as introduced, Unruh (G.O.). Joint Economic Committee.

Amends Sec. 15901, adds Ch. 6 (commencing with Sec. 10650), Pt. 2, Div. 2, Title 2, and repeals Art. 7 (commencing with Sec. 9140), Ch. 1, Pt. 1, Div. 2, Title 2, Gov. C.

Creates Joint Economic Committee of Legislature to, among other things, analyze the economic annual report of the Governor, monitor federal legislation and executive decisions affecting the state's economy and growth and development, prepare economic forecasts and related data, evaluate accuracy and adequacy of the revenue estimates and forecasts contained in the Governor's Budget, evaluate cost effectiveness of state programs, study impact of scientific and technological advances on state programs and its economy, and conduct various other kinds of studies.

Abolishes Joint Legislative Budget Committee and transfers its functions to Joint Economic Committee.

Vote—Majority; Appropriation—No; Fiscal Committee—Yes.

ESTONIA COMMEMORATES 50TH ANNIVERSARY OF INDEPENDENCE DECLARATION

Mr. BOGGS. Mr. President, on Saturday, February 24, Estonia commemorates the 50th anniversary of its declaration of independence.

This day is of importance to Estonians everywhere, but especially to those still living in their homeland, which is now controlled by the Soviet Union.

In years past we have often heard the United States and other Western nations criticized by Communist countries for practicing colonialism. Soviet Russia overlooks its occupation of Estonia, which is certainly colonialism of the most obvious sort.

Not only Estonia, but Latvia and Lithuania, as well, were occupied by the Soviet Union in 1940.

Both the United States and the Soviet Union have talked about the principle of self-determination. But we have given and are giving evidence of our belief in the principle. Russia has an opportunity to do so, but has not acted.

Hopefully, the focus of world attention on Russia's occupation of Estonia and her small sister countries will help bring about the day when these countries can again assume their rightful roles as independent nations.

ESTONIAN INDEPENDENCE DAY SPEECH

Mr. LAUSCHE. Mr. President, we pause today to commemorate an anniversary which represents an important moment in the history of self-determination for all peoples. Fifty years ago today, February 24, 1918, the Baltic Republic of Estonia proclaimed its independence after almost two centuries of Russian rule.

Estonia refused to see its national identity erased from international memory. Seizing the opportunity for freedom offered by the unstable situation which resulted from World War I and the Russian Revolution, the valiant Estonians declared their independence. For two decades the flame of freedom burned brightly in Estonia. Under a democratic republican government the country flourished. Economically, culturally, and socially this small Baltic land prospered and advanced.

The forces of aggression which have been so unkind to Estonia unfortunately did not remain dormant. In 1939 the flame of Estonian freedom began to flicker as the Soviet Union once again encroached upon Estonian sovereignty using the Mutual Resistance Pact as a pretext. A year later the torch of liberty was snuffed out and Estonia became a Soviet Socialist Republic.

To this day, the American Republic has not forgotten the grand years of Estonian independence. The tragedy of Estonia will be remembered as long as the cause of freedom and the principle of national self-determination stand as the cornerstones of the international community.

OVERLOOKED ASPECTS OF CRIME PROBLEM

Mr. BREWSTER. Mr. President, the distinguished president of the County Council of Montgomery County, Md., Mr. William Greenhalgh, recently gave a speech about crime before a unit of the Health and Welfare Council of the metropolitan area.

Mr. Greenhalgh's remarks deserve attention. They bring to light a number of aspects of the crime problem in this area that are largely overlooked.

Among other things, Mr. Greenhalgh recommends that the Council on Law Enforcement of the District of Columbia be reactivated. Congress created this Council in 1953 "to make a continuing study and appraisal of crime and law enforcement in the District" and to "make a report to the Senate and House of Representatives at the beginning of each regular session of Congress."

As Mr. Greenhalgh points out, the Council performed well, for a time. It served as the mechanism for coordinating crime control and prevention activities within the District of Columbia.

In recent years, however, as Mr. Greenhalgh says, the Council has confined its activities to occasional comments on legislation pending before the Congress.

I agree with Mr. Greenhalgh that the Council on Law Enforcement should be reactivated and that similar councils should be established in the major suburban jurisdictions.

Mr. Greenhalgh is well qualified to speak on this subject for several reasons. Besides serving as president of the Montgomery County Council, he is a distinguished lawyer and codirector of the legal internship program of the Georgetown University Law Center. I ask unanimous consent that his speech before the Health and Welfare Council be printed in the RECORD.

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

I doubt that I will surprise you when I begin by stating my belief that the United States is now facing one of the most serious threats to its existence since the Civil War.

Crime and delinquency have become a nationwide sociological epidemic. The cancer's history has been well documented by every major newspaper and in most leading periodicals. Take, as an example, some of the story titles in last Sunday's *Washington Post:* "$600 Stolen From Fuel Firm," "Alexandrian Shot During Argument," "Chief, Officer Beaten in Brawl Outside Bar," "Police Seek Slaying Lead."

On a national basis, the rates for crime and delinquency are growing over six times faster than the population rate. To bring the problem a bit closer to home, several years ago the F.B.I. conducted an extensive survey of crime in seven similar metropolitan areas located in the northeastern portion of the country. The Washington, D.C. Standard Metropolitan Statistical Area topped the list with an annual rate of 2,073 major offenses per 100,000 inhabitants. In the same survey, the Pittsburgh metropolitan area registered only 1,101 offenses per 100,000 inhabitants;

the Baltimore area, 1,589. Only the urban complex which includes Newark, New Jersey came close to challenging our region for the lead.

Many conditions can be cited as factors contributing to the high crime rate of the Washington area. The density and size of our population is one factor. The population's age composition, its economic status, its high degree of mobility and its percentage of unemployed all exert upward influences.

As citizens who live and work in the National Capital Region, we are all, naturally, concerned about our crime and delinquency dilemma. But concern alone is not an acceptable response from the people in this room. You, as representatives of the Health and Welfare Council and as officials of the organizations represented on the Council, and I, as a local elected official, have the responsibility for doing something about this problem.

In short, we who form the Crime Control and Prevention Establishment are at a major crossroad. The challenge has been well defined; the need for a bold, imaginative new offensive against disorder and lawlessness cannot be questioned; the responsibility for this action is ours.

In February of 1967, the President's Commission on Law Enforcement and Criminal Justice released its report, "The Challenge of Crime in a Free Society." This report and the thousands of pages of task force studies that go with the basic document form the most comprehensive catalogue of this nation's crime and delinquency problems and possible solutions that has ever been produced.

In December of 1966, the President's Commission on Crime in the District of Columbia submitted its report, one of the most complete, in-depth studies of crime ever prepared for a single city.

To our collective credit, most of us have read these reports; many of us have made an effort to evaluate our individual areas of responsibility in the light of these reports; some of us have made conscientious efforts to implement recommendations contained in these reports in the agencies that we direct.

To our collective discredit, most of us have conducted our activities in a vacuum, without regard for what other segments of the crime prevention and control system were doing; some of us have participated in the noble rhetoric, but have not let our words affect the status quo of our organizations.

Many different types of agencies have a role in the process of crime prevention and control. The National Commission on Law Enforcement and Administration of Justice pointed out that, "The prevention of crime covers a wide range of activities: eliminating social conditions closely associated with crime; improving the ability of the criminal justice system to detect, apprehend, judge and reintegrate into their communities those who commit crimes; and reducing the situations in which crimes are most likely to be committed."

The overall effectiveness of the whole crime prevention and control system depends on the effectiveness of its individual components—the police forces, the courts, the correctional institutions, the poverty and welfare programs. The effectiveness of the individual components depends, at least partially, on the ability of that component's staff and directors to understand their role in the whole system.

In other words, there must be communication and coordination among the police, the judges, the prosecutors, the public and private social agencies, the corrections people and most importantly, between these agencies and the general public in each of our local governmental jurisdictions.

In 1953 Congress created the Council on Law Enforcement of the District of Columbia. The Council had a statutory composition of 15 persons: President of the D.C. Board of Commissioners, Chief of Police, United States Attorney, Corporation Counsel, representatives from the areas of corrections and parole, designees of the District Court, Court of General Sessions and Juvenile Court, other public officials, and representatives of the District of Columbia Bar Association, Washington Bar Association, and Washington Criminal Justice Association. Congress instructed the Council to "make a continuing study and appraisal of crime and law enforcement in the District," and to "make a report to the Senate and the House of Representatives at the beginning of each regular session of Congress."

For a time the Council performed its duties well. It served as the mechanism for coordinating crime control and prevention activities within the District of Columbia.

In recent years, however, the Council has confined its activities to occasional comments on legislation pending before the Congress.

The Council on Law Enforcement should be reactivated. It should be given adequate staff, and it should be recharged with the responsibility for coordinating the activities of the crime control and prevention system in the District of Columbia. Similar Councils should be established in the major suburban jurisdictions.

I have been pleased with the success of Montgomery County's Law Enforcement and Criminal Justice Commission which is the coordinating mechanism in our area. This type of intergroup exchange is absolutely essential to any effective local crime prevention and control effort.

I would like to comment briefly on one other aspect of the crime and delinquency situation—the regional aspect.

Approximately 15% of all persons arrested by area law enforcement officers for all criminal acts, excluding traffic, are nonresidents of the communities in which they were arrested. Of this 15%, two-thirds were resident within the Washington Standard Metropolitan Statistical Area, but in a community other than the one in which they were arrested.

Criminals operate on an interjurisdictional basis because there is less of a chance of apprehension. It is extremely difficult to trace a stolen color television set from Montgomery County that is found in a District outlet store to a Northern Virginia thief.

The Public Safety Policy Committee of the Metropolitan Washington Council of Governments, that I chair, has the responsibility for developing programs at the regional level for dealing with this type of problem.

Again, as at the local level, the problem is one of communications and of coordination of efforts. Again, many different types of agencies have interests and responsibilities in the solution of the problem.

The Council of Governments is a voluntary association of the 15 major local governments which collectively comprise the Washington Metropolitan Area. My Public Safety Policy Committee is composed of one elected official from each of the 14 member suburban governments in the Council and one of the Presidentially appointed District of Columbia city councilmen.

Under the Policy Committee's guidance, a number of significant regional crime control and prevention programs have been initiated:

The Council has formed a Regional Police Chiefs' Committee which has, in turn, formed standing subcommittees concerned with such problems as interjurisdictional communications, intelligence exchange and investigative activities.

The Police Chiefs' Committee has initiated regional police teletype and radio systems which make possible the rapid exchange of information among law enforcement units.

The Council of Governments is now working with the Metropolitan Police Department (D.C.) to develop an area-wide computerized police information system.

The Council has asked the U.S. Congress and the Maryland and Virginia General Assemblies to adopt enabling legislation which would allow area local governments to enter into police mutual aid agreements.

So far, the Council of Governments' crime prevention and control activities have been confined, primarily, to the law enforcement field. We hope to soon receive a grant from the U.S. Department of Housing and Urban Development which will allow us to explore the desirability and feasibility of developing the same type of voluntary cooperative arrangements in the criminal justice and correctional areas.

I mentioned earlier that we of the Crime Control and Prevention Establishment have reached a major crossroad, have had the challenge well defined for us and have the responsibility for finding solutions to these problems.

I believe that our local institutions—public and private—will master these challenges. If I did not, I would not be here today.

A BRISK MARKET IN DIRT?

Mr. LONG of Missouri. Mr. President, the Kansas City Times of Thursday, January 25, 1968, contains an editorial entitled "A Brisk Market in Dirt?" The editorial tells of a new company which will begin operating in Britain next month. This company, called Records Research Index, intends to accumulate data on employees of companies subscribing to the Index; and will include statements of their loyalty, integrity, and the reasons for any past dismissals. According to the Kansas City Times:

The Index will be especially interested in any suspicion of dishonesty—however, circumstantial—and whether or not the employee ever was prosecuted.

The Kansas City Times editorial draws the analogy between this new company and the proposed National Data Center, where all the available information on every living American could be stored in the memory bank of a computer "ready to leap forth at the touch of a button."

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:

A BRISK MARKET IN DIRT?

There's a nasty sound to it—this new company which will begin operating in Britain next month. Its name, Records Research Index, is an innocuous cover for the service the firm intends to provide.

In effect, the Index will hire out as a sort of co-op private detective for subscribing employers, accumulating data on employees in the member firms, including their loyalty, integrity and the reasons for past dismissals. The Index will be especially interested in any suspicion of dishonesty—however circumstantial—and *whether or not the employee ever was prosecuted.*

Should an employee fired by one Index subscriber turn up later in the personnel office of another subscriber, the Index will produce a dossier on the fellow for a mere 10 shillings, or about $1.20. Since the exchange presumably would be confidential, the luckless applicant would have little opportunity to prove wrongful damage, or even to defend himself against questionable allegations. Other basic questions are raised. What, for example, are the objective yardsticks of "loyalty" and "integrity"? What is to prevent a spiteful employer, angered by a man's resignation, from declaring that he "suspects" the worker had been stealing?

In theory, there is a neatness and efficiency about the plant. It calls to mind that recurring proposal in this country for establishment of a national information center, where all the available information on every living American could be stored in the memory bank of a computer, ready to leap forth at the touch of a button. Handy? The bureaucrats might find it so. So might anyone with access to that button and a reason to manipulate the masses.

There is, beyond doubt, a dehumanizing effect in the growing numbers and complexity of our society. And unquestionably this would be a better world if man knew more about himself and about his fellows. But not the kind of things that the Records Research Index is prepared to sell.

TRUTH IN PACKAGING

Mr. HART. Mr. President, as might be expected, I view the progress agencies have made in implementing the Fair Packaging and Labeling Act like a father watching his son take his first step—the impatience is great for the day he will be running with the touchdown pass.

But, even allowing for my personal bias, I would sum up progress in the 14 months since Congress approved the law as good to fair.

Friday many of us were happy to hear from the Department of Commerce that two industries thus far have agreed to cut the number of sizes in which their products are packaged. Consumers can look forward soon to finding salad oil and instant coffee in half the number of sizes now on supermarket shelves.

While I expect this to be of great help in price comparisons, I think the industry and Commerce have managed to agree on sizes which will fit the convenience and needs of consumers. This is indeed good news.

We grew very familiar during the hearings on truth in packaging with the 6-ounce jar of instant coffee which shrank to 5 but still looked like 6—and sold for the same price. The shift to 2-ounce graduations should rid the marketplace of that problem.

Also the Department of Commerce tells us that about 50 other industries are considering new size standards so consumers can hope that now the pipeline has been primed we can expect a gush of standards instead of the trickle thus far apparent.

The Food and Drug Administration also has been doing a good job with the law—especially considering the obstacles Congress put in its way. This was the only one of the three agencies charged with administering the law which received no funds for the work last year.

As a matter of fact, the House Committee on Appropriations cut the FDA request and instructed the agency to give low priority to work on packaging standards.

But Commissioner James L. Goddard—and greatly to his credit—managed to shift a handful of men from other duties and thus work has been done.

With the cooperation of the food industry, FDA has worked out the kinks for labeling all food products in conformity with the law and those labels should be on most items before the end of the year.

The road does not look so smooth for labeling of drugs and cosmetics. Unfortunately, I understand these industries have filed many objections to proposed labeling regulations and show less desire to be cooperative. If these industries insist on exploiting all legal avenues open to them as a means of frustrating regulations, they may well escape coverage of the bill for years.

This would be most unfortunate.

Also the outlook is dim for FDA to proceed to what are really gut sections of the law—establishing regulations governing slack fill of packages and cents-off offers.

A request for $43,000 to handle this work has been filed by FDA this year. Without it, they report they could not proceed with the next steps.

Indeed, it would be a great disservice to the consumers we serve if Congress denies FDA these funds.

The progress report from the Federal Trade Commission is less encouraging. Progress has been slow—painfully slow—and while I understand some of the problems involved, I hope they can soon be overcome.

As this body knows, the Fair Packaging and Labeling Act contains a provision preempting State laws which are "less stringent than or require information different from" this law. This preemption—especially for FTC actions which do not have the history of food labeling could hinder State enforcement. The preemption clause was not in my original proposal but it was approved by Congress.

Fortunately, the FTC and its chairman have blueprinted a program which offers promise of a solution to the potential enforcement gap.

Under the leadership of Chairman Paul Rand Dixon, FTC has initiated a program of active cooperation with State officials in the development of required regulations and in the establishment of enforcement procedures under Fair Packaging and Labeling Act.

Proposed regulations—drafted in cooperation with the States—were published last June with comments accepted until September. Unfortunately, the final regulations have not yet been published. It is my understanding that State officials will confer with the FTC next month. Hopefully, after that meeting we can get the final regulations so this agency can catch up.

There are some other regulations I had hoped for—those governing cents-off offers. Although the Packaging and Labeling Act gives regulation of these offers on food products to the FDA, considering previous work by FTC under its traditional authority, I had hoped we would have regulations by now. But they have not yet appeared.

In summary, Mr. President: truth in packaging is taking its first hesitant steps. Hopefully, soon it will be going top speed. This has been a long 7 years.

Congress can do its part by approving the appropriations needed for agency implemenation. Certainly the Nation's consumers are hoping we will all bear this in mind at the proper time.

REMARKABLE ACCOMPLISHMENTS OF DR. SAM MUKAIDA

Mr. INOUYE. Mr. President, the good works accomplished in foreign lands by American citizens often go unheralded and unnoticed.

I am, therefore, pleased to share with you an article published by the Mainichi Daily News, the leading Japanese newspaper, telling of the remarkable accomplishments of Dr. Sam Mukaida.

Dr. Mukaida is a former resident of the State of Hawaii and a graduate of the University of Hawaii. He is currently employed as the chief of the Cultural Centers Branch of the Public Affairs Department of the U.S. Civil Administration of the Ryukyu Islands.

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:

[From the Mainichi Daily News, Nov. 26, 1967]

DR. SAMUEL MUKAIDA

(By Stuart Griffin)

There was a time when this modest, soft-spoken little man was mistaken for other than who and what he was, and is. This was at a party when, responding to those who encouraged him, the small Hawaiian donned kimono and, without too much difficulty, stepped into another role, a convincing personification of Japan's Emperor Hirohito.

Before that, and after that bit of histrionics, he was and is, just Sam Mukaida, Dr. Sam Mukaida, the very much beloved, simple and dedicated gentleman who is Chief of the Cultural Centers Branch of the Public Affairs Department of USCAR, the US Civil Administration of the Ryukyu Islands.

Dr. Sam, for all his good works and unbending efforts, is known to many, Okinawans and Americans alike, as "Mister Okinawa."

His has been a life of lights and shadows, of much success, of bitter tragedy, an uphill life, lived resolutely, effortlessly, quietly, and with strength.

He was born in Kona, Hawaii, and attended the University of Hawaii before journeying on to continue his education in New York, working his way through Columbia University. Sam majored in curriculum and teaching, and specialized in audio-visual and fine arts education. His Ph. D. was earned at Columbia.

He was in Truk, in the Trust Territories with his wife, Marietta, toward the end of a two-and-a-half-year stint there, when tragedy struck. His wife, mother of the two boys, Allen (now 17) and Donald (now 16) gave birth to Nathan (now 13). She died during that last birth and plunged Sam and his family into grief. Twelve years ago he found himself in Japan, for two years. He was active in independent research on higher education and he was, also, as he says frankly, "on the lookout for a job." He found one, in

Okinawa. Doctor Sam had been active on Truk as an education specialist. There he had taught the mid-Pacific natives how to utilize the by-products of copra, making coconut ukuleles, spear fishing with hinged barbs, casting lead sinkers and furniture from coconut logs. He was to give fuller vent to his unique artistic energy in his work with the Ryukyuans on Okinawa. His fluency in Japanese, too, was to stand him in excellent stead. A singer in his own youthful days, a cellist in his school orchestra, Dr. Sam quite naturally became immediately interested in developing Okinawa's talents musically, chorally, orchestrally. He developed the Okinawa Children's Junior Chorus, the Women & Home Life Chorus and the Naha Philharmonic Chorus that took fifth place in a Japan-wide contest, held in Wakayama, in 1966.

Sam developed the concept of national centers—at Koza, at Kadena, on Zamami Island, and at Itoman, this just recently completed. The museum at Shuri, the government of the Ryukyus Museum, is a cherished project initiated by this big little man, and so was the development of community libraries, as he calls a "new concept of library as a community center."

Sam Mukaida also organized the Okinawan Women's Advisory Committee to his various Cultural Centers, and he was first and foremost, too, in developing the Ryukyuan American Friendship League, with its year-round program of basketball, baseball, track and field, swimming, and soccer introduced five years ago—and with gymnastics starting up next year. "This League," explains the little gentleman whose Ph. D. thesis was on a solid "Plan for Establishment of an Audio-Visual Productions Center in the Hawaiian Islands," "is now restricted to the high school level, but we want to broaden it to include elementary and junior high school levels, as well."

The man whose name translates into English as, "Over the Rice Paddies," has now rounded out 10 years on Okinawa, as he explained on this latest of many official trips to Japan. He is the only non-Ryukyuan in his entire vast program that relies on a total of 66 Okinawan men and women—30% veterans of training and orientation in the U.S.—for its overwhelming success.

There are five Cultural Centers in the Ryukyus—at Naha, at Ishikawa, at Nago, and on the major offshore Ryukyuan Islands, Miyako and Yaeyama. The man who established the Ryukyuan International Art League, the Okinawan Symphony Orchestra, the Okinawa Library Association, says what he does as a Public Information Office with USCAR. "I work with the cultural centers; with guiding and assisting those individuals and organizations interested in literary work, museum work, music, cultural properties, arts and handicrafts, youth's and woman's activities, and Ryukyuan-American community relations programs; with intercultural exchange activities, and, generally speaking, with planning, directing and supervising those activities which accomplish the objectives of the Office of the High Commissioner." I try to promote, he adds—and surely the success of his efforts can be viewed on all sides—"a knowledge, understanding and appreciation among Americans stationed in the Ryukyu Islands of the Ryukyuan people, their culture and their way of life. I also try to promote the Ryukyuan people's knowledge of, and pride in, their own culture." His is a world of libraries, film service libraries, adult education programs, exhibits, recreational and musical and sports programs, Japanese and English language teaching programs, drama groups, lectures, film shows, book deposits, mobile Cultural Center activities, discussion groups and, above all, hard, concentrated, effective work. The man, who, with his second wife, Yoshi, from Okinawa, has added two boys to the family in Frank (18 month) and William (3 months) builds his own home in Okinawa today, in the Ameku area of Naha.

"Well over 3.1 million people participated in our cultural affairs programs last year," says Dr. Sam, known far and wide as "Mister Okinawa" because of his many articulate TV appearance explaining the multi-faceted Ryukyuan culture, "and as they say, why change a winning game? Why not stay and see the number rise year by year, especially when my idea of a multipurpose cultural center is taking such broad effective shape as it is."

LEWIS WOODS BAILEY GAVE DEDICATED SERVICE TO THE U.S. SENATE

Mr. RANDOLPH. Mr. President, I know that Senators share my sorrow in the recent death of Mr. Lewis Woods Bailey.

Bill Bailey, as he was known to many of us, served with great distinction as an employee of this body for more than four decades.

He came here as a messenger on December 7, 1916, and, with a few breaks in service, served until his retirement in 1961. From December 29, 1929, until 1961, a period of more than 30 years, he served as the executive clerk of the Senate.

Bill Bailey was a loyal and dedicated public servant. He was careful, methodical, and meticulous. He was invariably the first to arrive at his office in the morning and the last to leave at night. He retired from the Senate only when failing health precluded his continued devotion to duty. His service was always deeply appreciated by Senators.

Many of us have known Bill's wife, Frances Thibedeau, who was a Capitol guide for many years. I knew her when I first served in the House of Representatives, and I feel that many of us in this Chamber remember her very affectionately. I extend to her my sincere sympathy.

THE NUMISMATIC NEWS ENDORSES MOUNT RUSHMORE DOLLAR BILL

Mr. MUNDT. Mr. President, I recently introduced S. 2823, a bill which would direct the Treasury Department to include on the back of the U.S. $1 bill a reproduction of Mount Rushmore. Numismatic News, in its February 20 edition, has given strong endorsement to this proposal.

Numismatic News is published every other week at Iola, Wis., by Krause Publications, Inc. Chester Krause is the publisher. The publication refers to Iola as "the Coin Collectors' Capital."

Numismatic News is a widely circulated and highly respected publication among numismatists and its editorial comments about Mount Rushmore are, I believe, significant in presenting an important and valued opinion on the proposed legislation from a particular group of our citizens who have a great interest in this subject.

Mr. President, I ask unanimous consent to include in the RECORD the editorial from Numismatic News and also an interesting editorial from the Devils Lake, N. Dak., Journal.

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

[From Numismatic News, Feb. 20, 1968]

Carried on the news pages in our last issue was the report of a pair of bills being introduced in Congress which would command the Treasury Department to adopt a depiction of Mount Rushmore as the central device on the back of our $1 notes. This bill represents the most worthy currency proposal we have seen offered on the Hill in many a moon.

While the primary function of any currency is to serve as a media of exchange, it also can and should perform as an image projector. This is especially true in the case of American currency, the most widely respected, circulated and accepted media of this or any other age. Unfortunately, our one dollar bill, our most widely recognized and used unit, is performing a less than complete job in this regard.

Although the portrait of Washington on the face of the note is known to every citizen, and to millions who are not citizens and know little of our history, such is not the case with the back. When you turn the bill over the American image goes flat; the Great Seal and the word "one" evoke neither patriotic impulse nor national pride.

Is there a valid reason why this situation should not be rectified immediately? We think not. First off, the proposal as presented does not call for the abandonment of anything, rather it calls for an addition to. It is not proposed that Mount Rushmore replace the present Great Seal devices, instead it is offered that it be used in conjunction therewith.

So much for the traditional consideration. What would be the value of change to the numismatist? Perhaps the average collector of paper money could not immediately answer this question, as instead of being accustomed to the beautiful vignette presented on many higher denomination notes he has been restricted to one dollar bills. From the time this denomination was introduced in 1862, its treatment has been rather bland, with a few exceptions . . .

A change of the substantial significance proposed would undoubtedly have a solid and lasting effect on the collecting of paper money, and this would be good for all hobbyists, not just "rag pickers." For many years the collecting of paper was pretty much struggling along on one cylinder. Today it is steadily gaining momentum. How is it that a much greater following has been developed almost overnight? While there can be no doubt that there are many factors which have influenced the situation, there is little question that the most important were two relatively slight changes in our currency. The introduction of one dollar notes from each of the 12 Federal Reserve Districts, and the addition of the motto to all denominations.

If one dollar bills can be beautified they will be more appealing to the collector, many converts thus will be added to the roll of "rag pickers," and the entire hobby will benefit. Accordingly, it is the duty of every collector to write his Representative, Senators and the chairmen of the Senate and House committees on Banking and Currency, urging them to favor Senator Mundt's bill (S. 2823) and a companion measure offered by Representative Berry (H. Con. Res. 607), calling for the depiction of Mount Rushmore on the back of our $1 notes.

[From the Devils Lake, (N. Dak.) Journal, Feb. 15, 1968]

BOLSTERING DOLLAR?

Sen. Karl Mundt of South Dakota wants to put a picture of his State's prize tourist

attraction, the Mt. Rushmore memorial, on the back of the U.S. dollar bill.

Certainly nothing could be wrong in having the faces of four presidents grace the dollar. It does seem quite a comedown, however, for President's Washington, Jefferson, Lincoln and Roosevelt.

Determined worthy to have their faces hewn in living rock, is it fair now to imprint them on something as impermanent and unreliable as the $1 greenback?

But is is said the dollar needs more solid backing. And nothing is more solid than the four gentlemen at Mt. Rushmore. Mundt seems to have a point.

THE PROBLEM OF UNION VIOLENCE

Mr. FANNIN. Mr. President, columnist Victor Riesel is one of the outstanding observers and reporters in the labor field today. He recently wrote a column which puts the finger squarely on the problem of union violence.

Mr. Riesel himself is a victim of union recrimination tactics, having lost his sight in an acid-throwing incident some years ago sparked by his incisive reporting of hoodlums in the labor movement. Needless to say, he still places himself in jeopardy every time he points to the flaws of big labor. Still, his courage does not flag and he continues to "call 'em as he sees 'em."

I ask unanimous consent that Mr. Riesel's column relating to the present and growing problem of labor violence be printed in the RECORD.

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

RECORD OF LABOR VIOLENCE IN UNITED STATES OLDER BUT AS BLOODY AS RACE RIOTS

(By Victor Riesel)

WASHINGTON, D.C.—Sometimes this home front is as raw and violent as far-off firing lines.

These are uncivil disorders, deliberately planned, and have no relation to the passionate violence of our inner cities. The violence started long before the urban explosions and has continued long since the last urban burnings.

It is the violence, the shootings, the beatings of men which occur with fantastic coincidence during strikes and "labor disputes" on a wide front, stretching from coal and steel country into the heart of such megalopolises as New York, St. Louis and the San Francisco Bay area.

So much property has been damaged, so many men have been beaten (one even killed), so many homes have been given the Molotov cocktail treatment, so many hundreds of other instances of strike-time violence are in Justice Department files and so many national labor and civic leaders are unaware of local violence, that it's most certainly time to turn on the spotlight and the heat.

The other day, on returning from Pittsburgh, I crossed territory that appears never to have lifted litself out of the roaring, dynamite-laden '20s.

Meaning no disrespect to the lonely 88-year-old John Lewis, the report nonetheless is that his miners still rove in packs of hundreds. Their picketing and demonstrating still are paralleled by violence.

No one knows who starts anything. But on Jan. 30 one opposition union hall in Clymer, Pa., burned during the latest coal diggers upheaval. One opposition union official was dragged from his car, which the assailants had the forethought to tip over first.

There was also some mysterious burning of mine operators' property. Not too long ago in the same area, four opposition miners were pulled out of their car and mauled.

Yet, this is 1968—not 1928. But this era of moon landings appears not to have left any civilized touch on many areas outside the coal fields.

In New York and California, for example, there have been 17 "incidents" involving officials of the Radio Corporation of America (RCA). By some weird coincidence, RCA has had difficulty with a division of the Teamsters' new labor federation.

No one knows who did what. But that does not comfort the RCA supervisor whose home was fire-bombed while he was at work.

So overshadowed by civil disorders is violence on this front that it is barely reported and scarcely noticed outside the neighborhood in which it occurs.

Those to whom the record and files are available can put a finger on any calendar or U.S. map and hit a mess and mass of such violence.

From Aug. 15, 1966, to Jan. 7, 1967, the Alabama Power Co. was hit by at least 50 acts of sabotage which hit the company's power transmission facilities.

Oil was drained from transformers. Chains were dragged across power lines. Guy wires on transmission line poles were cut.

Gunfire destroyed power equipment. Power line poles were cut and burned. Expensive equipment was tampered with and destroyed. Some employes' homes were burned. They were men who did not strike.

Or, between Nov. 3, 1966, and Dec. 4, 1966, at least 26 natural gas pipelines were dynamited in West Virginia and Kentucky. Explosions destroyed an outlet line and valve operator.

Dynamite sticks, fuses and blasting caps were found adjacent to gas lines. There were gunfire and sawing of gas pipe valve stems.

Since then, in other parts of the country, men and machines were hammered and destroyed.

The Illinois Consolidated Telephone Co. in Litchfield, Ill., was hit by 100 costly incidents. Fuses were pulled from terminal boxes. Steel wool and water were thrust in to kill the service.

Wires and cables were cut in the Litchfield toll center. Steel wool was inserted between the cut ends of cables. Elsewhere switches were heavily damaged.

And just a few months ago, steel haulers revolted throughout the Midwest. There were 50 violent incidents—including the death of a driver whose truck careened after his windshield was hit by a thrown rock.

So it goes. Bloody incident after incident. Fire bombing after fire bombing. Bullet after bullet. But the public doesn't seem to mind.

Apparently if the other fellow is hit, it's an incident. Should it come close to home, it's a wave of violence.

PUBLIC SAFETY THREAT

Mr. FANNIN. Mr. President, more and more people across the land are asking the question: "Who is protecting the public's rights in labor disputes that involve public safety and well-being?"

It is only right that this question be raised. Too long has a handful of union leaders held a stranglehold on not only the public's pocketbook, but their very health and safety. Now this rapacious attitude begins to infect union members themselves when some, finding themselves in a situation where their services are vital to the public good, choose the withholding of that service to see how much they can extract from the public's pocketbook.

The garbagemen's strike in New York City has an odor that extends far beyond the streets of Gotham. It begins to grow rank in the nostrils of people all over the Nation.

Someone has said: "Your liberty ends where my nose begins."

Union leaders, and particularly employees in public services and public-regulated industries, must come to realize the burden for responsible action they bear. They must realize that the right to strike is bounded by the larger rights of the public not to be damaged.

I say that they must come to this realization either voluntarily and take such action to discipline themselves as may be appropriate; otherwise, they will have to come to the realization through the legislative process, whereby the public realizes the danger and instructs, or elects, those who will enact legislation to protect the public rights.

Mr. President, there is a strong precedent in the Nation's legal structure to protect the public from abuses heaped upon it by private means. While unions may, at present, be exempt from such legislation as, say, the antitrust laws, public opinion will stand only so many outrages, and then it will react. Oftentimes this reaction is slow in coming; but I have observed that for its slowness it seems to be all the more sure.

Mr. President, I ask unanimous consent that three editorials bearing on this problem vital to the public interest be printed in the RECORD.

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

[From the Baltimore (Md.) Sun, Feb. 12, 1968]

GARBAGE STRIKE

Nobody knows how the New York garbage strike will finally turn out but it is already clear that it summarizes in rococo terms certain steps we have taken in the last thirty years to this denouement. We started, remember, with the premise that a trade union was a legally accountable entity, just like a corporation. We started with the premise that corporations were apt to tyrannize and that industrial democracy required an equal employee voice in fixing the terms of employment. Much of the record since is good, but by no means all.

Thus in New York we have the familiar union monopoly control of labor in a basic service. Here is the union leader who bargains with the employer and brings out what he thinks is a satisfactory contract. Here are the union followers who repudiate the leader and his contract. Here is the repudiated leader sprinting to catch up with his followers in an illegal—but preclusive—strike, and going back to the employer for more.

Here is the employer at the end of his means in his own best judgment, who says he can't give more. Here is the higher public executive who steps in at this point with a certified "neutral" mediation board. Here is the award by the mediators which exceeds what the employer has already insisted is all he can offer. Here is the plan of the higher public executive to seize the struck enterprise and the return to work of the illegal strikers on the terms they extorted from the mediators by the illegal strike.

Up to here, as we say, Americans have seen each phase over and over again, not always, as now, wrapped up in one lurid package, but long since encysted into our way of industrial life. Now, however, a grotesque new

element is added. The employer here is no tyrannous capitalist grinding the face of the poor. It is the city of New York, which is not anti-labor and might, indeed, be called the main capital of the political philosophy prevailing for three decades in the Anglo-American world.

If the employer is the city of New York, then the plea of democracy works against, rather than in behalf of the union. The Mayor of New York is a popularly elected official. The funds at his disposal are fixed by popularly elected officials. The budget which disburses those funds is collated by elected officials and their agents. The law which the strikers breached was enacted by a people's legislature at the request, indeed, of the very executive who now undercuts its due processes to seize not a capitalist but a social enterprise.

Much of the world is watching the New York garbage strike, but three groups of watchers will have special interest. The first is angry young men in poor neighborhoods all over America who want to see how far direct action by minuscule minorities can force public officers away from their pledged word to maintain constitutional order. The second is leaders of friendly nations who have been persuaded to hold American dollars by American assurances that we can discipline the productive processes on which dollar integrity rests. The third is our adversaries in the cold, hot and middle wars whose domestic discipline is among their formidable strengths and who premise policy on their hunch that we are Achilles and that domestic *in*discipline is our heel.

[From the Washington (D.C.) Daily News, Feb. 13, 1968]

THE WHEEL TURNS

Years ago, judges applied the Sherman antitrust law not only to big business but also to unions. The Norris-LaGuardia Act, which Scripps-Howard Newspapers supported, exempted unions from the antitrust laws. The Wagner Act later strengthened unions' right to organize and represent workers. Scripps-Howard Newspapers supported the Wagner Act. We're proud of that. The unions were weak. Strengthening their bargaining power was in the public welfare.

But, the wheel long since has gone full circle.

It is long past time to put on labor the same controls put on business. And for the same reason.

Public be damned is a policy which must be controlled, no matter who utters it.

UNION RIGHTS VERSUS PUBLIC RIGHTS

(By Lawrence Fertig)

In his recent column in *Newsweek* magazine, Prof. Henry C. Wallich does not think the time is ripe "to curb the right to strike." Anyway, he asserts, strikes aren't that serious. Automation has a strike-breaking effect, since many industries can be run with fewer employes.

Wallich's nonchalance about shutting down an industry which transports 740 *billion* revenue ton-miles of freight, most of it heavy stuff that cannot be transported any other way, is incomprehensible. Maybe the nation wouldn't be completely destroyed by such a strike, merely brought to its knees.

Most people will vigorously disagree with Mr. Wallich's conclusion about the importance of strikes and their effect on the country. But leaving this discussion aside for the moment, it is important to note that Mr. Wallich has created a straw man and tried to knock him down. He has completely evaded the main issue involved in strikes.

A thousand, or 10,000 men do not strike as individuals. They strike under the auspices of a labor union. The union has been accorded monopoly privileges under the law. Under the Norris-LaGuardia Act, court injunctions in labor disputes were outlawed. It is practically impossible to sue a union for damages.

The Wagner Act gave certified labor unions exclusive power to bargain for workers in an entire industry; it frowned on labor union competition. In effect, it granted monopoly power to unions. Rulings of the National Labor Relations Board and the courts have confirmed the crushing power of labor unions over the public and over their own members.

Now, all other monopolies are subject to government regulations. The theory goes that where there is no competition the government must protect the public interest. Why then is it illogical to subject labor unions to some regulation when the functioning of the economy, and at times the safety of the nation, is at stake?

Says Mr. Wallich, "Labor rightly or wrongly views it (the strike) as a pearl in its claim of human rights." What about the human rights of the American public—is that to receive no consideration whatever in discussions of strikes? If labor unions insist on the right of monopoly privileges, shouldn't they be subject to restraint when the public safety is involved?

But there is one aspect of this problem which some believe to be even more important than labor union privileges under present laws. That is the use of force and violence to enforce a strike. It is common knowledge that the most powerful corporations dare not continue production once a strike is called. Why? Because they know by experience that those who want to work will be prevented from doing so by physical violence.

Mass picketing, which is permitted and encouraged under the law, often intimidates those who want to work. Strikers often attack and maim innocent workers, automobiles are overturned and sabotage is quite common. All of this has nothing to do with the *legal* rights of unions. It has to do with the anarchy which prevails when a company exercises its rights to produce goods even if there is a strike.

The right of individuals to leave their work when not satisfied with their employment is not an issue. Do workers, organized as a union, have the right physically to prevent others from working? To avert one's gaze from union violence and complete disregard of the law is hardly a way to honestly face the issue.

Does a worker have an inherent right to his job? That is the main question—not the right of the worker to walk off his job and strike. There is no law now on the statute books which guarantees the right of anyone to hold his job under all conditions. It is only by extra-legal means this right is enforced by organized labor. The hearings of the McClellan Committee are eloquent on this point. The evidence is abundant that violence has become a major weapon of union power. What has this to do with the *right* to strike?

Compulsory arbitration is, indeed, a bad way to run a free enterprise system. But it must be remembered that compulsory arbitration is called into being by the overweening power of labor unions. To avoid compulsory arbitration it is necessary to curb the monopoly power which has been granted to labor unions.

PROMOTION OF PRIVATE COMMERCIAL TRADE WITH DEVELOPING COUNTRIES

Mr. INOUYE. Mr. President, I am confident that many of my constituents are interested in the promotion of private commercial trade with developing countries.

Therefore, I think Senators will be interested in a report entitled "Impact of Foreign Aid on U.S. Exports," published in the January-February 1968 Harvard Business Review. Its statistical analyses reveals the beneficial effect of economic assistance on private commercial trade with developing countries.

The article was written by Mr. Charles D. Hyson, Special Assistant for Economics and Trade in the Office of Private Resources, and Mr. Alan M. Strout, Chief of the Program Policy Division in the Office of Program and Policy Coordination.

I ask unanimous consent that the complete text of the article be printed in the RECORD.

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

IMPACT OF FOREIGN AID ON U.S. EXPORTS

(By Charles D. Hyson and Alan M. Strout)

During fiscal 1966 the Agency for International Development (AID) spent $1.1 billion *in the United States* procuring commodities for shipment to developing countries as a part of the U.S. foreign assistance program. As a result, U.S. businessmen are keenly concerned with the question: *"How much impact does direct government procurement of U.S. goods for export to developing countries have on U.S. trade and, in particular, on commercial exports by private businessmen?"*

The question has aroused considerable debate. Among businessmen whose overseas markets have expanded because of foreign assistance, the aid program has received very strong support. For example, Charles B. Baker, administrative vice president of the U.S. Steel Corporation, has pointed out that:

". . . it is largely due to the operation of our foreign aid program that the steel industry has managed to escape the full effects of the forces at work in the world market place. We estimate that AID procurement in the United States of steel mill products currently accounts for some 30 percent of the value of our steel exports, and for an even higher percent of the tonnage shipped—perhaps as much as 40 percent. Without this AID support it is highly probable that the deficit in steel trade might have been 1 million tons larger." [1]

The question of the impact of foreign aid on U.S. exports has become particularly important since 1959 because of the difficulties that the United States has experienced in maintaining equilibrium in its balance of payments. As a result of these difficulties, a major goal of the foreign assistance program in recent years has been to minimize negative effects of aid on the U.S. balance of payments. To achieve this goal, the federal government has adopted the policy of maximizing the procurement of goods in the United States for all projects financed with its assistance and thus of reducing, insofar as possible, the balance-of-payments cost of the foreign aid program. In applying this key instrument of AID tying, practically all new dollar commitments for procurement "offshore" have been limited to a few selected countries which have agreed to spend the dollars on commodities in the United States.

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[1] See "International Trade in a One Market World," an address delivered at the National Foreign Trade Convention, New York, November 18, 1964.

By fiscal 1966 the full impact of these AID-tying policies to safeguard the U.S. balance-of-payments position became apparent. In that year $9 out of every $10 of foreign commodity expenditures financed by AID went to U.S. suppliers; this contrasted with $4 to $5 out of every $10 prior to the commencement of tying. In general, the overwhelming proportion of commodity and other expenditures now financed by AID is tied to procurement in the United States. (See the Appendix for statistical tables which summarize AID-financed commodity procurement by industry, both in absolute terms and in relation to total U.S. exports.) For many commodities the absolute volume of expenditures in the United States financed by foreign assistance has increased dramatically in the past few years. In addition, for some commodities AID-financed exports currently form a strikingly high proportion of total U.S. exports to the developing countries.

The purpose of this article is twofold:

1. *To summarize the results of recent statistical investigations into the impact of U.S. foreign economic assistance on U.S. exports.*

2. *To discuss the policy implications of the close link between U.S. aid and U.S. trade.*

While our focus here is limited to a consideration of the interaction of foreign aid and trade in merchandise exports only, it is obvious that a number of other U.S. activities abroad also contribute to an environment favorable to the expansion of U.S. exports. Examples of this are found in the various project activities performed by service contractors such as consulting engineering firms, management consultants, universities and other educational institutions, and cooperative groups and individual specialists supplying technical or other expertise to the developing countries.

In the first part of this article, we will discuss the results of quantitative analyses of the impact of foreign aid on U.S. exports, giving special attention to the effects of the introduction of tying clauses into assistance agreements since 1959. Then we will summarize the evolution of AID policies affecting exports and consider the policy implications of current federal measures to help the U.S. balance-of-payments position through the foreign-aid program.

STATISTICAL ANALYSIS

An estimation of the quantitative impact of foreign aid on U.S. exports requires (1) an appraisal of the effectiveness of the aid program in inducing economic development, (2) an estimate of the additional demand for imports typically generated by income growth, and (3) an evaluation of the share of the United States in the increased demand. Finally, to determine the net effect of aid on exports, it is necessary to take account of the extent to which the formal U.S. AID-tying policies introduced since 1959 have led to any decline (or failure to increase) in its private commercial exports. The following sections treat the extent of substitution of foreign assistance-financed exports for private commercial exports, the typical effectiveness of aid in inducting economic growth, and the resultant overall effect on U.S. exports.

It should be noted that throughout this article foreign assistance or aid (in contrast to AID) includes that provided under the Agency for International Development, Public Law 480, and the Export-Import Bank.

COMMERCIAL DISPLACEMENT

An examination of U.S. market shares in recent years is useful both in contributing to a broad statistical analysis and in estimating the extent to which increased government procurement for shipment abroad may have substituted for private commercial exports to developing countries. *Exhibit I* [Not printed in the RECORD] shows recent trends of U.S. exports to the developing countries, and *Exhibit II* summarizes the data on the U.S. share in the total imports of noncommunist developing countries.

As can clearly be seen in *Exhibit II*, the U.S. market share declined rather steadily between 1948 and 1955 (from 30% to 23%, largely as a result of the postwar recovery of competitive suppliers in Europe and Japan); between the low point in 1955 and 1965, the U.S. share showed a net rise of about three percentage points. Also obvious in both exhibits is the marked increase between 1955 and 1965 in the proportion of exports to developing countries paid for by foreign assistance—from 8% in 1955 to 18% in 1960, when formal AID-tying policies first began to be effective, to 28% in 1965.

What cannot, of course, be observed from these figures is what the U.S. market share would have been in the absence of foreign aid financing. To shed some light on this question, a second line has been drawn on *Exhibit II* to show the U.S. share of less developed countries' "commercial" import market. In this exhibit the commercial market is defined as total less developed country imports minus those U.S. imports financed by U.S. aid. The commercial U.S. share shown equals U.S. non-assistance-financed commodities as a portion of total commercial imports.

The commercial market share of U.S. suppliers fell sharply in 1958 and then leveled off at about 20% after AID tying became an effective policy in 1960–1961. However, because of the likelihood of some substitution of AID-financed exports for U.S. commercial exports, it would be a mistake to suggest that the 20% commercial share shown in *Exhibit II* is the same as that which would have been expected in the absence of an assistance program.

While some studies have been made of the effect of AID financing on U.S. private commercial exports, they are suggestive rather than conclusive. A 1966 study at Yale University by Laurence E. Lynn, Jr. intensively examined country-to-country and year-to-year differences in U.S. exports to 43 developing countries in the years prior to the effective establishment of AID-tying policies (1958 to 1960).[2]

When Lynn's results were applied by AID to a slightly larger sample of 51 assistance-receiving countries, the AID study indicated that even before formal tying began there may have been a small displacement of commercial U.S. exports because of foreign assistance financing.

After AID tying began in 1959 and 1960, this displacement apparently mounted, and in 1961 $1.00 of AID-financed exports may have typically generated only $0.48 in additional direct U.S. exports to the recipient country. The export-increasing effect of aid appears to have risen each year thereafter, however, as more extensive and effective AID tying has reduced the scope for substituting AID-financed—for commercial—imports. According to AID calculations based on Lynn's statistical analysis, the net export increase in 1962 was on the order of $0.51 on the AID commodity dollar; in 1963, it was $0.56; in 1964, it was $0.78.

These calculations ignore additional exports resulting from respending the foreign exchange income made available when $1.00 of aid generates less than $1.00 of additional U.S. exports to a particular country. Taking these respending effects into account might raise the 1961 figure from $0.48 to $0.70 or $0.80 of additional U.S. exports throughout the world, and the 1964 figure from $0.78 to perhaps $0.90.

The AID calculations are far from conclusive, but they do illustrate the difficulty which the agency has had in ensuring that AID-financed goods will be truly "additional" to U.S. normal commercial exports—i.e., that the provision of $100 of AID-financed goods will increase U.S. exports throughout the world by $100—and so increase U.S. market shares above what they otherwise would have been. The Lynn-based estimates suggest that commercial export displacement has been relatively minor in terms of the worldwide U.S. commercial market share and that taking the displacement into account might raise the 1961–1964 commercial market share by about one percentage point from the 20% figure cited earlier and shown in *Exhibit II*.

AID AND GROWTH

A recent AID study of 33 noncommunist developing countries over the period 1960–1965 gives a picture of the average productivity of the foreign assistance dollar measured in terms of the income generated in countries receiving aid. On the average, $1.00 of foreign exchange provided by the United States during these years, together with the increased use of domestic resources made possible by the greater availability of imported equipment, induced by the end of the period almost $1.00 of additional annual gross domestic product in countries receiving aid. The study estimated that, generally speaking, domestic resources were employed to match foreign resources at an average ratio as high as 3 to 1. The effectiveness with which the *combined* domestic and foreign savings were applied in generating income was reflected in an estimated capital-output ratio averaging between 3 and 4—that is, on the average, in order to produce $1.00 of additional output (income) each year, it was necessary for the countries receiving aid to invest between $3.00 and $4.00 in new productive capacity.

Thus, in general over the period 1960–1965, because foreign assistance permitted the fuller use of domestic resources by relieving critical bottlenecks in equipment and other goods, there was a 1 to 1 relationship between the assistance dollars provided and the additional dollars of gross domestic product in the countries the United States was aiding.

OVERALL EFFECTIVENESS

The preceding statistical analyses of aid and growth, and of recent U.S. trade with developing countries, lead to the suggestion that approximately 60% of the total increase of $2,160 million in U.S. commodity exports to these countries over the period 1960–1965 was directly or indirectly the outcome of U.S. economic assistance.

How did this come about? The studies of the probable origins of the increase in commodity exports over this period indicate that, broadly speaking:

$380 million was the result of increases in income generated by U.S. foreign aid.

$900 million was due to income growth unrelated to U.S. aid.

$880 million was the outcome of U.S. foreign assistance-tying policies.

Of these, the sum of the first and last figures, $1,260 million, represents the estimated amount by which U.S. exports were higher in 1965 than they would have been in the absence of the U.S. foreign economic aid program. Again, only the direct effects and immediate indirect effects of aid on exports to developing countries are estimated, and no allowance is made for secondary multiplier and "dollar respending" effects on U.S. exports elsewhere in the world. Let us summarize the bases for these estimates.

Aid-generated income: During the seven years 1959–1965, the United States contributed or loaned $14.5 billion of net economic assistance to non-European developing countries. This assistance, which included surplus agricultural commodities, made up 28% of

[2] Unpublished doctoral dissertation, "An Empirical Analysis of U.S. Foreign Economic Aid and the U.S. Balance of Payments, 1954–1963."

total U.S. commodity exports to the developing countries. About one half of the foreign assistance-financed commodities for the 1959–1965 period were surplus agricultural commodities shipped under Public Law 480 ("Food for Peace"). Some 35% was provided by AID and its predecessors, while 14% of the total was financed by the Export-Import Bank.

If we assume on the basis of the 33-country study referred to earlier that $1.00 of U.S. assistance induces a $1.00 increment in GNP, then the GNP of these countries increased by about $14 billion as a result of U.S. aid. At the 1960 import/GNP ratio of .14, a worldwide ratio which has held remarkably constant for the developing countries during the past 15 years, this increase in GNP in turn gave rise to an increase of $2 billion in their demand for imports. In the absence of a foreign assistance program, the U.S. share of these additional imports would very likely have been about 21% (i.e., $420 million c.i.f., or $380 million f.o.b.).

Independent income: In addition to the $14 billion increase in GNP associated with U.S. assistance, the gross national product of developing countries increased by about $33 billion as a result of other causes. (The total increase in GNP was $47 billion, or $14 billion and $33 billion.) This additional growth in income may have augmented U.S. exports in 1965 by a further $900 million on the same assumptions as those cited regarding the average import/GNP ratio and the U.S. market share in the absence of foreign assistance.

Additional commodity-tying income: On top of the rise in U.S. exports associated with the maintenance of the share of expanding markets which the United States would have had in the absence of a foreign assistance program, commodity-tying policies apparently served to increase further U.S. exports. Since the combined income effects previously estimated may have accounted for about $1,280 million ($380 million and $900 million), the residual of perhaps $880 million is probably attributable to the additional effects of tying in 1965. Alternatively, if the U.S. market share in the absence of a foreign assistance program were assumed to be 20% rather than 21%, the increase in exports attributable to commodity tying would be an estimated $940 million. Similarly, given a no-aid market share of 22%, the estimated contribution of tying would be cut to $820 million.

In summary, quantitative investigation of recent patterns of change in trade and income suggest strongly that the U.S. program of foreign economic assistance has had a major impact on U.S. trade with developing countries, accounting for as much as three fifths of the increment in U.S. exports from 1960 to 1965.

POLICY IMPLICATIONS

Increased awareness in recent years of the close connection between the U.S. foreign aid program and the volume of U.S. exports has led to a serious reconsideration by the federal government of the proper place of long-term U.S. trade and commercial goals among the objectives of the economic aid program. This reconsideration has been motivated by two main concurrent concerns. First, there has been an increasing consensus that all government programs should support the national drive to solve the current U.S. balance-of-payments problem insofar as is consistent with their special objectives. Second, as the phasing out of the economic assistance program in important parts of the world approaches, there has been increased concern that U.S. private trade and investment continue on a healthy basis after the termination of the aid program.

GOVERNMENT SUPPORT

Recognizing the need for a continuing and systematic coordination of government policies designed to promote and expand U.S. exports, President Johnson established the Cabinet Committee on Export Expansion in December 1963. The functions of the committee were to provide advice on "(1) means for developing and stimulating more effective export expansion programs; (2) changes in existing policies and programs of the Federal Agencies which relate to improving export promotion and expansion; and (3) related areas upon which the chairman may request advice." [3]

As part of an effort to mobilize all government programs in support of the national drive to solve the balance-of-payments problem, the committee recommended guidelines for the foreign assistance program. These stressed the selection of capital projects and the financing of commodities which promote export expansion. In implementing the recommendations of the committee, AID modified its financing policies in early 1965 by including longer term export promotions as one important factor in selecting capital projects and commodities for AID financing insofar as this could be accomplished in a manner compatible with AID's primary objective of promoting development. (More recently, a second committee has also been increasingly concerned with the effect of AID expenditures on the U.S. payments deficit. This Cabinet Committee on the Balance of Payments set up a subcommittee in the spring of 1967 to focus explicitly on measuring AID's balance of payments costs and the effectiveness of its programs to secure improved aid "additionality.")

BUSINESS FOLLOW-UP

In February 1966 the National Export Expansion Council established an Action Committee on Aid, Trade and Investment in Developing Countries. This committee has underlined the need for U.S. private business to move more vigorously in taking advantage of opportunities for trade created primarily by foreign economic assistance. In the words of the committee, what is needed is an "astute use of the facilities and leverage provided by the aid program and cooperative efforts between AID and the business community. . . ." [4]

In other words, given the availability of convertible foreign exchange provided by the aid program and local preferences for U.S. goods in less developed countries, private U.S. businesses can increase their share of imports by those countries through a strong effort to meet foreign competition and to capture the potential benefits of expanding markets.

Thus, in general, changing the temporary "hot house" markets created by tying policies into permanent ones will depend primarily on an effective follow-up by U.S. businessmen of the opportunities initially provided by AID. By shipping first-class goods to the developing countries under the foreign assistance program, by pricing competitively and following up with stocks of spare parts and supplies, and by establishing marketing and service arrangements—in short, by applying the same vigorous competitive practices used in the United States—businessmen can look forward to solid and growing markets abroad.

U.S. traders, however, probably will be disappointed if they merely sit back and wait for follow-on orders to arrive. This is especially true of AID-financed exports to the "transitional" countries which are approaching economic self-support. To ensure maintenance and improvement of trade with these countries, the U.S. private sector must be vigorous and increasingly competitive.

[3] Executive Order No. 11132, dated December 12, 1963.

[4] Memorandum from the Chairman to members of the Action Committee, May 23, 1966.

INDIRECT SUBSIDIES

Although AID is not involved in direct subsidization of exports, U.S. procurement policies do in effect provide indirect subsidies to U.S. exporters. This is because some of our tied exports would simply not occur if it were not for foreign assistance financing. This is most easily seen in the case of a number of U.S. commodities that are priced above world levels but which are nevertheless exported because AID funds are restricted for purposes of their purchase. The cost of some commodities we finance may run considerably above world market prices.

From the viewpoint of AID's development objectives, the financing of higher cost noncompetitive exports is seldom an efficient use of the foreign assistance dollar. Although higher importer costs can be compensated for by higher levels of assistance or by softer lending terms, financing noncompetitive exports reduces the real value of assistance to the recipient countries. Higher costs also cause importer resentment and may give U.S. exports a black eye for the future.

The effect of higher cost, noncompetitive exports is not always limited to the period in which procurement takes place; reduced competition among suppliers may result in the purchase of equipment with a higher operating and maintenance cost. Also, financing noncompetitive items may, under certain conditions, distort the development plans of the recipient countries, since they tend to tailor the aid requirements to the availabilities of assistance. (It should be noted, however, that under soft loan terms, with maturities up to 40 years and extended grace periods as long as 10 years, much, if indeed not all, of the higher cost procurement is offset.)

CONCLUSION

Since two thirds of the world consist of peoples in the developing countries, the growing markets of today and tomorrow lie with them. Therefore, the problem of increasing world purchasing power becomes in fact the problem of increasing the living standards of the developing countries.

Over the long term, economic development is the basis for expanded commercial trade. As economists have been preaching since the days of Adam Smith, economic growth depends on a progressive widening of the market, efficiency, and specialization.

The evidence strongly indicates that U.S. aid on the whole has had a beneficial effect on the development of our commercial trade with the countries receiving aid. U.S. exports to these countries and to other parts of the world have generally grown.

The future for U.S. exports to the developing countries looks bright. Businessmen who seek new opportunities through imaginative market research matched by modern, competitive technology can be confident of their ability to operate successfully in an expanding world economy. Moreover, the efforts of U.S. exporters and investors to advance their own competitive interests by providing better values in the marketplace are an integral part of the process of international development on which our own future depends so heavily.

APPENDIX: STATISTICAL TABLES

This appendix is included for those readers interested in a statistical elaboration of the point made earlier in this article that, in general, the overwhelming proportion of commodity and other expenditures financed by AID now is tied to procurement in the United States. The five tables (A through E) which follow summarize AID-financed commodity procurement by industry, both in absolute terms and in relation to U.S. exports. (The source for the tables is Agency for International Development, Statistics and Reports Division.)

TABLE A.—TREND OF AID COMMODITY EXPENDITURES BY SOURCE OF PROCUREMENT

[Dollar amounts in millions]

Fiscal year	Total commodity expenditures	Source of purchase: United States		Offshore: Total		Offshore: 19 developed countries		Offshore: Developing countries	
		Value	Percent	Value	Percent	Value	Percent	Value	Percent
Total AID:									
1959	$1,002.1	$475.0	47	$527.1	53	$422.3	42	$104.8	11
1960	1,040.2	422.7	41	617.5	59	513.9	49	103.6	10
1961	1,054.6	465.7	44	588.9	56	496.4	47	92.4	9
1962	883.9	586.4	66	297.5	34	139.0	16	158.5	18
1963	1,145.9	905.1	79	240.8	21	78.0	7	162.7	14
1964	1,165.2	1,008.5	87	156.7	13	38.7	3	118.1	10
1965	1,287.8	1,185.8	92	102.0	8	22.5	2	79.5	6
1966	1,231.6	1,110.5	90	121.1	10	11.2	1	109.9	9
1966 by quarters:									
1st	298.9	266.8	92	32.1	11	5.1	2	27.0	9
2d	329.6	298.3	90	31.3	10	3.0	1	28.3	9
3d	301.2	268.3	89	33.0	11	2.4	1	30.6	10
4th	301.9	277.1	92	24.7	8	.7	(1)	24.0	8

[1] Less than 0.5 percent.

TABLE B.—TOTAL U.S. MERCHANDISE EXPORTS

[Dollar amounts in millions]

Calendar year	Total merchandise exports [1]	AID commodity expenditures in the United States: Value	Percent of total exports
1960	[2] $19,800	$436	2.2
1965	26,240	1,140	4.3

[1] Excluding special category commodities.

[2] 1960 includes a partial estimate in order to place special category exports on the same definitional basis as those for 1965. Exports excluding special category items, as the lattter were defined prior to changes in 1965, were $18,905,000,000.

TABLE C.—U.S. MERCHANDISE EXPORTS TO DEVELOPING (FREE WORLD) COUNTRIES

[Dollar amounts in millions]

Calendar year	Total merchandise exports [1]	AID commodity expenditures in the United States: Value	Percent of total exports
1960	$6,535	$342	5.2
1965	8,775	1,140	13.0

[1] Exports (excluding special category commodities) to Africa, Near East, South Asia, Far East, Latin America, and Oceania except for the following countries: Cuba, South Africa, Japan, Australia, and New Zealand.

TABLE D.—CHANGES IN U.S. PROCUREMENT OF AID-FINANCED COMMODITIES

[Fiscal years; dollars in millions]

Commodity group	AID expenditures in United States			United States as a percent of worldwide AID procurement		
	1960	1965	1966	1960	1965	1966
Total AID-financed commodities	$423	$1,186	$1,111	21	92	90
Total selected commodities	177	927	964	29	93	92
Machinery and equipment	64	310	373	35	92	94
Iron and steel mill products	14	216	133	11	93	82
Chemicals and related products	18	91	127	30	91	91
Motor vehicles, engines, and parts	$41	$91	$92	52	99	98
Fertilizer	9	65	87	17	89	93
Nonferrous metals and products	1	60	67	11	91	93
Basic textiles	5	32	29	10	98	96
Pulp and paper (including newsprint)	3	28	26	21	90	84
Railroad transportation equipment	22	34	30	64	99	99

TABLE E.—U.S. EXPORTS AND PERCENT AID FINANCED

[Calendar years; dollar amounts in millions]

Commodity group	To all areas: 1962 Exports	1962 AID financed	1965 Exports	1965 AID financed	Percent AID financed 1962	Percent AID financed 1965	To less developed countries: 1962 Exports	1962 AID financed	1965 Exports	1965 AID financed	Percent AID financed 1962	Percent AID financed 1965
Total exports, excluding special category, f.o.b.[1]	$19,548	$663	$26,240	$1,140	3.4	4.3	$7,304	$663	$8,775	$1,140	9.1	13.0
Total selected commodities[2]	10,620	635	13,399	990	6.0	7.4	4,765	635	4,744	990	13.3	20.9
Machinery and equipment	5,066	248	6,302	333	4.9	5.3	2,294	248	2,198	333	10.8	15.2
Iron and steel mill products	589	123	689	168	20.9	24.4	333	123	331	168	36.9	50.8
Chemicals	1,533	42	2,037	112	2.7	5.5	593	42	630	112	7.1	17.8
Motor vehicles, engines. and parts	1,217	39	1,972	91	3.2	4.6	650	39	732	91	6.0	12.4
Fertilizer	145	48	230	70	33.1	30.4	74	48	126	70	64.9	55.6
Nonferrous metals	532	31	625	72	5.8	11.5	132	31	141	72	23.5	51.1
Rubber and products	338	11	344	33	3.3	9.6	130	11	120	33	8.5	27.5
Petroleum and products, excluding gas	484	22	483	36	4.5	7.5	192	22	188	36	11.5	19.1
Basic textiles	541	29	571	31	5.4	5.4	226	29	192	31	12.8	16.1
Railroad transportation equipment	175	42	146	43	24.0	29.5	141	42	86	43	29.8	50.0
Other commodities, including adjustments	8,908	28	12,841	150	0.3	1.2	2,539	28	4,031	150	1.1	3.7

[1] The special category list was redefined beginning with 1965. When 1962 data become available or the items declassified in 1965, it is estimated that exports excluding special category may f ncrease by about $1,000,000,000 for 1962. It is impossible to estimate the probable distribution of this additional $1,000,000,000 by commodity group, or the effect on exports to less-developed countries.

[2] Commodity groupings, as shown by the Bureau of the Census, were adjusted in order to achieve comparability with AID commodity groupings.

DEAN RUSK'S "SIBERIA"

Mr. HANSEN. Mr. President, the distinguished Senator from Delaware [Mr. WILLIAMS] has earned the gratitude of his country for more than a score of years of dedicated service in the U.S. Senate. His efforts to protect the value of our dollar by resolutely insisting upon a fiscally responsible course for our Federal Government are only part of the important contribution he has made.

Recently he struck a telling blow for all dedicated, honest Government employees who constitute an overwhelming majority of our public servants when he called attention to the undeserved humiliating treatment accorded two State Department career men.

I ask unanimous consent that an editorial published in the Washington Evening Star of February 19, 1968, be printed in the RECORD.

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

DEAN RUSK'S "SIBERIA"

It is unlikely that the Secretary of State had an active hand in this particular bit of shoddy business. Still, Mr. Rusk is head of his department, and he cannot be absolved of all responsibility.

We are talking about the case of two men—Harry M. Hite and Edwin A. Burkhardt—who were exiled in the State Department after testifying truthfully before a Senate subcommittee in the Otto Otepka case. It is not our purpose at this time to argue the merits of the Otepka case. We think he got a raw deal, but his case is still going through the appeal process.

Not so with Messrs. Hite and Burkhardt, whose respective yearly salaries, incidentally, are $15,304 and $12,989—all coming out of the pockets of those of us who pay federal taxes.

In 1965, after testifying under oath in the Otepka case, and no one disputes their veracity, they were sent by some State Department mover and shaker to the department's version of Siberia. They were left there with nothing to do except to twiddle their thumbs. Presumably, the hope was that this would force them to resign.

They did not resign, however, and Delaware's Republican Senator John J. Williams, who was the driving force behind the Senate's action in the Bobby Baker case, finally moved in.

Senator Williams threatened to insist upon the removal from office of the superior of the exiled men unless they were given useful assignments. Not surprisingly, something happened at State, and the Hite-Burkhardt team now is at work on new jobs.

This would not have happened except for the intervention of Senator Williams. And while we realize that Dean Rusk has other and more important matters on his hands, we think he should assign one of his aides to find out who makes the assignments to "Siberia" in his department, and that he should then take the action which the developments in this outrageous case so plainly indicate.

THE ATTORNEY GENERAL SPEAKS FOR THE POLICEMAN

Mr. TYDINGS. Mr. President, the policeman "is the most important man in the United States today."

He was so described yesterday by Attorney General Ramsey Clark.

The Attorney General, calling for new and massive support for police, rightfully observed:

It is both ironic and tragic that we have given so little to the support of those on whom so much depends.

The address, before the Women's Forum on National Security in Washington, was a thoughtful and penetrating look at the crucial role of the policeman today and his need for community support.

Attorney General Clark's remarks reflect his great sensitivity to the problems our country and our law enforcement officers face and his extraordinary commitment to firm, effective, vigorous enforcement of the law throughout our country. His remarks merit study by all Members of Congress. I ask unanimous consent that they be printed in the RECORD.

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

ADDRESS BY ATTORNEY GENERAL RAMSEY CLARK TO THE WOMEN'S FORUM ON NATIONAL SECURITY, WASHINGTON, D.C., FEBRUARY 20, 1968

"We suffer most of the crime, vice, disease, ignorance, poverty, hopelessness and misery of the whole city. Every advantage and opportunity, like all leadership and power, is absentee. Our landlords don't live here. Store managers and clerks and others who work here drive back and forth from their homes. Even politicians and preachers are absentee. They don't live in our part of town. When the sun goes down, there ain't nobody here but us and the police."

This was the voice from Watts in 1965. This is why the policeman is the most important man in the United States today. It is not because he caused, or is responsible for the conditions that exist, but because, like the mountain, he is there. Performance of the police during this and the next several years will vitally affect the course of this nation, for better or for worse, for decades to come.

To the policeman falls the duty of maintaining social order under law in isolated environments of fear and hatred. He must work daily in the midst of ferment, frequently the only symbol of a law thought foreign.

The poor, the young, the minorities are alienated in this house of ours and none more than the poor, young Negro.

In a nation where only 3.5 percent are unemployed—3.2 percent among whites and 6.8 percent among Negroes—one-fourth of the Negro boys and one-third of the Negro girls cannot find jobs and, for many who do, there is low pay and little chance to advance.

The poor, young Negro lives in physical segregation and psychological loneliness. He is cut off from his chance. Fulfillment, the flower of freedom, is denied him. A small disadvantaged and segregated minority in a mighty and prosperous nation, he is frustrated and angry.

Riots are as old as mankind. They are the antithesis of humaneness, intelligence, faith and charity which are the hope of civilization.

We fear them more than most because our lives have been more comfortable and secure than most. Our fear exaggerates what we have experienced and can anticipate.

Our very constitution was written in the shadow of riot and rebellion. Perhaps ten times more people were killed in four days of draft and racial rioting in New York City in July, 1863 than in the four years 1964 through 1967—and that at the height of the Civil War, only a week after Gettysburg. The 1930's, 40's and 50's all witnessed rioting.

Nor are we alone today among nations: China and Japan, Indonesia, Spain and Italy, the continents of Africa, Asia, Europe and North and South America are all experiencing rioting.

The causes are many, but foremost among them is change. Change is the fundamental fact of our time. Chief among the dynamics of this change is vast population increase, more than 2½ fold in our country this century with more people to be added in the last one-third than in the first two-thirds. Urbanization: a people largely rural in 1900 is now 80 percent resident in urban centers of 50,000 or more.

Scientific advance doubles our knowledge of the physical world each decade. Who among the 76 million Americans in 1900 dreamed of television, much less the 70 million sets we now have; or 80 million automobiles? Not even Wilbur and Orville Wright conjured a supersonic air transport which is nearly upon us.

No one has experienced greater change than the Negro. More rural in 1900 than our people as a whole, he is more urban today. Among the most mobile people who ever lived, he is the most migrant and anonymous. Eric Hoffer has said, ". . . When a population undergoing drastic change is without abundant opportunities for individual action and self-advancement, it develops a hunger for faith, pride and unity . . . We are told that revolutions are set in motion to realize radical changes. Actually it is drastic change which sets the stage for revolution . . ."

The tensions and frustrations arising from change most affect the poor. A French cleric, Lamennais, who lived through Napoleon's time and the revolution of 1848, observed that every stable government in history has depended on the resignation of the poor to being poor. When in history has there been turbulence within a nation that the poor were not in turmoil? The poor have been the great majority throughout history. Today, finally, the poor are a small minority in our country. It may be more difficult than ever for the poor to be resigned both because they are a minority, and because they know of their poverty as have none before. Television and magazines portray the affluence which surrounds them in the very midst of the poverty and misery in which they live.

But for all the change we have experienced and the frustrations and anger generated, the overwhelming majority of our people in all sections of the country and all parts of every city, of all ages and races and religions, believe in these United States, believe in order under law, know our purposes are just and have faith that we will attain equal justice.

Riots can be prevented. If we are to realize the American dream, riots must be prevented.

Every effort must be made to prevent riots. We are eliminating injustice as few people have ever done within the framework of social order under law. Legal rights are largely, though not entirely, secure. Open housing, fair employment, protection against the violation of individual rights, indiscriminate jury selection—these are the chief remaining areas of imperfection in the law.

Now we must create the opportunity to exercise, to fulfill, those rights. An immense and growing economic effort is underway: to rebuild cities, to educate all our people, to give every American the chance to live where he wants, to do whatever his abilities and energies make possible for him. We are only beginning in these last several years, but we can clearly succeed. We can succeed, if we have time, and in terms of history a very little time.

Whether we have the time needed will depend more on the policeman than on anyone else. This is why he is the most important American in 1968. He works in a highly flammable environment. A spark can cause an explosion. He must maintain order without provocation which will cause combustion.

The need is for balance; firmness without fear; a careful control with minimum fric-

tion. He must be fair. He cannot be repressive.

If he overacts he can cause a riot. If he underacts, he can permit a riot.

He is a man on a tightrope. Powerful forces from both sides would push him off. Some would taunt him to overact, to be excessive. Others would urge him to underact—to wait too long. Either can bring disaster. Some would purposely anger him, provoke him; seeking violence. He must be a professional, a firm and fair enforcer: a man in the middle who will not yield to pressure.

As never before, he needs full community support just as never before the community needs him. Police-community relations is the most important law enforcement problem of today and the years ahead.

Every officer must be a community relations expert. He must serve the public and the public must respect, support and compensate him for the vital role he plays.

Open communications with the entire community must be developed. He must reach the unreachables. He must know the man whose name nobody knows. He must make another country, our country. In the final analysis police-community relations measures the difference between an authoritarian government executing its will by force and fear and a free society protecting the lives, the property and the liberty of its citizens through public service.

Police-community relations is a two-way street. The community must work for it as hard as the police. It is both ironic and tragic that we have given so little to the support of those on whom so much depends. Underpaid, undertrained, and overworked, they are called on to perform hard, unpleasant and dangerous work, all too frequently midst suspicion and hostility.

It is imperative that we strive now to professionalize all our local police. Substantial salary increases are essential; higher standards and vigorous and continuing training a must. Our best research and development must be applied to police needs. Most of all we must integrate the policeman into our total community life and give him that respect and status deserved by him on whom both liberty and safety chiefly depend.

If the policeman succeeds in his assignment, we shall have a chance in ours.

For us the essential things are to create ways for the exchange of views that are still possible to prevent disorder. Governments and people must keep repression from further dividing us. Our law, our purpose as a people, must have a clear and generous meaning of equality for all. We must strive to fulfill the obligations of a great nation; to achieve the needed reforms; to bind the nation's wounds.

Strong Negro leadership must help relieve despair and anger which leads to violence, riots and death; to disorders we know can be prevented. For these divide the nation more than all else. Suicidal for the small Negro minority, they can destroy the American dream. A few precious years to build and this nation finally united, perhaps truly indivisible, will offer liberty and justice for all.

Nor can we forget that when this is over, as it will be someday, whatever the terror of the storm through which we pass, as Camus observed of Algeria a dozen years ago, "We shall still have to go on living together forever on the same soil." Nothing else is possible.

PROPOSED TRAVEL TAX

Mr. PEARSON. Mr. President, there has been a great deal of discussion regarding the administration's efforts to discourage Americans from traveling aboard by proposing a tax on spending.

The American public appears to be very much in opposition to this proposal as a means to reduce our balance-of-payments deficit. They would far prefer alternatives such as encouraging more foreign visitors to come to the United States or perhaps withdrawing a major proportion of our contingent of military forces stationed in Western Europe, particularly in view of the fact that these countries are now capable of shouldering more of the NATO defense burden.

The Belleville Telescope, Belleville, Kans., has recently published two editorials on this subject which are most relevant.

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

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

[From the Belleville (Kans.) Telescope, Jan. 25, 1968]

BAN ON TRAVEL

President Johnson's proposed restriction on European travel is meeting the resistance it should from the American public and other countries.

If the administration wants to balance U.S. funds with countries in the Eastern Hemisphere it would be well to first start by cleaning up its own seemingly unnecessary expenses overseas, such as our maintaining large military forces located in many foreign countries.

The President's travel ban is a "step backward" in world progress. To gain understanding and knowledge is to gain familiarity. The travel ban only causes ill-feeling on the part of the countries where travel is restricted, and it can be expected that they will retaliate, if a "fine" is placed on U.S. travelers, by assessing visitors from their country to America a similar fee.

We have been saying for years that America has been pricing itself out of world dominance by the constant inflation brought about by wage raise demands. Now the President's latest doctrine of "no travel abroad" will even reduce American sales in foreign countries.

U.S. travel agencies are reporting "more than usual" requests for travel since the President's ban. It is obvious that the American public does not like to be told what to do.

[From the Belleville (Kans.) Telescope, Feb. 8, 1968]

TAXING TRAVEL

President Johnson now has proposed an expenditure tax to limit to seven dollars a day the amount an American could spend traveling outside this hemisphere. The proposal is intended to curb travel. Again it appears our President has spoken without too serious aforethought. The right to travel is one of the privileges of free men. Such a proposal affects world commerce, world industry, world travel and world understanding. What has happened to President Kennedy's "one world"? Certainly a tax on Americans that wish to visit other countries would only bring about a tax by other countries on peoples that would visit America. There was never a time when world travel was more needed, for better understanding between peoples. We fervently hope that Congress smashes this proposal along with other proposals that restrict personal rights.

VOLUNTARY MEDICAL INSURANCE PROGRAM

Mr. KENNEDY of New York. Mr. President, the medicare program shaped by the 89th Congress was a big step toward easing the health problems of elderly Americans. But, the recently announced 33⅓ percent increase in the monthly fee 18 million Americans pay for voluntary medical insurance under the program puts an extra burden on those who can least afford it. A recent AFL–CIO News editorial, and a consumer advisory column by Sidney Margolis in the same issue, pinpoint fast-rising doctors' fees as the major factor in the medicare premium hike. This, perhaps, should be a signal that steps are needed to safeguard the right of elderly Americans to comprehensive health care within their means. I ask unanimous consent that the editorial and Mr. Margolis' article be printed in the RECORD.

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

THE DOCTOR-BILL GOUGE

Nearly 18-million Americans will have their medical insurance costs increased by 33⅓ percent on April 1, 1968, to take care of the unconscionable and unprecedented increase in doctors' fees over the past two years.

The hike to $4 per month for the voluntary medical insurance program under medicare means that those over 65 with limited incomes will have an annual out-of-pocket cost of nearly $100 a year before they get any reimbursement on their medical bills.

The single largest factor for the increase lies at the doorstep of the medical profession. The rapidly rising cost of medical care has been widely publicized. Not so widely known is that physicians' fees went up more than three times as much as the overall Consumer Price Index and the average weekly earnings of factory workers for the 12 months ending June 1967.

The higher fees are helping augment physicians' incomes, currently averaging $35,000 to $40,000 a year, and moving upward as they add to their income full fees from medicare and medicaid patients who previously were treated at reduced rates.

There is a great and obvious need for some control of fee schedules. The AFL–CIO has proposed that physicians abide by the "reasonable and customary fee" requirement of the medicare program; that doctors' fees be kept in line with the increase in the overall price index; that any major changes in the fee schedule should be reviewed by an advisory board with consumer representation as well as by the secretary of HEW.

Whatever the method, the right of elderly Americans to comprehensive health care within their means must be protected and assured. There must be an end to physicians' fees set on a "what-ever-the-traffic-will-bear" philosophy.

HOW TO BUY: RISE IN PART B MEDICARE COST LAID TO FEE-JUMPING DOCTORS

(By Sidney Margolius)

The doctors who raised fees with the advent of medicare have got in their licks. As a result of the hikes, the cost of Part B of medicare is being raised to $4 a month from the present $3.

Part B is the voluntary section of medicare which pays most of an old person's doctor bills (80 percent after the first $50 of total annual bills). Unlike Part A, which automatically provides hospital insurance for people 65 or older with no extra fee, those who also want Part B must pay a monthly charge deducted from their social security checks.

It had been expected that the Part B fee would be increased to $3.50. About 27 cents of the $1 rise finally found necessary is due to increased doctor fees.

When doctors started to raise fees in 1966 for older people especially, many claimed that

they were merely eliminating a special cut rate they previously gave moderate-income older patients. They felt the raises now were justified with medicare helping to pay the bills.

The doctors' increases, however, wiped out some of the anticipated benefits of the Part B medical insurance. This has been especially true in the case of doctors who refuse to take an "assignment," which means that they collect from the government and accept what is considered to be a "fair and reasonable" charge.

But only about 50 percent of doctors accept such assignments. (The choice is up to the doctor.) The others insist that the patient himself collect from the government. Thus, many elderly patients have found that they must pay the difference between the charge the insurance carrier representing the government considers reasonable and what the doctor actually charges. Too, the patient gets back just 80 percent of the "reasonable" charge in any case.

For example, for an operation with a "fair and reasonable" price tag of $300, for which the doctor charged $400, the patient would have to pay the "deductible" of 20 percent of the $300, plus the extra $100, or a total of $160.

Even for an office visit, if the doctor charged $15, as specialists often do, but the insurance carrier considered the charge should be $12, the patient would have to pay $5.40 of the $15 bill.

Recent rises in medical fees have hit younger families as well as the oldsters. In general, doctor fees have risen 13 percent in a little less than two years.

These hikes, together with increased charges for hospitalization and other health services, have caused a growing crisis in health-care expenses. On the average, you now have to pay about 15 percent more than two years ago for such care.

Actually, medicare has aided younger families to some extent. Several Blue Cross plans have reported that the fact they no longer need to insure older people, who require most hospital care, has kept rates from rising even more.

Even at the new $4 rate, Part B is still a good value and safeguard, especially for any older person who expects to have over $98 of medical bills a year. Besides paying for most of an elderly patient's doctor bills, Part B also pays for additional home nursing visits, diagnostic tests, prosthetic devices and a number of other medical expenses.

One change in medicare provisions just enacted by Congress in the latest revision of the social security law may be of some help to older people who have the Part B doctor-bill insurance. The patient no longer will need a receipted bill from the doctor to collect from the government. Either an itemized or receipted bill will do. This change will solve the problem of laying out the money beforehand.

THE 50TH ANNIVERSARY OF INDEPENDENCE OF ESTONIA

Mr. HATFIELD. Mr. President, a relatively small and cold country by the Baltic Sea has been almost totally ignored in the public prints lately as larger events have crowded the newspapers and airwaves. Nevertheless, I would like to take just a couple of minutes here today to speak of Estonia and to remind citizens of our Nation that Americans of Estonian descent will observe the 50th anniversary of the declaration of independence of the Republic of Estonia this Saturday, February 24, 1968.

Estonia was a province of Russia for almost 200 years. Then it achieved independence in 1918. It became the Estonian Soviet Socialist Republic in 1940. Today it is a land of more than 18,000 square miles peopled by more than 1 million men, women, and children. Kinfolk of these present-day Estonians reside in the United States and some of these kinfolk belong to the Estonian National Committee in the United States, a committee which maintains an office at "Estonian House," 243 East 34th Street, New York, N.Y. This committee seeks to keep alive the hope and prospect of a free and independent Estonia. I wish the committee well.

I know that Americans will salute those who wrote the Estonian declaration of independence and also their heirs today who honor that declaration. This 50th anniversary gives all of us in the United States one more opportunity to offer friendship and encouragement to those who seek to be free and to govern themselves on this earth of ours. This 50th anniversary also gives us an opportunity to quote—to translate—from the Estonian declaration of independence which urged Estonians "to be ruled by right and order, so as to be a worthy member of the family of civilized nations."

TO DREAM THE IMPOSSIBLE

Mr. WILLIAMS of New Jersey. Mr. President, the summer months have long since passed, but the memory of their violence cannot fade as quickly. Nor can we look to the coming summer with anything but trepidation. We have no choice as to the season. The earth's path in space is already charted. Perhaps then, we must look to ourselves to change the course of the summer.

Several years ago, President Kennedy spoke of the barriers that confronted this generation of Americans. It was a speech that sought an end to the currents of hate, indolence and bigotry. His optimism was cautious, however. "Let us begin," he said. And so we have.

We have looked to our cities and seen their plight with shame. I call on the conclusions of the report of the U.S. Commission on Civil Rights for documentation.

Despite its declared goal of providing decent homes in a suitable living environment for all American families, the Federal Government has not met the housing needs of the great majority of low and moderate income families and has often acquiesced in the decisions of local authorities to locate publicly assisted housing only in tightly restricted areas of the ghetto.

The present administration has grappled with this problem. It has viewed the result of programs which "promise but do not deliver"—the shattering destructiveness of recent urban riots. And so, it has proposed a program for the city of tomorrow. It will cost money and it will require much effort—the price is anything but cheap. But then, the result will be invaluable.

The Honorable HUBERT HUMPHREY, in a recent speech, discussed the goals of the model cities program. I, therefore, ask unanimous consent that his speech be printed in the RECORD. Let us begin to make the commitment that will fulfill this promise of tomorrow.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, MODEL CITIES TOUR LUNCHEON, ROCHESTER, N.Y., DECEMBER 4, 1967

I want to talk to you today about your city and our country and what we as citizens can do to make this a better country.

The simplest way of putting it is to say that you make a better country by making yourself a little better, by having a sense of pride, a sense of belonging and a willingness to accept your share of the burdens as well as to claim your share of the rights. Rights and responsibilities go hand in hand.

Americans are a concerned people, and we ought to be. We live in a troubled world. We live in a troubled nation. We live in a troubled period of time, and we are going through fantastic changes.

All of us who are users of modern air transportation know that whenever you pass out of one weather system into another, you go through a period of turbulence. You bounce around, you are buffeted from one direction to another, and you hope and pray that the pilot is competent and that the machine is strong.

Well, my fellow Americans, that's what we are doing right now. We are going out of a social system in which there has been segregation, bigotry and intolerance into a system in which people will be recognized for their individual worth—a system in which there will be clear skies and clear thoughts.

NO EASY ANSWERS

We don't see any easy answers to our difficult problems. We are concerned about war, and I hope we always will be. We are concerned about the prospects for peace, and I pray that we always will be. We are deeply concerned about the realization of human dignity and self-respect, and I trust that this will always be our mission.

And, today we are concerned about our cities—and we ought to be, because most of our people live there. Seventy per cent of our people live on one per cent of our land in the cities, and a hundred million more Americans yet to be born will be asking for a place to live between now and the year two thousand.

Where are we going to put them? What kind of places will these cities be? What kind of an environment will this generation yet unborn come into?

Every one of us has a responsibility to look to that future.

Maybe we've learned a little bit from the troubles and the violence and the riots of last summer. They're now off the front pages, but the poverty, overcrowding, poor housing, poor schools, unemployment—the frustration and the agitation—are still there.

A SENSE OF URGENCY

There must be a sense of urgency about these conditions because time is running out. People are impatient—and rightly so. But if they have hope, if they have reason to believe that things are changing for the better, then I believe we will weather the storm and come through, into the clear skies of a better day.

There is a new publication that I want to call to your attention that should be required reading for all of us who are interested in these matters. It is a publication by the Civil Rights Commission entitled, "A Time to Listen . . . A Time to Act." Get it, and read it. I suggest that anyone who wants to know the dimensions of the task ahead in urban America understand the message of that publication.

I know people get a little weary of being studied. I think we have some slow learners. But now is the time to act on what we have learned from the studies we have made.

This is the time to act because America's

cities ought to be the best of our culture—the flowering of our intellect, of our spirit and of our material goods. Cities ought to have everything with which to liberate man's capacities and permit him to make the most of his life.

The Model Cities program that we are talking about here today is the beginning of concerted action against urban blight in America.

SLUMISM

Our cities are not all bad. They are the manifestation of both the best that mankind can achieve and the worst. But they are infected with what I have called, for lack of a better word, "slumism."

This slumism is more than broken-down buildings. That's the easiest thing to repair, and if our problem were only broken-down physical structures it would be manageable right now. But we're talking about what to do about broken-down people—people who feel hopeless, desperate, helpless, unneeded, unwanted, shoved aside.

When you deal with the human spirit, you run into the most difficult problems. So let us not underestimate our task.

But I believe we are starting on a program—Model Cities—that can remake our cities and, even more important, rescue people who lack the income to do more than struggle for survival.

People deserve more than simply to survive. The Declaration of Independence didn't talk about life, liberty and survival. It talked about life, liberty and the pursuit of happiness. Some ideologies say survival is enough. For us it is not.

We seek genuine happiness for people who now live in housing that is unfit for human use, people who are deprived of health and educational opportunities that a decent and productive life requires.

ISOLATED VICTORIES

For years the federal government has, through a whole range of grant-in-aid programs, attacked single problems with single weapons. But we have found that this is not enough. These programs, to be sure, have produced some significant results. But the results have been limited, isolated, and fragmented victories. The war against slumism, poverty and blight has at best been a stalemate, and on many fronts, the battle is being lost.

So we simply had to face up to the facts. We have had to revise our strategy, change our tactics and apply new methods.

Model Cities is an interesting phrase. I don't know if we really understand just what it means. I think the full understanding will come as we learn from doing.

It is a new endeavor, and I believe at the most it can be described as a catalyst—as a burr under the saddle, so to speak—designed to encourage comprehensive, not isolated mobilization of human and material resources to produce comprehensive, not isolated, results.

The key word in all of this is partnership. The day of the federal government doing these things by itself is over—if it ever was a fact. There isn't a single problem that you have today in Rochester that can be managed alone by any one group.

PARTNERSHIP

We need each other. And this is the best thing about it. Then everybody becomes important—the federal government, the state government, the local government, the private sector.

This concept of partnership is what Model Cities is all about, plus a long-term commitment to meet long-term problems—a commitment at the government level and at the private level.

The comprehensive input for Model Cities consists of all the existing programs—local, federal and private—and the unused resources which can be brought to bear on any aspect of urban decay or poverty.

The comprehensive output must be not just jobs, important as they are, not just houses, not just transport, not just schools, but a whole new urban society—a society of full opportunity and a full dose of humanity for all.

Now, this is a pretty big order. I suppose some might say that it's more than we can fulfill. But I say that what seems to be impossible is what needs to be done. The greatness of this country—the greatness of any organization—rests on its capacity to dream the impossible and then to do it.

RESULTS EXPECTED

We expect at lot from this coordinated and concentrated use of government and private initiative—this partnership for progress in urban America:

We ought to expect to develop neighborhoods where every family can earn a decent living by its own efforts.

We ought to expect to see health services brought up to national standards, schools that provide training and education commensurate with the ability and potential of the youngsters in them, recreation, transportation, public services fully comparable with those in the best neighborhoods.

As a matter of fact, in many ways our present society is upside down. The people who have the most in private resources generally live in the communities that have the most in public resources, but in a society like ours, which says that it believes in democratic ideals, those who have the least privately ought to be the beneficiaries of the most that the total community can offer.

I'm not asking that we do less for those who have much. I'm simply asking that we do more for those who have too little.

OPEN HOUSING

We also expect to see from this Model Cities program a substantial increase in the supply of decent low cost housing—open housing.

We expect full participation by inner city leaders and residents themselves. The Model Cities program must be community action, not just city hall.

I know that this program is off to a modest start considering the size of the task before us. But at least we got a program.

I know we're not doing as much as many people think we should do—or as I want to do—but we're doing more than we did last year and we're doing much more than we did five years ago. For a while it was doubtful that Congress would pass any program at all. Then the President's request for appropriations was cut in half. But let me tell you, it took a lot of doing to get what we have.

I think that by mobilizing existing resources and consolidating programs that are already under way, the Model Cities program can mean solid progress.

ROCHESTER

If you succeed here in Rochester, it will be the best public relations this program can have. I think it very appropriate, therefore, that this week's tour of Model Cities areas should begin here.

New York State has a wonderful record of experimentation and innovation in meeting human needs and urban needs.

New York was first with low-rent and low-cost public housing, first with labor-union-sponsored housing projects, first with tenement housing laws which were the beginnings of today's housing codes.

Rochester's successful Model Cities application reveals both the needs and the opportunities that exist in urban America today. You have the typical urban ills right here.

But so are the critical positive ingredients—a good city administration, responsible and active leadership in the inner-city communities, industries like Kodak, Xerox, Graflex, Rochester Telephone Company and a host of others which are ready and willing to cooperate in job training and employment efforts.

I'm delighted to see the new awareness on the part of the business community of their responsibilities for social action and civic leadership. It's one of the really heartening developments in America, and I'm especially pleased with what is happening in what we call the Urban Coalition.

PRIVATE GROUPS

Here in Rochester we see private groups already active in the assault on slum housing. Many of their names—such as Rochester Neighbors Incorporated, Better Rochester Living, Metropolitan Rochester Foundation, Rochester United Settlement House Corporation, Rochester Area Council of Churches Development, Community Interests—were unheard of five years ago. Today they spell public concern and private commitment to public problems and mobilization for urban progress.

I am pleased to see that there is a record of public and private cooperation.

The Midtown Plaza, where we are having lunch today, is the result of a partnership between business and government. So is the Genesee Crossroads Urban Renewal Project, not far from here.

Rochester has what it takes to do the job. That's why you are the first in Model Cities. You are a leader, but you are not unique. The Model Cities applications received this year all have reported similar efforts underway, and all the applications reflected the beginnings of a constructive dialogue between City Hall and the residents of depressed neighborhoods.

To those of you who think that dialogue isn't loud enough may I say this is only the beginning.

TIME TO ACT

All of these applications also reflect soul-searching and a new awareness that now is the time to act, and all have reflected a determination to seek solutions and not just to recite the problems—solutions that mean real opportunity to those who have been excluded from the mainstream of American life. The key word for the last third of the Twentieth Century is opportunity. Not welfare, not handouts, but opportunity.

Rochester and the sixty-two other cities which received Model Cities planning grants are now entering a third and critical phase in the development of the Model Cities attack on slumism.

Phase One was mobilizing public support and passing the legislation. It wasn't easy, but it was done.

Phase Two was the intensive preparation—both at the local and the federal levels—that went into the first Model Cities proposals, which I believe have been in the main imaginative and well conceived.

In Phase Three, our task will be to find the resources which we all believe are there, to mobilize the energies that we presume to exist, and to embark on programs which will provide visible evidence of progress.

Permanent results—a prospering, peaceful urban America—will be Phase Four, and it will not come overnight. But that does not mean that we should not work for it. It can be achieved.

Every American, every inner-city leader, every slum resident, must recognize that the neglect of a hundred years cannot be overcome in a year.

PROTEST TO PROGRESS

The nation has been shaken. The consciousness of the American people has been aroused. Now from protest we move to progress.

"Are we moving?" is the question, not "Are we finished?"

The task will not be finished in your life time. What is important are the beginnings.

Permanent results may come slowly because the despair in some neighborhoods is so deep, the legacy of deprivation is so heavy, even though the people involved are a small minority of Americans.

Permanent results may come slowly because rebuilding will be costly, even for a country that is as rich as ours and growing richer.

Permanent results may come slowly because too many Americans still tolerate prejudice in their housing codes, in their employment and promotion practices, in their hearts—even though this nation professes to be the land of the free.

I do not counsel only patience—although we will need patience. "Patience" has for too long served as an excuse for inaction.

What I counsel is diligence, courage, responsibility and faith that we can do the job.

My feelings were beautifully summarized by a poet of the Depression, Thomas Wolfe. He said:

"To every man his chance, to every man, regardless of his birth, his shining golden opportunity. To every man the right to live, to work, to be himself, and to become whatever things his manhood and his vision can combine to make him. This is the promise of America."

Working together, we can fulfill that promise.

MEANING OF WORDS "VICTORY" AND "DEFEAT" IN WAR IN VIETNAM

Mr. McGEE. Mr. President, Brian Crozier, a distinguished British journalist and a person well acquainted with the situation in Southeast Asia, has commented upon the meaning of the words "victory" and "defeat" in the war in Vietnam. The words, he says, take on new meaning because of the aims of Ho Chi Minh to, first of all, conquer South Vietnam and impose a Communist government upon it, and secondly, to exercise hegemony over the remaining countries of France's former Indochina empire—Cambodia and Laos, as well as Thailand.

Mr. Crozier also listed, in an article in the Los Angeles Times recently, other consequences of an American defeat—a defeat that would, in effect, concede that Ho Chi Minh's dreams are realistic. Those consequences, Mr. Crozier says, include a general loss of confidence in Washington abroad, a revitalization of "revolutionary" war in Latin America, a disastrous return to a neoisolationist spirit here in America and the threatened loss of all of Thailand—in addition to Vietnam, Laos, and Cambodia—to the aggressors from Hanoi.

Mr. President, I ask unanimous consent that Mr. Crozier's article from the Los Angeles Times be printed in the RECORD.

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

TOPICAL COMMENT: A BRITISH VIEW—THE UNITED STATES MUST NOT LEAVE VIETNAM

(NOTE.—Brian Crozier has had extensive experience in Southeast Asia, including Vietnam, as a correspondent for Reuters and several American publications. For 10 years he was the Southeast Asian affairs specialist for the Economist of London. He has lectured at St. Antony's College, Oxford, and the London School of Oriental and Asian Studies, and is the author of "Southeast Asia in Turmoil.")

(By Brian Crozier)

LONDON.—The outsider offering advice in a fight must not be surprised if he is asked to mind his own business. This is perhaps particularly true if the outsider is the citizen of a country that is busy reducing its commitments in the area of conflict. Having publicly expressed my dissent from the British policy of "withdrawal East of Suez," however, I feel emboldened to make an outsider's contribution to the great debate now shaking the United States on its military involvement in Vietnam.

One hears a great deal about the moral imperatives of talks with Hanoi or the Viet Cong, and remarkably little about the consequences of an American defeat in the Vietnam war. It may, of course, be objected that this is no ordinary war, that defeat, in the military sense, is unlikely anyway, and that I ought therefore to define "defeat" in the very special context of Vietnam.

Since America's aims are *negative*—i.e., preventing a Communist take-over of South Vietnam—it is more apposite to consider North Vietnam's aims. For these are very positive.

One of them is obvious and more or less explicit: to unify divided Vietnam under Communist rule, in other words to extend Hanoi's control over South Vietnam. The other principal aim, though not overtly stated, emerges beyond doubt from a careful study of Ho Chi Minh's long career as a revolutionary and from the many documents intended for internal Vietnamese Communist use and captured, first by the French during *their* war (1946–54) and more recently by the Americans.

This second aim is simply to exercise some hegemony over the remaining countries of France's former Indochina empire—Cambodia and Laos. In other words, to reconstitute the French Indochina empire under Vietnamese Communist control. This imperialist ambition also extends to part of Thailand—the northeastern provinces—where there is an important Vietnamese minority.

Against this background, "victory" and "defeat" take on a new meaning. From Hanoi's standpoint, "victory" would mean the chance of fulfilling the domestic and irredentist ambitions I have outlined, unhindered by American power. And "defeat" would mean conceding that such policy aims are unrealistic, and abandoning them. Conversely, defeat for the United States would come if Hanoi were enabled to pursue its ambitions unchecked.

There was a time, in the first half of 1965, when a "second Dien Bien Phu," with the Americans in the situation of the defeated French, looked painfully possible. This has no longer been true since the great build-up of American power later that year. If the Americans are defeated, it is far more likely to be through a negotiated settlement than through a military reverse.

This prospect does not escape the North Vietnamese Communist Lao Dong party, which has specifically instructed its political arm in South Vietnam—the National Liberation Front—to combine negotiations, when conditions are ripe, with expanded military activity. Similar tactics paid off during the two Geneva conferences—that of 1954 which halted the first Indochina war, and that of 1961–62, which purported to have solved the Laotian problem.

Hanoi's current *military* strategy serves the ultimate end of an American diplomatic defeat. Le Duan, boss of the Lao Dong party, and creator of the Viet Cong war machine, is behind it. Large regular units are sent to fight in South Vietnam. This diverts America's attention from the *real* war—the terrorist insurgency in the countryside—it involves more and more American troops in Vietnam, leading to a rising spiral of military expenditure.

Thus President Johnson is increasingly exposed to criticism and abuse, both from the well-organized international protest movement, and from well-meaning and intelligent but insufficiently well-informed American critics. If this pressure forces Washington to negotiate *on Hanoi's terms*, then defeat, as I have defined it, will be around the corner.

What would happen in that event? President Eisenhower's "domino" theory, as it originally stood, was perhaps simplistic. But there was much truth in it. Neither Cambodia nor Laos would stand the slightest chance of preserving its independence against a united Communist Vietnam. Already, North Vietnamese troops, with or without their local satellites of the Pathet Lao, come and go at will on Laotian territory; and Cambodia is a military sanctuary, however unwilling, for the Viet Cong.

"Neutralization" cannot, unfortunately, be taken seriously as the basis of a settlement in continental South-East Asia, should the Americans pull out. All it produced in Laos in 1962 was a marriage of incompatibles between Communists and anti-Communists leading to *de facto* partition and renewed hostilities. Indeed, neutralization is a nonsense unless accompanied by the demilitarization of Vietnam—that is, primarily, the disarming of North Vietnam. But who would disarm North Vietnam and keep it disarmed? Surely not another troika body like the International Supervisory Commissions set up in 1954.

And now, for some other consequences of an American defeat. Here is a short list:

A general loss of confidence in Washington's will or ability to honor commitments.

"Revolutionary" war, which was discredited in Latin America by Che Guevara's failure in Bolivia, would be revitalized, with imitations of the Chinese, Vietnamese and Cuban examples in many places.

A neo-isolationist, "fortress America" spirit would be fostered in the United States, with disastrous long-term consequences for the non-Communist world.

Thailand, already a victim of subversive violence, partly from terrorists trained in North Vietnam, would be acutely threatened. Indeed the enormous American investment in security in that country would be in jeopardy.

Let those who advocate negotiations ponder the consequences.

THE 50TH ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. HART. Mr. President, on Sunday, February 18, moving and impressive ceremonies were held in Detroit, commemorating the 50th anniversary of Lithuanian independence. Under the leadership of the Detroit Lithuanian Organizations Centre and its president, Ralph J. Valatka, Sunday afternoon saw several hundred persons assembled on the beautiful campus of Mercy College.

The principal address in Lithuanian was delivered by Msgr. Jonal Balkunas, a courageous and nationally recognized spokesman for Americans of Lithuanian descent and a pastor in Queens, N.Y. The principal address in English was my privilege to make.

The significant contributions made by Americans of Lithuanian descent in Michigan were reflected vividly by the proclamations which were issued by the mayor of the city of Detroit, Jerome Cavanagh, the Lieutenant and Acting Governor of Michigan, William G. Milli-

ken, and the senate resolution offered by Senators Raymond Dzendzel and Stanley Novak, adopted by the senate of the State of Michigan. A similar resolution was adopted also by the Michigan house of representatives. Each was read at the meeting, the resolution from the Michigan house being read by State Representative Anthony Licata, of Detroit, and the proclamation by Mayor Cavanagh being read by Mrs. Mary Ball.

At the conclusion of the meeting, there was adopted unanimously a resolution which I ask unanimous consent to be printed in full at the conclusion of my remarks. It reflects the deep conviction of the meeting and voices eloquently its concern.

I ask unanimous consent also that the several resolutions and my remarks be printed following the resolution adopted at the meeting. All of this I do in the belief that both the honor paid the Michigan Lithuanian community and the concerns reflected in the resolution be given the fullest possible notice, not alone to my colleagues in the Congress but to the people of the country as well. Detroit and Michigan are proud of those American citizens who assembled on Sunday and who, with others of Lithuanian descent, have contributed so much to this country.

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

LIETUVOS LAISVES KOVOS METAI, 1918–68

We, Lithuanian Americans, gathered at Mercy College, Detroit, Michigan on Sunday, February 18, 1968, in observance of the 50th anniversary of Lithuania's declaration of independence proclaimed on Feb. 16, 1918, in Vilnius and the establishment of Lithuania as a unified state in 1251, this being the 717th anniversary of that occasion; and to disparage the 28th year of the forcible incorporation of Lithuania into the USSR, unanimously adopt the following:

"RESOLUTION

"Because, the U.S. of America is a leading advocate of independence and the right of self-determination for all peoples; and

"Because, Lithuania and her Baltic sister states of Latvia and Estonia are denied these basic rights by the tyrant usurper, Russia; and

"Because, world opinon demands an end to colonialism and imperialism; it is

"*Resolved,* That we express our appreciation to the government of the United States of America for its policy of resistance to communist aggression and for its continued non-recognition of the illegal seizure and present occupation and colonialization of Lithuania, Latvia and Estonia by imperialist Russia; and

"That we request the United States government to raise before the United Nations and at all levels of discussions with the government of the Soviet Union and other nations the issue of the denial of self-determination and independence of the peoples of Estonia, Latvia and Lithuania; and

"That we urge the United States government to provide for increased Lithuanian language radio broadcasts into Lithuania; and

"That we urge the State Department section for Lithuanian affairs to increase its activity and liaison with the Lithuanian American community; and

"That, by copy of this resolution, we thank the President of the United States, the Vice-President, the Secretary of State, the United States ambassador to the United Nations, the United States Senate and House of Representatives and members of their foreign affairs committees, the Governor of the State of Michigan, the Lieutenant Governor, the Michigan State legislature, the Mayor of the City of Detroit, its Common Council and the press, radio and television media for their continuing sympathy, understanding, support and numerous contributions to the cause of freedom and independence for Lithuania."

DETROIT LITHUANIAN ORGANIZATIONS CENTER.
RALPH J. VALATKA, *Chairman.*
ALFONSAS JUSKA, *Secretary.*
DETROIT, MICH.

REPUBLIC OF LITHUANIA WEEK
FEBRUARY 11–17, 1968
(Proclamation of the City of Detroit, Executive Office)

Whereas the 50th Anniversary of the declaration of Lithuanian independence will be commemorated on February 16th, marking that day in 1918 when Lithuania was reestablished as a free and soverign state, and

Whereas the history of the freedom-loving Lithuanian people is underscored by their heroic resistance to subjugation by Czarist Russia, by Nazi Germany and since 1940 by the Soviet Union, and

Whereas despite 28 years of Communist domination, Lithuanian people throughout the world maintain the most fervent dedication to the cause of liberating their homeland, and

Whereas the United States has supported and encouraged this abiding love of freedom by the Lithuanian people by refusing to recognize the incorporation of Lithuania by the Soviet Union

Now, therefore, I, Jerome P. Cavanagh, Mayor of the City of Detroit, do hereby proclaim the week of February 11–17, 1968 as Republic of Lithuania Week in Detroit and urge all citizens to join me in seeking a world in which the fervent desire for freedom becomes the reality of freedom for Lithuania and all peoples.

Given under my hand and seal this 29th day of January, 1968.

JEROME P. CAVANAGH,
Mayor.

REPUBLIC OF LITHUANIA WEEK
(Proclamation of the State of Michigan, Executive Office, Lansing)

The year 1918 will live forever in the minds and hearts of the great and courageous people of Lithuania, an ancient country which played such an important role in the development of modern Europe. On February 16, 1918 Lithuania became a free and independent nation. This freedom tragically lasted only 22 years. In June of 1940 the men, women and children in the little Baltic nation were swallowed up by the totalitarian tyranny of the Soviet Union.

Significantly, the United States has never recognized this ruthless take over and today the people of Michigan and the rest of the United States yearn with the free Lithuanians living here that freedom once again will come to their brothers and sisters now enslaved in their native land. Together we will work toward a rebirth of freedom with the knowledge that history teaches us that the spirit of self-determination is eternal.

Let the freedom enjoyed by the native Lithuanian sons and daughters in Michigan be the beacon to be followed by their friends everywhere. And let it be known how highly we respect our friendships with our Lithuanian neighbors.

Therefore, I, William G. Milliken, Lieutenant and Acting Governor of the State of Michigan, do hereby proclaim February 11–17, 1968, as Republic of Lithuania Week in Michigan, and ask all citizens to join with our good Lithuanian friends in a rededication to freedom for the captive nations on this the 50th anniversary of the declaration of independence of Lithuania.

Given under my hand and the Great Seal of the State of Michigan, this ninth day of February in the year of Our Lord one thousand nine hundred sixty-eight and of the commonwealth one hundred thirty-second.

WILLIAM G. MILLIKEN,
Lieutenant and Acting Governor.
By the Lieutenant and Acting Governor:
JAMES M. HORN,
Secretary of State.

MICHIGAN SENATE RESOLUTION No. 161
(Offered by Senators Raymond Dzendzel and Stanley Novak)

Resolution commemorating the golden jubilee of Lithuania's declaration of independence

Whereas, The Golden Jubilee of the Declaration of Independence by Lithuania, issued February 16, 1918, is celebrated this year and marks a significant event in mankind's emergence throughout history to attain the freedoms of self-government; and

Whereas, Lithuanians of earliest historical record emerged from pagan antiquity in the Second Century, A.D. and succeeded in establishing a strong, unified state in 1251 A.D., becoming one of the largest states of medieval Europe; and

Whereas, For nearly two hundred years the Lithuanians flourished, but by the mid-sixteenth century, hard-pressed by Russians, they fully merged with Poland. At the close of the eighteen century after successive partitions of Poland, the Lithuanian territory passed to the Russians, who ceaselessly attempted without success to eradicate Lithuanian national identity—so vital and fierce was the Lithuanian concept of freedom; and

Whereas, February 16, 1918 after much historical turbulence, the independent state of Lithuania was proclaimed and in November 1918 became the Independent Republic of Lithuania; and

Whereas, Despite Soviet occupation of Lithuania in 1940 and the U.S.S.R.'s forced elections incorporating her government as part of the Soviet Union, the United States of America continued to recognize Lithuania as an independent republic, as it does to this day. In the United States of America, Lithuania's Republic is honored for her political, cultural, economic and social achievements, and American citizens cherish the successive generations of Lithuanians in this country who so contribute to society and who are proven patriots in this country's defense of freedom; now therefore be it

Resolved by the Senate, That the week proclaimed in Michigan February 11–17, 1968 shall be honored as the Golden Jubilee of the Declaration of Independence of Lithuania, venerating the memory of generations of Lithuanian freedom fighters in world history and as the loyal, valiant citizens of these United States of America; and be it further

Resolved, That copies of this tribute be presented to the Detroit Lithuanian Organizations Center for dissemination among their member organizations, in testimony of the esteem of The Michigan Senate.

Adopted by the Senate, February 14, 1968.

BERYL I. KENYON,
Secretary of the Senate.

REMARKS OF SENATOR PHILLIP A. HART BEFORE THE DETROIT LITHUANIAN ORGANIZATION CENTRE

I know this is a sad occasion. We commemorate today an Independence Day that brought no independence, a dream that brought no fulfillment, a nationalism that did not manage to create a nation.

My knowledge of Lithuanian history, I should confess at the outset, is sketchy indeed. I know that Lithuania was a strong power as early as 1300, strong enough to hold

off the Mongols on one side and the Teutons on the other.

And the pattern of its history has not changed much since then.

Native Lithuanians, through what can only be described as one of geography's most unfortunate accidents, have struggled for survival like a tiny yacht nightmarishly caught between two battling pirate ships . . . finding itself in the path of boarding parties from first one vessel and then the other.

It has alternately been a province of Russia or Germany ever since, achieving independence only in those brief periods when the giants were temporarily exhausted from their struggles.

Saddest of all, the Independence Day that we observe here did not inaugurate a period of democratic tranquility.

Even during the period of independence, Russia and Germany continued to meddle in the internal affairs of Lithuania, thus blocking the kind of stability that would have allowed a democratic government.

What saddens all of us, of course, is the feeling that after all this suffering, all the pillage and destruction from first one great power and then another, Lithuania somehow deserved to come out intact and free at the end.

And yet the end has not arrived.

It is tempting to look back over this long history of anguish and death and deprivation and say "What a shame, it was all so futile because no one really benefited."

Well, one nation did benefit from those troubled times—and I'm not thinking of Russia, even though it certainly still enjoys certain strategic benefits from its continued occupation of Lithuania.

I'm thinking of the United States. Because the United States now number some one million citizens of Lithuanian descent—earnest, hard-working people who have contributed mightily to our development.

Lithuanians, I think, have always been particularly devoted to their tiny land. They have left it only reluctantly and only when sorely pressed. During the period of independence, some 30 or 40 thousand immigrants returned home. Most of them, unfortunatey, were bitterly disappointed that true freedom could not be achieved and most returned to America.

Certainly, the fact that you are gathered here today is one measure of the affection that Lithuanian-Americans always continue to hold for that small and lovely land.

It is especially sad to know that on the anniversary of an independence day, the observances are held outside the country that once achieved independence. I have no sure knowledge on the subject—perhaps you have—but it is my guess that public commemorations of the event are not encouraged in Lithuania.

But we should find some comfort, too, in the fact that Lithuania now appears to be enjoying at least some measure of peaceful tranquility. At least the ancient languages are not being stamped out and some of the old customs are being preserved.

And why? I would guess simply because Lithuania is no longer at a critical crossroads between Russia and her principal adversary. The principal adversary is no longer Germany, but the United States.

So, hopefully, Russia can afford to continue to relax her grip, since Lithuania's strategic importance is greatly diminished.

Thus, by assuming the role of Russia's main adversary, the United States has been able to take the pressure off Lithuania and perhaps in a small measure repay that country for the many sturdy immigrants she has sent to our shores.

We can certainly all be grateful for Lithuanian culture . . . for the Lithuanian Opera . . . for Lithuanian-American contributions in literature . . . in art . . . and in the folkdancing so brilliantly demonstrated here today.

And we can all continue to hope for the day when all three of those small lovely Baltic states can achieve complete control of their own destinies . . . the day when these lost cultures can emerge to join us.

TRAGEDY IN ORANGEBURG, S.C.

Mr. HOLLINGS. Mr. President, as I am sure every Senator is aware, the city of Orangeburg, in my home State of South Carolina, recently experienced a tragic occurrence. I think that the Members of this body might be interested in the views of the hometown newspaper concerning this tragic event. I ask unanimous consent that several articles be printed in the RECORD.

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

[From the Orangeburg (S.C.) Times & Democrat, Feb. 12, 1968]

ORANGEBURG CHURCHES PREACH RESTRAINT AND LOVE

The churches of Orangeburg exercised their great influence in the community on Sunday morning by preaching restraint, concern, the necessity for being doers of the Word, "not just hearers" and the need for Christian love around the world, not only in their home community.

Expressing their desire to have their congregations fulfill their duties as good citizens and Christians, several clergymen of both races said they hoped that all their members would practice restraint.

The Rev. Lester Branham, pastor of the First Baptist Church, said he referred directly to the disturbances this past week and the problems that have arisen to face the community. He said he preached on the ministry of Christ as being one of reconciliation and redemption. The need to translate spiritual things into positive action in the community was stressed, and he said he tried to emphasize this by using Christ's reference to light and salt in the New Testament.

"Light is needed," he said, "but before we can redeem the world, we first have to live it."

"We must also encourage people," said Mr. Branham, "to leave the keeping of law and order to those who are responsible for it and who are trained for it. We must use our personal influence as Christians to try to work out a peaceful and permanent solution to these problems."

The Rev. E. Armand Shealy of the Orangeburg Lutheran Church said he used the Gospel of the Laborers in the Vineyard, stressing the fact that we are all workers in the Lord's vineyard, but somehow we have not done enough and we need to do more to bring the reconciling love of Christ, not only to our community, but to the whole world.

"The scars we bear," he said, "are indicative of the need of Christ to bring the impact of God's love on all of our activities. We must bring this into all facets of our lives . . . our jobs, our homes, our club meetings and in every relationship.

"We deplore violence in any form and we believe in the rights and dignity of all men made of God."

At Antioch Baptist Church of Bowman on Sunday the Rev. Jack DeLong Dash spoke of the situation of last week to his congregation. Since this past Sunday was Race Relations Week, the program was geared to this, and the Rev. Dash spoke to the members of his church in terms of trying to bridge the gap and establish better relations, in the spirit of the Lord.

"It did seem a little ironic," he admitted, "that this happened just at this time."

The question came to mind, he said, as to what should be the Christian attitude and the Christian role in these times. . . .

"We concluded that we could only follow the admonition, 'Blessed are the peacemakers,' "

Mr. Dash said, "violence is not the answer. We must move toward a better relationship among all people."

He was pleased, he said, to note that the authorities have put forth some effort to "remove the evil that caused most of the trouble. The bowling alley is a public menace, and I am happy that the authorities are taking steps."

In the absence of Father Clement Tackney, Mass was said on Sunday by Father John Jerlinski at Holy Trinity Catholic Church in Orangeburg.

Prayers were said for racial justice and harmony, but no direct reference was made in the sermon. One priest said he was directly very much concerned as he was a chaplain on the South Carolina State College campus and he was present in the emergency room of the Orangeburg Regional Hospital when the wounded were being treated. The Rev. Claude Harper of St. Andrew's Methodist Church said that the situation was referred to in his sermon, and also that there was a mention of Claflin College in the bulletin for the day.

He said he had called on the people of his congregation to practice restraint in the area of making harsh statements or using harsh language. He urged them to be "doers of the Word, rather than hearers."

"A couple of our members," said Mr. Harper, "are on the new Board that has been formed to assist in this matter and we urged that all our members would support them.

"We are mindful of the fact that we ought to be concerned for both sides in this struggle and I stressed the need for more reliable lines of communication so this situation could not recur."

The Episcopal Chucrh of the Redeemer's pastor, the Rev. William J. Snow II, urged that the people of the city not let go of what they have gained.

"We have made great advances," he said, "and there are three ways we can hold onto what we have gained. First, speak the truth. Second, speak the truth only when it is necessary to speak at all and third, a combination of the two, remember that God listens to every word we speak."

Mr. Snow emphasized that rumors and stories, no matter whether true or not, can only cause more hate and confusion. "Many things," he said, "even though they may be true, are better left unsaid if they cannot do anything but cause more damage."

The Rev. Harold Roland of Mt. Zion Baptist Church, said he had already planned to preach on spiritual healing, on this Sunday devoted to race relations.

"I just followed through with what I had already prepared," he said.

"I brought the congregation up to date on new developments before the sermon, such as the meetings of the ministers, the forming of the human relations council, and then moved on into the message for the day."

He said he felt that the congregation had heard the message and understood what he meant, "Maybe, as much as possible, under the circumstances."

Church members from other congregations said that their churches also emphasized the need for more cooperation among the races and better lines of communication. They were also urged to leave the problem to those in authority and to those trained to handle it.

The great authority of the churches was

brought to bear in Orangeburg on Sunday for the furtherance of peace, harmony and good-will among all the people of the community.

FLOYD AND BLACK POWER WERE ON A COLLISION COURSE

(By Dean B. Livingston)

Harry Floyd and his All-Star Bowling Lanes were on a collision course with Negro Black Power dating back to the summer of 1966.

Floyd became a prime target for Negro agitation when he refused to admit into his bowling alley colored players who were in the city with the California team participating in the American Legion World Series here.

Since then the name Harry Floyd has been a rallying cry for Black Power elements in the city.

Until early fall 1967 Floyd remained the "target in waiting" for a show of violence. He was the ace in the hole for either a case in court or a showdown of violence.

Last fall local leaders of the National Association for the Advancement of Colored People detected an extreme restlessness among the S.C. State College students to bring the Harry Floyd situation to a head.

The NAACP saw the bowling alley as a vehicle by which Black Power could make a strong bid for power on the campus. In other words the Black Power leadership basically said we can do for you what the NAACP can't.

The Rev. J. Herbert Nelson and others in the high NAACP ranks, upon learning that a small group of State students had been denied entry into the All-Star Lanes, turned to the white community for assistance in dealing with Floyd. Nelson looked upon Black Power as the common enemy.

Nelson told this writer at that time: "If the students have to resort to Black Power to solve the bowling alley situation, there will be a race riot."

Police Chief Roger Poston and City Administrator Robert T. Stevenson also were told of the dangerous condition possible if Black Power made the move against Floyd.

Chief Poston and Stevenson were alarmed. So were many others in official Orangeburg. They knew the All-Star Bowling Lanes was the racial powder keg of Orangeburg.

Many community leaders were made aware of the situation. So were the industries which sponsor bowling teams. It later ensued that one industry withdrew its sponsorship of a team because of the adamant segregation stand.

Floyd claimed his establishment was operated as a private club. That claim did not hold water for one second. This writer has bowled there, has eaten there, but does not remember joining the club.

The bowling alley affair went into the talking stages. Businessmen and others feared the consequences if Floyd did not at least make a token offer of settlement with the Negroes.

It was learned that the State College bowling team asked Floyd to allow it to bowl there. Floyd could set the times and dates at which the State bowlers were to be at the alley. Floyd refused.

Stevenson and Chief Poston devoted extensive time explaining to Floyd the explosive situation that was brewing over the bowling alley.

They realized the entire City of Orangeburg could be endangered if Floyd and Black Power continued on the collision path.

Neither advocating integration nor segregation. Poston and Stevenson took emphatic stands in safeguarding Orangeburg from a race riot. Stevenson said the decision was made long ago to close the establishment.

Last Monday night Chief Poston put that decision into effect when he ordered the bowling lanes closed when Negroes tried to integrate it.

The following day Floyd launched a strong protest before City Council against Poston's action. Stevenson said at that meeting that the decision to close the establishment had been made to protect lives and property.

While Chief Poston and Stevenson were plotting their course of action if the crisis did explode, concerned people in Orangeburg were working to come up with a solution.

One industry, Fabric Services Inc., said it would consider sponsoring a team if Floyd would allow Negroes to participate. Fabric Services does not now sponsor a team because of its adherence to federal employment regulations.

A group of downtown businessmen sought to compromise the impending crisis by persuading Floyd to integrate on the offer of financial assistance through sponsorship of teams and other means. Floyd refused this, too.

Floyd concluded that integration of the All-Star Lanes would destroy his business, a business which Harry Floyd and his brother, E. C., have worked long and hard to build.

Before the crisis hit, Floyd had turned the All-Star Lanes into a successful operation. It has been said that he operated one of the best bowling operations in South Carolina.

But Floyd was convinced that integration would wreck him. There could be no compromise. He felt he had the law on his side.

Now that the Justice Department has filed suit against the All-Star Lanes Floyds' position with the law will be learned.

LEST WE FORGET

The time has come when the responsible people of Orangeburg, white and colored, should re-examine, in detail, what has taken place in the city in recent days.

The result, so far as we see it, is that some demands have been made and that certain steps have been taken—steps with which we do not believe that the average resident of the city will approve—in an attempt to "restore racial peace" in Orangeburg. We, like all of the residents of Orangeburg, hope that peace will be restored, but not at any price.

The Negroes who are apparently leading the white people to the bargaining table must realize that before anything can be accomplished they, themselves and their people, must agree to obey and uphold law and order while aiding in the apprehension and prosecution of law violators.

We have seen and read the demands made by the Negroes in their "Orangeburg Declaration." While some are just and equitable, others are impossible and it is hoped that whatever group negotiates the individual items, be it white, Negro, or integrated, realizes it.

As to the stipulation that State Highway Patrolmen who, not of their own volition, took part in the exchange of gunshots which left three fatally injured and 37 wounded in varying degrees, be suspended, that is a matter for action by the State Highway Patrol and should be based on the findings of an impartial investigation.

Apparently many have lost sight of the fact that the highway patrolmen were protecting the lives of city firemen who risked bodily harm in entering the State College the night of the gunshot exchange to extinguish a blaze set by rioting students who threw Molotov cocktails against a frame house, setting it ablaze. And the highway patrolmen protecting the firemen themselves faced the same sniper fire that harassed the firemen. Both the firemen and the patrolmen were acting in line of duty and only the foolish or those unfamiliar with what went on would deny that the latter fired in self defense.

We regret the deaths of the three young men. We offer our sympathy to their parents and friends. But we do not think that they died in a quest for civil rights. They were participating in a riot, a riot that endangered the entire city and its black and white residents.

As to the charge that the patrolmen would not have fired had the students been white, that is ridiculous. Highway patrolmen have been forced to use their weapons against blacks and whites in the past in carrying out their duties. And in last Thursday night's confrontation, surely no man would have given a thought to the color of the finger about to pull the trigger of a weapon aimed at him.

Should those who hope to make peace in Orangeburg fail in any respect to uphold the actions of and support our law enforcement officers, the city will indeed be in for a "hot summer." All arguments then could be setteld only at gunpoint.

So far, all of the demands have been made by Dr. Charles H. Thomas and the NAACP. What has Mayor E. O. Pendarvis had to say? Has he demanded that the NAACP produce the students who illegally broke plate glass windows on East Russell St. and severely damaged automobiles in the showroom of the East End Motor Co. Tuesday night, February 6? Certainly they are liable to prosecution. Has he asked that the NAACP investigate and produce those students who carried on sporadic sniper fire for more than an hour from the State College and Claflin College campuses Thursday night, February 8?

We ask these questions because Mayor Pendarvis is the elected representative of all of the people of Orangeburg as its mayor. It is he to whom both the white people and the Negroes will be looking to restore normal community life in this city.

And where has Gov. Robert E. McNair been since violence and discord broke out in our city? He has not added the prestige of his office in seeking a halt to discord and the restoration of harmony. We wonder what, in Columbia, could be of such vital importance that he is unable to leave to help soothe a troubled spot in his state. The calling out of the National Guard, the sending out of South Carolina Law Enforcement Division agents and the highway patrolmen has done much to put a temporary halt to violence, but they have done little to ease tensions, to bring divided people together.

We have nothing but commendation for Police Chief Roger E. Poston, Sheriff R. F. (Bob) Dukes, Captain Carl Fairey of the State Highway Patrol and SLED Chief J. P. (Pete) Strom. They and their men have done an outstanding job, along with the Guardsmen, in putting down strife. Their duty was to enforce the law. That, they did. Now, we hope and pray that you all are given the support and backing that you deserve and should have.

And to those engaged in working to restore peace in Orangeburg, we urge that you keep in mind the sequence of events last week. We review them for you:

First, on Monday night, February 5, Negro students attempting to integrate the All-Star Bowling Lanes were turned away by Harry K. Floyd, owner and operator. His business was ordered closed for the night by Police Chief Roger E. Poston in the interest of public safety. The Negroes left and, during their return to the college campuses, broke windows in business establishments on East Russell St. and severely damaged automobiles in the showroom of the East End Motor Co. They vented their rage on the owners of properties who had nothing to do with Harry Floyd or his actions. Was this provocation?

Tuesday night, February 6, Floyd reopened his bowling lanes, assured of his right to do so, according to state laws, by C. Walker Limehouse, city attorney. Again the students assembled and attempted to enter the bowling alleys. A city policeman, William Long, was injured during the incident, requiring hospitalization. Was this provocation?

The following night, Wednesday, law enforcement officers protecting lives and property at the A&P Shopping Center, where All-Star Lanes is located, were called away to U.S. Highway 601 adjacent to the State College campus where a barrage of bricks and rocks were being thrown at passing vehicles, their place at the shopping center being taken by National Guardsmen who had been on an "alert" basis. Was this brick and rock throwing provocation?

Thursday night, February 8, sporadic sniper firing began from both the State College and Claflin campuses and State Highway Patrolmen, South Carolina Law Enforcement Division agents, deputy sheriffs, city policemen and National Guardsmen were ordered in.

Shortly before 11 p.m. Negroes from the State College campus set a bonfire on city property just outside the entrance to the property and a Molotov cocktail was hurled against the side of the frame residence of Miss Jennie Brunson, just to the south of the campus. The city firemen responded and went on the campus to extinguish the blaze in short order. State Highway Patrolmen accompanied the firemen on the college property to protect the firemen who were targets for the snipers. The sound of gunfire was heard by newspaper reporters and law enforcement officers, alike.

The fusillade of shots that ended in deaths and woundings came after a highway patrolman was felled by a heavy missile which struck him in the face. The patrolmen, ordered not to fire their weapons unless endangered or for self protection, believing their comrade shot, and with good reason, and believing themselves endangered, fired into the group of Negroes in self protection. They had provocation.

The patrolmen did not enter the college property to halt rioting or to calm a disturbance. They had orders not to do so. They went on the college to protect unarmed firemen, doing their duty, from armed snipers. They did what they should have done, under the circumstances.

THEY ALL WANT TO KNOW WHO FIRED FIRST SHOT

(EDITOR'S NOTE.—Dean B. Livingston, editor and publisher of The Times and Democrat, was a direct eyewitness to the exchange of gunfire between Negro rioters and state patrolmen which killed three Negroes and wounded more than 30 others. In this article Livingston deals with the events of Thursday night and what has followed in the aftermath.)

(By Dean B. Livingston)

Who fired first? Nor for what reason. Nor did my questioners want to know the direct circumstances surround the exchange of fire between the state patrolmen and Negro rioters.

Since it was learned that I was one of the newsmen who moved near the S.C. State College entrance with armed S.C. State Highway Patrolmen and members of the Orangeburg Fire Department who were there to extinguish a blaze started by the rioters, from all over the nation the question has come forth: "Who fired first?"

Not once have I been asked: "Why did they fire?" One New York newsman became rather irritated with me when I questioned his intelligence for asking me the question: "How could you be sure the Negroes fired first if you didn't see the bullets?" A few short words explained to him that the human eye can not see bullets sailing through the night air.

Dozens of times I have attempted to recall the exact sequence of events leading to the deaths of the three young Negroes. Not being blessed either with eyes which allow me to see in darkness or a mental composure to keep a detailed chronicle of events in my brain when guns are being fired less than 10 feet from me, I will try again:

Early in the night, Dozier Mobley of the Associated Press and I went to the intersection of Russell and Boulevard.

The students were gathered to the right of the college entrance on U.S. 601. Gunfire occasionally rang out and fire-bombs were tossed in the direction of the W. A. Livingston Wholesale Co. warehouse.

It was quite obvious that the situation was taking a turn for the worse.

At about 10 o'clock the Negroes started a large fire on the street. They fed the blaze with road signs and other such signs standing near the college entrance.

The grass was dry and the fire spread fast. As the fire was spreading I heard one of the law enforcement officials say, "We're going to send a fire truck in to put out the fire and we're going to send the patrolmen in to protect those firemen."

Then I heard and saw the fire truck. I followed the fire truck in and upon arriving on the scene began taking pictures of the fire (these and other pictures were published in Friday morning T&D). I didn't see the Negroes but the first picture I took showed the Negroes were still on the bank. Measuring the perspective of the photograph I guess I was some 50 feet from the Negroes.

The patrolmen on the front line were trained to handle themselves under fire. I observed they faced the Negroes with a high degree of steadfastness and concentration. They were not edgy. It was obvious they were taking a defensive position.

Seeing their composure no doubt prompted me to relax somewhat in my picture taking.

Had they gone into the area determined to fire first they could have fired upon arriving with the firetruck. They could have fired at near point-blank range. Had this been the case the death toll probably would have been in the hundreds.

But instead they took the more dangerous route for themselves attempting to make physical apprehensions. Patrolman D. I. Shealy's face injury was evidence of this.

After snapping four photos of the fire scene I ran to the embankment where the State Patrolmen had taken up a firing line position to protect the firemen. I shot one picture here and just before, or maybe after, shooting the second it suddenly dawned on me that there was gunfire in front of me.

I guess I froze for a fraction of a second and then responded to a yell of "hit the ground" from Police Chief Roger Poston.

Crashing to the ground on top of camera and electric strobe light, I then fully realized where I was and what was going on around me, I began to crawl.

I crawled over whiskey bottles and beer cans whose contents presumably had helped inflame the rioters.

Reaching an area somewhere between the National Guard men and the highway patrolmen, I began taking pictures from a flat-on-the-ground position.

Close by was a television crew and other newsmen. A second or so later lights came from somewhere. The entire scene of highway patrolmen and National Guardsmen was well illuminated.

I concluded the light came from one of the television crews. One of the law enforcement officials thought it came from my strobe light. I didn't think it the proper time to explain to him that the duration of light from an electric strobe was less than one thousandth of a second.

A minute or so later all firing had stopped and SLED Chief J.P. Strom and Orangeburg Police Chief Roger Poston were evaluating the situation.

It was then that the two fatally wounded Negroes—Delano Middleton and Henry Smith—were brought down to our area and then taken to the rescue truck.

About this time it filtered in that a highway patrolman had been shot. His condition or exactly what had happened to him was not learned until about 15 minutes later.

Meanwhile National Guardsmen were taking position across the street. They had not fired a shot.

At first it appeared that only two Negroes had been wounded, but within minutes cars began speeding off of the campus in the direction of the hospital. I did not hear an appeal or a notification that there were more wounded.

Before concluding this first person article I would like to explain the question so emphatically put to me by my wife: "What in the world were you doing there?"

Law enforcement officials I am sure, extended such outstanding cooperation with the press and television Wednesday night (as well as other days and nights last week) because of the explosiveness of the situation outside witnesses who would relate the truth would be needed. This, along with the firm belief of most S.C. law enforcement officials that the public needs to know what is taking place, allowed the newsmen and photographers to move into the area.

Chief J. P. Strom of SLED, Lt. Carl Fairey of S.C. Highway Department and Roger Poston of the Orangeburg Police Department were willing to let us newsmen be direct witnesses to their actions. They were willing to let the facts speak for themselves.

With about one hour's sleep I got up Friday morning to watch the early morning news. It was here that I heard a television newsman say: "Newsmen at the scene in Orangeburg said the state troopers fired first."

It would be interesting to know the identification of the newsmen, if they do exist, who made this comment. He or they are extremely well qualified to help in the United States in positions other than in news reporting.

To reach the positive conclusion that the troopers fired first, he or they would have to have eyes which can penetrate darkness and ears which can distinguish the great differences of most all sounds.

Personally, I would pose this question to him or they: Did you (or all of you) go to the front line where the highway patrolmen were in position and focus your eyes, ears and brains only upon the backs of the patrolmen in front of you and have your facilities so in tune that you could conclude anything other that somebody was firing at somebody?

Were you there concentrating as were the highway patrolmen on that area of darkness which contained the rioters?

I do not recall seeing any photographers or newsmen, nor have my photographs revealed any one on the firing line other than highway patrolmen.

This man, or these men, could not have been photographers because it would have been impossible to think only about that space of darkness when there were so many great photographic opportunities surrounding him or they.

I doubt if it was a reporter because a good reporter would have been concentrating on the sequence of events.

Now the big question: Who are the newsman who said the state troopers fired first?

THE RACIAL CRISIS

The seven days—February 6 through February 13—have brought to the City of Orangeburg events which will take both the

white and Negro races years to forget—if ever.

The Times and Democrat, as a responsible newspaper has reported these events as accurately—and as objectively—as possible. T&D staff writers have covered many of the events and thousands and thousands of words have been written about them. These stories were written in a "let the chips fall where they may" attitude. Other events have been covered by press association writers who, too, have also been eyewitnesses and have reported the facts as they saw them, not as they wished they saw them. No more can be expected of a newspaperman.

But The Times and Democrat has refrained from discussing the situation editorally until today. The situation has been fluid; there has been emotionalism and tenseness. Editorial comments seemed superfluous until it became resolved and some measure of composure returned to the community.

Out of the series of events two things become apparent. A thorough investigation of all phases of the shooting of the three teenage Negroes last Thursday night by the Federal Bureau of Investigation would be welcomed not only by this newspaper but, we are sure by the State Highway Patrol. Second, a thorough investigation of South Carolina State College by the state, initiated by the General Assembly, to determine whether the college is, and will remain, an institution of higher education and learning of what, it seems, is a hotbed of black extremism. This The Times and Democrat would welcome as would we are sure, the Orangeburg community, white and black.

An FBI investigation should not be confined to the actual shootings themselves. There are too many other fields of interest in which such an investigation should be concerned:

1. How deeply is the Black Power movement rooted on the State College campus?

2. Was the All-Star Bowling Lanes a target of integration or an excuse for violence?

3. Were the students who were fatally shot last Thursday night Black Power advocates, or were they three young people led to the firing line by outside agitators?

4. Was sniper firing done from the State College or Claflin College campus for more than an hour before the confrontation between the highway patrolmen and the students that led to the three deaths as reported by responsible newspapermen and law enforcement officers? (In this The Times and Democrat had two reporters on the scene who were eyewitnesses to the shooting and who offer full cooperation in this phase of an investigation.)

As to State College, we do not believe that Black Power is deeply rooted. But the institution now is challenged. A legislative investigation, a thorough investigation, is desired to clear the atmosphere there. If it is found to be a Black Power cell, then it should be closed—and no one, white or Negro, wants that. But on the other hand, if it is cleared then the administration could continue along its way of providing a comprehensive and quality educational program for the young people of the state for which it was created.

For that reason, we ask the Orangeburg County delegation to the General Assembly to introduce necessary legislation and take other steps to provide an objective calm and sober look at State College and to follow through with the proper actions based on the results of the investigation's findings.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. MANSFIELD. 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. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

Mr. MANSFIELD. I am delighted to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the disposition of the tabling motion, the Sergeant at Arms be directed to clear the floor of all staff personnel except those on the staff of the Secretary of the Senate, the Sergeant at Arms, the secretary for the majority, the secretary for the minority, and the two policy committees.

The PRESIDING OFFICER. Without objection, it is so ordered. The Sergeant at Arms is directed to clear the Chamber in accordance with the rules.

The Senator from Montana is recognized.

The Senate will be in order.

RECOGNITION OF SENATOR CHURCH

Mr. MANSFIELD. Mr. President, a unanimous-consent request was granted some days ago by means of which the distinguished Senator from Idaho [Mr. CHURCH] would have been recognized at this time. In view of the developments which have occurred since that time, I ask unanimous consent that on the disposition of any business connected with the present bill after I have completed my remarks, that the distinguished Senator from Idaho [Mr. CHURCH] will be recognized at that time.

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

Mr. ERVIN. Mr. President, I would like to make one reservation. I want to ask for the yeas and nays on the Mondale amendment when the Senator gets through.

Mr. MANSFIELD. Oh, yes, indeed; but——

Mr. ERVIN. I should like to ask for them now.

The PRESIDING OFFICER. There is no motion before the Senate. The unfinished business has not yet been laid down.

Mr. HOLLAND. That is the pending business; is it not?

Mr. ERVIN. Mr. President, I should like to ask for the yeas and nays before the tabling motion.

I ask for the yeas and nays on the Mondale amendment.

The PRESIDING OFFICER. The Chair informs the Senator from North Carolina that the unfinished business has not yet been laid down.

Mr. MANSFIELD. Mr. President, I do not yield to the Senator from North Carolina for that purpose at this moment.

INTERFERENCE WITH CIVIL RIGHTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

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

The ASSISTANT LEGISLATIVE 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 present consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

Mr. MANSFIELD. Mr. President, I think that the author of the amendment, the Senator from Minnesota [Mr. MONDALE], should have some notice of this. I am sure that the Senator from North Carolina [Mr. ERVIN] would like that to happen. So, in the meantime, I should like to get on with my remarks and then I will yield for that purpose.

Mr. McCLELLAN. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield.

Mr. McCLELLAN. I do not quite understand the agreement or the arrangement concerning the Senator from Idaho [Mr. CHURCH].

Mr. MANSFIELD. He was supposed to be recognized at the conclusion of the morning hour today, for 1 hour; but, because of this development, I asked that the unanimous-consent agreement be honored after I get through with my remarks.

Mr. McCLELLAN. What I am trying to determine——

Mr. ERVIN. Mr. President, I was going to reserve the right to object to the unanimous-consent request concerning the Senator from Idaho [Mr. CHURCH]—which objection I would not make, however—if the majority leader would agree to modify it——

Mr. MANSFIELD. Of course.

Mr. ERVIN. And say that I will be recognized immediately before the Senator from Idaho [Mr. CHURCH].

Mr. MANSFIELD. Yes, indeed. That is a fair request.

Mr. McCLELLAN. I do not understand what time is being reserved for the Senator from Idaho [Mr. CHURCH].

Mr. MANSFIELD. As soon as we have disposed of the business connected with the bill and the votes.

Mr. McCLELLAN. That might be next week.

Mr. MANSFIELD. Oh, no. It will be this afternoon. It pertains to the votes. There will not be that many votes today.

Mr. McCLELLAN. Oh. Votes. I understand it now. I thank the Senator.

Mr. HICKENLOOPER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. I was going to ask, at the conclusion of what?—pertaining to the pending business?

Mr. MANSFIELD. That is correct. Having to do with votes.

Mr. HICKENLOOPER. I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, the vote yesterday on the cloture motion fell several votes short of the required two-thirds. A majority decided that the debate on H.R. 2516 has been adequate. A majority of this body said that the issues have been fully developed.

The PRESIDING OFFICER. The Senator from Montana will suspend.

Let us have order in the Chamber. We have cleared the Chamber of attachés and we must have order in order to hear the Senator from Montana.

The Senator from Montana may proceed.

Mr. MANSFIELD. Mr. President, a majority favors a vote on the merits but that vote cannot take place. Whenever a cloture motion receives more than a constitutional majority—as it did yesterday—the question extends understandably to the relative merits of the present provisions of rule XXII. However, the Senate had a clear opportunity to express itself on the merits of rule XXII at the beginning of the 90th Congress. At that time, the issue was resolved overwhelmingly. The present rules were unchanged. I think it is best now to face the realities of considering the present bill under the present rules.

In my judgment, at this time, the necessary two-thirds cannot be obtained on H.R. 2516 with the Mondale amendment attached. I say that as one who, as a Senator from Montana and as the majority leader, voted for the cloture motion and strongly favors the freedom-of-choice concept for all Americans in housing. Shortly, the distinguished minority leader and I shall propose a motion to the Senate that shall be most difficult for me because of my attitude toward the provisions of the amendment. I do so, however, after seriously weighing the possible ramifications of pressing for the amendment on the bill at this time.

Many reasons have been cited for deferring action on the Mondale amendment—reasons which, valid or not, could affect the outcome. There has been serious question, for instance, that the amendment is not germane to the present bill; that it properly should be placed on a more relevant matter if, but only if, such a measure cannot be reported by the committee. What is clear is that if the action I propose is successful it will not end the effort to obtain for all Americans the freedom of choice for a home anywhere in the Nation. I think, however, it is extremely important at this time that the Senate pass a needed and meaningful civil rights bill. H.R. 2516 as reported from committee is such a bill. In essence it protects the rights granted by the Civil Rights Acts of 1964 and 1965 and, more fundamentally, by the Constitution itself. Those rights must not be frustrated. They must not be made the prey of violence or intimidation. Under H.R. 2516, if interference of this kind should occur, the trial for assault or murder or intimidation may—let me repeat that word "may"—take place in the Federal courthouse in the community of the crime rather than in the county courthouse; but even then only if the Attorney General determines that such a forum is necessary to effectuate substantial justice. This is what the so-called Hart bill does. Its reasonableness is attested to by the overwhelming support of the concept in the House of Representatives. I would hate to see that overwhelming bipartisan support gained in the House now be sacrificed in an effort—in my opinion futile at this time—to obtain the provisions of the Mondale amendment.

The merits of the bill reported by the committee are modest and necessary, but I think the bill has great importance. The experience in the past two summers which has seen some of our greatest cities torn apart, has generated fear and tension throughout the land.

The great Civil Rights Acts of 1964 and 1965—of which the distinguished Senator from Illinois [Mr. DIRKSEN] was the architect, as has been stated on this floor, because his was the decisive influence—renewed the hope of many Americans. The passage of those acts also emphasized the viability of the institutions of our Government in recognizing and responding to the needs of all of the people. The Senate of the United States played a most critical role in initiating and formulating those great acts of 1964 and 1965. I hope the Senate will act now to preserve the notion that the institutions of this Government are responsive to the just causes of the people.

In 1968, a new dimension has been added to the issue. There are being preached in our society doctrines of separatism, of racism, and divisiveness as potent as anything in our history. This venom is spewed out with the contention that the institutions of government are unable or unwilling to provide an effective forum for the legitimate grievances of the people.

I do not believe that the Federal Government, and particularly the Congress, will turn its back on legitimate demands. But each of us knows that in an atmosphere of fear, the type of distrust generated by violence, threats of violence and riots, does not present an optimum climate for considering any legislation. Nevertheless, we must continue to try to reach for remedies for just grievances even though they may be regarded as less than total.

The spring and summer of 1964 and 1965 are gone, but our duty is no less clear. It is a matter of telling the people of this country that the Congress of the United States has not turned its back on a just grievance. It is a matter of telling all responsible Americans that the institutions of this Government will continue to judge every proposal by its merits. It is a matter of telling the preachers of racism and riot that the Senate of the United States will not aid and abet their actions by its own inertia. It is a matter of making clear that much more remains to be done before the promise of the Constitution is fulfilled for all Americans and that the Senate will continue to do its part in moving toward that goal.

I shall, along with the distinguished minority leader, under these circumstances, move to table the Mondale amendment in the hope of improving the chances of passing H.R. 2516. I do so with regret, but I do so because in my considered judgment the procedural situation created by the defeat of the cloture petition has made this course necessary. The efforts to obtain a bill or legal basis for freedom of choice in housing should and will continue, but I think it is unrealistic to hope for success on this bill. To pursue them further at this time will destroy the chance the Congress has for making any progress in the field of civil rights during this session.

We have spent 5 weeks on H.R. 2516—the worker protection bill. It is a modest proposal. I think the Senate should be given the opportunity to vote on its merits. The votes are there—Republican and Democrat alike. Ultimately I hope it passes by an overwhelming margin.

Mr. President, I promised to yield to the Senator from North Carolina [Mr. ERVIN] first, before I make the motion on behalf of the leadership. I yield to the able Senator from North Carolina.

Mr. ERVIN. Mr. President, I ask for the yeas and nays on the Mondale amendment.

Mr. JAVITS. Mr. President, a point of order. As I understand, the Senator did not yield for that purpose.

Mr. MANSFIELD. I did yield.

Mr. JAVITS. It was not for that purpose.

Mr. MANSFIELD. I stated no purpose.

Mr. JAVITS. Mr. President, I make the point of order that this cannot be done without the unanimous consent of the Senate, unless the Senator gets the floor independently.

The PRESIDING OFFICER. The Senator from Montana wishes to retain the floor; is that not correct?

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER. The Senator from Montana has the floor. Does the Senator from Montana yield to the Senator from North Carolina?

Mr. MANSFIELD. I yield to the Senator from North Carolina. I have already yielded.

Mr. ERVIN. Mr. President, I ask for the yeas and nays on the Mondale amendment.

Mr. JAVITS. Mr. President, is it not a fact that for the purpose of making an independent motion, which the Senator from North Carolina proposes to do, there must be unanimous consent? Otherwise, the Senator from Montana must surrender the floor.

The PRESIDING OFFICER. The point of order of the Senator from New York is well taken. If the Senator from Montana yielded for that purpose, he would lose the floor. The Chair inquired whether or not the Senator from Montana wished to retain the floor.

Mr. ERVIN. Mr. President, I raise the point of order that the Senator from Montana yielded for a motion.

The PRESIDING OFFICER. The Senator can yield for a motion only by unanimous consent.

Mr. MANSFIELD. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina without losing my right to the floor.

Mr. JAVITS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Montana has the floor.

Mr. MANSFIELD. Mr. President, I am in a peculiar position here. I am prepared to file a tabling motion. However, I believe, not understanding fully the merits of the proposal to be made by the distinguished Senator from North Carolina, that he should have his say; and, Mr. President, I will yield to the Senator from North Carolina for that purpose, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President——

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

Mr. MANSFIELD. I yield to the Senator from Michigan.

Mr. HART. Mr. President, the consequences of obtaining an order for the yeas and nays on the Mondale amendment, as I understand, would be that that amendment, bearing that number, thereafter would be subject to modification only by unanimous-consent. The modification of that amendment thereafter could not occur unless there was unanimous consent of the Senate.

Mr. HOLLAND. Mr. President——

Mr. HART. This is the point we ought to understand in order to eliminate the momentary tension.

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

Mr. HART. Even if the yeas and nays are ordered on that amendment, the Senator from Minnesota, the Senator from Massachusetts, or any of us could offer thereafter, and prior to cloture, an amendment with respect to fair housing which could be in any variety or sweep or reach.

Mr. MANSFIELD. Mr. President, I yield to the Senator from North Carolina. I understand the Senator from New York has withdrawn his objection.

The PRESIDING OFFICER. Without objection, the Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I ask for the yeas and nays on the Mondale amendment.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, I want to thank the distinguished majority leader for yielding and also the Senator from New York for withdrawing his objection.

Mr. MANSFIELD. Mr. President, is it the understanding of the Chair that when the votes on the pending business are concluded, the Senator from Idaho [Mr. CHURCH] will be recognized?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. Mr. President, it is with reluctance that I shall make, on behalf of myself and the distinguished minority leader, a motion to table the pending amendment, but I now do so. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Minnesota [Mr. MONDALE]. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. METCALF (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Florida [Mr. SMATHERS]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. MCCARTHY] and the Senator from Nevada [Mr. CANNON] would each vote "nay."

On this vote, the Senator from Georgia [Mr. RUSSELL] is paired with the Senator from Rhode Island [Mr. PASTORE]. If presenting and voting, the Senator from Georgia would vote "yea" and the Senator from Rhode Island would vote "nay."

On this vote, the Senator from Oklahoma [Mr. MONRONEY] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from Oklahoma would vote "nay" any the Senator from California would vote "yea."

Mr. KUCHEL. I announce that the Senator from California [Mr. MURPHY] is necessarily absent.

On this vote, the Senator from California [Mr. MURPHY] is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from California would vote "yea" and the Senator from California would vote "yea."

The result was announced—yeas 34, nays 58, as follows:

[No. 8 Leg.]

YEAS—34

Allott	Fulbright	McClellan
Baker	Hansen	Mundt
Bennett	Hayden	Sparkman
Byrd, Va.	Hickenlooper	Spong
Byrd, W. Va.	Hill	Stennis
Cotton	Holland	Talmadge
Curtis	Hollings	Thurmond
Dirksen	Hruska	Tower
Eastland	Jordan, N.C.	Williams, Del.
Ellender	Jordan, Idaho	Young, N. Dak.
Ervin	Long, La.	
Fannin	Mansfield	

NAYS—58

Aiken	Brewster	Clark
Anderson	Brooke	Cooper
Bartlett	Burdick	Dodd
Bayh	Carlson	Dominick
Bible	Case	Fong
Boggs	Church	Gore
Griffin	Magnuson	Percy
Gruening	McGee	Prouty
Harris	McGovern	Proxmire
Hart	McIntyre	Randolph
Hartke	Miller	Ribicoff
Hatfield	Mondale	Scott
Inouye	Montoya	Smith
Jackson	Morse	Symington
Javits	Morton	Tydings
Kennedy, Mass.	Moss	Williams, N.J.
Kennedy, N.Y.	Muskie	Yarborough
Kuchel	Nelson	Young, Ohio
Lausche	Pearson	
Long, Mo.	Pell	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—1

Metcalf, against.

NOT VOTING—7

Cannon	Murphy	Russell
McCarthy	Pastore	Smathers
Monroney		

So Mr. MANSFIELD'S motion to lay Mr. MONDALE'S amendment on the table was rejected.

Mr. MANSFIELD. Mr. President, in view of the overwhelming majority of the Senators who have just voted against tabling the Mondale amendment—which I think expresses the overwhelming will of the Senate—I think it is incumbent upon me at this time to make another motion in an attempt to bring this matter to a decisive head.

UNANIMOUS-CONSENT REQUEST

Mr. President, I ask unanimous consent that the vote on the pending amendment, on which the yeas and nays have been ordered, take place at 2 o'clock today.

Mr. ERVIN. I object.

Mr. THURMOND. I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. MANSFIELD. Mr. President, I send to the desk a cloture motion and ask that it be read.

The PRESIDING OFFICER. The clerk will state the cloture motion.

The legislative clerk read the motion, as follows:

MOTION FOR CLOTURE

We the undersigned Senators, in accordance with the provisions of Rule 22 of the Standing Rules of the Senate hereby move to bring to a close the debate upon the pending business, H.R. 2516, an act to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

DANIEL K. INOUYE, JACOB K. JAVITS, P. A. HART, THOMAS H. KUCHEL, MARK O. HATFIELD, HUGH SCOTT, HARRISON WILLIAMS, CHARLES H. PERCY, ROBERT F. KENNEDY, WALTER F. MONDALE, STEPHEN M. YOUNG, ROBERT P. GRIFFIN, GEORGE D. AIKEN, WARREN MAGNUSON, GALE W. MCGEE, EDMUND S. MUSKIE, BIRCH BAYH, MIKE MANSFIELD, JENNINGS RANDOLPH, FRANK J. LAUSCHE, FRANK CHURCH, JOSEPH S. CLARK, WILLIAM PROXMIRE, EDWARD M. KENNEDY, STUART SYMINGTON, LEE METCALF, ERNEST GRUENING, JOHN SHERMAN COOPER, CLIFFORD P. CASE, ABRAHAM RIBICOFF, HENRY M. JACKSON, THOMAS J. MCINTYRE, FRED R. HARRIS, FRANK E. MOSS, WAYNE MORSE, JOSEPH D. TYDINGS, GEORGE MCGOVERN, CLAIBORNE PELL, THOMAS J. DODD, GAYLORD NELSON, DANIEL BREWSTER, VANCE HARTKE, JOSEPH M. MONTOYA, HIRAM L. FONG.

The PRESIDING OFFICER. Under the previous order, the Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, I yield to the Senator from Michigan.

Mr. HART. Mr. President, many Members, by reason of the holiday occasion following George Washington's Birthday, will be leaving tomorrow.

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order so that we can hear the Senator from Michigan.

The Senator from Michigan may proceed.

Mr. HART. Mr. President, what I have to say, I think, must be on the minds of each of us. The institutions of a free society, history tells us, sometimes have failed because of their inability to respond to national needs.

The people of this country in the last several years, have asked themselves the question more frequently than ever before: "Has in our evolution time and events begun somehow to run faster than our institutions can react?"

I do not pretend that all who voted a moment ago against tabling will turn up on Monday and vote for the Mondale-Brooke amendment, but I think an obvious, fair analysis of several votes we have had; the tabling vote on the amendment of the Senator from North Carolina [Mr. ERVIN]; the vote on cloture yesterday, and the vote refusing to table the Housing amendment of today, demonstrates that a majority of the Senate of the United States, in February 1968, seek to put on the Federal statute books the proposition in form reported by the Committee on the Judiciary, the so-called Hart bill, as a means of responding to an identified need, and, second, that a majority of the Senate seek to put on the Federal statute books the proposition that one's religion and race and place of origin, is not to be a test when a man goes out to seek or to buy a home for his family. Nothing could be more clear than these votes.

If history records that this institution thereafter failed to do those two things because of something called rule XXII, it will be a pretty severe verdict on all of us. I would hope that history would not record our failure. All the learned parliamentarians would never be able to explain to the people of this country why, after 5 weeks of debate and these votes, the majority was prevented from acting.

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

Mr. CHURCH. I yield.

Mr. MANSFIELD. On behalf of the minority leader and myself, we can confirm for the Senate the fact that the vote under the unanimous-consent agreement will take place 1 hour after the Senate convenes at 12 o'clock on Monday next. So all Senators should be on notice and should be in attendance.

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

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The Senator from Idaho has the floor.

Mr. CHURCH. Mr. President, I recognize the importance of this subject. I desire to accommodate Senators, but I have a speech to deliver, and the Committee on Foreign Relations will meet at 2:30 p.m. for a very important executive session, some part of which I hope to attend. I hope Senators will keep that in mind and foreshorten their remarks.

Mr. JAVITS. Mr. President, will the Senator yield for 30 seconds?

Mr. CHURCH. I yield.

Mr. JAVITS. Mr. President, I wish to adopt the views of Senator HART as my own, and to add that it is not history, but that the verdict will be recorded this year in the major American cities of the United States, exactly as he has said.

I thank my colleague for yielding.

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

Mr. CHURCH. I yield to the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, on tomorrow we will celebrate the anniversary of a great American hero, George Washington, who fought for 7 years to make Americans free. The Mondale amendment proposes to rob all Americans of the substance of their right of private property and to centralize the control of that private property in one Cabinet member in Washington.

I, for one, will continue the fight George Washington made to keep Americans free and to prevent the passage of an amendment which would convert all Americans from the status of free men into helpless puppets on a string to be pulled by one bureaucrat in Washington.

I thank the Senator for yielding.

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

Mr. CHURCH. I yield.

Mr. FONG. Mr. President, I ask unanimous consent that my name be appended to the motion for cloture.

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

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

Mr. CHURCH. I yield to the distinguished Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I associate myself with the statement made by the Senator from Michigan. I agree with what he has said, and I underscore the seriousness of the problem.

I believe that what we have failed to do here will sound resoundingly throughout the cities of America this summer, and our task has been made the more difficult by reason of the difficulties we have experienced in this body. I am sorry that the functioning of our system has prevented the will of the majority from prevailing.

I thank the Senator for yielding.

THE TORMENT IN THE LAND

Mr. CHURCH. Mr. President, the war in Vietnam enters its fourth year since we commenced the bombing of the north, its fury intensified, and no end in sight. As though fascinated by the baited trap, we are poised to plunge still deeper into Asia, where vast populations wait to engulf us and legions of young Americans are being beckoned to their graves.

Confounding our construction of the Vietnamese war as an aggression from the north, the Vietcong remains primarily an indigenous force of the south, honeycombed through every city and village, capable of striking from nowhere, moving with relative impunity among the people. Without a single area immune from enemy penetration, where he cannot obtain local cover, it should be obvious that we can find no magical answer to our dilemma in South Vietnam by striking out elsewhere. I listen, dismayed, to the reckless talk of "hot pursuit" into North Vietnam, Cambodia, or Laos, where, presumably, we shall deny the Communists their "sanctuary," when all of Asia behind them is their sanctuary.

The involvement of the United States in Vietnamese affairs, we should remember, began as just another foreign aid program. Our purpose was to help certain anti-Communist elements in South Vietnam strengthen themselves. But when we commenced to take over their fight in their country, converting their political struggle into an American war, I could no longer support the policy. As early as September 1964, I began to speak out against it.

In the intervening years, I have seen my worst fears confirmed. Step by step, we have been caught fast in a precarious Asian bog. Into its quicksands, we can readily stray farther and sink deeper, but out of it there is no quick or easy path of extrication.

Can unheeded warnings over many years now be used to unmake a war? Clearly, they cannot; the questions must be reframed. The victims of events, we must now ask if the premises of 1958, which have brought us to the realities of 1968, will be relevant in the world of 1978.

As America now ponders the price of its policy in Asia—

Writes Emmet John Hughes—

the quest for any healing wisdom must begin with the facing of one truth; the reckoning has been inevitable, for the policy was forever fatally flawed. Such a truth is almost too bitter to bear. For many, it will be so much easier to explain away the Vietnam tragedy in terms of cruel misfortunes or chance misjudgments. But this kind of history has not been decreed by blunders—but by premises. It has not been ruled by anguishing circumstance but by avowed purpose. And its full warning is not to be read as a matter of what America *failed* to do but what America *tried* to do.

It is with what we have tried to do, not only in Asia but in the world at large, that I would speak today. I am deeply concerned about our concept of the world around us and the proper role that we should play in it. It is my belief that the time has come to search our souls—to ask what, indeed, is the true condition of our country, and how that condition relates to the course we are embarked upon abroad.

There is a story making the rounds of an airline pilot who announced to his passengers that he had two pieces of news for them, one bad and the other

good. The bad news, he said, "is that we are lost. The good news is that we are traveling at a recordbreaking rate of speed."

The United States, without doubt, is traveling at a recordbreaking rate of speed. Our gross national product now exceeds an annual rate of $800 billion; for an unprecedented 84 months we have enjoyed a steady, upward trend of growth. More Americans are living better than ever before.

Yet, something is seriously wrong. Many of our thoughtful citizens sense that we are somehow off course, that we may have even lost our way.

For the first time, in my memory, a sizable segment of our young people have actually repudiated the country. The "hippies" have simply withdrawn from our society, seeking psychedelic escape by drug-induced hallucinations. We can deplore them but we cannot dismiss them—for they are there.

The activists among the angry rebels vent their contempt in public displays of brazen insolence. They defiantly tear up their draft cards; they shout, as the President passes by, "Hey, hey, L. B. J., how many kids did you kill today." They have gone so far as to mutilate the flag.

I recognize, of course, that these extremists do not typify American youth as a whole. Still, we deceive ourselves if we fail to acknowledge that a multitude of bright and sensitive college students—young men and women who refuse to participate in the abusive conduct I have just described—nonetheless feel profoundly disturbed about their country.

They question our course abroad. They resent the spreading mantle of militarism at home. They have, I must say quite frankly, greater sympathy for Dr. Spock and the ministers now under indictment, than for the Government prosecuting them. And they are skeptical about the condition of freedom in our land.

These students, though numerous, are probably not yet in the majority. But they do not care. Nor do they believe they can convince a country which will not listen. So their method is not to persuade but to obstruct, not to debate but to demonstrate. A kind of organized coercion seems to be their evolving technique, picket lines, massive sit-ins, rude resistance to established authority.

These anguished young people, in my opinion, are mistaken in the way they have chosen to conduct themselves. Disrespect for authority is disapproved by most Americans. No argument can be won by bad manners. The more shrill the shouting, the less inclined the country will be to listen.

Still, we are left confronted with the indisputable fact that a substantial proportion of our college students are estranged; they portray a poignant, visceral sense of alienation toward the "establishment," by which they mean all authority that stands for, or somehow represents, the government.

And this is a serious symptom of the torment in the land.

Another symptom, even more alarming, is the relentless growth of crime and violence in the streets. Our cities have become time bombs. We ask ourselves, in muted voices, which will be the next to explode. What horror does the coming summer hold?

For reassurance, we repeat truisms to one another. We earnestly agree that this country cannot tolerate mob rule; that riots, arson, and looting are the tools of anarchy and revolution; that the maintenance of liberty depends, first of all, upon the maintenance of order; that in a free country, anyone has the right to try and change the law, but no one has the right to break the law.

On all this we concur. More money will be given the municipal police for better instruction in riot control. Federal funds will be made available to finance special training programs for the National Guard. When the time comes, we know that many arrests will be made, and even now we demand swift punishment for the guilty.

Yet, deep down we also know that, though the police and guardsmen may suppress the violence, they cannot prevent it from occurring. And so we wait for the hot summer.

And this is another symptom of the torment in the land.

What has gone wrong? What is the reason for the dissension on our college campuses? Why, with rising affluence, are we faced with a rising tide of violence in America?

Finding the answers to these questions is the most urgent item on our national agenda. President Johnson, in his recent state of the Union message, took note of "a certain restlessness" in the country, explaining that—

> When a great ship cuts through the sea, the waters are always stirred and troubled.

But, with all deference to the President, our troubles are not stirring in the wake of the ship; our troubles are aboard. The ferment works amidst the crew, and the anxiety relates to the course charted for the ship itself.

Many aspects of that course may have contributed to the deterioration of public morality, to the spreading disregard for law and order, but none, I submit, has had a greater impact than this country's marathon dance with war.

We bear the imprint of war prolonged and unending. The draft has become a permanent fixture in our national life. Our youngsters grow up with war, listening to their fathers' stories of excitement and adventure on a hundred battlefronts. Where is the little boy whose favorite toys are not miniature replicas of our country's vaunted weaponry?

Violence begets violence; incessant warfare becomes, at last, the accepted companion of normalcy. Every night we watch on television the gory spectacle of the jungle war in Vietnam, the latest film, in color, flown to us directly from the battlefront. Year in, year out, the brutal drama penetrates every home, until burning villages, screaming children, and flowing blood become a routine part of the typical family scene.

Each morning our newspapers carry the latest body count of enemy dead, together with pictures of our own fighting men, bandaged and mangled. The brand of war pervades and brutalizes our culture. Funny strips give way to fury strips. Violence not only dominates the entertainment we are offered on the ubiquitous tube; it is exalted there. Our video spies kill with a ruthlessness indistinguishable from that of their adversaries. One cannot really separate, on any ethical basis, the good from the bad. Nor does it seem to matter. For it is the "action" itself which is glorified, and apparently all that matters is that our side wins by the end of the program.

So it has happened that the American people, long gathered about the arena, have been steeped in violence. The President expresses the hope that hardened veterans, returning from the fighting in Vietnam, will join the police forces in our cities to help keep order. But even as he issues his appeal, he knows that other veterans, equally seasoned in the black arts of guerrilla warfare, are returning each day to the slums and ghettos. As whole blocks were burning in Detroit last summer, one such veteran turned to his buddy and said: "It's here, man, that the real war is."

To deal with that "real war," the bipartisan foreign policy of the United States has left us ill equipped. Since the end of World War II, our attention has been largely diverted away from the problems at home and riveted instead on distant shores. So, too, have our resources. Today, we are much more a warfare, than a welfare state. Of the $157 billion voted by Congress in 1967, an astonishing 74.7 percent went for war or war-related programs, while only 12.2 percent went for health, education, and welfare. The breakdown of last year's budget follows:

	Percent
Military forces (includes present war)	55.7
Veterans (includes past wars)	4.4
National debt (over 80 percent war incurred)	9.1
Foreign relations (mainly foreign aid)	2.6
Space race	2.9
Post Office and roads	5.7
Agriculture and natural resources	3.9
Commerce and Labor	1.6
Health, Education, and Welfare	12.2
General Government	1.9
Total	100.0

The most perfunctory examination of this budget reveals the staggering cost of war, past and present, but even these percentages fail to describe the mammoth extent of our involvement abroad.

Since the end of the Second World War, we have wrapped our arms around the world as if it were our oyster. American fleets patrol not only our home waters, but the oceans of the earth, from the Mediterranean to the China Sea. Over 2 million of our military personnel, including their dependents, are stationed abroad. We maintain no less than 132 major military bases overseas.

The cost of this unprecedented military array defies comprehension, approaching a trillion dollars since the end of World War II. Our nuclear arsenal has grown to such awesome proportions that if it were ever detonated in anger, its

destructive power would be the equivalent of a thousand pounds of TNT against the head of every living inhabitant on earth.

However, even this is not the whole story. From the beginning of World War II onward, virtually every country in the world has received some form of loan or subsidy from the United States. In the postwar period alone, we have distributed more than $90 billion in economic aid to no less than 124 foreign governments, plus $38 billion in weapons, ammunition, and military equipment. Our arsenal diplomacy encompasses the globe. We are the world's largest munitions supplier, having disbursed over six times as much armament as our nearest rival, the Soviet Union.

But even this lavish gift of arms is not intended as a substitute for the use of our own. The United States has formally pledged itself, in advance, to the defense of 42 foreign countries, a commitment without example in history.

All of this we have solemnly done in the name of living up to our responsibilities as a great power. State Department strategists patiently explain that no other Western nation retains the capability of filling the vacuum created by the sudden collapse of the European empires. The good order they once maintained throughout the colonial world, we are told, it is now up to the United States to furnish—by subsidy wherever possible, through direct military intervention where lesser measures fail. Thus do we inherit the burden of the broken empires, assured that we shall be welcome since our motives are pure.

As a blueprint for American foreign policy, this doctrine of universal intervention is nothing less than a prescription for disaster. It rests, in the first instance, on a presumptuous misconstruction of modern history.

Let China sleep—

Napoleon warned—

for when she awakes the world will tremble.

Nineteenth century colonialism awakened Africa and Asia from ancient slumbers, sewed indignation thick and deep, and reaped a bitter harvest of virulent nationalism. The resulting ferment can never be stilled by new intervention from without, least of all by another rich and powerful Western nation. The notion that we can restore stability to that half of the world which has just thrown off colonial rule, or, worse still, that it has fallen to us to act as a rearguard for the shrinking empires of a bygone day, is not even worthy of being called a policy. It is a grandiose dream of men who suffer from the dangerous delusion of American omnipotence.

Today that dream lies shattered before our present agony in Vietnam. Whatever the eventual terms of settlement there, we have learned the chastening lesson others learned before us, that there are limits to what outsiders can accomplish by force of arms. The presence of a huge American expeditionary force in this small Asian country has reduced to puppetry, in the eyes of its own people, the very government we sought to bolster. Predictably, the banner of nationalism has passed to the Vietcong.

Moreover, as the *Pueblo* seizure demonstrates, we lack the manpower to extend to the rest of Asia the policy we pursue in Vietnam. For if Americans must fight Asians on a spreading Asian front, we shall soon run out of both men and money.

A general reassessment of American foreign policy is urgently needed. If we could only overcome our obsessive preoccupation with other people's ideologies, we could start asking some practical questions. What, for instance, have we bought with armaments unlimited and foreign aid dished out on a global platter?

We have not bought security.

After 20 years of the nuclear arms race, the Russian and American people are not the most secure, but the most imperiled people in the world. If the funeral pyre each government has set for the other is ever ignited, both peoples will be laid out upon it. A hundred million will die, it is estimated, in the initial blast, while untold millions more—wretched victims of the insidious fallout—will vomit their lives away in the hideous aftermath.

"The survivors would envy the dead," said Nikita Khrushchev.

"The last insanity," said Dwight D. Eisenhower.

Whatever could be salvaged, the mainstream of civilization would shift, for centuries to come, to the nonnuclear lands beyond the outer limits of the holocaust.

No, we have not bought security.

If not security, have we bought peace? Again, the answer is "No." Our policy of global intervention has meant war, not peace. During the past 25 years, the United States has engaged in more warfare than any other major power.

Then, at least, have we not bought favor? Once more the honest answer is "No." Our insistent involvement in the internal affairs of so many foreign countries meets with rising resentment and suspicion. As a delegate to the 21st General Assembly of the United Nations, I was a reluctant witness to the growing cynicism.

If I draw a bleak picture of the American predicament abroad, it is to underscore my conviction that the time is ripe for what John Foster Dulles once called an agonizing reappraisal of our foreign policy. I say this after 9 years of service on the Senate Foreign Relations Committee, a lengthy and intensive course. I say it after extended travel into many parts of the world, where I have met and questioned hundreds of prominent foreigners, journalists, businessmen, educators, and political leaders, from Harold Wilson to Nikita Khrushchev, from Chiang Kai-shek to Charles de Gaulle. Finally, I say it as one who firmly believes that the United States must continue to play a very prominent role in world affairs.

I do not propose swinging the pendulum back to ostrich-like isolationism. One extreme need not call for the other. I propose, rather, that we seek out the rational middle ground, where the limits of our intervention are drawn to correspond with the limits of our resources, and where we reserve direct military measures for those occasions that actually pose a clear and present threat to the security of the American people.

If we were to do this, I think our perspective would return again. No great calamity would occur. Instead, we would begin to see the folly of intercession without restraint. We would lift a dread burden from our shoulders and stand taller before the world.

Indeed, we would soon discover that, even as the United States cannot cap or control the endemic eruptions in the emerging world, neither can any other nation. Five thousand years of human history bear witness: it is a stubborn world, much too large and tough to be subjugated by any one country, or any one ideology or political or economic system.

What we once conceived to be monolithic communism is already cracking up under the hammer blows of national rivalry. The systems differ, one from another, Russia and China engage in bitter controversy, while the "satellite" countries assert a growing measure of independence. Slowly we have come to acknowledge, then to applaud, the disintegration of Communist solidarity in Eastern Europe. Yet we refuse to either recognize or respond to the same phenomenon in Asia.

Fear blinds us; fear of communism which transcends faith in freedom; fear of a future that we cannot shape with our own hands; fear of sudden devastation hurling down from the skies. The nuclear monster we ourselves unleashed returns, like Frankenstein's, to haunt our lives. Psychologists testify that a frightened man strikes out in all directions, a characteristic conspicuous in our foreign policy of recent years.

In the face of all this, I wish I could express some confidence that, by an act of our own volition, we might soon commence to alter this country's foreign policy from one of general, to one of selective, involvement. But I have no such confidence. Like other nations before us that drank deeply from the cup of foreign adventure, we are too enamored with the nobility of our mission to disenthrall ourselves. Besides, powerful vested interests now encrust and sanctify the policy. Were we to wait for the hierarchy of either political party to advocate a change of course, I fear we would wait indefinitely.

But events are transpiring that may force a change of course upon us. If a widening war in Asia is averted, 1968 may well prove a year of reckoning for the United States. Our lengthy binge of extravagant spending abroad is catching up with us, for the laws of economics are immune to national ambition. Half the gold has been drained from our Treasury. Less than $2 billion in unfettered bullion remains to meet some $30 billion in foreign obligations, all of which are redeemable in gold.

The emergency measures proposed by

President Johnson are palliatives, at most. He asks for the removal of the gold cover, which contributes nothing to the correction of our adverse balance of payments, but merely throws open to foreign creditors those remaining vaults to which their access is now denied. The gold drain, constant and unrelenting, is much too large to be checked by a dubious tourist tax or by limited restrictions on the investment of private capital abroad. Retrenchment of Government spending abroad is inescapable, if the calamity of the dollar's devaluation is to be avoided. But the solution will not be found in further manipulation of our foreign aid program, salutary as that may be; the solution lies where the gold toll is heaviest, in the redeployment homeward from Europe of large numbers of American troops.

Mounting pressure on the dollar, deaf to the trumpet call, will thus force a pullback. The question is not whether, but when. Congress could face up to a reckoning this year, if it had the fortitude to retain the gold cover, the removal of which merely buys a little extra time.

The stern, unavoidable requirement, made all the more urgent by the necessity of meeting the heavy gold drain costs in Vietnam, is to drastically cut back our foreign spending elsewhere. Would it not be wiser to do so now, while we still retain the last half of our gold as insurance for the dollar, than to wait until no gold remains? Why should Senators, long since convinced that the United States is overextended and overcommitted abroad, who have seen their repeated warnings repeatedly ignored, vote now to relieve the one pressure within our control that could compel a retrenchment?

I, for one, will not do it. I refuse to vote for the removal of the gold cover. I cannot support a measure designed to give globalism, our current foreign policy, an extended lease on life. All that Congress has left, with which to influence our course abroad, is the power of the purse. If we shrink from using it, we abdicate our role, and obtain nothing in return but temporary postponement of the inevitable day when the ledger must be balanced on our international payments.

So I shall vote to keep the pressure on, knowing full well that this is the only feasible means by which Congress can force a change in American foreign policy. The advice that Congress offers will continue to go unheeded, as long as Congress keeps giving its consent.

For the same reason, and other considerations as well, I have decided to vote against the proposed tourist tax. Apart from its impact on our adverse balance of payments, this tax strikes me as being grossly unfair. It will be borne by students, teachers, and other citizens of modest means, who have skimped and saved for a trip abroad, while our cosmopolites, the rich and well positioned with foreign bank accounts, will easily escape its reach. Moreover, the tax represents still another harassment of our citizenry by a Government increasingly immersed in a foolhardy endeavor to bestow liberty abroad instead of insuring its blessings here at home.

Nothing in the Constitution suggests that the Federal Government was established for the purpose of restructuring the world.

Again, however, I confess to no optimism that the Congress will hold fast. Our habit is to yield and I expect that the gold cover will be removed. The day of reckoning for the dollar will be deferred for a few more years, while the rest of our gold is transferred into foreign hands.

But what of the human pressures, the pressures which cannot be postponed. The pressures surging up from the slums, the pressures that cannot be postponed? The hot summer looms ahead, taunting us with the paradox of squandering, on the opposite side of the world, huge sums to suppress an insurrection in Vietnam, when insurrection smoulders in every major city in America.

Must it come to guerrilla warfare on our own streets before we begin to put first things first? How long do we wait before the men who occupy the seats of power finally see, that though the responsibilities of the United States Government are far reaching, there are none so important as those owed the American people?

Out of such an awakening, a new age would dawn. We would begin to find spiritual satisfaction again. We would regain our composure. Turning our primary attention to the problems afflicting our own society, confident our strength is such that no other nation can ever overcome us, we might even rediscover the guidance bequeathed to us by our earliest statesmen, men who understood, from the first, that our capacity to influence other lands depends upon our moral leadership, not our military might; upon the force of our example, not the force of our arms.

Listen to the wise words of John Quincy Adams, spoken on July 4, 1821:

> Wherever the standard of freedom and independence has been or shall be unfurled, there will be America's heart, her benedictions, and her prayers. But she goes not abroad in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own. She will recommend the general cause by the countenance of her voice, and by the benignant sympathy of her example. She well knows that by once enlisting under other banners than her own, were they even the banners of foreign independence, she would involve herself beyond the power of extrication, in all wars of interest and intrigue, of individual avarice, envy, and ambition, which assume the colors and usurp the standards of freedom. The fundamental maxims of her policy would insensibly change from liberty to force * * *. She might become the dictatress of the world. She would no longer be the ruler of her own spirit.

These words were uttered in the days of our infancy. Now, in the days of our maturity and in the fullness of our power, we see the dire prophecy of John Quincy Adams fulfilled.

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

Mr. CHURCH. I am happy to yield to the distinguished Senator from Wisconsin.

Mr. NELSON. Mr. President, I have sat here and listened with great interest to the speech of the distinguished Senator from Idaho. I commend him for his very thoughtful and very perceptive evaluation of our situation, both on the domestic scene and in the field of foreign affairs; and without necessarily agreeing with every detail of his speech, I certainly agree with it in general.

The Senator consistently offers to Congress and to the country very penetrating analyses of the problems that confront us, and I believe this is one of the most thoughtful speeches I have heard in a good long time. I thank the Senator from Idaho for his contribution.

Mr. CHURCH. I thank the Senator from Wisconsin very much for his kind words.

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

Mr. CHURCH. I am happy to yield to the Senator from Oregon.

Mr. MORSE. Once again, it is my privilege to associate myself with a great foreign policy speech, made by the Senator from Idaho. As he knows, I share the views that he has expressed on the folly of our war in Vietnam, as I have ever since we started slaughtering American boys in an unconstitutional, illegal, and immoral war in that country.

I shall continue to protest that war as long as we fight it on the basis that we are now fighting it, for I am satisfied that history will record that it did not produce peace, and could not produce peace—only more war for future generations of Americans to inherit as the legacy from our generation.

I think that is a very sad thing, and I want the Senator to know that I know that he knows how difficult it is, and how unpleasant, to stand up against the mistaken foreign policy of the United States; but I rise to commend him for his courage and his foresight, because he, too, will be sustained by history for the position that he has taken. I wish to associate myself with the objectives and the general tenor of his speech.

Mr. CHURCH. I appreciate very much the remarks of the distinguished Senator from Oregon.

There are two Senators present who were the first Members of this body to object to the tragic course of our policy in Southeast Asia. It was the Senator from Oregon [Mr. MORSE] and the Senator from Alaska [Mr. GRUENING] who were the first to sound the warning, when no one else was listening.

As I have mentioned, in my address, my own protest goes back to September of 1964. A few months later, in February of 1965, the distinguished Senator from South Dakota [Mr. MCGOVERN] and I joined, one afternoon here in the Senate Chamber, to urge a negotiated settlement in Vietnam, at a time when "negotiation" was an ugly word here in Washington.

Others have since joined in the growing dissent. But I simply want the record to be clear that the first to speak up against the present policy were two men who sit here this afternoon, the distinguished Senator from Oregon [Mr.

MORSE] and the distinguished Senator from Alaska [Mr. GRUENING], to whom I am now happy to yield.

Mr. GRUENING. Let me say first to my able colleague from Idaho that this was one of the great speeches of all time. I believe it ranks with the classics, with the addresses of Daniel Webster and other distinguished orators of the past. I cannot conceive of a more eloquent, searching, and comprehensive analysis of our foreign policy.

It is a tragic thing for those of us who love the United States, who revere its great past, who want to see its noblest professions adhered to, to see our Nation violating those professions and engaging in practices which nullify our noble traditions and our great past.

The tragedy about all this is that we do not know what we can do about it?

As Senator CHURCH has pointed out, there is a great rising tide of discontent, frustration, bewilderment, sorrow, and indignation in this country. The American people are deeply confused. They wish they knew some way out. Their protests seem to have fallen upon deaf ears.

It is not merely the commitment in Southeast Asia which is so tragic but its effects at home. The question is, How do we get out of this morass? The administration has taken the position that unless you have a solution, you should not criticize. Solutions have been proposed, with which not all are in agreement, but I would give my own view that while it is generally accepted that we must have an honorable way out, we have first to define that word "honorable."

An honorable way out would require a good face-saving formula. If we could go to the negotiating table and end the killing that way, that would be fine. But I think there is very little chance of negotiation, for the reason that our U.S. approaches have not been realistic.

My able colleague from Idaho may not agree, but I feel that unless we view this issue as not—as presented by the administration—an effort to stop aggression and help a friendly country which allegedly asked us to come in and save it from aggression, or as a method of stopping communism—all of which premises I consider are completely unwarranted—we shall not get very far.

After careful study of the record, it seemed to me—and as I have stated many times—that we barged into Vietnam unilaterally, unasked, into a country where only Vietnamese then were; that our entry was accompanied by the installation of a puppet whom we brought from the United States; that our refusal, with him, to abide by the agreement reached through the Geneva Accords precipitated a civil war; and that in that civil war we took the part of a succession of unpopular, coup-imposed corrupt generals, whose tenure recently have been reaffirmed in a rigged election, who have no popular support, and who would not last 24 hours without our military and financial aid.

I believe that until we face that situation realistically, and confess error, there will be no settlement.

This is a hard revelation for the American people to take; namely, that we are the aggressors there. That is difficult for the American people to believe, when they have been told from on high for so many years that we are fighting aggression. The facts, as I see them, are quite otherwise. I have tried to demonstrate that objectively in a book just published, entitled "Vietnam Folly."

Until we face the situation realistically, the opposition will never come to the conference table. That is our dilemma. I wonder if my colleague from Idaho does agree that if negotiation is not attainable it would be better to withdraw on almost any basis, than to stay and continue what we are doing. I know that is difficult to face. Such a policy has been stigmatized with the words "scuttle and run."

But actually, if we continue to do what we are now doing, we will merely aggravate the disaster. To date, we have lost in action some 16,000 fine young Americans and suffered more than 100,000 wounded—some of them crippled for life.

I have seen some of those poor 18- and 19-year-old kids. I saw one of them who is blinded for life and armless. When a man loses his sight, we try to train him to develop his tactile sense through his fingers. This poor kid has no fingers, hands, or arms. Others, through brain injury, have lost their minds. Another 19-year-old is paralyzed from the neck down.

Those kids who have been killed have been giving their lives not for the safety of our country. They will have died in vain.

We like to believe in the word of Lincoln, that these men will not have died in vain. However, we are fighting a war that we cannot win. We are defending a crooked bunch of grafters. Every knowledgeable observer who goes there reports on the flagrant corruption. David Halberstam, the Pulitzer Prize winner, reporting in Harpers gave a horrifying picture of every official being corrupt.

The Senator from Massachusetts [Mr. KENNEDY] has confirmed this. Yet, we are sacrificing our young men in a cause for which that country's own young men ought to fight. We were not attacked. No vital interest of the United States was in jeopardy.

I fear there is only one way out—although I do not see it coming at the present time—and that is to confess our error and make plans to phase out our occupation, leaving the Vietnamese to settle their problems. If we can find a face-saving means of doing this, fine.

I think that our ever-deepening Asian involvement is the most tragic thing that has happened to our Nation in its history. We have forfeited the good will of much of mankind. We cannot attain our declared objectives. Not only are we not stopping communism but actually aiding communism. While we are sending our young men there to fight a primitive peasant people, neither the Chinese nor Russian Communists have committed a single soldier to combat in that struggle.

I am hopeful that my colleague, the Senator from Idaho, has a solution for our dilemma. He has discussed the problem most vividly and eloquently, but what is his way out? How will he lend his efforts as a U.S. Senator in helping us to bring to an end this terrible mess?

Mr. CHURCH. Mr. President, first let me say that no one has discussed the war in Vietnam with greater vehemence than has the distinguished Senator from Alaska.

He knows of the efforts that we have made together, over the years, to avoid the escalation of the war which has nonetheless occurred.

He knows of the plea that we have made from time to time against the further enlargement of the bombing, after it had become apparent that the bombing had failed.

He knows of the attempts we continue to make to keep the perimeters of the war from being enlarged still further.

As I said at the commencement of my address, we are caught fast in an Asian bog. Into it, we can readily stray farther and sink deeper, but out of it, there is no easy path of extrication.

I have no magical solution for the present dilemma. If there were one, I am sure the President would long since have found it. The reason I originally objected to the policy was because I felt it would lead us to the very dilemma with which we are now, in truth, confronted.

The purpose of my address today is to draw the lessons from this nightmare in Vietnam which should shape American foreign policy from now on. If we do not learn these lessons, the same premises that led us into Vietnam are going to lead us further into other Asian lands. The front is going to be extended indefinitely, and young Americans are going to die by the millions in unmarked Asian graves.

Mr. GRUENING. And for what?

Mr. CHURCH. For nothing, because the history of this period should make it clear that the days of effective Western intervention in Asia are over.

Mr. GRUENING. The Senator is correct.

Mr. CHURCH. All the other Western nations have fled. Only we remain.

The lesson is that virulent nationalism, the product of the colonial period, giving birth to 50 new nations in Asia and Africa, has created a state of mind in these lands that covets independence.

We are talking about a region of the world where most people do not regard communism as an ugly word. They are more inclined to regard capitalism as an ugly word.

Mr. GRUENING. Or what they term "Western imperialism."

Mr. CHURCH. They relate capitalism to the old colonial period.

We make a grave mistake if we continue to believe that the successful way for resisting Communist expansion in Asia is through massive interjection of American expeditionary forces.

The lesson we need to draw from Vietnam is that the presence of an enormous American Army there, half a million strong, so conspicuously foreign to Viet-

nam, plus the tremendous input of billions of American dollars into a country in which the per capita income was only about $80 a year cannot help but corrupt the fragile economy and traditional life of the people. Inevitably, the government we sustain by force of our own arms, soon takes on the appearance of a puppet government, in the eyes of its own people. And then what happens? Then the banner of nationalism falls to the insurgents, and with the banner goes the sympathy and secret allegiance of most of the people.

Why is it, in Vietnam today, that the insurgents fight so fiercely, while those on whom we have lavished such tremendous aid are so inclined to leave the hardest battles to us?

Mr. GRUENING. The answer is that the other people are fighting for their independence, and we ought to be sympathetic to that objective.

Mr. CHURCH. No, I do not think we should be on their side; I do not think we should have sent an American Army to fight on either side, thus converting a Vietnamese political struggle into an American war.

Mr. GRUENING. The Senator is correct.

Mr. CHURCH. This was a Vietnamese war to start with. We are the foreigners there today, and as a result the indigenous effort, the cause of nationalism, the continuing struggle by the Vietnamese to drive out the foreigners has simply been transferred from the French to us. And though our motives may differ, we sleep in the same bed today in Vietnam that the French occupied in years past.

And that is the lesson that has to be drawn from this agony in Vietnam. If we were resisting the expansion of communism in Asia intelligently and effectively, then we would deal with these newly independent governments at arm's length, remaining ever sensitive to their national pride; and the thing we would avoid is occupying one of these small Asian countries in such a way as to condemn its government in the eyes of its own people. That is the surest way to throw the banner of nationalism to the Communists, giving them a momentum they otherwise lack.

Mr. President, I lived in Asia for nearly 2 years during the Second World War, principally in India and China. I came away firmly convinced that the old era of Western intervention in Asia had run its course, and that Western nations would have to adjust to that new reality and accept it. There is no reason why the United States should not accept it. We are not in Vietnam today because we were attacked.

Mr. GRUENING. Of course not.

Mr. CHURCH. It does not matter whether the war in Vietnam is construed as an agression from the North or as a civil war. Either way, it is a political struggle among the Vietnamese. The two halves of Vietnam were not separate and independent entities in any traditional or historic sense. The division was made temporarily by the Geneva accords of 1954, and it was expressly provided in those agreements that the division was not to be regarded as a permanent political boundary and further, that the people of Vietnam were to be given a chance to vote on the reunification of the country.

So it is only a myth that aggression occurred in Vietnam which can be compared with aggressions elsewhere. It is a myth that we have developed for our own convenience in order to rationalize our own policy.

Mr. GRUENING. The Senator is correct. It is a myth that we must maintain in order to justify our being there.

Mr. CHURCH. I agree with the Senator.

So the plea I make today is that the time has come to reassess American foreign policy, in Asia in particular, and in the world at large. We must recognize that, in this period of ferment, revolution cannot be bought off and stability can not be imposed from without.

If we keep trying, we will exhaust ourselves—exhaust ourselves against the current of history. That is being demonstrated painfully day after day in Vietnam.

So let us learn these lessons. Let us begin a revaluation of the policy that both parties have supported, a policy, as I have described in my address, of unlimited intervention without restraint. Let us begin to establish goals that are practical, within our means, and commensurate with our resources. We can do this and preserve our security.

We must bring an end to this period of incessant foreign warfare, because it is brutalizing the land. That is the appeal I make today.

Mr. GRUENING. Mr. President, does not the Senator agree that the role of the United States should be to show, by example, what a free society, a self-governing society, can do for its people: get rid of poverty, get rid of crime, get rid of hunger, get rid of disease; and show to the rest of the world that such a free, self-governing society is more productive of human happiness and, therefore, more enduring than any totalitarian system?

Mr. CHURCH. The Senator is eminently correct—he states a proposition so simple that most of the country is blind to its truth. All we need do is go back to the period of our own national birth, when we established the first republican form of government in modern times, asserting that its purpose was to assure life, liberty, and the pursuit of happiness for our own people. That is why the Federal Government was established. Out of that set of ideas we ignited a flame that spread throughout the world. Within the century that followed, not by the force of our armadas or the might of our arms, these ideas brought down or modified all the great reigning monarchies of Europe.

What better example is there of the truth of what the Senator from Alaska has said? Build a free society that the world can honor and respect and admire; then you will influence the shape of events in other lands.

But now that we possess great wealth and power, I must say to the Senator from Alaska, we are taking the course of other powerful countries of the past which drank deeply from the cup of foreign adventure, and that course has always led, in the end, to disaster. Why we think there is going to be some sort of historic exception for the United States escapes me.

So I say to the Senator from Alaska that I honor the courageous service he has rendered his country over the years, sometimes as a very lonely voice, and I appreciate the contribution he has made this afternoon.

Mr. President, I yield the floor.

PERSONAL STATEMENT BY SENATOR MORSE ON SECRETARY OF DEFENSE McNAMARA'S APPEARANCE BEFORE THE COMMITTEE ON FOREIGN RELATIONS

Mr. MORSE. Mr. President, I rise to a point of personal privilege.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, I rise to respond to the Secretary of Defense, Mr. McNamara, and to set the record straight in regard to some of his misrepresentations.

In a statement that he released yesterday to the public, which is published in this morning's New York Times, he states:

> Senator [Wayne] Morse, at the hearing on Aug. 6, specifically raised the question of a connection between our patrol and the South Vietnamese islands which had occurred some 2½ days prior to the attack on Maddox, and I responded that there was no connection. The two operations were separate and distinct. I informed you that our destroyers took no part whatsoever in the South Vietnamese operations. They did not convoy, support or back up the South Vietnamese boats in any way. As I stated during the hearing:
>
> "As I reported to you earlier this week, we understand that the South Vietnamese sea force carried out patrol action around these islands and actually shelled the points they felt were associated with this infiltration.
>
> "Our ships had absolutely no knowledge of it, were not connected with it; in no sense of the word can be considered to have backstopped the effort."
>
> That statement remains entirely accurate. I can confirm today that neither the ship commanders nor the embarked task group commander had any knowledge of the South Vietnamese action against the two islands or of any other specific South Vietnamese operations against the North.

Since his testimony on August 6, 1964, he apparently has come to realize that some of the facts were known as to what did happen. So, yesterday, we heard a coverup statement, or an attempted coverup statement, on the part of the Secretary of Defense, when he said in his statement:

> Higher naval commands were made aware of the operations by Commander, U.S. Military Assistance Command, Vietnam, in order to avoid mutual interference or confusion between our patrols and those operations.

I want to say in general comment first, Mr. President, that the Secretary of Defense's testimony before the committee on October 6, 1964, was inaccurate in

many respects and it was inaccurate yesterday in many respects.

Mr. President, on August 5, 1964, I spoke on the floor of the Senate against the Tonkin Bay resolution. I spoke also on August 6 against the resolution. The Senator from Alaska and I were the only two Members in the entire Congress who voted against it, and I am perfectly willing to let history be the judge of the soundness of the vote we cast.

But today I want to say I have no intention of letting the Secretary of Defense go out of office on the assumption that the testimony he gave either on August 6, 1964, or yesterday represents accurate testimony in many particulars. I want to say that I speak with great sadness for I have exceedingly high regard for the Secretary of Defense. I think he is one of the most brilliant men in public life that I have ever known.

I do not question his dedication to the policies of the administration. In that respect, he is one of the most dedicated public servants we have, but he has been dedicated in carrying out wrong policies, and policies that are going to rise to the discredit of the history of the Republic.

Mr. President, on August 6, 1964, the Secretary of Defense said before the Committee on Foreign Relations:

> Our Navy played absolutely no part in, was not associated with, was not aware of, any South Vietnam actions, if there were any.

I digress to ask, Did he mean to imply there that the Secretary of Defense was not aware of them? He was aware of them and had been aware of them days before he testified on August 6, 1964, and the record of his own Department convicts him of that awareness.

He went on with his testimony, as follows:

> The *Maddox* was operating in international waters, was carrying out a routine patrol . . .

Mr. President, before I complete my remarks, I will point out that that was a misstatement. He calls it a "routine patrol." The *Maddox* was a spy ship at that time under instruction to stimulate the electronic instruments of North Vietnam to carry out a spying activity. That is not a routine patrol for a destroyer. That is the activity of a *Pueblo* or a *Liberty* or other spy ship.

May I say under the facts and circumstances that existed in the Gulf of Tonkin on August 3, the time of the incidents with the patrol boats of the North Vietnamese, we were in a position where, as I said in my speech on August 5, and repeat today, the United States was a provocateur in the Gulf of Tonkin on August 4, 1964, and history will so record. We were far beyond acting on a routine patrol with the *Maddox* on August 4, 1964.

Going back to his statement of August 6, 1964:

> The *Maddox* was operating in international waters, was carrying out a routine patrol of the type we carry out all over the world at all times—

Mr. President, not with destroyers, and the Secretary knows it—

> It was not informed of, was not aware of, **had no evidence of, and so far as I know today** has no knowledge of any South Vietnamese actions in connection with the two islands that Senator Morse referred to.

He is dead wrong. He cannot explain it either on the basis of a lack of knowledge, for the records of his own Department of Defense at the time showed contrary evidence. What do the facts show?

With respect to the Navy's knowledge or South Vietnam's operation against North Vietnam, first, on July 15, 1964, in approving the patrol of the *Maddox*, the Joint Chiefs cautioned the naval commander in chief of the Pacific Fleet that "activity in 34–A operations has increased."

Keep in mind that "34–A operations" is the identification mark for the South Vietnamese bombing boats fully equipped by the United States, with a staff trained by the U.S. Navy. Our Navy was not only well aware of the fact that those boats were going up to bomb those two islands 3 to 6 miles from the coast of North Vietnam, but our Navy was in constant contact with the operation and knew what was taking place step by step.

There is this message, for example, sent out to the naval commander in chief of the Pacific Fleet:

> Activity in 34–A operations has increased. These 34–A operations consisted of South Vietnamese patrol craft (the crafts supplied by the United States, and with United States trained crews) bombarding for the first time North Vietnamese shore installations.

This clearly shows the Navy had knowledge of the South Vietnamese operation as early as July 15, 1964, and the Chief of Staff sent this message to the commander in chief in the Pacific. The Pentagon did not know about it? The Secretary of Defense did not know about it? Of course they did, step by step.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. MORSE. I shall not yield until I finish my documentation.

On July 10, the commander in chief of the U.S. forces in the Pacific authorized fleet units involved in the DeSoto patrol—and the DeSoto patrol is the name of the patrol of the *Maddox* at that time—to contact the U.S. military assistance group in Vietnam "for any additional intelligence required for prevention of mutual interference with 34–A operations—South Vietnamese bombardments of North Vietnam—and such communications arrangements as may be desired."

There is not one word of that by the Secretary of Defense in his testimony before the Committee on Foreign Relations on August 6, 1964. I respectfully say he had no right to testify at all if he was going to give us this kind of fragmentary testimony that itself was honeycombed with inaccuracy.

We were entitled to know the facts. This message also shows the Navy had knowledge of the South Vietnamese operations, which Secretary McNamara, in his testimony of August 6, denied to the Committee on Foreign Relations.

Third, early in the morning of August 4, 1964, the commander in chief of the Pacific Fleet cabled the *Maddox* and in that cable pointed out:

> The above patrol will: (a) clearly demonstrate our determination to continue these operations; (b) possibly draw NVN (North Vietnamese Navy) PGMS (Patrol Boats) to northward away from area of 34–A ops; (c) eliminate DeSoto patrol interference with 34–A ops.

Why, it was a decoy operation. That is what that message means. You follow the course that will draw the North Vietnamese Navy northward and eastward away from the direction of the bombing of the islands of North Vietnam by the South Vietnamese boats equipped by the United States and a crew trained by the United States.

History will record in regard to our involvement in the shoddy performance in the Gulf of Tonkin, where our officers in the Pentagon building apparently think it was proper to wave that flag that stands behind the Presiding Officer's desk into tatters and give the impression that because we were on the high seas we had a right to do what we want to do. Do not forget that we can commit an act of aggression on the high seas. Do not forget that we can be provocateurs on the high seas. Being on the high seas does not justify a course of action that involves ourselves in the kind of operations that this course of action got us into on the Gulf of Tonkin incident which led to the unfortunate resolution voted for by many sincere men in the Senate who believed—contrary to the views of the Senator from Alaska and the Senator from Oregon at the time—that our hands were lily white. Our country's hands were not lily white at the time of the Gulf of Tonkin incident.

Again this message shows that while the patrol at this time, consisting of both the *Maddox* and the *Turner Joy*, was ordered not to interfere directly—watch them for their semantics—was ordered not to interfere directly with the operations of the South Vietnamese, it might possibly assist by drawing patrol vessels of the North Vietnamese forces away from the South Vietnamese operations. This again shows that the Navy knew of the operations contrary to the testimony of Secretary McNamara.

With respect to Secretary McNamara's statement that the *Maddox* was operating in international waters and "carrying out a routine patrol of the type we carry out all over the world at all times," the facts show, as revealed in the official communications that, at that time, that destroyer was assigned to do what spy ships do, not what destroyers do; namely, she was to stimulate the electronic instruments of the North Vietnamese and attract attention to this operation and away from the other operations. Furthermore, in regard to point of time, the Secretary yesterday says that the torpedo attacks were some 2 days after the bombing of the islands. What would cause anyone to believe that the North Vietnamese knew what any terminal dates for our operations were? The ships were still in the area. Why should she think there were not going to be further

bombardments? The fact is that the *Maddox* and the *Turner Joy* were used as decoys to take those North Vietnamese naval boats to the north and east. A message from our own naval officers shows that was the objective, to get away from the bombardments and continue to stimulate the electronic instruments of the North Vietnamese and draw them by decoy away, so the operation 34–A could go on.

We still do not know whether the plan was just to bomb those two islands or continue other bombardments. I do not think we will ever know.

On August 2 and August 4, U.S. vessels were in international waters when the alleged incidents occurred. Patrol instructions issued in January 1964, in part were as follows: "The closest approach to the Chicom coast is 15 nautical miles. The closest point of approach to the North Vietnamese coast is 8 miles. CPA to the north"—that is, the closest point of approach—"to the North Vietnamese islands is 4 miles."

If we hold to the point of view that we were bound only by a 3-mile limit, our ships were always in international waters. But, do not forget that there is another point of view of the enemy, namely they do not recognize the 3-mile limit. They take the position—the Secretary of Defense disputed it yesterday, but I think the record is perfectly clear—that North Vietnam along with China insist on a 12-mile limit. There is no question about the fact that we were within that 12-mile limit from time to time during the operation of the so-called routine patrol of the destroyers in the Gulf of Tonkin. But, giving them all the benefit of the doubt, Secretary McNamara was accurate in stating that the *Maddox* was operating in international waters based upon a 3-mile limit, because that is viewed as being international waters by the United States but not so viewed by China, North Vietnam, North Korea, and many other countries.

If technically accurate, the Secretary's statement was, nevertheless, misleading, not only in the reference to international waters but also in his testimony that the patrol was routine and nonprovocative.

Second, in performing this intelligence mission, the *Maddox* was authorized, during the mission, to stimulate a North Vietnamese electronic reaction. I will say that under the circumstances, with the shelling taking place on North Vietnamese islands, with this kind of activity on the part of our destroyer, which was not a routine patrol, that that constituted an act of constructive aggression on the part of the United States. It constituted picking a fight, it constituted a hostile action, it constituted an action on the part of the United States seeking to try to get the North Vietnamese to involve themselves in a dispute with us, entirely uncalled for, if peace was what we wanted, entirely uncalled for, if what we were trying to do was to find a way to bring an end to the very unfortunate holocaust we got ourselves involved in.

TONKIN GULF INCIDENT MARKED START OF ESCALATION

That was really the beginning of the escalation into North Vietnam. I would have the American people remember that, as I said back in my speech of August 5, 1964, and August 6, 1964—which I shall place in the RECORD later—that prior to the Gulf of Tonkin incident the administration did not produce witnesses before the Committee on Foreign Relations who testified about any infiltration of North Vietnamese troops into South Vietnam. That infiltration began after the Gulf of Tonkin incident. We are going to have to take note of the date of the Gulf of Tonkin incident because, in my judgment, history will also record that our action in the Gulf of Tonkin made perfectly clear to the North Vietnamese that they would have to "go for broke."

It is following the Gulf of Tonkin that we get the large infiltration of North Vietnamese troops into South Vietnam. Prior to that time, there was some infiltration but not any organized infiltration of the military, according to the administration's own testimony. I have called upon the staff of the Committee on Foreign Relations to produce the digest now of all the testimony of the Pentagon people and the State Department people in regard to infiltrations prior to the Gulf of Tonkin incident. We will find that that infiltration is not infiltration of North Vietnamese troops. There were a great many South Vietnamese that had gone up to North Vietnam as part of the Geneva accord. They were trained. They went back as they were also entitled to do under the accord. Of course we would be the last to have any right to raise any objectionable question about that, in view of the training of foreign soldiers that we have been guilty of for a great many years. We do not have a leg to stand on by way of criticism of infiltration from the North to the South of North Vietnamese troops. They still do not have 525,000 of them there. But we do have 525,000 of our men there.

We never had the right to put a single one there, under international law. We have violated the Geneva treaty time and time again, for every soldier we have ever put there, for every tank we have ever put there, for every airplane we have ever sent there.

What does the treaty say? It literally forbids sending in Vietnamese—either one—or foreign soldiery or foreign military aides. We are not the only ones violating it in regard to shipments of arms. So is Russia. So is China. That does not make their wrong our right. It only makes us a wrongdoer along with them. But we have outdone them by sending in over 525,000 American troops to engage in an illegal war, an undeclared war, a war we do not dare to declare. For 4 years I have stood on the floor of the Senate and dared my President to send a war message up to Congress.

I dare him again today: "Mr. President, send up your war message. Let the American people and the Congress respond to it."

Mr. President, you know why we do not dare declare war. It is because a declaration of war must be enforced under international law against noncombatants, too. If they do not respect that declaration of war, then it must be enforced against them. With the United States standing at this hour with no major power in the world supporting us in our war in Vietnam, our Government will think a long time before it declares war. And, of course, our Government recognizes very well that we would have to get the British to lower their flag to an American blockade. We would have to get the Scandinavian flags lowered to an American blockade—and that is something the Scandinavian countries do not do; they do not pull down their flag to a blockade of another country if they do not approve of the blockade—and, of course, as I have said in my remarks here, we would certainly have a lot of difficulty with the French flag. But let us assume that the French flag would be lowered to the blockade, you know the answer, Mr. President—the Russian flag and the Chinese flag would never be lowered. That means a declaration of war, and the attempt to enforce a declaration of war means world war III.

That is the precipice we have put mankind on, and we are driving mankind closer and closer to falling off that precipice into world war III by the escalation policies we are following in Vietnam.

That is why the senior Senator from Oregon has pleaded and pleaded, and will continue to plead, before it is too late, that we must seek a multilateral settlement over there. We can never order a settlement. We have lost the opportunity and the right to do it. We can always get a surrender, if we continue to kill enough people and destroy enough property. But that will not bring peace. It will bring a truce, but we would not be able to bring any troops home from there. They will have to be left there to enforce the truce, while Asians dig in deeper and deeper, in hatred of the United States and our venture, until eventually they drive us out.

Someone has to be willing to stand up and warn the American people, as the Senator from Alaska and I have been doing for 4 years. Continue this course of action, and eventually, no matter how many decades it will take, the United States will be driven out of Asia. I do not intend to leave that legacy, by my vote, to future generations of American boys and girls. I do not intend to put that blood on my record in the Senate of the United States. For I have never adopted the fallacious policy "My country, right or wrong." When our country is wrong, we have the patriotic duty to right the wrong, not to perpetuate it.

Therefore, I just cannot let the Secretary of Defense get by with these further misrepresentations of the Tonkin Gulf record, because the record itself does not support him.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield for one question.

Mr. GRUENING. Is the burden of the Senator's eloquent and well documented statement that Secretary McNamara in August of 1964 and again yesterday, on either or both of those occasions, lied?

Mr. MORSE. Well, that is motivation, and I am not talking about people's motivations. I am simply talking about a lapse of good judgment, and a failure on

the part of the Secretary of State to accurately inform the Senate Foreign Relations Committee, both on August 6, 1964, and yesterday, when he testified before the committee.

In regard to the argument of the Secretary that the *Maddox* was operating in international waters, if technically accurate, the Secretary's statement, as I have said, was misleading, because it was not a routine patrol. It was not a nonprovocative patrol. It was a highly provocative patrol.

Here you are with islands 3 to 6 miles away, being bombarded by the South Vietnamese, and then you look out and you see two U.S. destroyers not too far away, stimulating the electronic instruments of North Vietnam, causing great alarm and concern on their part; moving to the east and north away from the area of the bombardment. If one is a North Vietnamese, what would he think? He would not think that those boats were on a pleasure tour in their waters. This was no pleasure tour. This was a provocative patrol, and the North Vietnamese knew it.

Well, in performing its intelligence mission, as I say, the instructions were to the *Maddox* to stimulate the electronic instruments of North Vietnam. The ship was authorized not only to listen but to provoke the electronic systems of North Vietnam. It might be added that the *Maddox* had ample warning that the North Vietnamese were stirred up by the *Maddox's* mission into North Vietnamese waters, and could have broken off the patrol long before it did.

After the attack on the *Maddox* on August 2, the Navy was authorized to continue "routine patrols" in the Gulf of Tonkin and to double the force by adding an additional destroyer—the *Turner Joy*—to the patrol. At the same time, the State Department delivered a note of protest to the North Vietnamese Government. The note concluded with the statement that the North Vietnamese should be under no misapprehension "as to the grave consequences which would inevitably result from any further unprovoked offensive military action against the U.S. forces."

Well, that is not a peace message. Why did they not send it to the Security Council of the United Nations? Why did not the State Department and the White House act within the scope and responsibilities and duties of international law? Why did we not give the Security Council at least the responsibility of moving in there to prevent what subsequently happened? "Oh," says the Secretary of State, "we are satisfied the Security Council would do nothing about it." That is an easy answer, but you ought to make the record first. One thing you can be sure of—if you had submitted it to the Security Council, then you would have been out of court for proceeding to bomb the PT bases of North Vietnam to carry out the threat of the message I have just cited. Let me read it again: The North Vietnamese should be under no misapprehension "as to the grave consequences which would inevitably result from any further unprovoked military action against U.S. military forces."

Two destroyers were involved in a highly provocative sea. It was a highly provocative sea by this time. We did not go to the Security Council. We did not keep faith with the pledge we made when we signed the charter of the United Nations that we would not resort to hostile action except in accordance with the provisions of the charter, after we had gotten approval. We would not have gotten it, of course.

Mr. President, eventually they will try us. Remember what the senior Senator from Oregon says on the floor of the Senate today when, in the years ahead, we get tried in international tribunals for our own course of action in Vietnam. We will be found guilty for that course of action in bombing those PT bases without ever attempting to get the incidents settled by way of international law.

After the incident of August 4, Secretary McNamara told the committee that the destroyers had come under continuous torpedo attack and that they had sunk two of the attacking craft.

He gave us no information that there was any doubt about it. He gave us no information as to the conflicting points of view even in the military, to say nothing about conflicting points of view elsewhere.

Secretary McNamara testified that—

> Deliberate and unprovoked nature of the attacks at locations that were indisputably in international waters compelled the President and his principal advisers to conclude that prompt and firm military response was required.

The attacks were all over, whatever they were, whatever their type. The *Maddox* and the *Turner Joy* were in no danger then. And, of course, what would reason and dedication to peaceful pursuit of the settlement of disputes have called upon the administration to do at that time?

Well, to move further out into international waters, until we got the matter before a tribunal that would have the jurisdiction and the authority to adjudicate it. That was the duty.

Instead, we had a visceral reaction. We bombed. The greatest military power on earth, the greatest firepower on earth, the greatest Navy, the greatest Air Force, the greatest ground force—we just had to show this little upstart, North Vietnam, that we were going to knock out some of their patrol boat bases.

Well, we did, and lost millions and millions of friends around the world. We stirred up fear and criticism within the precincts of the United Nations. That has been our course of action. It is not difficult, when you are the big boy on the playground, to whip the little boy on the playground. But you know what you are called when you do; and that is what we are being called in many places in the world today.

Mr. President, the facts of the matter of the second incident reveal that many other naval communications were sent out. To paraphrase, but accurately, the two ships were under orders to approach within 8 nautical miles of the North Vietnam coast, and 4 nautical miles of the North Vietnam islands.

Although the original plan called for the termination after 2 days of the runs of the ships into the Vietnam coast, the commander in chief of the Pacific ordered an extension of the patrol telling the ships that a termination after only 2 days "does not in my view adequately demonstrate the United States' resolve to assert our legitimate rights in these international waters."

The patrol of the *Maddox* and *Turner Joy* was coordinated with operations of the South Vietnamese against North Vietnam. These operations took place on the night of August 3–4. The operation included the bombardment of North Vietnamese radar sites and a security post. The U.S. commanders knew, moreover, that the North Vietnamese considered the patrol of the two ships as part of this South Vietnamese operation. Nevertheless, despite this knowledge that North Vietnam considered the U.S. patrol as part of an attack on North Vietnam the patrol continued.

As for the second incident itself, Mr. McNamara told the committee that there was no doubt that the attack on the *Maddox* and the *Turner Joy* had taken place as described. He even told the committee that two North Vietnamese PT boats had been destroyed. His testimony gave no indication that there was any doubt as to what had occurred. The reports, however, show that as the hours went by after the second incident there was increasing concern that the attack may not have taken place at all. I think it did, but there was such little objective evidence immediately available that there was doubt.

On August 4 the destroyers reported that they were under continuous attack. Within the next few hours messages came from the *Maddox* and *Turner Joy* describing the attack. For example, at 11:15 a.m. the *Turner Joy* reported that five torpedos had been fired and the ship was planning to ram one of the PT boats.

Do not forget that PT boats carry only two torpedoes. In fact, there is great doubt in the record as to whether they can pin down more than one, although some of the information given us was that allegedly 22 torpedoes had been fired.

Another report was transmitted that seven torpedoes had already been fired at the destroyers, and two were in the water. The *Turner Joy* reported "We think a PT boat sunk one of its own boats."

Then a message arrived that the ships had counted 22 torpedoes fired. North Vietnamese patrol boats, as I have said, carried but two. They did not have a flotilla of PT boats, at best.

It was primarily on the basis of this information that the administration set in motion the process that would lead to the attack on North Vietnam some 10 hours later. It should be noted that 2 days later, on August 6, when Secretary McNamara brought the account of the second incident to the committee he gave no indication that there were second thoughts as to what really happened in the Gulf of Tonkin. He was positive and unequivocal.

Nevertheless, within a few hours after the *Maddox* and *Turner Joy* had reported that the attacks had broken off, doubts began to grow about the incident. The first reaction of skepticism about the incidents came from the naval communications center in the Philippines. This center had monitored the entire action and received all of the communications from the two ships, including voice transmissions. On the basis of reviewing this information, this naval center in the Philippines—it may have been a relayed message, perhaps from the operational commander of the two destroyers, but nevertheless the instructions went out:

Review of action makes many reported contacts and torpedos fired appear doubtful. Freak weather effects and overeager sonarmen may have accounted for many reports. No actual visual sightings by *Maddox, suggest complete evaluation before any further action.*

Subsequently, further doubts came from the ships themselves. The operational commander of the two ships aboard the *Maddox* cabled that "entire action leaves many doubts except for apparent ambush at beginning. Suggest thorough reconnaissance by aircraft at daylight."

Then another message came in from the Commander in Chief of the Pacific Fleet, asking the *Maddox* to confirm "absolutely" that the ships were attacked.

Then, in another message, the operational commander aboard the *Maddox* reported that the *Maddox* itself had scored no known hits and never positively identified a boat as such. He reported that "the first boat to close the *Maddox* probably fired a torpedo at the *Maddox* which was heard but not seen. All subsequent *Maddox* torpedo reports are doubtful in that it is suspected that sonar man was hearing ship's own propeller beat."

No, in spite of all this reported attacking, there was still doubt whether there had been an attack, as I have said in the first instance, Mr. President.

The commander in chief of the Pacific Fleet, only a few hours before the retaliatory airstrike on North Vietnam, sent a telegram to the operational commander of the *Maddox* and *Turner Joy* as follows:

(1) Can you confirm absolutely that you were attacked?

(2) Can you confirm sinking of PT boats?

(3) Desire reply directly supporting evidence.

Over the next few hours the demands for confirming information and evidence mounted. Finally, the commander of the 7th Fleet asked the *Turner Joy* to amplify urgently its reports. The following is from the cable:

Who were witnesses, what is witness reliability?—Most important that present evidence substantiating type and number of attacking forces be gathered and disseminated.

Then they called upon the *Turner Joy* to search for debris; for, of course, if planes had been knocked down, or if PT boats had been sunk, when daylight came, it would be difficult not to find even an oil skim.

Well, after the message of the commander of the Pacific Fleet, Admiral Moorer, urgently asking for the information, the President appeared on television to announce that the strikes against North Vietnam had commenced.

As I have already said, I do not think the strikes can ever be justified. I do not think that at that time there was any need to go to the self-defense of the Republic. There was a need to meet with the Security Council, and fast.

So, when we take the whole record—and I have only given a few incidents, but I have given enough which, under the doctrine of personal privilege, I am entitled to do, to answer the Secretary of Defense's reference to me—I want to say that in my judgment the Secretary of Defense misled the committee in August 1964. We might have had an entirely different attitude in the Senate if we had been told all of the facts then about the background of the Tonkin Gulf incident.

As I said yesterday in the committee meeting in the presence of the Secretary of Defense, I did not speak on the floor of the Senate on August 5 and August 6 without having some information to justify my making some of the comments I made.

I served on the Armed Services Committee for years. I still have very close contact with highly reliable people. I had a call from the Pentagon Building before I made that first speech, suggesting that I ask for the logs. And I asked for them in the speech.

The call also suggested that I seek to find out what the *Maddox* was doing, because she was not on a routine patrol mission, but was acting as a spy ship.

I want to say that the Secretary of Defense and the administration, including the President of the United States, owed it to Congress and to the people of this country to tell us much more about what preceded the alleged—and I think it happened, in the first incident at least—attack on the *Maddox*.

Had they done it, I just have a feeling in my bones that the Tonkin Gulf joint resolution would not have passed. Do not forget, there is a very interesting other chapter to that resolution which I will not take the time to go into today. It was drafted before the incident.

Mr. President, I ask unanimous consent to have printed in the RECORD my speech of August 5, 1964, in which I gave warnings in regard to the Tonkin incident, and also my speech of August 6, 1964.

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

[From the CONGRESSIONAL RECORD, Aug. 5, 1964]

Mr. MORSE. Mr. President, I rise to speak in opposition to the joint resolution. I do so with a very sad heart. But I consider the resolution, as I considered the resolution of 1955, known as the Formosa resolution, and the subsequent resolution, known as the Middle East resolution, to be naught but a resolution which embodies a predated declaration of war.

Article I, section 8 of our Constitution does not permit the President to make war at his discretion. Therefore I stand on this issue as I have stood before in the Senate, perfectly willing to take the judgment of history as to the merits of my cause. I note in passing that the warnings which the Senator from New York, Mr. Lehman, and the senior Senator from Oregon uttered in 1955 in opposition to the Formosa Resolution have been proved to be correct by history. I am satisfied that history will render a final verdict in opposition to the joint resolution introduced today.

Mr. President, I shall not yield during the course of my speech, although I shall be very glad to yield to respond to questions afterward.

The senior Senator from Oregon has no illusions as to the reactions which will be aroused in some quarters in this Republic. However, I make the speech because it represents the convictions of my conscience and because I consider it essential to make it in keeping the sworn trust that I undertook when I came into this body on four different occasions and was sworn in as a Senator from the State of Oregon, pledging myself to uphold the Constitution.

I have one other remark by way of preface, not contained in the manuscript. I yield to no other Senator, or to anyone else in this country in my opposition to communism and all that communism stands for.

In our time a great struggle, which may very well be a deathlock struggle, is going on in the world between freedom on the one hand and the totalitarianism of communism on the other.

However, I am satisfied that that struggle can never be settled by war. I am satisfied that if the hope of anyone is that the struggle between freedom and communism can be settled by war, and that course is followed, both freedom and communism will lose, for there will be no victory in that war.

Because of our own deep interest in the struggle against communism, we in the United States are inclined to overlook some of the other struggles which are occupying others. We try to force every issue into the context of freedom versus communism. That is one of our great mistakes in Asia. There is much communism there, and much totalitarianism in other forms. We say we are opposing communism there, but that does not mean we are advancing freedom, because we are not.

Senators will note as I proceed in the presentation of my case in opposition to the resolution that I believe the only hope for the establishment of a permanent peace in the world is to practice our oft-repeated American professing that we believe in the substitution of the rule of law for the jungle law of military force as a means of settling disputes which threaten the peace of the world.

The difficulty with that professing or preaching by the United States is that the United States, like some Communist nations, does not practice it.

I wish to make one last introductory remark in the hope that more will understand the message of this speech, although we sometimes deplore the possibility of understanding on a subject matter that stirs so much emotion, so much feeling, and so much passion in the minds of so-called superpatriots, who seem to feel that if one raises any question or expresses any criticism of the policies of our country in the field of foreign policy, one's very patriotism is subject to question.

In the hope that there may be those who may wish to understand the basic tenet of the foreign policy philosophy of the senior Senator from Oregon, I wish to repeat what

some of my colleagues have heard me say before.

My foreign policy philosophy is based on a great teaching of a great teacher in this body, one who undoubtedly exercised more influence on me in the field of foreign policy than any other person; a great Republican, who became chairman of the Committee on Foreign Relations; who was one of the architects of the San Francisco Charter; who joined with Franklin Delano Roosevelt in the announcement of that great statement in the field of foreign policy, that politics should stop at the water's edge. I refer, of course, to the incomparable Arthur Vandenberg, of Michigan.

Senators within my hearing have heard me say before that I was deeply moved by that dramatic account of Arthur Vandenberg, in which he told, so many times, how he ceased being the leading isolationist in the Senate and became the leading internationalist. It was before the atomic bomb was finally perfected, but after it was known that the atomic bomb would be successful in its perfection.

Franklin Roosevelt called to the White House late one night the leaders of Congress, the leading scientists of the country, who were working on the bomb at that time, and the military leaders of our Defense Establishment who were still stationed in Washington. As Arthur Vandenberg used to say, "We were briefed, and the conference continued until the wee hours of the morning. The scientists convinced all that there was no question that the bomb would work. Then the discussion turned to the implications of this great discovery of science."

Senator Vandenberg used to say to us, "When I came out of the White House in the wee hours of that morning, I knew that while I had been in there that night, the world had so shrunken that there no longer was any place in American politics for an isolationist."

It was then that the great record of internationalism was begun to be made by the incomparable Vandenberg. I paraphrase him, but accurately, for my speech today rests upon this tenet, this unanswerable teaching of Vandenberg. This speech is my challenge today to the members of our Government and the people of my country to follow that teaching, for I do not believe that there is an implementation of any other teaching that can offer mankind any hope for peace. Unless mankind proceeds to adopt the procedures that will make possible permanent peace, both Western civilization and Communist civilization are headed for annihilation. In my judgment, we cannot find reputable scientists who will testify that either civilization could survive a nuclear war.

That tenet of Vandenberg's is as follows: There is no hope for permanent peace in the world until all the nations—not merely some, not merely those we like, not merely those we think are friendly—but until all the nations are willing to establish a system of international justice through law, to the procedures of which will be submitted each and every international dispute that threatens the peace of the world, anywhere in the world, for final and binding determination, to be enforced by an international organization, such as the United Nations.

I am aware of all the criticisms of that tenet. But I have yet to hear a criticism that either destroys or weakens the tenet. One of the almost pro forma criticisms is that it is idealistic, it is impractical, unrealistic. The fact is that only ideals are practical. The only practicality we shall experience in the field of foreign policy or any other field of human behavior is an ideal put to work.

Vandenberg left us this great ideal. It will take years to implement it. But we must always move forward, not backward. We are moving in Asia today, but the movement of the United States in Asia is not in the direction of Vandenberg's principle.

It makes no difference who says that our objective is peace, even if he be the President of the United States. Our actions speak louder than words; and our actions in Asia today are the actions of warmaking.

As I speak on the floor of the Senate at this moment, the United States is making war in Asia.

I shall never give up, short of the actual passage of a declaration of war, my prayerful hope for peace and my prayerful hope that we will substitute the ideal of the rule of law through the only international organization that exists and that has any hope, in my judgment, of applying the rule—the United Nations.

ASIA POLICY IS CATCHING UP WITH US

Thus I say that the incident that has inspired the joint resolution we have just heard read is as much the doing of the United States as it is the doing of North Vietnam. For 10 years, the role of the United States in South Vietnam has been that of a provocateur, every bit as much as North Vietnam has been a provocateur. For 10 years, the United States, in South Vietnam, has violated the Geneva agreement of 1954. For 10 years, our military policies in South Vietnam have sought to impose a military solution upon a political and economic problem. For 10 years the Communist nations of that part of the world have also violated the Geneva accord of 1954.

Not only do two wrongs not make one right, but also I care not how many wrongs we add together, we still do not come out with a summation except a summation of wrong—never a right.

The American effort to impose by force of arms a government of our own choosing upon a segment of the old colony of Indochina has caught up with us.

Our violations of the Geneva accord have caught up with us. Our violations of the United Nations Charter have caught up with us.

Our failure to apply the provisions of the Southeast Asia Treaty have caught up with us. We have been making covert war in southeast Asia for some time, instead of seeking to keep the peace. It was inevitable and inexorable that sooner or later we would have to engage in overt acts of war in pursuance of that policy, and we are now doing so.

There never was a time when it was possible for us to impose a government upon the people of South Vietnam without constant fighting to keep it in power. There never was a time when it would be possible to "bring the boys home by 1965,"—as was once promised—or on any other date. There never was a time when the war could be fought and won in South Vietnam alone, because the Khanh junta—and any of its successors and predecessors—could not survive without massive and direct American military backing that was possible only if the war were expanded.

So the war has at last been expanded—as the Senator from Alaska and I for the last 5 months, in speech after speech on the floor of the Senate, have forewarned was inevitable if we continued our course of action. That course of action, of unilateral military action on the part of the United States, is irreconcilable with our professings as to the application of the rule of law for the settlement of disputes which threaten the peace of the world or any region thereof.

Whether the choice of expanding it was that of North Vietnam or South Vietnam is still in doubt. But I am satisfied that the present rules of South Vietnam could not long continue their civil war unless the war were expanded.

The United States is, of course, a full partner in the Government of South Vietnam. I am satisfied that ever since 1954, when the United States did not sign the Geneva accords but instead started down the road of unilateral military action in South Vietnam, we have become a provocateur of military conflict in southeast Asia and marched in the opposite direction from fulfilling our obligations under the United Nations Charter. I am satisfied, further, that officials of both the Pentagon and the State Department during those years have ill advised the White House in respect to what our course of action should be in southeast Asia from the standpoint of a second foreign policy.

In recent months, evidence has been mounting that both the Pentagon and the State Department were preparing to escalate the war into North Vietnam. Many of the policies they have initiated and the statements they have made in public have been highly provocative of military conflict beyond the borders of South Vietnam.

When the high emotionalism of the present crisis has passed, and historians of the future will disclose some of the provocative things that have occurred, I have no doubt that they will disclose that for quite some time past, there have been violations of the North Vietnamese border and the Cambodian border by South Vietnam, as well as vice versa.

I am also satisfied that they will disclose that the United States was not an innocent bystander. We will not receive a verdict of innocence from the jury box of history on several counts.

Our extensive military aid to South Vietnam was a violation of the Geneva accords in the first instance. Our sending troops into South Vietnam, even under the semantic camouflage of designation as military advisers, was a violation of the Geneva accords. In fact, both of those two counts were also a clear violation of the spirit and intent of the peaceful purposes of the United Nations Charter itself.

Any violations of the borders of Cambodia and North Vietnam by the South Vietnamese were not conducted in a vacuum so far as U.S. assistance was concerned.

We assisted not only with materiel, but we advised on war plans, and our military presence in South Vietnam served as an ever-present strong back-stop to the South Vietnamese. I doubt if their military leaders acted at any time without the tacit approval of their American advisers.

TONKIN BAY INCIDENT PROVOKED BY SOUTH VIETNAM

In a very recent incident which was the forerunner to the attacks on American destroyers in the Tonkin Bay, it is known that South Vietnamese naval vessels bombarded two North Vietnamese islands within 3 to 5 or 6 miles of the main coast of North Vietnam. Of course, the national waters of North Vietnam extend according to our international claims 3 miles seaward from the eastern extremity of those islands and 12 miles seaward under national water boundary claims of North Vietnam. While the South Vietnamese vessels were attacking the North Vietnamese islands, the newspapers tell us that U.S. vessels of war were patrolling Tonkin Bay, presumably some 6 to 11 miles off the shore of North Vietnam.

Was the U.S. Navy standing guard while vessels of South Vietnam shelled North Vietnam? That is the clear implication of the incident.

In regard to international waters, a subject which is one of the highly disputed and still unsettled questions of international law, I believe that the position of the United States is the sounder position. I believe that the 3-mile limit has the better support under international law principles. But we have neighbors to the south of us in Latin America who do not accept that principle

and insist on a 12-mile limit—in one instance, as I recall, a longer limit. Time and time again international incidents arise between the United States and Latin American countries, when American fishing boats get within the limits of the claimed national waters of our South American neighbors and are towed into port. Then begins the exchange of notes and conferences in an effort to have those men released.

The U.S. Government knew that the matter of national and international waters was a controversial issue in Tonkin Bay. The United States also knew that the South Vietnamese vessels planned to bomb, and did bomb, two North Vietnamese islands within 3 to 6 miles of the coast of North Vietnam. Yet, these war vessels of the United States were in the vicinity of that bombing, some miles removed.

Can anyone question that even their presence was a matter of great moral value to South Vietnam? Or the propaganda value to the military totalitarian tyrant and despot who rules South Vietnam as an American puppet—General Khanh, who is really, when all is said and done, the leader whom we have put in charge of an American protectorate called South Vietnam?

It should be unnecessary to point out either to the Senate or to the American people what the position of the United States and its people would be if the tables were reversed and Soviet warships or submarines were to patrol 5 to 11 miles at sea while Cuban naval vessels bombarded Key West.

It is no accident or coincidence that today's press and radio reports tell of the rumors rife in Saigon yesterday of a coup against the Khanh regime, rumors which are said to have been quelled by the expansion of the fighting.

Today's New York Times carries on its front page a story headlined "Khanh, Warned of Plots, Seeks To Bolster Regime." It is written by Seymour Topping, and it says in part:

"Once again, rumors of a coup d'etat were circulating in Saigon. There was no visible evidence that a coup against the Khanh government was imminent, but the currency of the rumors tended to undermine the authority of the regime and confidence in it.

"U.S. officials believe another coup after that of January 30, which brought Premier Khanh to power, and that of last November 1, which brought down the regime of President Ngo Dinh Diem, would be seriously detrimental to the war against the Vietcong."

This story also relates the efforts by General Khanh to rouse support by carrying the war into North Vietnam, and the subsequent "lift" given his regime by the involvements of the *Maddox* with the North Vietnamese PT boats.

I ask unanimous consent to have the full story printed in the RECORD at this point.

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

"KHANH, WARNED OF PLOTS, SEEKS TO BOLSTER REGIME

("By Seymour Topping)

"SAIGON, SOUTH VIETNAM, August 4.—Premier Nguyen Khanh struggled today to strengthen the political stability of his government as his aids privately warned of plots to drive him from office. U.S. officials were concerned about the political deterioration in Saigon.

"The malaise in the capital was attributed more to a clash of rival political and military personalities than to pressure from the Vietcong insurgents.

"U.S. sources said reports from provinces indicated that conditions there were generally better than in Saigon.

"Once again rumors of a coup d'etat were circulating in Saigon. There was no visible evidence that a coup against the Khanh government was imminent, but the currency of the rumors tended to undermine the authority of the regime and confidence in it.

"Threat to war is seen

"Gen. Maxwell D. Taylor, the U.S. Ambassador, was informed of the rumors, which emanated in part from responsible Government sources.

"U.S. officials believe another coup after that of January 30, which brought Premier Khanh to power, and that of last November 1, which brought down the regime of President Ngo Dinh Diem, would be seriously detrimental to the war against the Vietcong.

"General Khanh scheduled a Cabinet meeting for tomorrow during which he may deal with some of the reported threats to his administration. Vietnamese Government officials said General Khanh was considering a proposal to appoint military officers as deputy ministers to strengthen his authority.

"Associates of General Khanh were privately accusing Dr. Nguyen Ton Hoan, leader of the nationalists Dai Viet party, of involvement in plans to force the Premier from office.

"General Khanh brought Dr. Hoan to Saigon from Paris, where he had spent about a decade in exile, after the Premier had seized power. The Dai Viet leader is said to have been disappointed when he was not appointed Premier as expected, but was made one of three Vice Premiers and put in charge of the pacification program.

"The Dai Viet, which has lacked a base of popular support, is reported to have been active recently in recruiting new members, especially army officers.

"Some of Premier Khanh's supporters accused Dr. Hoan of having tried to recruit Maj. Gen. Tran Thien Khiem, the Minister of National Defense, who was instrumental in bringing the Premier to power.

"Officers linked to party

"Reports reaching Western embassies here and well-informed Vietnamese sources also linked the Dai Viet to Gen. Nguyen Van Thieu, the Chief of Staff, and Col. Nguyen Van Ton, commander of the 7th Division.

"General Khanh has relied on all officers named in the past and there was no certainty by independent observers, despite persistent reports, that any of them had become disaffected.

"The Premier, who has come to look upon plotting by discontented politicians and military officers as a chronic expression of the unstable political situation in Saigon, has been devoting much of his time to dissolving political groupings directed against him.

"General Khanh, bitter about his inability to muster Saigon politicians and some officers in the war effort, has recently hinted that he might forgo the premiership.

"The Premier has spoken of his desire to go to the United States. Ostensibly the visit would be to tell Americans more about South Vietnam's cause.

"In a fit of frustration at one private Government meeting, the Premier is reported to have offered to turn over the office to Maj. Gen. Duong Van Minh, the chief of state, if he would pledge dynamic leadership in the war.

"General Minh, leader of the military junta that was toppled in the coup last January, was retained as chief of state at the suggestion of the United States. He is said to have declined the offer.

"The chief of state is a fairly popular figure, more so than General Khanh in some regions of the country. However, he has balked at throwing his full influence behind the younger officer who overthrew his government.

"Political observers here view the demands made by General Khanh last month for a 'march to the north' as an articulation of his political frustrations. The Premier aware that his forces were too limited for such an operation against North Vietnam, apparently sounded the slogan in an effort to rouse nationalist support.

"Last week Ambassador Taylor was instructed to inform Premier Khanh that his call for an extension of the war to the north was against present U.S. policy. Information about policy differences leaked to the press, embarrassing the Premier.

"General Khanh protested for a time about his government's independence of action, but on Friday publicly modified his statements to fit in with Washington policy. The retreat was noted by his political enemies.

"General Khanh has been given a political lift by the attack made by North Vietnamese PT boats on the U.S. destroyer *Maddox* last Sunday. The general has pointed to the attack as vindication of his view that stronger measures are necessary to counter Communist aggression.

"A spokesman for the Premier today welcomed President Johnson's decision to strengthen U.S. naval patrols in the Gulf of Tonkin, where the attack on the *Maddox* took place."

Mr. MORSE. These facts are as well known to the world as they are to officials of the U.S. Government. They mean that our charges of aggression against North Vietnam will be greeted by considerable snickering abroad.

So, too, will the pious phrases of the resolution about defending freedom in South Vietnam. There is no freedom in South Vietnam. I think even the American people know that to say we are defending freedom in South Vietnam is a travesty upon the word. We are defending General Khanh from being overthrown; that is all. We are defending a clique of military generals and their merchant friends who live well in Saigon, and who need a constantly increasing American military force to protect their privileged position.

Repetitious as these remarks may seem to those who have heard me speaking on Asian policy over the last 5 months, nevertheless, the facts of our obligations under international law, and the stupidity of our policy in southeast Asia remain the same. I am aware that my words will not be popular with many, and will be unacceptable to some. But the times demand wisdom more than they demand popularity.

If war is really too important to be left to the generals, then the American people are going to have to make themselves heard soon on U.S. policy in Asia. The only hope that remains for diplomatic action in our activities in the former Indochinese peninsula is the vague hope that a large enough military buildup and a forceful enough threat to expand the war will cause Red China and North Vietnam to retreat from Laos and to cease their support of the rebels in South Vietnam.

When this retreat and this cessation of support to the Vietcong has occurred, then and only then, say our diplomatic spokesmen, might the United States consider a United Nations action in the area, or a new 14-power conference.

Such an American foreign policy is in direct violation of our international legal obligations, including our obligations under the United Nations Charter. What is worse, we have threatened war where no direct threat to American security is at stake. Many journalists who reflect this Government policy in their writings have resorted to fear arguments, seeking to create the impression that unless the United States uses its military might in South Vietnam and other parts of Asia, the security of the United States will be threatened and communism will run rampant over all of Asia. They are men of little faith in the strength of joint efforts of peaceful nations, who by solemn treaty have

bound themselves together to enforce the peace through the application of the procedures of international law. They would take the United States outside the framework of international law, and that is exactly where we are today, along with North Vietnam, Red China, South Vietnam, the Pathet Lao in Laos, and possibly others.

Likewise, there are many congressional politicians who would evade their responsibilities as to American foreign policy in Asia by use of the specious argument that "foreign policy is a matter for the executive branch of the Government. That branch has information no Congressman has access to." Of course, such an alibi for evading congressional responsibility in the field of foreign policy may be based on lack of understanding, or a convenient forgetting of our system of checks and balances that exists and should be exercised in the relationships between and among our three coordinate and coequal branches of government.

Granted that there are many in Congress who would prefer to pass the buck to the White House, the State Department, and the Pentagon Building in respect to our unilateral American military action in Asia. And this resolution gives them the vehicle. Nevertheless, I am satisfied that once the American people come to understand the facts involved in the ill-fated military operations in Asia, they will hold to an accounting those Members of Congress who abdicate their responsibilities in the field of foreign policy.

It is an elementary principle of constitutional law that the executive branch of government cannot spend taxpayers' money in the field of foreign policy, or for any other purpose except when the appropriations are passed by law.

Article I, section 9, of the Constitution reads:

"No money shall be drawn from the Treasury but in consequence of appropriations made by law."

It is also elementary that before an appropriation law can be passed, an authorization bill approving of the policy requested by the President must be passed.

These legal requirements under our constitutional system give the Congress a check and voice in determining American foreign policy. Likewise, the Constitution in several other respects places checks upon the executive branch of Government in the field of foreign policy.

Under article I, section 8 of the Constitution, the power to declare war is vested in the Congress. No President has the legal authority under the Constitution to send American boys to their death on a battlefield in the absence of a declaration of war, and in the absence of a prior treaty commitment calling for that action in prescribed circumstances.

There has been a tendency in the historic debate that is taking place on United States-Asian policy for those who favor American unilateral military action in Asia to substitute the waving of the flag into tatters for a reasoned discussion of our international law obligations. Of course, that is no way to pay respect to the flag. If we are to go to war in Asia we should at least stay within the provisions of the Constitution. But a war in Asia should be recognized as being unthinkable, and every effort within reason and honor should be made to avoid it. That is why I have urged that as a substitute for American unilateral military action in South Vietnam we should appeal to the SEATO organization, and to the United Nations, for joint action on the part of the members thereof, in accordance with the provisions of those two charters, in an endeavor to substitute a keeping of the peace, for the making of war in Asia.

ORIGINS OF PRESENT CONFLICT

The sad truth is that the threats by leading American officials to make war on China and the present war crisis, are the logical end of the dismal road in Indochina that John Foster Dulles set us upon in 1954. After failing in his efforts to keep the French fighting on in Indochina, despite American aid to their war effort and the promise of direct U.S. military action. Dulles refused to put the signature of the United States on the Geneva Agreement of 1954 which marked the end of French rule there. South Vietnam also declined to sign. The most the United States said about the 1954 agreement was that we would recognize it as international law and regard violations with grave concern and as seriously threatening international peace and security.

Among the provisions of the 1954 accords was article 16: "With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited."

Except for rotation of personnel, meaning French, already there.

Article 17: "(a) With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions, and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines, and jet weapons and armored vehicles is prohibited."

Again, an exception was made for replacement on the basis of piece for piece of the same type and with similar characteristics.

Article 18: "With effect from the date of entry into force of the present agreement, the establishment of new military bases is prohibited through Vietnam territory."

There is no way to escape the fact that for years the United States stood in violation of article 16, article 17, and article 18 of the Geneva accords of 1954, and yet we have the audacity to say to the world that we are helping South Vietnam because North Vietnam, and probably others, are violating the Geneva accords. I do not know what international jury box we could sell that argument to, for our duty and our obligation were, and our course of action should have been to take to the United Nations our allegation of the violation of the Geneva accords. We should ask the United Nations to put into force and effect the procedures of international law encompassed in that charter, which we, along with all the other signatories thereto committed ourselves and pledged ourselves to respect and obey.

Part of the 1954 agreement established an International Control Commission of Poland, India, and Canada to investigate complaints of violations. As early as its report covering 1956, this Commission found both North and South Vietnam had violated the accords of 1954, the latter in conjunction with the U.S. military aid activities.

The independent Commission, consisting of Poland, India, and Canada, found as early as 1956, that both North Vietnam and South Vietnam were in violation of the accords, and that the United States was in violation with them, because of the military aid that we have supplied in direct violation of the articles of the accord which I have previously read.

Immediately upon the signing of the 1954 agreement, the United States began to support the new Government of South Vietnam in a big way. In the letter President Eisenhower wrote President Diem, a letter still serving as the basis for our policy in 1964, aid was pledged to Diem, and in turn, "the Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms."

NO FREEDOM OR DEMOCRACY IN SOUTH VIETNAM

In 1964, President Johnson refers to that letter as the basis for our aid, but the part about reforms has long since been forgotten.

Viewed objectively, the conclusion cannot be escaped that in the decade following 1954, the United States for all practical purposes made a protectorate out of South Vietnam. Its new government immediately became financially dependent upon us; as rebellion against it grew, our level of aid was stepped up. By 1961, we had to send 15,000 American troops as "advisers" to the local military forces.

Do not forget the population figures we are dealing with in South Vietnam. There is a population in South Vietnam of approximately 15 million, and a South Vietnam military establishment of some 400,000 to 450,000 armed forces, pitted against South Vietnamese Vietcong. Undoubtedly they are South Vietnamese Communists, but they are South Vietnamese.

Mr. President, I have been briefed many times, as have the other members of the Foreign Relations Committee; and all this time witness after witness from the State Department and from the Pentagon have admitted under examination that they had no evidence of any foreign troops in South Vietnam from North Vietnam, Red China, Cambodia, or anywhere else.

The sad fact is that the only foreign troops that have been in South Vietnam in any numbers have been American troops. In the past couple of weeks, we have been told, but without specifications, that there is some reason to believe that there may be some congeries here and there of North Vietnamese—a captured soldier here and there who might have come from North Vietnam. Mr. President, it has been admitted, by and large, that this has been a war between South Vietnamese Vietcong, who are Communist led, and the forces of the military government of South Vietnam.

Does anyone mean to tell me that with a population of 15 million, and military forces consisting of 400,000 to 450,000 South Vietnamese troops, of various types and various services, they are incapacitated, and that we must send American boys over there to die in what amounts basically to a civil war?

Mr. President, criticism has not prevented, and will not prevent me from saying that, in my judgment, we cannot justify the shedding of American blood in that kind of war in southeast Asia. France learned that lesson. France tried to fight it for 8 years, and with 240,000 casualties. The French people finally pulled down the French Government and said they had had enough.

I do not believe that any number of American conventional forces in South Vietnam, or in Asia generally, can win a war, if the test of winning a war is establishing peace. We can win military victories. We can kill millions of people, but not without losses of our own. Then, at the end of that blood march, we shall end with the same job to perform; namely, establishing peace, but in a war-wracked world, if we survive.

Mr. President, the formula is archaic. The formula will no longer work. The nuclear age has outmoded war as an instrument for establishing and maintaining peace. The issues and problems of southeast Asia cannot be solved by military force.

That is why the senior Senator from Oregon pleads again that we return to the basic tenet of foreign policy which I cited at the beginning of this speech, taught to me by that great Republican, Arthur Vandenberg.

By 1961, we had sent 15,000 American troops as advisers to a South Vietnamese military establishment with 400,000 to 450,000 troops who seemed to be unable to defeat 25,000 to 35,000 Vietcong.

Let the record be clear—the maximum figure that any official of the executive department of government has ever given us in any briefing as to the numerical strength of the Vietcong is 35,000. More frequently it is said the number is probably nearer the neighborhood of 25,000.

Four hundred thousand to four hundred fifty thousand South Vietnamese military forces have been unable to defeat 25,000 to 35,000—to use their top figure—Vietcong.

We had to send in 15,000 American boys—at first—and we do not know with certainty how many were in the last allotment, but probably another 4,000 or 5,000 or more. And the way things are going over there today, the American people had better get ready for thousands more to be sent.

I view with great concern the danger that thousands of them will be bogged down in Asia for a long time to come. If that happens, there will be one place in the world where there will be no regrets, and that will be Moscow.

Mr. President, when the Diem government diverted itself from fighting rebels to fighting Buddhists, a coup by military proteges of the United States overthrew it. Within a few weeks, another coup replaced the Minh junta with what the American military advisers considered a more efficient military junta under General Khanh.

At no time has South Vietnam had a government of its own choosing. In fact, the Khanh junta justified its coup with the excuse that some Minh officers were pro-French, and might seek some way of neutralizing the country. What the people of South Vietnam, even those the government still controls, might want has never been given a passing thought.

Just how the present Khanh government differs from the old Bao Dai government which served as the French puppet, I have never been able to see.

Yet American leaders talk piously of "defending freedom" in South Vietnam. A Republican Member of the House of Representatives wrote me recently—and I quote from this letter: "So far as I can tell, the governments of North Vietnam and South Vietnam are just about Tweedledum and Tweedledee and neither the people nor the governments on either side would recognize democracy if they should meet it in broad daylight and on the main street of Saigon, their main interest being in another bowl of rice."

These were the origins of our present policy in Vietnam that has led us to talk openly of war with China, and now to overt warfare with North Vietnam. Many people are saying these days that getting into South Vietnam was a terrible mistake, but now that we are there, there is no point in looking back and rehashing the wisdom of it all. How wrong they are. Surely when a nation goes as far down the road toward war as we have, it must know why it is there, what objective it is seeking, and whether the objective sought could possibly be achieved by any other means.

We say that one of our objectives is the enforcement of the 1954 agreement, which we charge has been violated by North Vietnam and China. Why we believe we have a right to enforce by force of arms an international agreement to which we are not a party has never been explained.

Nor is it explained why the massive violations of articles 16, 17, and 18 which we have engaged in especially since 1961 are the only means of calling other violators to account.

In the case of Laos, we did sign the Geneva accord of 1962, which tried to neutralize that territory. Hence, we claim that the violations we have committed ourselves were only undertaken after North Vietnam had violated the accord first. Our violations have taken the form of sending armed planes flown by American pilots over Laos. The 1962 agreement permits military equipment to be brought into the country at the request of the Laotian Government, but it forbids "the introduction of foreign regular and irregular troops, foreign paramilitary formations and foreign military personnel into Laos."

In addition, we have sent at least five shiploads of military equipment to Thailand against the day when it becomes necessary to use American troops in Laos to halt the Pathet Lao.

Like the Communist neighbors who are helping the Pathet Lao, we are not enforcing the 1962 accord; we are only helping them to destroy it.

APPLICABLE SECTIONS OF UNITED NATIONS CHARTER

Most disturbing of all have been our violations of the United Nations Charter. If our signature on that Charter means anything at all, it requires us to observe article 2, section 4:

"All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."

Other charter provisions are specific as to the duty of nations when they find themselves involved in a dispute.

Article 33 states: "SECTION 1. the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

Some of the peaceful means that have been advanced but brushed aside by the United States have been the 14-power conference advocated by France, and the introduction of a peace force from the Southeast Asia Treaty Organization.

Article 37 of the charter provides: "Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council."

Notice that the controlling verb is "shall." This is not an option but a directive. So far it has been ignored by the United States.

ALL ACTION IN SELF-DEFENSE MUST BE REPORTED TO U.N.

Even the self-defense article does not sanction what we are doing in the name of defense in South Vietnam. Article 51 states:

"Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

There is nothing permissive about that. That may not be used as a rationalization for the United States making war instead of joining in keeping the peace in South Vietnam.

It is commonly said both in and out of government that the United Nations is a waste of time and that the Communists understand nothing but force. However, the line continues, maybe at some future date we may find it to our interest to go to the U.N.

This supposedly sophisticated argument ignores several points.

First. It may not be left to us to decide whether the issue should go to the United Nations. Article 35 provides that "any member of the United Nations may bring any dispute, or any situation of the nature referred to in article 34, to the attention of the Security Council or of the General Assembly." The disputes referred to in article 34 are those which are likely to endanger the maintenance of international peace and security.

Cambodia dragged us before the United Nations, charging violations of her border. We apologized, and suggested a U.N. border patrol to guard against future violations. But we brazened it out so far as the Vietnam war was concerned, and served notice that we would do whatever we desired there, irrespective of the provisions of the charter.

How long we can proceed in this manner in Laos and Vietnam without being called to account at the United Nations is anyone's guess. But if we wait for another country to invoke article 35, we can be sure it will not be on grounds and under conditions most favorable to the United States.

Second. The very assumption by administration spokesmen that someday, sometime, somehow, and under some other circumstances, the United States will seek U.N. action is an admission that the issue is really one of U.N. jurisdiction. What they are saying is only that they do not think that to adhere now to the U.N. Charter would serve American interests. Their theory is that the time to negotiate is when we have first dominated the battlefield.

This amounts to saying that any treaty obligation that does not serve our national interest is just a scrap of paper. These officials take the view that we may one day resurrect the U.N. Charter from the wastebasket, but not until we think it serves our interest. Perhaps now that we can level a charge against North Vietnam, they think it serves our interest.

If that is to be our policy, then we are helping to destroy the United Nations, too, and all the advances in the rule of law in world affairs which it represents. Our moral position, which we claim as leader of the free world, will be undermined and our capacity for calling others to account for breaches of the peace will be seriously compromised.

Third. The "fight now, negotiate later" line is based on the wholly illusory assumption that Red China and North Vietnam will do what we refuse to do—negotiate when they are losing. Can we really expect that when China is faced with the same condition she was faced with in Korea, she will negotiate instead of pouring her hordes into the fray, as she did in Korea? Do we really think these two countries will go to the U.N. or to the bargaining table when the war goes against them, although we refused to do so under the same circumstances? One might as well ask whether the United States would have done so in October of 1962 had the Soviet Union come to dominate the Caribbean.

As I have said in several speeches, and repeat now, we had better face the realization of the desperado that we are dealing with in Red China. This despicable Communist leader has demonstrated time and time again, as was demonstrated in the Korean war, that he places no value on human life. Only in the past 2 or 3 years headlines blazed forth the statement that the Communist leader of Red China has said in effect that in case of war with Western imperialism they could sacrifice 400 million people and have a stronger China at the end.

I know of no reason that should justify anyone engaging in the wishful thinking or in the head-in-the-sand attitude that if we kill enough and bomb enough, North Vietnam and Red China will yield.

We need the world with us. By that I mean we need with us the nations of the world which believe in the resort to the rule of law in the settlement of disputes.

We shall not take these nations with us if we follow a unilateral military course of action in Asia that may result in the despicable Communist Chinese leader starting to send his hordes of human bodies against American military force.

I reject the premise, which I believe is clearly imbedded in the joint resolution which was introduced in the Senate today: "Fight now and negotiate later."

That is risky business. It would jeopardize the continuation of existing procedures for the peaceful settlement through negotiations of disputes which threaten the peace of the world.

A nation does not have to commit the first violation in order to be in violation of the Geneva Accords. And it does not have to commit aggression in order to be in violation of the United Nations Charter.

We have violated these accords and the U.N. Charter time and time again. We are pursuing neither law nor peace in southeast Asia. We are not even pursuing freedom. We are maintaining a military dictatorship over the people of South Vietnam, headed by an American puppet to whom we give the orders, and who moves only under our orders.

Whoever fights a war without taking the matter to the United Nations is in violation of the charter, whether that party started the fighting or not. We cannot hide behind the alibis that others violated these agreements first, although they did. To the contrary, it makes it more important that we lay the charges before the United Nations, or to a 14 nation conference, or seek to bring SEATO in to exercise peacekeeping policies until the U.N. can take jurisdiction.

FOLLY OF WAR IN ASIA

All the foregoing is important to the United States, but none of it is as important as the folly of our getting involved in a war in Asia, irrespective of legal or moral obligations. No American spokesman has ever given the American people a single reason why an American war on the Chinese mainland would be justified.

The day of the Westerner is finished in Asia, just as much as in Africa. And it no longer matters whether the Westerner is French, Dutch, British, or American. The pressure will always be against us and against our front in South Vietnam.

That is why the pious apologies for our present policy which deplore expansion of the war into North Vietnam or China, but insist that we cannot leave under pressure, have been so futile.

There will never be anything but pressure against us there so long as the local government is dependent upon us for its existence. There is no reason to think the rebellion against Khanh will ever die out. Although it may recede somewhat in the face of our overwhelming military might, it will rebound whenever we try to reduce the level of American participation.

Our best prospect for us in South Vietnam was for stalemate; but the longer the stalemate continued, the more inevitable it was the war would be escalated. And it has been escalated, and how much further it will be escalated no one can say.

The public statements by Secretary McNamara, Secretary Rusk, Admiral Felt, and General Harkins required that the United States expand the war if the Communist-led forces did not retreat from their gains in Laos and Vietnam, and American forces from nearby bases in the Philippines and Okinawa have been poised for air attacks in Laos and North Vietnam and for the entry of ground forces through Thailand into Laos.

In my opinion, our leaders counted on bluffing Communist China; but she was not bluffed in Korea when the whole United Nations was with us, and this time we have not one single ally. The faltering General Khanh has arranged for us to carry out those threats so far as North Vietnam is concerned. We may find that someone else will arrange for us to carry them out against China, too. If that times comes, we will have no choice but to resort to nuclear weapons with all the hideous consequences that entails.

Yet, the fact remains that nothing we set out to do in 1954 justifies what we are doing today, much less what we are threatening to do. We set out in 1954 to put Humpty-Dumpty back together again when we tried to establish an American foothold in southeast Asia out of the destruction of European colonialism.

Five and one half billion dollars worth of aid to South Vietnam, 18,000 American "advisers," and now the threat of war with China has not put Humpty-Dumpty back together—and never will. Out of this $5½ billion, $1¼ billion went to France to help her in the Indochina war prior to her withdrawing in 1954. Today we are spending better than $1½ million per day and will reach $2 million shortly, just as aid to Vietnam, not covering the cost of our own military force in southeast Asia. Unless the American people make their voices herd very soon, they are going to spend even more in this fruitless and unavailing task.

What this war in the last 36 hours has cost the American taxpayers and how much it will amount to as that war continues defies imagination.

HOPE FOR PEACE LIES WITH OTHER MEMBERS OF UNITED NATIONS

The stark reality is that North and South Vietnam, China, and the United States are in this hour endangering the peace of the world. We have said we will make charges against North Vietnam before the United Nations Security Council.

Why in the world we did not make those charges against North Vietnam several years ago, I shall never understand. We are going to make charges now because we are in open conflict with North Vietnam. But we have had evidence for years that North Vietnam was undoubtedly a violator of the Geneva Accords of 1954. But instead of taking our charges and our proof to the United Nations, we sent 15,000 military personnel to South Vietnam to engage in unilateral military action in South Vietnam, in violation of three articles of the Geneva Accord that I have already cited in this speech, and have violated, time and time again, article after article of the United Nations Charter. That is our sorry record.

What about the infiltration of North Vietnamese into South Vietnam to advise the Vietcong?

What about the 21,000 American troops in South Vietnam advising the Government?

What about the American air attack on North Vietnam naval bases?

What about the shelling of the islands in Tonkin Bay by South Vietnamese vessels? These were all clear acts of war.

Why is not Ambassador Stevenson going to lay these incidents, too, before the Security Council?

The best hope for peace would seem to be that the noncombatant members of the United Nations will see to it that all of the provocative activities in the Indochina peninsula are brought before the Security Council or the General Assembly of the United Nations, in accordance with the procedures of the Charter. They should invoke all—I repeat: all—the applicable provisions of the United Nations Charter irrespective of which country initiates charges or must be called to account.

They should call upon South Vietnam, North Vietnam, Laos, Cambodia, China, and the United States to stop their fighting and proceed to the conference table, where there can be applied the rules of reason rather than the fortunes of war for the settlement of the conflict.

The U.N. members not involved in the conflict must face up to one of the great challenges in all history. If they do not, they will see the United Nations Charter consumed as a casualty in the war flames of the struggle. They must enforce the Charter against all who are fighting in Asia. That is the issue—the issue of peace or war—that is facing them as well as us.

I close by pleading that my country, and its people, not forsake the moral principles and values which cry out to be saved in this hour. I plead with them not to commit themselves to a unilateral war in Asia for purposes which many of their own political leaders were ill advised in the first place. There is still no answer to the Biblical injunction: "He shall judge among many people and rebuke strong nations afar off; and they shall beat their swords into plowshares, and their spears into pruning hooks."

The United States has everything to gain and little to lose by seeking to implement that teaching at an international conference table.

The United States has much to lose and little to gain by continuing our unilateral military action in southeast Asia, unsanctioned by the United Nations and unaccompanied by allies.

No nation in history has had such a great opportunity as this one now has to strike a blow for peace at an international conference table.

I shall not support any substitute which takes the form of a predated declaration of war. In my judgment, that is what the pending joint resolution is.

I shall not support any delegation of the duty of Congress—of Congress, not the President—to determine an issue of war or peace.

I shall not support any substitute which takes the form of military action to expand the war or that encourages our puppets in Saigon to expand the war.

Adherence to the United Nations Charter is the only policy that affords the hope of leading the American people out of this jam without a war. I shall continue to plead for such a policy as long as time remains.

If war overtakes us first, then we will have no choice but to unite behind its prosecution.

But, first, that calls for a declaration of war and not a resolution that seeks to authorize the President to make war without our declaring war. That was the position I took in 1955; and I incorporate by reference every argument I used in opposition to a preventive war resolution of that date.

But I see no more chance of conventional military victory in North Vietnam and China than in South Vietnam, and I therefore plead that the SEATO treaty and the United Nations Charter, rather than solitary force of arms, guide our actions in southeast Asia.

I am convinced that a continuation of the U.S. unilateral military action in southeast Asia, which has now taken on the aspects of open aggressive fighting, endangers the peace of the world.

[From the CONGRESSIONAL RECORD, Aug. 6, 1964]

Mr. MORSE. Mr. President, as the record of the Senate already shows, the majority leader and I had a conference a few moments ago, in which a unanimous-consent agreement was reached that the Senate would resume tomorrow morning at 10 o'clock, that we would vote at 1 o'clock tomorrow afternoon, that the senior Senator from Oregon would be allowed 2 hours of that time, and that the other hour would be divided equally between the majority and minority leaders.

I shall make my major rebuttal speech at that time, but for just a few moments tonight there are certain facts I want to put into the RECORD, so that they will be in the RECORD tomorrow.

Yesterday I made a major speech in opposition to the pending resolution. I now incorporate that speech by reference and stand on every word I uttered.

In that speech I said the United States was a provocateur, along with South Vietnam, North Vietnam, Red China, and the Pathet Lao in Laos, and possibly on some occasions, Cambodia, and that the United States must assume and be charged with its share of responsibility for a series of provocations that have led to the crisis which now exists in southeast Asia.

I repeat it tonight. I am satisfied that there is no question about it.

Mr. President, we have stood in violation of the United Nations Charter for years in South Vietnam. Even the neutral commission composed of representatives from India, Canada, and Poland found North Vietnam and South Vietnam in violation of the articles of the Geneva accords. The South Vietnam violation was due to the military operations of the United States in South Vietnam. That is our provocation.

As will be seen before I finish these brief remarks tonight, we have not reported our military buildup in South Vietnam to the United Nations under article 51, which is a clear treaty obligation of the United States. We have never done it, Mr. President.

So the senior Senator from Oregon does not modify in one iota his charge that contrary to its treaty obligations, the United States has been a provocateur in southeast Asia along with South Vietnam, North Vietnam, Red China, the Pathet Lao in Laos, and possibly Cambodia.

No one can possibly justify the attack on American ships in Tonkin Bay off North Vietnam. The senior Senator from Oregon, from the very beginning, has been highly critical of it and has condemned it.

As in domestic criminal law, crimes are committed, but they are sometimes committed under provocation. The provocation is taken into account by a wise judge in imposing sentence.

Some provocative factors were involved, which I mentioned yesterday, but I want to mention them again tonight for the record. On Friday, July 31, South Vietnamese naval vessels—not junks but armed vessels of the PT boat type made available to South Vietnam by way of our aid program—had bombed two North Vietnamese islands. One island is approximately 3 miles and one approximately 5 miles from the main coast of North Vietnam.

As I made clear this morning in the committee meeting, the United States did not act in a vacuum with respect to that bombing. The United States knew that the bombing was going to take place. The United States has been in close advisory relationship with the military dictatorship we have been supporting as a military protectorate in South Vietnam for quite some time. We knew for quite some time that the dictator of South Vietnam has wanted to go north. We know that recently there was a big demonstration in Saigon, staged pretty much by students, but there were others, and in response to a speech made by Dictator Khanh, the cry was, "Go north, go north go north," which meant that the cry was for escalating the war into North Vietnam.

We also know that as a result of that incident, which ended in an incident of some riot proportions, in that the rioters pulled down some memorials which had been erected to the French dead in Saigon, General Khanh and Ambassador Taylor had some diplomatic conversations. Most Senators have read that the latest diplomatic conversation had taken place at a party out in the country, at an estate, which Khanh and the Ambassador had attended. The stories which came out of that meeting were to the effect that they had resolved their differences and that there was a recognition on the part of the general that the United States would not favor an extension and expansion of the war to the north.

On Friday, July 31, the war was escalated to the north. That is not a matter of infiltration. That is not a matter of junks seeking to bring in supplies. That is not a matter of South Vietnamese intelligence people being slipped into North Vietnam or of North Vietnamese intelligence agents being slipped into South Vietnam. This was a well thought out military operation. These islands were bombed.

When these islands were bombed, American destroyers were on patrol in Tonkin Bay, and they were not 60 or 65 miles away. What I am about to say I can say without revealing the source and without violating any secrecy.

It is undeniable that in the patrolling operations of our destroyers in Tonkin Bay the destroyers have patrolled within 11 miles and not more than 3 miles off the coast of North Vietnam. The reason that these are the figures is that there is a conflict between the United States and North Vietnam. North Vietnam claims that her national waters go out to 12 miles. She is not the only country in the world that claims it. The United States takes the position that national waters extend only 3 miles. I believe our position is absolutely right. I believe the weight of international law is in favor of us. I think the so-called exceptions which are often cited in international law cases, which certain proponents seek to use to throw doubt over the whole principle, are exceptions which apply in geographic locations in the world and are special in their nature. Some Latin American neighbors claim not only 12 miles, but, in some instances, more than 12 miles, particularly when they think extending the national waters beyond 12 miles may give them great commercial advantages in respect to fishing rights.

I only mention it in passing to show that this fact is a point of international law which is frequently under considerable dispute and controversy.

I repeat my premise. There is no question about the fact American naval vessels, in their legitimate rights of patrol in Tonkin Bay, patrolled within an area of 3 miles to 11 miles in extent.

They patrolled under 12 miles to demonstrate that we did not recognize any 12-mile limit, and stayed beyond 3 miles to make it clear that we respected and abided by what we thought was the international law right of North Vietnam.

We had the international right to do that. The senior Senator from Oregon has never taken the position that we have no right to patrol in Tonkin Bay in international waters. It ought to be done with discretion. If we wish to argue in one breath that we are against escalating the war, we have a little difficulty in the next breath justifying, in my judgment, the course of action that we followed in respect to South Vietnamese bombing of the two islands 3 to 5 miles off the coast of North Vietnam, and then having American naval vessels, a part of our Navy, so close to the North Vietnamese coast, although in international waters, as they were on Friday, July 31, when the bombing took place.

Oh, Mr. President, the Pentagon and the State Department throw up their hands in aggrievement if anyone suggests, as I did in my speech yesterday, that their very presence there is subject to the interpretation that they were a backstop. All the protestations on the part of the State Department and the Pentagon cannot change a physical fact. The presence of those ships in that proximity to the North Vietnamese coast, while an act of war was being committed against North Vietnamese coast by the bombings of those islands, was bound to implicate us. We are implicated.

One can deny, deny, and deny, but the fact that the ships were that close while the bombing took place is bound to be interpreted as a provocation, and also must be considered when we look at the matter of the reaction to it as an extenuating fact.

Mr. President, I do not know exactly the mileage location of the American naval vessels while the bombing took place. I do not know whether it was 4 miles, 11 miles, or 20 miles. But the very fact that these ships were in that general area of Tonkin Bay, where they could have given, if it became necessary, protection, in my judgment implicates the United States.

It is bound to be looked upon by our enemies as an act of provocation; and it makes us a provocateur under the circumstances.

It is difficult to find out exactly what happened in regard to the ultimate attack on the *Maddox* on Sunday. The bombing took place on Friday. But I think I violate no privilege or no secrecy if I say that subsequent to the bombing, and apparently because there was some concern about some intelligence that we are getting, our ships took out to sea; that is, they changed their course, instead of remaining close to the mainland of North Vietnam, as they had a perfect right under international law to do. But as a result of the concern that was caused by the bombardment by the South Vietnamese—our ships went a considerably greater distance from the shores of North Vietnam. Approximately 60 miles offshore was the point at which the attack by the North Vietnamese PT boats took place.

That was an act of aggression on their part against the United States. There is no question that we were clearly within our rights in replying with force and sinking their ships, if we could. Apparently we did sink one of their ships. That closed that incident.

* * * * *

The resolution will pass, and Senators who vote for it will live to regret it.

Mr. President, to pick up where I left off, the point I am making is that I believe that when the United States became aware of the fact that South Vietnamese planned to bomb the two islands, the United States should have moved in and done everything it could to prevent an escalation of the war.

In my judgment, that act constituted a major escalation of this war. The escalation has been speeding up at an increased tempo ever since. I had made the point that there were naval boats in Tonkin Bay in much closer proximity to the two islands, 3 to 5 miles from Vietnam, than the 60- to 65-mile locaton which the *Maddox* had reached on Sunday when the attack took place, the bombardment taking place on Friday.

Mr. President, I wish to make it clear that it is quite irrelevant and immaterial whether the captain of the *Maddox* knew anything about the bombardment of the island. He was not conducting a war. He was under orders. I am taking the criticism that, in my judgment, American armed vessels should not have been as close to the islands as they were on Friday, July 31. In my judgment, that gave cause for the North Vietnamese to assume that there was a cause-and-effect relationship between the bombardment by the South Vietnamese vessels and the presence of the American naval patrol boats in Tonkin Bay at the location where they then were.

I repeat that I believe we not only had every right, but we had the clear obligation to protect our men aboard, to protect the vessels, and proceed with the military action by way of the response that our vessels gave to the PT boats of the North Vietnamese who were attempting to torpedo them.

On Tuesday, the next incident occurred. I agree with those who have expressed perplexity as to why the North Vietnamese on Tuesday night in a storm, after 9 o'clock, apparently at night, attempted another armed attack on our vessels.

It certainly was within our right, and I believe our clear duty in order to protect the men aboard and the vessels, to respond with military action designed to sink the attacking vessels.

Mr. President, that action on both Sunday and Saturday night was completely within the realm of international law. We were completely engaged in acts of self-defense. We had every right to respond with force.

I now come to the delicate question. I come to the one, Mr. President—and I make the statement respectfully—about which many people wave the flag into tatters. That is the subsequent action, when our ships were not under fire, in which the United States escalated the war to the mainland of North Vietnam, and the United States selected for itself targets on the mainland of North Vietnam to bomb. We know that that was substantial bombing. We know that that involved the bombing of the areas where their naval vessels were harbored, and that it involved the bombing of ammunition dumps and oil locations.

I do not care how one tries to spell it. I do not care with how much political fervor by way of semantics we attempt to describe it. The fact is that the United States was not protecting any ships at that time.

Mr. President, we either believe in settling international disputes by resort to the procedures of international law or by resort to war. We cannot cut this one both ways. After the second attack in defense of our ships in which we engaged, unless we expect to be charged with engaging in acts of aggression, we should have immediately laid our case under the United Nations Charter before the Security Council of the United Nations. In my judgment, we were dead wrong in proceeding to bomb the establishments on the mainland of North Vietnam and then out of the corners of our mouths saying, "Well, we are not seeking to expand the war. We do not want to widen the war. We are just going to defend ourselves."

Mr. President, bombing those sites was not necessary for self-defense at that point. At that point the United States was guilty of an act of aggression. The United States could no longer after that say that the war was being escalated only by South Vietnam, for the United States then escalated the war into North Vietnam. It is my judgment that it violated its obligations under the United Nations Charter, for there is nothing in the United Nations Charter that justifies such an act of aggression under those circumstances.

What a much stronger position we would be in in keeping with our oft-repeated professing that we believe in the substitution of the rule of law for the jungle war of military might as a means of settling disputes between nations.

Mr. President, we should have resorted to the United Nations then.

Oh, say some in their patriotic speeches, that would have been putting our tail between our legs and running.

What nonsense. I should like to use an argument by analogy in the field of domestic law. We lawyers know that there are few controversies between people that can be more heated than a dispute over a boundary line between property owners. The lawbooks are full of remarkable accounts of what human frailties cause people to do sometimes over a dispute involving boundary lines. So let us take my farmers A and B. They have one rough argument over a boundary line. The disputes took place for some time. Finally one day A and B met in the area of the disputed boundary. A pulled a gun on B, shot at him, and missed him. B, exercising his right to defense, knocks him down, takes the gun away from him and beats him up, and B goes back home. On his way back home he says, "I have more guns."

Now, A was in the right and B was in the wrong. B was the aggressor; A was the aggressed upon, and he had a just cause for assault or a more serious crime—assault with intent to kill. Instead of taking his charge to the courts, going down and getting the sheriff to take jurisdiction and proceeding to take the course of judicial process, suppose A decided he would invade B's home and destroy the guns that he might have in his home. We know what would happen under domestic law to Mr. B under those circumstances. In the second case he would now be the aggressor.

I use the analogy, but I do not apply it beyond the point that I now make, and that is that after the second attack, there is no question that we had North Vietnam dead to rights in any charge we might bring before the United Nations. And that is where we should have gone. Let us face the foreign policy that we decided to follow. That is what I meant yesterday when I pointed out that apparently the line of American foreign policy in southeast Asia is the line that we shall demonstrate to them that we shall use force, and that there will be more force to come if they do not desist from violations of their international obligations. When I say "they," I mean North Vietnam, Red China, the Pathet Lao, and others on that side of this war.

That is the policy that the United States apparently has been trying to get away with. It is a policy that asserts that if we merely use enough force, and make clear by way of enough threats that it will be pretty bad and hard on them if they do not fold and yield to our threats—if we follow that course of action, we shall avert the danger of war. Under that policy we greatly increase the risk of a full-scale war in Asia. But whether we did or not, that policy cannot be justified as a matter of principle, because that policy cannot be reconciled with our obligations under the United Nations Charter. In my judgment, we ought to abide by our treaty obligations.

Although I know the point I have just made is highly unpopular with those who think we ought to do just as we please under the circumstances and then, after we dominate the battelfield, go to the United Nations, and that is the policy of my Government. It is dead wrong. It is wrong in principle. It is wrong in morality. It is wrong also because it cannot be reconciled with our professing that we do not believe in the use of military might as the weapon to be used to settle disputes that threaten the peace of the world. To the contrary, we claim a belief in a resort to the rules of reason as they are embodied in treaties we have signed, such as the United Nations Charter.

So I say we are a provocateur. My colleagues become excited and seem to think I am guilty of some heinous accusation without any substantiation in fact. We would have been in a stronger position before the eyes of the world tonight if, after we had responded, as we had a right to respond Tuesday night, to the attack on our ships, we had on Wednesday laid that issue before the United Nations and asked the United Nations to proceed to take action encompassed under the jurisdiction of the United Nations. Oh, no. We had to proceed to bomb the mainland of North Vietnam on the basis that we had the right to do it in self-defense because they had attacked our ships on the high seas.

We have a right to do it if we want to make war, but then we should not deny that we have a policy of war when we say we are seeking peace. It is hypocrisy to say out of one side of one's month, "We only want peace," but to say from the other side of the mouth, "But we are justified in committing acts of war."

Issues of international litigation are involved in this case. There would not be a system of justice on the domestic front if we allowed people to shoot each other up while a trial was being conducted to determine whether the shooting of A by B was justified.

Mr. President, other arguments were made today. Several Senators think they help their case by voting for the joint resolution if they make statements in the RECORD such as were made today, to the effect "We want it understood that, although we are going to vote for this resolution, it is very important that we make clear to our allies that they come in under the SEATO Treaty and be of help to us."

They asked questions as to whether or not the resolution gives assurance of it. There is not a word of it in the resolution. There is not a word in the resolution that involves any commitment by anybody that there is going to be any help under the SEATO Treaty. All we say is that, because of the SEATO Treaty, we are going to do certain things.

It was said by one of my good colleagues that Great Britain was involved elsewhere, and that Pakistan and India are involved elsewhere. With hundreds of millions of dollars of American military aid under the foreign aid of past years, they are maneuvering themselves into a position where they can conduct a war against each other—with American equipment—if somebody pulls the trigger and a battle starts over Kashmir.

As I have been heard to say on the floor in recent weeks, even the foreign minister of Pakistan stood up in the Press Club in Washington, D.C., and publicly stated that they had no intention of helping us in South Vietnam. As the CONGRESSIONAL RECORD will show, I made the statement that we should make it clear that we are cutting off military assistance. That would be a good thing, anyway, from the standpoint of maintaining peace between India and Pakistan, because they could not carry on a war very long if the United States did not continue to pour millions of dollars of the American taxpayers' money into those countries by way of foreign aid.

We were told that Australia is stepping up its assistance and that she is going to increase the number of men she has sent there. He forgot to say that the offer of Australia was to increase the manpower contribution to the war in Vietnam from 30 to 60. Mr. President, do not think you misunderstood me. That is the figure—from 30 to 60 men.

As I said to the Secretary of State when he made the announcement some weeks ago, he insulted my intelligence and the intelligence of the American people.

There was one other condition in that great offer on the part of Australia to expand its contribution and help in South Vietnam. Perhaps, in 4 months, they may be able to have six cargo planes available.

Of course, if there is one thing we can get along without, it is cargo planes. We have our own surplus of them.

Mr. President, when we run down the list of allies, we find none of them offering to send boys to do any of the dying in South Vietnam. The dying will have to be done by American boys and South Vietnamese boys.

If any Senator thinks he is a face saver, in connection with a vote from this joint resolution, on the basis that the resolution is going to help increase the cooperation of our allies under SEATO in the conduct of the operations in South Vietnam, I say there is not a word in the resolution that would justify any such hope or implication.

Another Senator thought, in the early part of the debate, that this course would not broaden the power of the President to engage in a land war if he decided that he wanted to apply the resolution in that way.

That Senator was taking great consolation in the then held belief that, if he voted for the resolution, it would give no authority to the President to send many troops into Asia.

I am sure he was quite disappointed to finally learn, because it took a little time to get the matter cleared, that the resolution places no restriction on the President in that respect. If he is still in doubt, let him read the language on page 2, lines 3 to 6, and page 2, lines 11 to 17. The first reads:

"The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

It does not say he is limited in regard to the sending of ground forces. It does not limit that authority. That is why I have called it a predated declaration of war, in clear violation of article I, section 8 of the Constitution, which vests the power to declare war in the Congress, and not in the President.

What is proposed is to authorize the President of the United States, without a declaration of war, to commit acts of war.

It is not a new position for the senior Senator from Oregon. I opposed the Formosa resolution in 1955. I opposed the Middle East resolution in 1957. I will say something about those resolutions in a moment.

Let us go to section 2 of the pending joint resolution. Line 9 reads: "Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia collective defense treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force."—It does not say "excluding the use of the Army." It does not say "including the use only of the Navy." It does not say "including the use of the Air Force." It says, "including the use of armed force." That is all branches of the Military Establishment, and nuclear as well as conventional weapons—"to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

Mr. President, it is as broad as the Military Establishment. A Senator cannot get any consolation out of that by hoping that, if he votes for it, the President cannot send out large numbers of ground forces.

U.S. FORCES TO BE COVERED INCLUDE THOSE IN SOUTH VIETNAM

I was very much interested in the comments of several Senators in the debate this afternoon in regard to the SEATO Treaty. I say most respectfully that the SEATO Treaty will not help any Senator, either. The resolution supports "all necessary measures to repeal any armed attack against the forces of the United States."

We have forces of the United States in South Vietnam. I should like to ask the proponents of the joint resolution, before the debate is over, to tell us whether the language "all necessary measures to repel any armed attack against the forces of the United States" includes our Armed Forces in South Vietnam, which now include troops, vehicles, tanks, and aircraft. Apparently we are pouring more in. There is no question that we have more than 20,000 troops there tonight. Does this language mean an authorization to become full combatants in the civil war if there is an attack on any segment of our forces in South Vietnam?

Let us face the issue. I do not believe there is any doubt that we are being engaged, in an increasing tempo, in escalating this war into North Vietnam. I am not sure that we shall be able to stop there. We may take it into Red China before we are through. I am also satisfied that we shall become combatants along with the South Vietnamese in the civil war. That is exactly what they would like.

They have done a very poor job settling their own civil war.

Here is a country, as I stated in my speech last night, of 15 million population. Here is a country, with its armed forces of 400,000 to 450,000 men, engaged in a civil war with a group of Vietcongs—South Vietnamese, too—of not more than 35,000. The testimony before our committee is that it is probably in the neighborhood of 25,000. Fifteen million people, with an armed force of 400,000 to 450,000 soldiers, cannot bring under subjugation a dissident group of 25,000 or 35,000 people, in spite of the fact that the American taxpayer has poured $3½ billion into South Vietnam. Whom do they think they are fooling? They will not fool the American people indefinitely.

The French Government tried that. For 8 long bloody years they did a pretty good job of fooling the French people. But after 240,000 casualtes, including 90,000 killed, and thousands upon thousands badly wounded, the French people pulled down the government. They said, "We have had enough. We are not going to sacrifice any more French manhood."

Unpopular as it is, I am perfectly willing to make the statement for history that if we follow a course of action that bogs down thousands of American boys in Asia, the administration responsible for it will be rejected and repudiated by the American people. It should be.

Mr. President, this problem in Asia cannot be settled by war. The problem in Asia requires a political and economic settlement. It requires a negotiated settlement. It requires a conference table settlement. It requires the application of reason, not bullets.

I cannot understand what is happening to my country. I cannot understand what makes people think that way. There are not many at the grassroots of America who think that way. People in positions in Government think that we can entrench ourselves as a military power in Asia and bring about a peaceful solution of the problem. The result will be that the yellow race will hate us more than it hates us already. If the yellow race has not made clear to the white man that Asia is not his fort, I do not know what the white man has to learn by way of an additional lesson.

The place to settle this controversy is not by way of the proposed predated declaration of war, giving to the President the power to make war without a declaration of war. The place to settle it is around the conference tables, the only hope mankind has for peace; namely, the United Nations.

With all its shortcomings, if we destroy it—and we would destroy it with a war—not much hope will be left.

NO LIMITS ON WORDS "FURTHER AGGRESSION"

Before the debate is over tomorrow I should like to have the proponents of the resolution comment on the fact that the resolution continues with the words "and to prevent further aggression."

I should like to have the proponents spell that out. Further aggression against whom? Further aggression by whom?

I should like to have them spell out the provisions of the SEATO Treaty and the United Nations Charter with which our actions are consonant. If we are engaged in helping South Vietnam repel an armed attack, we are obliged under the SEATO Treaty and under article 51 of the U.N. Charter to report it to the Security Council. We have not done that through all the years.

Some of my colleagues in the Senate object to my calling the United States a provocateur. Our constant, repetitious violation of our treaty obligations under the U.N. Charter, which I set out by documentation yesterday in my speech on the floor of the Senate, is clear provocation. We have said to our potential enemies, "We are going to do what we want to do, and you can like it or not." Not so many weeks ago Adlai Stevenson lent his lips in the Security Council to say, in effect—in my judgment to his historic discredit, and it would have been better if he had resigned as Ambassador—as the representative of the United States at the United Nations that the United States was going to do what it wanted to do in Asia, and they could like it or not.

That is not the world statesman for whom I campaigned in 1952. No, Mr. President; we are a provocateur nation. We have provoked trouble because we have not even kept our commitments, either under SEATO or article 51 of the United Nations Charter, by carrying out the requirement of the reports that we are pledged to make, and by placing the issue before the U.N.

Yet we are saying to the world, "All we want is peace." Our Secretary of State says that we will have peace if the countries of North and South Vietnam will do exactly what we want them to do. In essence, that is what the position of the Secretary of State adds up to. There would not be lawsuits, either, if one of the parties would do what the other wanted him to do. That is what the controversy is all about.

FIRST OBLIGATION IS TO FOLLOW U.N. CHARTER

I do not agree with the North Vietnamese. I do not agree with the Vietcong. But we must face up to the fact that they, too, have their international rights; and the place to settle the controversy over international rights and obligations in this modern day is not on a battlefield, but around the conference table, where the procedures or authorities that set forth the rules of international adjudication will prevail.

The great Senator from Alaska [Mr. GRUENING] in his speech this afternoon, cited that important article of the United Nations Charter that places upon every signatory thereto the obligation, first—that is spelled "f-i-r-s-t"—to seek to resolve disputes by way of adjudication or mediation or arbitration or conciliation or negotiation. In that great speech, the Senator from Alaska cited the disputes, and then, in one rhetorical question after another, asked: Have we taken it to arbitration? Have we taken it to conciliation? Have we taken it to mediation? Have we taken it to negotiation? Have we taken it to conference? The answer is that the United States has a grade of zero on that examination. We have flunked the course.

To Senators who object to my suggesting that the United States is a provocateur nation, I say we have a dismal record—so dismal that it spells out the word "provocateur." I listened to a couple of my colleagues on television last night. They had heard the senior Senator from Oregon charge that we are a provocateur nation. So I was all ears. I thought I was going to hear the case that we are not. But there was no case.

It is so easy to say that these things should not be said; that they create disunity and misunderstanding. So long as there is any hope to win a peace and stop a war, the senior Senator from Oregon will state the facts as he honestly believes them to be. When those facts involve misdoings of my own country, it is all the more important that they be stated.

Mr. President, we have a great historic opportunity to strengthen the cause of the rule of law in the world. But we cannot strengthen it and make war at the same time.

The Senator from Alaska [Mr. GRUENING] said again today, as he said a few weeks ago, that what is needed is an agreement to enter into a cease-fire order. Why have we not proposed it? That is the kind of speech Adlai Stevenson should be making at the United Nations. I am greatly disappointed that the other signatories to the United Nations Charter have not been proposing it.

Are we so powerful that they dare not bring up a case to which we are party without our consent? I am exceedingly disappointed that North Vietnam, South Vietnam, the Pathet Lao, the United States, and Red China have not had the rules applied to them in connection with the war in southeast Asia, because that war cannot be reconciled with the United Nations Charter and the obligations in respect thereto by the signatories thereof.

But, say Senators, Red China is not a member of the United Nations. Red China does not have to be a member of the United Nations for the signatories thereto to take jurisdiction over a threat to the peace of the world. Where do Senators get the idea that the United Nations does not go into action unless all the countries involved in a threat to the peace of the world are members of the United Nations? Senators should re-read the Charter of the United Nations. I have read it for the benefit of the Senate. It has occurred time and time again during the last 5 months.

I say with great sadness in my heart that many of the signatories to the United Charter have failed mankind by not having brought before the United Nations this threat to the peace of the world in Asia, in all of its aspects.

Some Senators said to me today, "What is the matter with you, WAYNE? Don't you know that we now have this situation in Tonkin Bay before the Security Council?"

Certainly. We had another one before the Security Council a while back, when the little prince in Cambodia kicked us out of Cambodia, and said, "We have had enough of you. Get out. We don't want any more of your aid." Then he filed charges against us for violating his borders, after we had been caught redhanded and had a helicopter shot down after it had dropped a fire bomb and burned a village killing 16 civilians. Unfortunately, the American boy who was flying that helicopter was sacrificed. We quickly apologized. But, as I have said, does anyone think that that apology would have been forthcoming if we had not been caught? We would not have heard about the incident. I am satisfied that that was not the only violation of Cambodia's borders by both South Vietnam and the United States. We heard about this one only because we got caught.

What about all the threats and actions and incidents that preceded that in the Gulf of Tonkin? Why have they never been submitted to the Security Council?

Here we are about to authorize the President of the United States to do whatever he wishes and use any armed force he likes, not in the Gulf of Tonkin, but anywhere in southeast Asia. But there is no "southeast Asia" question before the U.N.

Why not? If there is not a breach of the peace and a threat to international peace and security there, I do not know what is.

All of South Vietnam for the last 3 years has been a threat to the peace. Why is not that situation placed before the U.N.?

We do not get much consolation out of our sorry record of not having reported our courses of action under article 51 of the United Nations Charter. I hope some Senators tomorrow will have something to say about that. I have a long list of interesting fallacious arguments and exhibitions of wishful thinking that were expressed in the debate this afternoon; but I shall reserve them for tomorrow.

Mr. President (Mr. HART in the chair), I close my commenting only on previous resolutions passed in the Senate: Formosa, the Middle East, and Vietnam.

I ask unanimous consent to have printed in the RECORD in parallel column form, as shown in the paper which I hold in my hand, a comparison of those resolutions.

There being no objection, the statement was ordered to be printed in the RECORD:

"Vietnam

"Whereas naval units of the Communist regime in Vietnam, in violation of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace;

"Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom;

"Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area but desires only that they should be left in peace to work out their own destinies in their own way; now, therefore, be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

"SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any protocol or member state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

"This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, and shall so report to the Congress, except that it may be terminated earlier by a concurrent resolution of the two Houses."

"Cuba

"Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers 'to extend their system to any portion of this hemisphere as dangerous to our peace and safety'; and

"Whereas in the Rio Treaty of 1947 the parties agreed that 'an armed attack by any state against an American state shall be considered as an attack against all the American states, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations'; and

"Whereas the Foreign Minister of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political economic, and social system based on that doctrine, and accepts military assistance from contracontinental Communist powers, including the threat of military intervention in America on the part of the Soviet Union'; and

"Whereas the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States is determined—

"(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

"(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

"(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

Mr. MORSE. Mr. President, in connection with these resolutions, several Senators stated this afternoon that the United States was not asking for any more in the resolution now before the Senate than has already been asked for in the past, as though that were a sound argument. What has that to do with whether or not we pass the pending joint resolution? If we make mistakes in the past—as we have done, in my judgment—we should not make another one now.

I did not make those mistakes. With that great liberal, the former Senator from New York, Herbert Lehman, who in my 20 years

"Formosa

"Whereas the primary purpose of the United States in its relations with all other nations, is to develop and sustain a just and enduring peace for all; and

"Whereas certain territories in the west Pacific under the jurisdiction of the Republic of China are now under armed attack, and threats and declarations have been and are being made by the Chinese Communists that such armed attack is in aid of and in preparation for armed attack on Formosa and the Pescadores,

"Whereas such armed attack if continued would gravely endanger the peace and security of the west Pacific area and particularly of Formosa and the Pescadores; and

"Whereas the secure possession by friendly governments of the Western Pacific island chain, of which Formosa is a part, is essential to the vital interests of the United States and all friendly nations in or bordering upon the Pacific Ocean; and

"Whereas the President of the United States on January 6, 1955, submitted to the Senate for its advice and consent to ratification a Mutual Defense Treaty between the United States and the Republic of China, which recognizes that an armed attack in the west Pacific area directed against territories, therein described, in the region of Formosa and the Pescadores, would be dangerous to the peace and safety of the parties to the treaty: Therefore be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores.

"This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, and shall so report to the Congress."

"Middle East

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and hereby is authorized to cooperate with and assist any nation or group of nations in the general area of the Middle East desiring such assistance in the development of economic strength dedicated to the maintenance of national independence.

"SEC. 2. The President is authorized to undertake in the general area of the Middle East, military assistance programs with any nation or group of nations of that area desiring such assistance. Furthermore, the United States regards as vital to the national interest and world peace and preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed force to assist any nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism: *Provided,* That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States.

"This joint resolution shall expire when the President shall determine that the peace and security of the nations in the general area of the Middle East are reasonably assured by international conditions created by action of the United Nations or otherwise except that it may be terminated earlier by a concurrent resolution of the two Houses of Congress."

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of service in the Senate has had no peer, I joined in 1955 in opposition to the Formosa resolution. At that time, I pointed out, as I have done in the course of this debate, that it, too, was a preventive war resolution. By a preventive war resolution at that time, we meant that it was a resolution that, first, sought to give the Secretary of State and the Chairman of the Joint Chiefs of Staff the authority to make a strike against the mainland of China before an act of aggression had been committed by China against the United States.

As a result of the argument in committee over that statement, Mr. President, the Senate will remember that we received the famous Eisenhower White House statement, in the course of that debate, to the effect that the President, and he alone, would make the decision as to what course of action would be followed under the resolution.

I stated that that was not good enough for me. I do not intend to give to any President the power to make war by way of a predated declaration of war. I argued then, as I have argued in this historic debate, that the power to make war is vested in the Congress and not in the President. I voted against it.

With reference to the Formosa resolution there was a reference to the President, and I quote from it:

"That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores."

The same principle is embodied in the pending joint resolution.

The Middle East resolution was another predated or undated declaration of war resolution, giving to President Eisenhower predated declaration of war power in the Middle East. That will be found in the Middle East resolution:

"Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end if the President determines the necessity thereof, the United States is prepared to use Armed Forces to assist any nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism."

Clear authorization of what I stated at the time, and repeat tonight, was an unconstitutional power to be vested in the President of the United States.

CUBAN RESOLUTION DELEGATED NO POWER TO PRESIDENT

Now we come to the Cuban resolution. The interesting thing is that the Cuban resolution was not a resolution designed to vest any power in the President. That fact has been lost sight of in debate this afternoon. Senators have stated that we did this in the Cuban resolution. The answer is that we did not.

I voted for the Cuban resolution. I voted for the Cuban resolution because that constitutional power of Congress was not delegated to the President in that resolution.

In a statement I wrote to my constituents on October 2, 1962, discussing my vote on that Cuban resolution, I stated:

"On September 21, I joined 85 other Senators in voting for the following resolution on our relations with Cuba: 'The United States is determined (a) by whatever means necessary, including the use of arms, to prevent the Marxist-Leninist regime in Cuba from extending, by force or threat of force, its aggressive or subversive activities to any part of this hemisphere; (b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and (c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.'

"Earlier, I had joined in signing a unanimous joint report from the Foreign Relations and Armed Service Committees, recommending adoption of this resolution. The

report was made following hearings at which we heard from Secretary of State Rusk and William P. Bundy, Director of the Office of International Security Affairs of the Defense Department.

"They described in some detail, in closed session, the nature and techniques of the sea and air surveillance we maintain over Cuba, and over activities on this narrow island. It was from this observation that they were able to say that the military activities in Cuba are still of a defensive nature and not now an offensive threat to the United States.

"The resolution, unlike the Formosa and Middle East resolutions, is not a delegation of warmaking power to the President. It is a statement of U.S. foreign policy. It is one I heartily endorse, and one which should be read carefully and with sober consideration in both Havana and Moscow."

Mr. President, I close by reading the full language of the Cuban resolution. I have just made a distinction between the Cuban resolution, the Formosa and the Middle East resolutions—and now the southeast Asia resolution, which is as different as night from day.

The Cuban resolution provided:

"Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers 'to extend their system to any portion of this hemisphere as dangerous to our peace and safety'; and

"Whereas in the Rio Treaty of 1947 the parties agreed that 'an armed attack by any State against an American State shall be considered as an attack against all the American States, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations'; and

"Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: 'The present Governmnet of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist power, including even the threat of military intervention in America on the part of the Soviet Union'; and

"Whereas the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States is determined—

"(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

"(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

"(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination."

Mr. President, there is not one word authorizing any power to be vested in the President of the United States.

Senators have forgotten the record made when we debated in connection with the Cuban resolution, what is proposed under the southeast Asian resolution. That question was debated on the floor of the Senate.

I say with sadness, in view of the situation in the Senate tonight, that when the Cuban resolution was being considered, a substantial number of Senators served clear notice that they would not vote for it if it sought to authorize any power in the President of the United States.

Out of deep affection and great love for President Kennedy, I say that President Kennedy did not ask to have any authority authorized in that resolution as far as the Presidency was concerned. I have no quarrel with that statement of foreign policy. I would have no quarrel with that statement of foreign policy applied to southeast Asia.

Under that statement of policy, doors are left open and the obligations remain clear, to resort to the peaceful procedures set forth in the United Nations treaty, and set forth in our other treaty obligations.

I close, Mr. President, by saying, sad as I find it to be to have to say it, that in my judgment there is no course of action that I could possibly follow in keeping with my conscience and my convictions in regard to my constitutional obligation under the oath that I took four times when I came into this body, but to vote against the joint resolution tomorrow. In my judgment, this resolution, no matter what semantics are used, spells out the ugly words: "Undated declaration of war power to be vested in the President of the United States."

Congress has no constitutional power to grant such authority to the President of the United States. The only difficulty is that under our constitutional system, I know of no way that we can get it before the Supreme Court for a constitutional determination.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President, I want to say for the benefit of the Secretary of Defense and the President of the United States that I stand on every word of both of those speeches, and I stand on every word of my speech today.

I repeat that I think we ought to seek now, as fast as possible, to get a multilateral negotiation table set up with the United States and our allies on one side of that table, the North Vietnamese and the Vietcong on the other. And I think one can make a case for having China there, too, for I think she has been in this war underneath from the beginning, but at the head of the table we should have the representatives of the noncombatant nations of the world. They have a vital stake in the peace of Southeast Asia and all of Asia. They should conduct the negotiations and make equitable and fair proposals for settlement and give careful consideration to the proposals of the combatants, but leave mankind to peace in Asia before it is too late.

With the unfortunate remark of the Secretary of State in his press conference of 5 or 6 weeks ago, for the first time we had it said by the administration that one of the reasons for our being in Asia was the containment of China. In the Foreign Relations Committee we knew it was the policy, but we were not free to say so because of matters of privilege.

Mr. President, in that statement the Secretary of State said, when pressed by the press—and it was one of his latest public hearings before the press—to make an explanation of the reasons for our being in Asia, that one of them was the containment of China.

Let the American people be told that we cannot contain China with American military might without eventually going to war with China. And that means the beginning of World War III, out of which no victors will emerge.

Mr. President, as we move further into this critical stage, let us pray to our God tonight that judgment and reason will be restored to our minds and that we will seek a multilateral settlement of this dispute and that the United States will stop insisting upon bilateral negotiations or a surrender to settle the war in Vietnam, for the war will never be settled in that manner.

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 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.

PROVISION FOR COMPENSATION FOR INVESTIGATING SUBCOMMITTEE EMPLOYEES

Mr. BYRD of West Virginia. Mr. President, on behalf of the majority and minority leaders, I submit a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 260) providing for compensation for Investigating Subcommittee employees.

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

There being no objection, the resolution (S. Res. 260) was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, the compensation of employees of Senate Committees which would have been payable on February 20 if Senate Resolutions presently on the Senate Calendar had been agreed to by that date, such payments to be charged to the aforesaid resolutions, if and when agreed to by the Senate. If any such resolution fails to be agreed to, payments made to employees under this resolution shall be charged to this resolution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE NEED TO STRENGTHEN THE INTERNAL SECURITY OF THE UNITED STATES

Mr. DODD. Mr. President, I am happy to be associated with the distinguished chairman of the Senate Judiciary Committee, who is also chairman of the Senate Subcommittee on Internal Security, in cosponsoring the bill he introduced Monday, directed to the urgent

task of bolstering our internal security law.

At a dinner just 1 month ago today in New York, John J. Abt, the chief counsel for the Communist Party, boasted of the fact that the Communists have been able to "knock out" eight entire sections of the Internal Security Act of 1950. Mr. Abt's boasts were amply justified.

The fact is that the Internal Security Act now on the books has been seriously vitiated by a whole series of Supreme Court decisions; and these decisions have also served to vitiate State security laws which were intended to operate in support of the Internal Security Act.

As early as 1956 the Supreme Court, in Slochower against Board of Education of New York, held that a New York law which permitted the summary discharge of any employee who invoked the fifth amendment before an investigating committee of the United States was in violation of due process. As a result of this decision, no public employee may now be discharged because of having invoked the fifth amendment in reply to a question that has to do with fraud, or embezzlement, or Communist associations, or espionage, or indeed, anything else.

This situation, of course, is patently ridiculous. It is tantamount to preventing a bank president from dismissing a teller who refused to say whether he was stealing bank funds.

In 1957, in Yates against the United States—the second Yates case—the Supreme Court reversed the conviction of 14 known members of the Communist Party under the Smith Act. The Smith Act, among other things, prohibited the advocacy of the overthrow of the Government by force of violence. The Court concluded, however, that the law could not prohibit advocacy in the abstract, but that its prohibition could only be directed to advocacy which results in unlawful action.

In layman's language, this is tantamount to saying that the mere advocacy of the forceful overthrow of our Government cannot be considered a crime unless it leads either to the overthrow, or attempted overthrow, or the overthrow in part, of this Government.

In 1961, in the case of Noto against the United States, the Supreme Court reversed the conviction of another known Communist who had been indicted under the Smith Act as a member of a group advocating overthrow of the Government. The decision spoke of the lack of substantial evidence of illegal activity on the part of the Communist Party, and of the need to demonstrate not only that the party engaged in such activity, but that the person indicted was himself involved in this activity. Mere membership in the party, it ruled, was not enough to warrant conviction.

There have, in fact, been an entire series of cases in which the Supreme Court has ruled that mere membership in the party cannot, by itself be considered proof of participation in the Communist conspiracy. In the case of Nowak against the United States in 1957, the ruling was carried to the point of the absurd because the petitioner in this case had been educational director of the Communist Party of Illinois for many years.

The Supreme Court has handed down these decisions not merely in the face of its own recognition that the Communist Party is a conspiracy and not a party like other parties, but in the face of the very substantial body of law which holds that mere membership in a conspiracy makes one liable for the crimes committed by the conspiracy.

The Communists scored one of their most astounding legal victories, however, when the Supreme Court, in the so-called Robel case, which was decided last December, held unconstitutional an act of Congress designed to bar Communists from employment in our defense facilities.

There have been at least a half dozen other decisions handed down which have served to emasculate other sections of the Internal Security Act and of the Smith Act in various ways.

If our Government is to remain a government of laws, we must all, whether we agree or do not agree with them, accept the decisions of the Supreme Court as the law of the land. Having said this much, however, I also feel constrained to say that I am one of the many people who has found it difficult to understand the reasoning behind some of the Supreme Court decisions in the field of internal security, especially their reasoning in the so-called Robel case.

In the face of repeated findings by congressional committees, by the FBI and by the Department of Justice that the Communist Party is a foreign-dominated conspiratorial organization committed to the subversion of our Government, the Supreme Court persists in arguing that the mere fact of membership in the Communist Party does not necessarily involve knowing participation in the Communist conspiracy.

There is today, however, no such thing as innocent membership in the Communist Party. There is a mountain of evidence that every member of the Communist Party works under rigid discipline in support of the party's objectives. Party members in defense plants can be used by the Communists for purposes of espionage or sabotage, to organize work stoppages directed against the national security, and to subvert responsible trade union leadership.

In submitting this new internal security legislation, it is the belief of the sponsors that it meets the objections raised by the Supreme Court, at the same time that it plugs the gaping holes left in our security structure by the series of Supreme Court decisions to which I referred in my previous remarks.

In sponsoring this legislation, we do not seek to challenge the decisions of the Supreme Court nor to override them. We are simply trying to deal in a responsible manner with some of the more vital problems that confront us in the realm of internal security. We have therefore sought to frame our legislation in a manner that avoids the objections the Supreme Court has raised to prior legislation in this field.

I want to call attention to a few specific features of the proposed act.

Title V of the proposed law provides immunity for congressional witnesses for the purpose of compelling their testimony on matters that are of interest to congressional committees. The privilege of the fifth amendment is intended only as a protection against self-incrimination. Once a witness is legally assured of immunity he cannot then claim the right to refuse to testify, on the grounds that his testimony, if he gave it, would tend to be self-incriminating.

Title V therefore provides that when a person has invoked the fifth amendment with respect to any testimony required of him, he may nevertheless be ordered to give such testimony by a vote of a majority of the committee, supported by a written statement from the Attorney General stating that he approves the order; and it further provides that a person who has invoked the fifth amendment and who has testified pursuant to such an order shall be immune from any penalty or forfeiture in consequence of this testimony—unless, of course, he perjures himself or commits contempt.

I would also like to call attention to title VII, section 703, which I think goes very far to protect the rights of the individual and to assure a forum of appeal to all those who may in future feel that they have been unjustly denied the opportunity to work in defense industry because of unevaluated information in their files.

Under this section, the Subversive Activities Control Board will entertain petitions from persons who claims that they have been thus disadvantaged. The clause requires the Board to disclose to the petitioner, so far as possible consonant with security, the nature of any adverse evidence against him, and it permits the petitioner to testify or permit the testimony of others in his behalf.

Section 612 of the proposed law is specifically designed to provide a maximum of protection for those employees whose personal habits or weaknesses make them security risks, but about whose loyalty there is no question. This section makes it possible to transfer such an employee to a nonsensitive position in the same agency or in some other Government agency, provided the head of the agency is satisfied that the transfer is consistent with national security.

The section also provides, that where an individual has been separated from his position for reasons of security, and where the question of loyalty is not at issue, "the agency from which he is to be removed shall avoid to the maximum extent practicable the public release of information which would tend to subject the individual to disgrace or stigma."

These provisions, in my opinion, bend over backwards to protect the individual. At the same time, I believe that they will help to make it possible to enforce a stronger and more rational security program by reducing the penalties and stigmatization that previously used to be associated with being declared a "security risk."

I believe we are all agreed that there are certain situations in which it is con-

trary to the national interest or to the national security to permit the unrestricted travel of American citizens to certain parts of the world. The methods used to regulate travel heretofore are clearly ineffective. Under the proposed law, the Secretary of State, subject to the approval of the President, would be given statutory authority to prohibit travel to any country, in the absence of special permission, if it is determined that such suspension is essential to the national interest or the national security.

However, section 903 also contains an important safeguard against any arbitrary or unreasonable limitation. Specifically, it provides that no regulation restricting travel shall go into effect "until the Secretary has caused to be compiled and published the findings of fact which provide the basis for his determination."

The provisions to which I have referred as well as the many other provisions of this remarkably comprehensive legislation, combine to make it a measure of the greatest importance to the national security.

It is my earnest hope that my colleagues will give this measure the careful attention it merits and that Congress will enact it before the close of the current session.

Finally, I desire to pay tribute particularly to the chairman of the Subcommittee on Internal Security, who is also chairman of the Committee on the Judiciary, for his leadership in offering this measure. I believe he has done a remarkable job, and I am happy to cosponsor the bill.

I am one of those who believe that we are in a death struggle. I do not have many supporters. That does not bother me much. I have been in that plight before. Until our people recognize that we are in a death struggle, we will not do any better than we are doing now. Some day there will have to be an awakening. I believe that one way is by Congress seriously considering and passing this measure. I hope it does so.

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr. BURDICK 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.

ORDER FOR ADJOURNMENT FROM TOMORROW, FEBRUARY 22, TO MONDAY, FEBRUARY 26

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, which business is to be confined to the reading of George Washington's Farewell Address, the Senate stand in adjournment until 12 o'clock meridian on Monday next.

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

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE PRESIDENT OF THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the adjournment of the Senate tomorrow until noon on Monday next, the Secretary of the Senate be permitted to receive messages from the President of the United States.

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

THE LAND AND WATER CONSERVATION FUND

Mr. KUCHEL. Mr. President, today, the Committee on Interior and Insular Affairs continued to hold hearings on legislation designed to augment the land and water conservation fund. I am an author of one bill on the subject, S. 531. I have joined with the distinguished chairman of our committee, the Senator from Washington [Mr. JACKSON], in coauthoring another, S. 1401.

Each bill seeks to allocate to the fund revenues accruing from petroleum leases on the outer Continental Shelf. I regret that some—not very many—oppose our proposed legislation, for the land and water conservation fund has served a useful and a noble purpose. It needs more revenues; and when it has them, as I am sure it shall, it will facilitate the acquisition and development by the Government of the United States and by State and local governments across the Nation of additional recreational areas and parks for the benefit of all the people.

This morning I made a statement to the committee. The statement included the very excellent presentation on behalf of the Governor of my State, the Honorable Ronald Reagan, made by the Honorable William Penn Mott, the California director of parks and recreation, unequivocally urging enactment of the Jackson-Kuchel bill.

The Citizen's Committee on Natural Resources has also communicated its views on this legislation to the Interior Committee. This conservation organization, led by such distinguished men as Ira N. Gabrielson, Charles Callison, Spencer M. Smith, Jr., and Dewey Anderson, shares my view that to link S. 1401 and a reopening of the dispute settled in 1953 by enactment of the tidelands legislation would endanger our efforts to put America's conservation program on a sound financial basis.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement I made, the statement of Mr. Mott, a statistical table indicating the scope of activity of the land and water conservation fund program in California, and the text of a telegram which I have received from the Citizen's Committee on Natural Resources.

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

STATEMENT BY SENATOR KUCHEL

With an increasing awareness of the blight of sprawling cities and the recreational needs of America over the coming decades, Congress in the last few years has authorized dozens of new recreation areas, parks, and seashores. The same acceleration of conservation activity has taken place at the state and local level.

To finance these programs, Congress, in 1964, created the Land and Water Conservation Fund. It is comprised of entrance and user fees at Federal recreation areas, the unclaimed Federal tax on pleasure boat fuel, and proceeds from the sale of surplus Federal real property. The fund is distributed 40 per cent to Federal projects, and 60 per cent to state and local governments on a 50–50 matching basis.

Unfortunately, the sources of revenue available to the fund have been inadequate to meet the needs of authorized projects. Only about $100 million per year is raised from those sources, and a ten year need of $2.7 billion is seen.

Governor Reagan's Director of Parks and Recreation, William Penn Mott, testified in support of S. 1401 before this committee saying that California alone needs six times the amount of money that has been available to it from the fund.

Recognizing the needs of which Mr. Mott so eloquently spoke, Senator Jackson and I, and fifteen of our colleagues in the Senate have sponsored legislation to make Federal revenues from leases on the outer continental shelf available to augment the Land and Water Conservation Fund.

This legislation has the support of all responsible conservation organizations in the United States. It is essential if we are to meet the commitment to conservation made in the authorization of dozens of new national parks and recreation areas over the last few years. Without this legislation there may be no money to pay for a Redwood National Park, or to complete the job which we have started at Point Reyes.

Nor will there be adequate money to meet the spiraling needs of the towns and cities of California for recreational areas. To show the broad impact which the Land and Water Conservation Fund has had on California during the first three years of its life.

Any discussion of the use of Federal offshore leasing revenues eventually turns to a perennial proposal to give the coastal states a preferential right, not afforded the other states of the Union, to a portion of these revenues. Fifteen years ago the proposal was stated in the Minority Views of the Senator from Louisiana [Mr. LONG] to this Committee's Report on the Outer Continental Shelf Lands Act. (S. Rep. 411, 83d Cong., 1st Sess., p. 65). Most recently this proposal has taken the form of S. 1826 which is pending before this Committee.

Although this stale idea may be new to some, the problem of the coastal states' rights in the adjoining outer continental shelf first became critically important to California over twenty years ago when I was State Controller. In the case of *United States v. California*, 332 U.S. 19 (1947), at page 38, the United States Supreme Court said:

"The question of who owned the bed of the sea only became of great potential importance at the beginning of this century when oil was discovered there. As a consequence of this discovery, California passed an Act in 1921 authorizing the granting of permits to California residents to prospect for oil and gas on blocks of land off its coast under the ocean. Cal. Stats. 1921, c. 303. This state statute, and others which followed it, together with the leasing practices under them, have precipitated this extremely important controversy, and pointedly raised this state-federal conflict for the first time. Now that the question is here, we decide for the reasons

we have stated that *California is not the owner of the three-mile marginal belt along its coast, and that the Federal Government rather than the state has paramount rights in and power over that belt, an incident to which is full dominion over the resources of the soil under that water area, including oil.*" (Emphasis added.)

In the ensuing years a great debate raged over the coastal states' rights to offshore leasing revenues. Finally, in 1953, during my first year in the Senate and on this Committee, we considered and passed the Submerged Lands Act (P.L. 83–31, 67 Stat. 29 (1953)). That act was a great victory for California and other coastal states. The coastal states were granted title to the natural resources beneath navigable waters within their state boundaries. This act gave my state ownership of all subsurface minerals from the beaches seaward to the three mile limit. In the case of California, we obtained a valuable privilege which has brought $318,557,484 into the State Treasury over the last 10 years.

Mr. Chairman, I would like to read the applicable provisions of the Submerged Lands Act into the record:

"SEC. 3. RIGHTS OF THE STATES.—(a) It is hereby determined and declared to be in the public interest that (1) title to and ownership of the lands beneath navigable waters within the boundaries of the respective States, and the natural resources within such lands and waters, and (2) the right and power to manage, administer, lease, develop, and use the said lands and natural resources all in accordance with applicable State law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in and assigned to the respective States or the persons who were on June 5, 1950, entitled thereto under the law of the respective States in which the land is located, and the respective grantees, lessees, or successors in interest thereof.

SEC. 4. SEAWARD BOUNDARIES.—The seaward boundary of each original coastal State is hereby approved and confirmed as a line three geographical miles distant from its coast line or, in the case of the Great Lakes, to the international boundary. Any State admitted subsequent to the formation of the Union which has not already done so may extend its seaward boundaries to a line three geographical miles distant from its coast line, or to the international boundaries of the United States in the Great Lakes or any other body of water traversed by such boundaries."

Later in 1953 this Committee, and the Congress approved the Outer Continental Shelf Lands Act (P.L. 83–212, 67 Stat. 462 (1953)), which provided the method for federal leasing of the federal portion of the outer continental shelf seaward of state boundaries. No part of the outer continental shelf which is under federal control by the terms of these two acts is within the exterior boundaries of any state. The federal leasing revenues are derived from a part of the outer continental shelf which legally is no more a part of the state of Louisiana or California, than it is a part of the state of Iowa.

This Committee inserted an amendment to the Outer Continental Shelf Lands Act as a caveat to the states, providing that the division of revenues established by these two bills is a final settlement of the interests of the two sovereigns. Let me read that language:

"SEC. 4. LAWS APPLICABLE TO OUTER CONTINENTAL SHELF.—(a)(3) The provisions of this section for adoption of State law as the law of the United States shall never be interpreted as a basis for claiming any interest in or jurisdiction on behalf of any State for any purpose over the seabed and subsoil of the outer Continental Shelf, or the property and natural resources thereof or the revenues therefrom."

I might observe that two of the strongest supporters of that language in Executive Session in 1953 still serve on this Committee: our Chairman, Senator Jackson, and our former Chairman, Senator Anderson.

I have heard it argued that the proposal embodied in S. 1826, namely to give coastal states 37½ per cent of federal leasing revenues, is merely an application of the Mineral Leasing Act to the Outer Continental Shelf. That argument was made in 1953 and rejected. The Mineral Leasing Act applies to Federal lands within the boundaries of states. The Submerged Lands Act established that the Federal outer continental shelf lands are by no stretch of the imagination within the boundaries of the individual coastal states.

Fifteen years ago, our colleague, Senator Price Daniel of Texas, was the leading proponent of improving the decisive victory won by the coastal states in the enactment of the Submerged Lands Act by slicing up federal offshore oil leasing revenues for the benefit of the coastal states. He failed. There was so little support for such a proposal that Senator Daniel didn't even offer a formal amendment to the bill to implement his plan.

The proposal has no more support today than it did fifteen years ago. One might as well propose that coastal states get 37½ per cent of all Federal income tax revenues for all the good it will do.

I believe that reopening the decades old dispute which was compromised and settled fifteen years ago would jeopardize the future of conservation in America. Strenuous support for any revenue-splitting scheme between the Federal government and the coastal states would be specious in view of the certainty of its defeat in this Committee, in both houses of Congress, and the assured veto of the President. A crusade for this long discredited idea could, however, kill S. 1401, and with it the Redwood National Park and other conservation legislation pending before Congress.

I refuse to participate in the dismemberment of America's conservation program, and accordingly I will oppose any foredoomed effort to disrupt the time-honored compromise of state and Federal interests which was reached in this Committee, and in the Congress, fifteen years ago. I think it is fair to say that my views are shared by the Chairman, who represents another great coastal state, Washington.

STATEMENT OF WILLIAM PENN MOTT, JR., DIRECTOR OF PARKS AND RECREATION, STATE OF CALIFORNIA

Mr. MOTT. Mr. Chairman, it is my understanding that there is before your committee two bills pertaining to the Land and Water Conservation Fund Act program, Senate bill 1401, introduced by Senator Henry M. Jackson, and Senate bill S. 531, introduced by Senator Thomas H. Kuchel.

I wish to speak in support of the concept which these two bills present, namely providing additional funds for the Land and Water Conservation Fund Act program. July 1, 1967, marked the third year in which applications have been accepted in California for consideration under the Land and Water Conservation Fund Act program. During this period in which $11 million was available as California's share of this fund, we received applications far in excess of $70 million worth of projects. In other words, the demand for funds exceeded the money available by more than 600 percent.

This demand for funds for land acquisition and capital improvement to meet the recreation demands in California is directly related to the rapid growth being experienced by the State. The California State Department of Finance estimated that the population of California as of January 1, 1968, was 19,774,000, an increase of more than 2 percent over the January 1, 1967, figure of 19,380,000. California's population has increased more than 4 percent during the period of its participation in the Land and Water Conservation Fund Act program; however, during this same period our annual apportionment has actually decreased. Based upon an average increase in population of 2 percent a year, it is estimated that California's population will increase more than 20 percent in the next 10 years.

We find that even at the present time, our population is continuing to increase at the rate of approximately 1,000 people per month. With this growth rate, which is one of the fastest in the Nation, we are confident that the demand for land and water conservation funds will continue to outstrip the supply of these funds. Statistics gathered in California indicate that the local cities, counties, and special districts are capable of matching funds from the land and water conservation fund to at least four times the amount now being received by California from the fund, which is approximately $3½ million.

California is proud of its record in the distribution of these funds. Of the $11 million received, we have distributed this money to 57 separate projects; $6,400,000, or 59 percent, has been obligated to 25 acquisition projects, 4 of them State and 21 local; $4,500,000, or 40 percent, has been for 31 development projects, 7 State projects and 24 local; and $100,000, or 1 percent, has been obligated for one planning project. It should be noted that the percentage distribution of acquisition projects over development projects is consistent with that suggested by the Bureau of Outdoor Recreation.

Of the 57 funded projects, 43 are local projects sponsored by 33 separate local jurisdictions; 15 counties, 15 cities and 3 recreation and park districts represent the local jurisdictions. These are distributed quite evenly throughout the entire State. Twelve State projects have been funded. Six of these projects are the responsibility of the Department of Parks and Recreation and six of them are the responsibility of the Fish and Wildlife Conservation Board.

Of the $11 million received in California, $3,200,000 has been requested or paid out by the end of the current fiscal year, June 30, 1968, and before the end of this fiscal year, an additional $2 million will be either requested from the Federal Government or disbursed to participants. California has received, in addition to the $11 million, approval for $3,500,000 from the Secretary's special contingency fund; $2 million of this has been received and disbursed for the acquisition of the Pepperwood Grove project in the Humbolt Redwoods State Park. The additional $1,500,000 will be received by the end of the current fiscal year. This will complete the contingency fund project.

The Department held during the month of January 1968, four public hearings to discuss the rules and regulations for the disbursement of Federal funds to State agencies and local jurisdictions. Although land acquisition remains critical, particularly for the larger metropolitan areas, the rural areas of the State feel that there must be greater emphasis placed on development in order for them to continue with land acquisition. There appears to be considerable feeling in the rural and suburban areas that allowing open space to remain undeveloped may prohibit further acquisition or make it impossible to hold open space for park and recreation purposes.

The department of parks and recreation for the State of California now owns, operates, and maintains in excess of 800,000 acres of land comprised of 200 units which make up the State park system. Although there are critical needs for land acquisition, such as the beaches, rounding out existing State parks, and eliminating inholdings within State parks, and the acquisition of State parks which will serve the major metropoli-

tan areas, the greater emphasis should be placed on developing existing State parks.

Mr. Chairman, the above information should provide your committee with ample evidence that additional funds are desperately needed during the next several years to meet, in California, the demand for funds from the land and water conservation fund and it is for this reason that I strongly recommend your approving either Senate bill 1401 or S. 531.

Thank you.

Sponsor	Nearest city or town	Project purpose
Division of Beaches and Parks	Morro Bay	Assist the State in acquiring 4,441 acres ocean frontage and uplands for a new State park (Montana de Oro State Park).
Department of Parks and Recreation	Statewide	Maintain, strengthen, and update California's comprehensive outdoor recreation plan.
County of Orange	Anaheim	Acquire 18 acres to serve as nucleus of a new 300-acre regional park.
Do	do	Develop roads, water system, comfort station, and other facilities at Sycamore Flat Regional Park.
City of Santa Barbara	Santa Barbara	Develop parking and picnic facilities, comfort stations, and other facilities at Shoreline Park.
City of San Diego	San Diego	Develop parking lot, restrooms, access road, landscaping at Mission Beach Aquatic Park.
City of Mountain View	Mountain View	Acquire approximately 440 acres of tideland for development of regional park.
Do	do	Develop land and water area at Shoreline Park, including sailing lake with facilities.
Kings County	Layton	Acquire 52 acres for development of Laton-Kingston Regional Park, including picnic, parking, and sanitary facilities.
County of Merced	Merced	Acquire 119 acres for expansion of Lake Yosemite Park.
Do	do	Develop Lake Yosemite Park, including access roads, parking area, picnic and sanitary facilities.
City of Los Angeles	Los Angeles	Develop camping, picnic, and boating facilities at Harbor Regional Park.
City of Berkeley	Berkeley	Develop public access, roadway, boat ramp, parking, and other facilities at Marine Park.
City of Long Beach	Long Beach	Install irrigation system to permit further development of El Dorado Park.
City of San Jose	San Jose	Develop picnic units, restroom, water, parking, trails, and other facilities at Kelley Park.
City of Santa Clara	Santa Clara	Develop camping, picnic, and play areas and other facilities at Central Park.
East Bay Regional Park District	Fremont	Acquire 671 acres of land on San Francisco Bay for development as a park.
City of San Clemente	San Clemente	Acquire 2.7 acres privately owned parcels of land along beach within the city limits.
City of Santa Barbara	Santa Barbara	Acquire 14 acres of beach-line property along Pacific Ocean to be developed into a community park.
City of San Diego	San Diego	Acquire 0.05 acre of land at the southern tip of Mission Beach.
San Mateo County	Belmont	Develop 2 feeder trails for access to State and county trail system, including clearing, grading, fencing, tr ail signs.
Los Angeles Board of Recreation and Park	Los Angeles	Acquire 70 acres for an addition to Chatsworth Regional Park.
Resources Agency	Eureka	Acquire 1,600 acres of redwood forest area as an addition to Humboldt Redwoods State Park.
City of San Clemente	San Clemente	Develop public restroom on beach property in San Clemente.
County of Tulare	Porterville	Develop Bartlett Park, including a well and related water system, restrooms, road system, play equipment, 3 arbors.
Wildlife Conservation Board	San Pedro	Construct public fishing pier in San Pedro urban area.
City of Los Angeles	Sunland, San Fernando	Develop Hansen Dam Recreation Area, including picnic units, walking trails, access roads, parking lot, landscaping.
Resources Agency	San Diego	Develop Ocean Beach Park, including access road, parking, irrigation system, landscaping.
Ventura County	Santa Rosa	Acquire 50 acres of land for development of a regional park.
Resources Agency	Sacramento	Acquire 1,265 acres of land and water for development of Delta Meadows State Park.
County of Stanislaus	Modesto	Acquire 818.5 acres of land to add to existing Modesto Reservoir Park.
Los Angeles County	Torrance	Acquire 2.41 acres of beach property at South Torrance Beach
County of Monterey	San Jose, Salinas	Acquire 122 acres for Royal Oaks Park.
Fair Oaks Recreation and Park District	Sacramento	Develop Sailor Bar Park, including access roads, parking, riding and hiking trails, boat launching area, lakes.
City and County of San Francisco	San Francisco	Develop John McLaren Regional Park, including day camp, trails, archery range, tennis courts, lake shoreline.
County of San Luis Obispo	San Luis Obispo	Develop Lopez Reservoir, including camp sites, trailer sites, picnic sites, swimming, boating water-skiing facilities.
Resources Agency	Lake Tahoe	Develop Sugar Pine Point State Park, including campground units, picnic areas, access roads, entrance facilities.
San Bernardino County	San Bernardino	Develop Glen Helen Regional Park, including camp and picnic units, restrooms, activity pavillion and center, boat dock area.
Resources Agency	Redding	Develop Keswick Lake, including access roads, boat launching ramp, parking area, sanitary facilities, signs.
Orange County	Orange County	Develop Sycamore Flat Regional Park, including camp and picnic units, restrooms, playfield, lagoon, road, parking.
City of Pleasant Hill	Pleasant Hill	Acquire 20 acres of land to develop Paso Nogal Park.
Wildlife Conservation Board	Alturas	Develop angling access area at West Valley Reservoir.
Santa Barbara County	Santa Barbara	Develop Carpinteria Valley Park, including road, water and electric lines, restroom.
Tehama County	Tehama	Develop Mill Creek Recreation Area, including road, picnic units, boat ramp, landscaping, restrooms, lighting.
Wildlife Conservation Board	Modesto	Develop Fox Grove angling access, including boat ramp, restrooms, parking area, signs, well and water supply system.
City of Sacramento	Sacramento County	Acquire 43 acres of land on Sacramento River for boating, camping, fishing.
City of Eureka	Humboldt County	Acquire 6.3 acres of land as addition to Cooper Gulch Recreation Area.
Los Angeles County	Pomona	Acquire 77 acres of land contiguous to Puddingstone State Park.
Department of Parks and Recreation	Kern County	Develop State park, including road, camping, picnic, and play areas.
City of San Diego	San Diego County	Develop swimming pool, picnic and play areas, roads, parking, and landscaping.
Department of Parks and Recreation	Sacramento County	Acquire 238 acres on the American River.
Resources Agency	El Dorado County	Acquire 1,975 acres at Sugar Pine Point in Lake Tahoe for outdoor recreation.
Department of Parks and Recreation	City of Tulare	Acquire 58 acres for new park.
Do	Tulare County	Acquire 74 acres on Kings River for picnicking and water sports facilities.
Do	Butte County	Develop Thermalito Forebay State Park, including roads, parking and picnic area.
Do	Orange County	Develop Sycamore Flat Regional Park for outdoor recreation purposes.
Do	Ventura County	Acquire 50.2 acres of Oxnard small craft harbor.
Do	County of San Bernardino	Acquire 763 acres Kemper-Campbell Ranch on the Mojave River.

WASHINGTON, D.C.,
February 20, 1968.

Senator THOMAS H. KUCHEL,
Old Senate Office Building,
Washington, D.C.:

An amendment to S. 1401 would remove the new sources of revenue for the land and water conservation fund provided in S. 1401. The amendment would substitute for the loss of these new revenue sources authorizations to be appropriated at a level of $200 million from the general fund. We oppose this amendment. The fund was established originally because of the failure in obtaining necessary appropriations from the general fund and the advanced appropriations authorized by the land and water conservation fund from the general fund have not been appropriated. A so-called compromise amendment would allocate 37½ percent of the Outer Continental Shelf leasing revenues to the States which are contiguous to the water areas where leases are established. The remaining 62½ percent of the Outer Continental Shelf lease revenues would be credited to the land and water conservation fund. We oppose this compromise amendment since it would unnecessarily ally land and water conservation fund revenues with a special privilege to a few States and if accepted make passage of S. 1401 highly questionable.

SPENCER M. SMITH, Jr.,
Secretary, Citizens Committee on Natural Resources.

A PROFESSIONAL LOOK AT USIA

Mr. BYRD of West Virginia. Mr. President, on behalf of the very able and distinguished Senator from Florida [Mr. SMATHERS], who is necessarily absent, I ask unanimous consent to have printed in the body of the RECORD a speech delivered by Mr. Kenneth Youel at the 1968 Florida Public Relations Conference held at Florida State University on February 1, 1968, entitled "A Professional Look at USIA," together with introductory remarks that Senator SMATHERS had prepared for delivery in the Senate.

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

STATEMENT BY SENATOR SMATHERS

Mr. SMATHERS. Mr. President, the 1968 Florida Public Relations Conference, which was held on the campus of Florida State University at Tallahassee on February 1, featured addresses by public relations leaders of my own state as well as nationally known practitioners of this important profession. One of the most significant speeches, in the opinion of many who attended the Conference, was an appraisal of the work of the United States Information Agency by Kenneth Youel, a past president of the Public Relations Society of America. Mr. Youel, now a Washington consultant, as a volunteer consultant serving without pay has for the past six years provided the official liaison between the Public Relations Society and the USIA. He and his talented artist wife, known professionally as Jan DiMarco, maintain a year-round residence in Palm Beach, and are widely known in Florida.

Because of the continuing interest of all members of the Senate in the program of the United States Information Agency, I shall ask unanimous consent to have printed in the body of the RECORD the address of Mr. Kenneth Youel, entitled "A Professional Look at USIA."

The address by Kenneth Youel, entitled "A Professional Look at USIA," is ordered to be printed in the RECORD, as follows:

A PROFESSIONAL LOOK AT USIA

(By Kenneth Youel,* 1968 Florida Public Relations Conference, Florida State University, Tallahassee, Fla., February 1, 1968)

Ladies and Gentlemen: As I think of the United States Information Agency I am reminded of the fable of the blind men of

*Kenneth Youel is a partner in Youel, Phillips & Associates, Washington, D.C. consulting firm. He has served for six years as official liaison between the Public Relations Society of America and the United States Information Agency, and as consultant to the Agency. He is a past president of the Public Relations Society of America.

India and the elephant. One felt the elephant's side and said: "Ali, the elephant is like a wall"; another touched the animal's leg and said: "The elephant is like a tree." Another touched the trunk and said he thought the elephant was like a snake.

Different people see the USIA in different ways. Editors think of it as a news distribution organization and some of them wonder why newspapers overseas can't use the AP or the UPI. Radio men think of it as the Voice of America. Some advertising men wonder why American hard sell methods are not used more liberally. Those who believe the mass mind can be manipulated—and there are some who do—express their impatience with USIA's slower techniques.

And since the Agency's efforts are directed overseas many people in the United States hardly know what the USIA is and think of it—if they think of it at all—as just another government alphabetical agency.

These misunderstandings and this apathy are unfortunate. It may not be urgently necessary for the USIA to be understood by all of our 200 million Americans, but it is highly desirable for it to be not only understood, but supported, by professionals in communications including public relations people, editors, commentators, educators, historians and other leaders of thought—leaders whose opinions are valued by government officials who have the final responsibility for approving USIA programs and budgets.

My impressions are based on some six years as the Public Relations Society of America's official liaison officer and as a volunteer consultant to the Agency. During that time I have been familiar with many of its problems. In this capacity and as a public member of the State Department's Foreign Service Inspection Corps, I have visited many of the posts in Europe and Latin America, and have also spent some time in Iron Curtain countries.

The role of the Agency, briefly stated, is to support the foreign policy of the United States by explaining it to people in other countries; to build overseas understanding of United States institutions and culture; and to advise the U.S. government on public opinion abroad and its implications.

Now let me give you a quick review of what the USIA is and what it does. It operates in 104 countries. The number was a little larger before some posts were closed during the Israeli-Arab war last June. The posts are known overseas as USIS. In the capital cities, the director of the post is known as the Country Public Affairs Officer. In addition to directing informational activities, he serves as a member of the Embassy's "country team" and as a public affairs adviser to the Ambassador or Chief of Mission.

USIA employes more than 10,000 people. About 3000 are Americans and over 7000 are employes hired locally in foreign countries. Nearly 9000 work overseas. The Agency's 1967 fiscal year budget was $162 million. Its principal activities are its press, magazine and periodical service; radio, including the Voice of America, books, research, motion pictures and television, exhibits and overseas handling of the cultural affairs-cultural exchange programs.

The press service transmits about 12,000 words daily by radioteletype for placement in foreign newspapers and magazines. This consists of texts of major speeches and statements of general interest by US leaders plus items of regional importance.

A number of magazines are printed in many languages for world-wide distribution. One of the most interesting is America Illustrated, printed in Russian for distribution in the USSR under the terms of an agreement between the two governments. About 60,000 copies are sent to the Soviet each month and the same number of copies of Soviet Life, published by the Russians in English, are sent to this country. America Illustrated sells like hot cakes. On my trips to the Soviet Union I have asked for it at newsstands many times, always unsuccessfully. Copies are passed from person to person until they are worn out. Yet frequently the Soviet government returns substantial numbers of America Illustrated saying they were unsold. It is quite evident they permit the sale of only the same number as the quantity of copies of Soviet Life sold in the United States.

The Agency prints a similar type magazine for distribution in Poland.

With the wide sale of transistor receivers, radio has become tremendously effective in communicating across the national borders. The VOA, a part of the USIA, has 92 transmitters here and abroad. It broadcasts more than 800 hours a week in 38 languages and has an estimated worldwide audience of 42 million people. USIS posts also place some 15,000 hours of taped and recorded programming on 3000 local standard broadcast stations around the world.

Other countries also attach great importance to radio. You may be interested to know that in program hours of international short wave broadcast the VOA is exceeded by the USSR—Radio Moscow—with 1684 hours weekly and by Communist China with about 1300 hours. Having read translations of some of the Russian and Chinese material, however, I would say that the VOA approach is vastly more effective.

The Agency produces more than 1000 motion pictures and television programs yearly. The film audience is estimated at more than 700 million people each year, and more than 2000 TV stations in 80 countries use USIA programs.

USIA maintains 227 information centers and reading rooms. As you may recall, a number of USIA libraries have been damaged or destroyed by rioting mobs. Libraries are usually highly visible and normally are not provided with military guards. The library at Cairo was destroyed in 1965. Later their government made full restitution and a substantial book contribution. In the emergency last year, the Cairo library escaped but the Alexandria library was destroyed. Rioters are not very discriminating. As an example, some months ago a mob demonstrating against the devaluation of the British pound sterling vented its anger by destroying the USIA library at Kuala Lumpur in Malaysia.

The Agency plays a role in improving cultural relations with other countries, both through its own programs and through its responsibility for administering abroad the educational and cultural programs of the Department of State. Time will not permit a full description of these activities but they are tremendously important. They include exchange programs, cultural presentations, trade fairs and exhibitions. The USIA helps to support some 130 binational centers, most of which are in Latin America. Each normally includes library facilities, a reading room, meeting rooms and classrooms. These centers help to nurture understanding between people of the host country and the United States through such activities as seminars, cultural programs and English lessons. (For which the students pay a fee.) The thousands who learn English are thus enabled to read our books and to understand English-language broadcasts thus breaking down barriers. Binational centers are often near universities and have proved to be an effective means of communicating with students and intellectuals, including those of radical inclinations.

The USIA keeps about 150 small exhibits circulating at all times, and many USIA posts prepare their own exhibits locally. Major exhibits have been especially effective in reaching audiences in the USSR and countries of Eastern Europe. The "Hand Tools, U.S.A." exhibit, for example, was visited by more than 2½ million Hungarians, Poles, Russians, Bulgarians, and Yugoslavs.

The Agency welcomes activities on the part of Americans abroad which contribute to a better understanding of the United States and its institutions. An excellent example of this is the work of the Council for Latin America. The Council, headed by David Rockefeller, has a membership of 250 companies and an active program, carefully planned and ably executed.

With that review of USIA activities, let us look as professional communicators at some of the policy questions that must be answered, such as:

"But do we need it?"

"Why not let our country's record speak for itself?"

"Can't people in other countries get the news from their own newspapers, radio and television?"

"If they don't understand us, what difference does it make?"

Our country's record does speak for itself—when we put it in a language that people understand, and bring it to their attention. But for scores of reasons—among them, illiteracy, scarcity of newsprint, poverty, government restrictions—many of the people of the world cannot get the news from their newspapers, radio and television in the normal course of events.

If they do not understand us, it makes all the difference in the world—the world, incidentally, which we must inhabit with them. We cannot close our eyes to the existence of an historic struggle in the world today: between the system typified by free choice and that represented by communism.

The more than 100 developing nations want desperately to reach the twentieth century. And humanly, they are attracted by the system which seems to them to offer the shortest road to their goal. They do not always see the detours ahead and are often blind to the tolls they will have to pay—in the coin of freedom and individual dignity—if they choose the communist road. The communists' pitch is often appealing. "Look at us," they say. "See what we have accomplished, under our system, in just fifty years. Look, for example, at what our socialist technology is doing in outer space. All in just fifty years. Capitalism may be all right for Americans. But our way is better for us—and for you."

If the developing nations ever were to make the mistake of opting for the communist system, we—along with them—will have to pay for that mistake in today's shrinking, interdependent world. Before they make a choice, we must make certain they understand what we are and what we stand for. That is the challenge the USIA must meet every day around the world.

Another question by a letter-writer:

"Why in heaven's name do you have to use taxpayers' money to tell foreigners about our shortcomings? Why don't you just tell them the good things?" People who agree with that questioner say that the communists do not broadcast their shortcomings to the world, but present only what they believe to be their good side. Why, they ask, don't we fight fire with fire?

As professional communicators, I am sure you will agree with me that the test is credibility. To the extent that the audience does not find propaganda, or advertising credible, it is going to be ineffective. And when that same source sets a pattern for non-credibility, that source—be it the Voice of America, Radio Moscow or any manufacturer of goods—that source will find eventually that its messages are ineffective and finally self-defeating. In this connection it might be well to remember the admonition of Abraham Lincoln: "You can fool some of the people all of the time, and all of the people some of the time, but you cannot fool all of the people all of the time."

Leonard H. Marks, Director of the Agency, states it in five words: "Truth is our best propaganda."

The same answer goes to those who wonder why we can't apply our superior advertising methods and sell our system of government and way of life as effectively "as we sell cars or soap." We want people in other countries to believe what we say not just once but day in and day out year after year. Some people perhaps visualize a contest in which the world will decide whether it favors America or some other system, much as one of our elections. This is not the way it is. Interpreting U.S. policies and actions, and promoting a better understanding of American philosophy, ideas and ideals goes on and on. The battle for world opinion is long and frustrating. There is no band, no half-time, no decisive score and no trophies.

There are some who search for sureshot ideas to score a bullseye. "If only the Russians could see a Sears, Roebuck catalogue!" "If only the Egyptians could meet some of our fine youngsters!" Bright ideas are always needed. Let us not disparage them. But the backbone of the effort must be day to day activities of a less spectacular nature. Incidentally, through the exchange programs, people in other lands are seeing some of our fine youngsters. And the results are excellent.

No appraisal of the value of the USIA would be complete without discussing what the press might describe as "editorial policy." This, as you recall, divides itself into the two areas: one to support the foreign policy of the United States; and the other to build an understanding of our institutions. As to the first area, let me give you one example. Last June, at the height of the hostilities in the Arab-Israeli conflict, Radio Cairo suddenly blasted to the world with the charge that American and British aircraft were aiding Israel. Agency officials did not know whether this charge was based on a genuine belief that American Sixth Fleet aircraft were involved because the Israeli air attacks came in from the west, or whether it was simply fabricated by some Arab leaders as a face-saving device. Agency officials used radio as a primary means to broadcast US official denials and there is every evidence that the barrage of facts convinced those with open minds.

No one will deny that there are many misunderstandings about the United States and that this is an extremely dangerous situation. For instance, research shows seven basic negative stereotypes shared by many university students in Latin America. They are: Economic imperialism, Wall Street domination of the US, US support of rightist dictatorships, US mistreatment of Latin America, US neglect of Latin America, Fraudulence of US democracy and liberty, and Uncultured and materialistic US society.

The Agency's program to present to the world a true picture of America, to offset these and other misbeliefs, is in line with the international responsibilities our country has begun to assume in the last half century, as evidenced by the Marshall Plan, which helped to put Europe back on its feet after World War II, and more recently, the Alliance for Progress to stimulate the economic progress of Latin America. While there were many years in American history in which isolationist sentiment prevailed, the basic policy goes back to the beginnings of our nation. The authors of the Federalist Papers said: "It seems to have been reserved to the people of this country by their conduct and example to show the way to political freedom."

The story the Agency is telling to the best of its ability day after day offers continuing testimony to that American ideal of freedom. The material benefits that have come from free enterprise, the spiritual values of freedom of religion, the inherent strength of the U.S. political system, and all of the things that go to make our society an open society. As a matter of fact, U.S. traditions of freedom of speech, which permit ugly news to go out with good news, are themselves proof of confidence and maturity.

Not everyone has forgotten that our country was founded and has been strengthened by those who came to seek liberty. I hope school children are still taught that inscription on the Statue of Liberty which greets shipboard immigrants entering New York harbor, which says in part:

"Give me your tired, your poor—
Your huddled masses, yearning to breathe free."

There are perhaps some who may wonder why a U.S. government agency to provide information for world opinion seems now to be suddenly so important. The answer is apparent if we consider the rapidly changing world in which we live and the terrible dangers that have come with these changes. Another world war would bring disaster to the world. The only long range alternative is international understanding. Recognizing this, many countries are raising their voices to be heard. The United States is not alone in explaining its positions to the rest of the world. So the question is not: "So we need it?" but rather: "How well are we doing the job?" and "How can we do it better?"

As a public relations man, it occurs to me that the USIA's task is perhaps one of the most difficult public relations jobs in the world. There are few precedents. There is no book to follow. Established private media of communications are often inadequate and usually unavailable. People in remote lands are not as interested in the United States as we sometimes naively imagine. In many parts of the world there are racial and national hatreds that go back hundreds of years. Adding to this is the communist effort to discredit us by every means fair and foul. It has been said that one third of the world is being told that the United States is the enemy that must be destroyed. While there is some evidence in Russia of what public affairs scholars refer to as "erosion of revolutionary zeal," the Soviets are in no discernible way slackening their propaganda efforts.

Much depends on the ability of the men in the field. What will work in one country will not work in another. Changing situations require new approaches. As time passes, there are always new generations asking questions, forming their own opinions. A foreign service assignment in the USIA mean hard work, making meaningful contacts with people in the host country's government, in communications, in education and in other fields to provide them with information.

It is understandable that some people are impatient with USIA's progress if they fail to recognize the realities of the situation. Its role to "support U.S. foreign policy, build understanding, and advise the government" puts USIA into the broader frame of reference in which it belongs. It shifts the spotlight from communications as a thing apart to the bigger question of how Americans as a people and as a government conduct themselves to help bring understanding and peace to the world.

It seems to me the important thing is that we as Americans are beginning to get "management experience" in this international role. We are not only improving our techniques of communication but we are acquiring, perhaps gradually, managerial expertise in relating activities to objectives and in coordinating the efforts of many people in a more effective way.

Those of us outside the Agency who are professionals in communications can be of assistance. We can help, and the first step is to inform ourselves about the Agency, and to understand its problems. It needs strong public support to enable it to proceed with sound long range planning, and we professionals can help to enlist that support.

Furthermore, its activities will be doubly effective if, instead of working alone, it has allies in the private sector working in their own fields to promote a better understanding of the United States. Americans with international interests can make a great contribution—and many of them have—by formulating programs of their own as the "other member of the team" working toward "a better understanding of the United States, its institutions, culture and policies."

And that, ladies and gentlemen, is my appraisal of the United States Information Agency.

A SUPPLEMENTAL APPROPRIATION FOR PUBLIC LAW 874 PROGRAMS IS AN ABSOLUTE NECESSITY—ADDITIONAL COSPONSOR OF BILL

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Alaska [Mr. GRUENING] I ask unanimous consent that, at the next printing of amendment 530 to H.R. 15399, providing supplemental appropriations for fiscal year 1968, the name of the junior Senator from Alaska [Mr. GRUENING] be added as a cosponsor.

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

Mr. BYRD of West Virginia. Mr. President, in connection therewith, I read the following statement on behalf of the Senator from Alaska [Mr. GRUENING]:

STATEMENT BY SENATOR GRUENING

Mr. GRUENING. Amendment No. 530 to H.R. 15399, providing supplemental appropriations for fiscal year 1968, was submitted by the able and distinguished Senator from Arkansas [Mr. FULBRIGHT], would increase by $91 million fiscal year 1968 appropriations for school maintenance and operation in federally affected areas and major disaster areas, as authorized by Public Law 81–874, as amended.

School districts in Alaska were scheduled to receive approximately $12.2 million in fiscal year 1968 under Public Law 874, but the level of present appropriations has reduced this amount by $2.4 million. As a result, many school districts in Alaska will find it impossible to provide quality education for their students.

A supplemental appropriation for fiscal year 1968 for programs under Public Law 874 is an absolute necessity. It will permit school districts which depend upon the program to maintain the educational standards which the children of Alaska and of the Nation deserve.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXPORT-IMPORT BANK ACT OF 1945—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1155) to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the Bank, to extend for 5 years the period within

which the bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1155) to amend the Export-Import Bank Act of 1945, as amended, to change the name of the Bank, to extend for five years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SECTION 1. The Export-Import Bank Act of 1945 is amended—

"(a) By changing 'Export-Import Bank of Washington', wherever that name refers to the legal entity created by the Export-Import Bank Act of 1945, to 'Export-Import Bank of the United States'.

"(b) Section 2 of such Act is amended by striking subsection (b) thereof and by substituting in lieu thereof the following:

"'(b)(1) It is the policy of the Congress that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital; that loans, so far as possible consistently with carrying out the purposes of subsection (a), shall generally be for specific purposes, and, in the judgment of the Board of Directors, offer reasonable assurance of repayment; and that in authorizing such loans the Board of Directors should take into account the possible adverse effects upon the United States economy.'

"(c) Section 2(b) of such Act is further amended by adding the following at the end thereof:

"'(2) The Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participate in any extension of credit

"'(A) in connection with the purchase or lease of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or

"'(B) in connection with the purchase or lease of any product by any other foreign country, or agency, or national thereof, if the product to be purchased or leased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale or lease to, a Communist country (as so defined)

except that the prohibitions contained in this paragraph shall not apply in the case of any transaction which the President determines would be in the national interest if he reports that determination to the Senate and House of Representatives within thirty days after making the same.

"'(3) The Bank shall not guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase of any product, technical data, or other information by a national or agency of any nation

"'(A) which engages in armed conflict, declared or otherwise, with armed forces of the United States; or

"'(B) which furnishes by direct governmental action (not including chartering, licensing, or sales by non-wholly-owned business enterprises) goods, supplies, military assistance, or adviser to a nation, described in subparagraph (A);

nor shall the Bank guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase by any nation (or national or agency thereof) of any product, technical data, or other information which is to be used principally by or in a nation described in subparagraph (A) or (B).

"'(4) The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with any credit sale of defense articles and defense services to any country designated under section 4916 of the Internal Revenue Code of 1954 as an economically less developed country for purposes of the tax imposed by section 4911 of that Code. The prohibitions set forth in this paragraph shall not apply with respect to any transaction the consummation of which the President determines would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives. In making any such determination the President shall take into account, among other considerations, the national interest in avoiding arms races among countries not directly menaced by the Soviet Union or by Communist China; in avoiding arming military dictators who are denying social progress to their own peoples; and in avoiding expenditures by developing countries of scarce foreign exchange needed for peaceful economic progress.

"'(5) In no event shall the Bank have outstanding at any time in excess of 7½ per centum of the limitation imposed by section 7 of this Act for such guarantees, insurance, credits or participation in credits with respect to exports of defense articles and services to countries which, in the judgment of the Board of Directors of the Bank, are less developed.'

"(c) By changing in section 2(c) of that Act, '$2,000,000,000 to read $3,500,000,000'.

"(d) By changing the last sentence in section 3(d) of that Act to read: 'Members, not otherwise in the regular full-time employ of the United States, may be compensated at rates not exceeding the per diem equivalent of the rate for grade 18 of the General Schedule (5 U.S.C. 5332) for each day spent in travel or attendance at meetings of the Committee, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.'

"(e) By changing, in section 7 of that Act, '$9,000,000,000' to read '$13,500,000,000'.

"(f) By changing, in section 8 of that Act, 'June 30, 1968' to read 'June 30, 1973'."

And the House agree to the same.

EDMUND S. MUSKIE,
JOHN SPARKMAN,
HARRISON WILLIAMS,
JOHN TOWER,
BOURKE B. HICKENLOOPER,
Managers on the Part of the Senate.

WRIGHT PATMAN,
WM. A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM S. MOORHEAD,
WILLIAM B. WIDNALL,
PAUL A. FINO,
FLORENCE P. DWYER,
Managers on the Part of the House.

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

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, S. 1155 was passed by the Senate on August 11, 1967. On February 7 the House passed H.R. 6649, the companion bill to S. 1155, and then moved to strike all after the enacting clause in the Senate bill and substitute the House language.

Almost a year ago, identical companion bills were introduced in the House and Senate. The provisions of the bills as introduced were passed by both bodies virtually intact. It is in the restrictive amendments added by the Senate and the House that we find the relatively minor differences between the two versions of S. 1155 which the conference report now reconciles. It does so by accepting the House version of limitations on Eximbank support of arms sales to developing countries and support of exports to countries whose governments furnish goods or supplies to our adversaries, and by accepting the Senate amendments on exports to Communist countries and on the possible effect of Eximbank loans on the domestic economy and our balance of payments.

Both bills extend the life of the Bank by 5 years to June 30, 1973; increase its lending authority by $4.5 billion, to a total of $13.5 billion; raise by $1.5 billion, to a total of $3.5 billion, the ceiling on guarantees and insurance which can be done on a 25 percent fractional reserve basis; permit the Bank to compensate its Advisory Committee members at a higher rate; and change the name of the Bank to Export-Import Bank of the United States.

These are the provisions which were contained in the bills as originally introduced.

You will recall that the Senate added amendments which—in the order they appear in the bill—require Eximbank to consider possible effects of its loans on the domestic economy and the balance of payments; restrict the Bank's support of U.S. exports to Communist countries; limit the Bank's financing of arms sales to developing countries; prohibit support of exports to countries with which the United States is engaged in armed conflict, or to other countries whose governments furnish goods or supplies to our adversaries; and prohibit Eximbank support of exports for use in a Soviet automobile plant.

The House bill contained only two amendments, one relating to arms sales, which is substantially similar to the Senate provision, and one relating to exports to or for use in countries with which we are engaged in conflict or countries supplying them, which is also substantially similar to the comparable Senate amendment. However, the latter House amendment is comprehensive enough in its language and practical application to preclude Eximbank financing of exports for a Soviet automobile factory.

With respect to arms sales, section (3) of the Senate version of the bill states as the policy of the Congress that the Bank shall not assist in financing, under

a Department of Defense guarantee, credit sales of defense articles and services by the Government or by U.S. exporters, except when the President determines such participation would be in the national security interest and reports such determination to both the Senate and House within 30 days. The comparable House provision states that the Bank shall not participate in any credit sale of defense articles or services to any country designated as economically less developed for purposes of the interest equalization tax, except when the President determines such participation would be in the national interest and, as in the Senate version, so reports to the Congress within 30 days. The House provision, however, further requires that in making any such determination the President must take into account, "among other considerations, the national interest in avoiding arms races among countries not directly menaced by the Soviet Union or Communist China; in avoiding arming military dictators who are denying social progress to their own peoples; and in avoiding expenditures by developing countries of scarce foreign exchange needed for peaceful economic progress."

Both the Senate and House versions of the arms credit limitation place a ceiling, equal to 7½ percent of the Bank's total lending authority, on the amount of financing which may be outstanding at any one time in connection with such credit sale of arms. The House version of this amendment, adopted by the conference, thus covers the same ground as the Senate version, but is somewhat stronger in that it adds additional criteria which must be taken into account before the transaction can be consummated.

The Senate provision on arms sales, passed in August, would have to be revised in any event, since it refers to arms credits which are "guaranteed under section 503(e) and section 509(b)" of the Foreign Assistance Act of 1961, as amended. When Congress subsequently passed the Foreign Assistance Act of 1967 last November, those sections were not only renumbered but the Defense Department's guaranty authority itself was terminated effective June 30, 1968.

Turning to the amendments relating to Communist countries or countries trading with our enemies, you will recall that it is the Byrd amendment which prohibits Eximbank support of the export of any product to first, any nation with which the United States is engaged in armed conflict; or, second, any nation the government of which is furnishing goods or supplies to a nation with which we are engaged in armed conflict. It is the Mundt amendment which expressly prohibits the Bank from assisting exports to or for use in the construction of an automobile plant in the Soviet Union—which of course means the proposed Fiat loan.

On the House side, the Fino amendment prohibits the Bank from supporting the export of "any product, technical data, or other information" to or for use in first, any nation with which we are engaged in armed conflict, or second, any nation which furnishes by direct governmental action (not including chartering, licensing, or sales by nonwholly-owned business enterprises) goods, supplies, military assistance or advisers" to any nation with which we are engaged in armed conflict. Since this version applies to exports which are "to be used principally by or in" the proscribed recipient countries, it covers the Fiat case.

The House amendment thus in effect incorporates the provisions of both the Byrd and the Mundt amendments in the Senate bill. It also clarifies the kinds of government involvement in the furnishing of goods or assistance to our adversaries which are intended to be covered by the amendment. Members will recall that this was an area of some concern during debate on the Byrd amendment last year. As I have said, the House version clearly covers such transactions as the Fiat case, but in my opinion would not include, for example, countries in which the governmental involvement is limited to such matters as the issuance of export licenses, sales by business enterprises not wholly owned by the government, or the use of privately owned vessels registered under its laws to transport nongovernment cargoes. The restriction would cease to have effect after hostilities cease, or after a particular government stops sending goods or assistance to our adversaries.

The conferees have adopted the House version of this restriction.

Section (c) of the Senate bill prohibits the Bank from supporting U.S. exports to or for use in any Communist country, except when the President determines such support to be in the national interest and reports such determination to Congress within 30 days. Although there was no identical provision in the House version, the Fino amendment outlined above clearly prohibits Eximbank support of exports to or for use in all Communist countries, except Yugoslavia, for the duration of the Vietnamese conflict or, in the case of individual Communist countries, until the government stops supplying North Vietnam. Nevertheless the conferees have written into the conference bill section (c) from the Senate bill. We did so because we believe that after the termination of hostilities, when the Fino restriction would cease to be operative, the extension of Eximbank support of exports to Communist countries should be subject to a Presidential policy decision. This amendment, of course, is patterned after a similar limitation which has been included annually for the past 5 years in the Export-Import Bank portion of the Foreign Assistance and Related Agencies Appropriation Act.

There is only one other difference between the Senate and House versions of S. 1155, and that is that the House version contains no provision comparable to the so-called Holland amendment in the Senate bill. This provision expresses as the policy of the Congress that in making loans the Bank's "Board of Directors should take into account the possible adverse effects upon the U.S. economy and the desirability of safeguarding the international balance-of-payments position of the United States."

The conferees have included an amendment which provides that in making loans the Bank's "Board of Directors should take into account the possible adverse effects upon the U.S. economy." The Senate conferees did not insist upon the reference to the international balance-of-payments position in view of the assurances received in a letter dated February 16 from Mr. Harold F. Linder to the chairman of the committee, the Senator from Alabama [Mr. SPARKMAN].

I ask unanimous consent that a copy of the letter be printed in the RECORD.

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

EXPORT-IMPORT BANK OF WASHINGTON,
Washington, D.C., February 16, 1968.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: You will recall that last August when the Senate passed S. 1155, an act to amend the Export-Import Bank Act of 1945, as amended, it adopted an amendment which states as the policy of the Congress that in authorizing loans Eximbank's "Board of Directors should take into account the possible adverse effects upon the United States economy and the desirability of safeguarding the international balance of payments position of the United States". No comparable provision was adopted by the House in its consideration last week of the companion bill to S. 1155.

I understand that in the interest of expediting final enactment of the bill you may propose that the Senate adopt the House-passed version of S. 1155, which would result in the omission of this amendment from the bill as finally passed. I wish to assure you, on behalf of the Board of Directors of the Bank, that if this should happen the Board would nevertheless adhere to the policy expressed in this amendment.

Sincerely yours,

HAROLD F. LINDER.

Mr. MUSKIE. Mr. President, the provisions of S. 1155 as recommended by the committee of conference include the substance of all of the provisions contained in the legislation as it passed both the Senate and the House. The provisions in the conference bill clarify the language and intent of the restrictions adopted by the Senate and otherwise strengthen the bill.

For these reasons, I move that the Senate adopt the conference report on S. 1155.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HANSEN'S APPEAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial from today's Washington Evening Star entitled "Hansen's Appeal."

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

HANSEN'S APPEAL

Judge J. Skelly Wright's reluctant ruling this week finally clears the way for the United States Court of Appeals to determine whether Wright's decision of last summer in the District school case is to be accorded its needed judicial review.

For this procedural advance, at least, we may be thankful. There have been occasions during the past half-year when it seemed that the process of appeal would not even progress this far.

The decision by which Judge Wright assumed control of the District school system, based on his far-ranging theories of de facto racial and economic segregation, was handed down last June 19. Within a month of that date, former District School Superintendent Carl Hansen, among others, filed motions seeking to appeal. And for the unconscionably long period of five months after that they cooled their heels. Finally, in response to a December 18 order of the Court of Appeals, Wright has heard and granted a motion of the appellants to intervene—"in order," he said, "to give the Court of Appeals an opportunity to pass on the . . . questions . . ."

In one sense it is an oddly contradictory ruling, for Judge Wright clearly feels that the appellants have no legal standing whatever. Indeed his 19-page ruling consists almost wholly of a repudiation of their claims. Viewed against this background, Wright's refusal to stay the effects of his 1967 decision pending the outcome of the appeal comes, of course, as no surprise.

We hope that Judge Wright's views are not those of the Court of Appeals as a whole, and that the standing of the appellants to appeal will be upheld. We think that all of the appellate judges should take a look—a hard look—at this decision by a judge whose prejudices in at least some instances have overwhelmed his judgment.

THIEU'S PROGRAM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial from today's Washington Evening Star entitled "Thieu's Program."

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

THIEU'S PROGRAM

President Nguyen Van Thieu, in his address the other day to the National Assembly, spoke with deep and understandable emotion of the atrocities committed by the Viet Cong in their savage campaign against South Vietnam's cities. Among the grim examples cited by him: the systematic cold-blooded killing of the wives and children of 1,000 government militiamen.

To cope with this Hanoi-directed strategy of terror, and to strengthen the overall defense effort against the Communist North, Thieu has announced to the Assembly—as a plan to be set in motion at once—a revised series of mobilization measures. The measures, designed to add substantially to the size and flexibility of the armed forces, include the drafting of 18-year-olds on a faster schedule; the recall of veterans who have served fewer than five years; a halt in discharges except for medical reasons; and special military training for all over 17 in school and for civil servants under 45.

In proclaiming this program—and in asking the Assembly for authority to rule by decree in economic matters during the coming year—Thieu has embarked on an unpopular course and is likely to meet with very strong opposition. But he has acted with admirable firmness on the basis of hard facts and urgent conditions that his political foes can neither dispute nor belittle. Not the least of the conditions is what the South Vietnamese people have suffered as a result of the fighting unleashed by the enemy's Lunar New Year offensive—in the first nine days, over 3,000 civilians killed, nearly 8,000 wounded, and 196,000 made homeless.

As Thieu has put it, the offensive has "proved that the Communists also regard the people as their enemies." That is why he has called upon his countrymen to take on new defense burdens: "These measures may infringe somewhat on democratic rights, but without them the situation may get out of control. We must first defend our nation; if we cannot defend our nation, our democratic rights will become meaningless." To the South Vietnamese, so weary of war, this sort of talk might be wholly unappealing under ordinary circumstances. But they have suffered cruelly at the hands of the enemy, and they may well react by rallying behind the Thieu government and its program.

It is a program, in any event, that merits the American support promised by United States Ambassador Ellsworth Bunker. Saigon, under the leadership of Thieu and Vice President Nguyen Cao Ky, is plainly striving to do better in an exceedingly difficult and dangerous situation. Its critics would do well to hold their fire at a crucial time when attacks upon it can serve only to please and help the enemy.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order of yesterday, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 31 minutes p.m.) the Senate adjourned until tomorrow, Thursday, February 22, 1968, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

St. Louis Engineers Addressed by Senator Randolph, of West Virginia, on Expanding Role of the Engineer in Modern Society

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Wednesday, February 21, 1968

Mr. SYMINGTON. Mr. President, this is the 18th annual National Engineers' Week, sponsored by 66,000 members of the National Society of Professional Engineers, including the 1,100-member St. Louis chapter of the Missouri Society of Professional Engineers.

Traditionally, it is an event of the week of George Washington's birthday, so chosen because the first President of the United States was a notable civil and military engineer.

National Engineer Week brings to the attention of the American people the role of the professional engineer in today's society, and his vital function and contribution in furthering safety, technical progress, and public welfare. And, of course, the engineer is vital in helping to solve problems to improve world health.

Each year the theme of the week fits the overall mission of the members of this great profession, and this year it is appropriate that the theme is "Engineering—Design for World Health."

And, Mr. President, it was appropriate that the St. Louis chapter of the Missouri Society of Professional Engineers, in joint meeting last night with the Engineers Club of St. Louis, and the St. Louis section of the Institute of Electrical and Electronics Engineers, had as their speaker our distinguished colleague, the senior Senator from West Virginia [Mr. RANDOLPH]. Chairman of the Public Works Committee and ranking member of its Subcommittee on Air and Water Pollution, Senator RANDOLPH is a competent speaker on engineering as it relates to the public health.

In reporting on the speech of the senior Senator from West Virginia, this morning's issue of the St. Louis Globe-Democrat headlined it in terms of the Senator having challenged the engineers on the pollution crisis.

The Globe-Democrat report featured Senator RANDOLPH'S admonition that engineers should concern themselves with the social consequences of some of the technologies they devise, and quoted the speaker's comment that engineers have been problem solvers in industry who, along with other government, civic, and professional groups, must solve the problems of air and water pollution and those relating to solid waste disposal.

The annual St. Louis National Engineers' Week dinner, held at Stan Musial and Biggie's well-known establishment with more than 300 attending, had as its toastmaster A. Carl Weber, vice president of the Laclede Steel Corp., of St. Louis. The address of welcome was given by St. Louis Chapter President Conway B. Briscoe, who is president of the board of public service of the city of St. Louis, and the invocation was by Father Victor J. Blum, S.J., of St. Louis University.

The Past President Award was made to Willard W. Given, of the consulting engineer firm of Belt & Given. And the St. Louis chapter presented the Engineer of the Year Award to Peter F. Mattei, executive director of the St. Louis Metropolitan Sewer District. The award appropriately was presented to Mr. Mattei in recognition of outstanding professional leadership in engineering, direction of the MSD, and for his ini-