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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Monday, April 29, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

It is for you now to demonstrate the goodness of Him who has called you out of darkness into His wonderful light.—I Peter 2: 9 (Phillips).

O Thou whose strength sustains us in our weakness and whose hand upholds us when we would give way to discouragement, grant unto us, who wait before Thee, confidence that in the face of trouble we may believe in the triumph of truth, in spite of our shortcomings we may have faith in Thy forgiving love, in moments when moral choices must be made we may walk the narrow way of an integrity of mind and heart, and thus be loyal to the royal within ourselves.

Make us creative enough that our actions will not burden the generations to come; make us courageous enough that we may vote for what we honestly believe, though the cost may be great; make us conservative enough that we may not squander the taxes of our people and liberal enough that we may have an active concern for the welfare of all.

Thus may we be led out of the darkness of our day into the light of a new life where men shall learn to live together in peace and good will. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 25, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolution of the House of the following title:

H.R. 2434. An act for the relief of Nora Austin Hendrickson; and

H. Con. Res. 655. Concurrent resolution recognizing the 25th anniversary of the Warsaw ghetto uprising.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5789. An act to authorize the disposal of platinum from the national stockpile and the supplemental stockpile; and

H.R. 14367. An act to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 913. An act to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes.

BOND SHOULD BE POSTED FOR INDEMNIFYING DAMAGE TO PUBLIC PROPERTY BY SPECIAL GROUPS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I have just now introduced a bill to require the posting of bonds by those who demonstrate or hold protest rallies in the District of Columbia, and elsewhere, on Federal property.

Last October, when thousands of protestors marched on the Pentagon Building, damages estimated to have been more than $1 million resulted. To my knowledge no effort has ever been made to recover from the sponsors of that march the cost of those damages. Your constituents and mine have had to bear that cost.

We face the almost certain prospect of another march on Washington within a few days. The leaders themselves do not know how many will be involved; how long they will be in Washington. These marchers, and all others who use public property in the District of Columbia or elsewhere, should be required to post bond so that the taxpayers will not be called upon to pay for their damages, if any.

The requirement of a bond to indemnify the United States for damages caused by special interest groups does not constitute a precedent. Indeed, it would set a precedent if we fail to require such a bond.

When the American Legion holds a parade in Washington to honor those who have fought for our freedom, a bond is required.

In 1966 this Congress passed a resolution requiring that the Shriners indemnify and save harmless the District of Columbia against loss, damage, and liability due to parades during the 1967 Shrine convention. The Shrine is noted for its work with crippled children; Shriners spent more than $15 million in Washington during their 1967 convention.

Why require bond of the American Legion and the Shriners but excuse and forgive all others who come to march or demonstrate?

CREATION OF THE OFFICE OF ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, today I am introducing a bill that would reestablish an office in the Department of Defense for an Assistant Secretary of Defense for Health Affairs. The prime duty of this Secretary would be the overall supervision of health affairs of the Department and its personnel. The Secretary would be a civilian appointed by the President with the advice and consent of the Senate. Besides health matters the Secretary and his deputy—a doctor of dental medicine—would be responsible for dental care.

I am introducing this legislation in coordination with the distinguished chairman of the House Committee on Armed Services, the Honorable L. MENDEL RIVERS. Besides, the bill has been "staffed" with the three Surgeons General of the military branches of the armed services, who held this responsibility under the old War Department, General, and Technical Staff organization.

This legislation will provide the armed services the needed supervision and coordination that is required in this technical and professional field, so as to give our fighting men quality health and dental care, as demanded by the people of the United States.

Mr. Speaker, we must keep U.S. military medicine strong and effective. To do this requires professional advice of the highest order. We have it in incumbents, so let us restore the authority and responsibility. I solicit the support of all.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

BENEVOLENT BUREAUCRATS OF THE INTERIOR DEPARTMENT PROHIBIT "YOU AND ME" FROM MOLESTING WHALES

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I was leafing through the Federal Register the other day and came upon a ukase put out by the benevolent bureaucrats of the Interior Department.

I wish to pay proper respect to Mr. Udall's minions who have acted with courage, with farsightedness, with compassion, and with their ever-present sense of priorities. They have prohibited you and me from molesting whales.

Never having been a whale molestor I was unaware of the apparently pressing need for section 230.50 of this regulation, but I think those who may have toyed with the idea should be aware of the new rules.

They state, in part—and I quote:

> The chasing, molesting, exciting, or interfering with, through the use of firearms or by any other manner or means, of any whale—is prohibited.

The regulation goes on to forbid fooling around with baleen whales, blue whales, grey whales, humpback whales, right whales, and toothed whales.

But, like many another bureaucratic regulation, this one has loopholes, and it turns out you can do almost anything to a whale if you are "hunting, killing, taking, towing, holding on to—that is what it says—or scouting for whales."

If you somehow manage to obtain a whale without molesting it, the Interior Department says you must measure the whale, and in case you do not know how to measure a whale, the bureaucrats spell it out for you inch by inch, and I quote:

> Whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck planking abreast one end of the whale.
>
> The tape measure shall be stretched in a straight line (that's what it says) parallel with the whale's body and read abreast of the other end of the whale.

End of lesson. Mr. Speaker, I wait with baited breath the Interior Department's regulations concerning the capture of dichromatic herbivorous ungulates, which, I understand, is a real dilly.

FOLLOW A GOOD MAN

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, emulation is a most promising avenue to success. A youngster is off to a good start in life when he chooses a hero and sets out to equal, perhaps surpass, his accomplishments.

I like to see a youngster characterize himself as a well-known ballplayer, a clergyman, teacher, statesman, artist. It is a healthy ambition and can bring necessary determination and discipline.

The hero need not be a national figure. Every father should provide an example that every son strives to imitate. Every mother should be a model for her daughter. Every profession should have outstanding representatives whose careers attract the attention of all who are in contact with them.

My colleagues could hardly be expected to know Francis J. McCormick, who has recently retired as chief accountant at the Johnstown, Pa., Post Office, but those who live in our community love and respect him. He devoted more than 47 years to a career that began as a temporary substitute clerk and in which duty was the dominant force from the day he took the job in 1920. The spirit, enthusiasm, and esprit de corps which he helped establish will remain an influence and an inspiration in the post office long into the future.

Mr. McCormick is the special kind of citizen so important to the morale and progress of a community. He is a devoted husband and father. He is the type of man a youngster can idolize and would make no mistake in trying to be like him.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 106]

Abbitt	Farbstein	Nix
Adair	Fascell	O'Hara, Ill.
Andrews, Ala.	Feighan	O'Neill, Mass.
Andrews, N. Dak.	Findley	Passman
Ashley	Fino	Philbin
Ashmore	Flynt	Pickle
Baring	Ford, Gerald R.	Podell
Bates	Galifianakis	Pucinski
Bingham	Gardner	Quillen
Blatnik	Gibbons	Rarick
Boggs	Green, Oreg.	Reinecke
Boland	Gubser	Resnick
Bolling	Gurney	Ronan
Bolton	Hagan	Rostenkowski
Brasco	Halpern	Roudebush
Bray	Hanna	Rumsfeld
Brock	Hansen, Idaho	Schadeberg
Brown, Calif.	Hardy	Scherle
Buchanan	Hawkins	Scheuer
Button	Hicks	Selden
Carey	Howard	Smith, Iowa
Casey	Johnson, Calif.	Smith, Okla.
Celler	Jones, Mo.	Staggers
Chamberlain	Jones, N.C.	Steiger, Wis.
Cleveland	Kelly	Stephens
Colmer	Kluczynski	Stubblefield
Conyers	Kupferman	Talcott
Corman	Kyros	Teague, Calif.
Cramer	Laird	Tenzer
Daddario	McClory	Tuck
Dent	McFall	Udall
Derwinski	Madden	Vander Jagt
Diggs	Minish	Vanik
Dole	Monagan	Watts
Donohue	Moore	Whalley
Dorn	Moorhead	Wydler
Dowdy	Nedzi	Yates
	Nelsen	

The SPEAKER. On this rollcall 323 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT OF CONFEREES ON H.R. 15131, TO AMEND THE DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15131) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. McMILLAN, WHITENER, SISK, FUQUA, NELSEN, HARSHA, and BROYHILL of Virginia.

TO AUTHORIZE PRINTING OF UPDATED POCKET-SIZE U.S. CONSTITUTION FOR CONGRESSIONAL DISTRIBUTION

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 770 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 770

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document the Constitution of the United States (pocket-size edition), as amended to February 10, 1967, and that one hundred sixty-one thousand two hundred and fifty additional shall be printed, of which one hundred nine thousand seven hundred and fifty shall be for use by the House of Representatives and fifty-one thousand five hundred for use of the Senate.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have requested this time in order to ask the distingished majority leader if he has any change in the program which he would care to announce at this time?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I appreciate the distinguished acting minority leader bringing this matter up, because

subsequent to the announcement of the program last week, the distinguished chairman of the Committee on Appropriations asked us to add to the program for this week the Department of Agriculture appropriation bill for the fiscal year 1969, and we have done that.

We expect that bill to come up Friday.

As the Members know, the NASA authorization bill has already been scheduled for Thursday and will come up on Thursday. In addition, I might add that on Thursday next, under a unanimous-consent request, a resolution to congratulate the State of Israel upon the 20th anniversary of its existence will be called.

Mr. ARENDS. Mr. Speaker, I thank the gentleman from Oklahoma, and I yield back the balance of my time.

EXTENSION OF EXECUTIVE ORGANIZATION AUTHORITY

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, and on behalf of my distinguished colleague from Missouri [Mr. BOLLING], I call up House Resolution 1136 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1136

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional four years. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendment thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1136 provides an open rule with 1 hour of general debate for consideration of H.R. 15688 to extend the executive reorganization authority.

The Reorganization Act of 1949 places upon the President the duty of periodically examining and reexamining all agencies of the Government and determining what changes are necessary.

The purpose of H.R. 15688 is to extend for 2 years the authority granted to the President in that act to submit reorganization plans to the Congress. The bill will also require that in submitting such plans the President specify which of the purposes for making reorganizations are being accomplished. The bill will also require that the President state the aggregate reduction in expenditures that it is probable will be brought about by the reorganization contained in the plan.

Mr. Speaker, I urge the adoption of House Resolution 1136 in order that H.R. 15688 may be considered.

Mr. Speaker, I now yield to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. SPEAKER, as stated by the distinguished gentleman from Texas [Mr. YOUNG], this resolution will provide 1 hour of debate, with an open rule, for the consideration of the bill H.R. 15688 for the extension of the executive reorganization authority.

Mr. Speaker, the purpose of the bill is to extend, for a period of 2 years, the authority of the President to submit reorganization plans to the Congress.

Additionally, the bill requires that when submitting such a plan the President state which of the purposes for making a reorganization that are spelled out in section 901(a) of the act will be accomplished by the proposed reorganization. Under the bill the President is also required to state the aggregate reduction in expenditures which will be brought about by the bill. Finally, the bill amends the title of the act to conform to the amendments.

The bill, as introduced, extended the President's authority to submit reorganization plans for 4 years, through 1972. The bill as reported cut this back to 2 years, through 1970, and added the amendments outlined above.

There are no minority views.

The various administrative agencies supported the bill as introduced.

Mr. Speaker, I urge the adoption of the rule.

Mr. Speaker, I have no further requests for time.

Mr. YOUNG. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional 4 years.

The SPEAKER. The question is on the motion offered by the gentleman from Minnesota [Mr. BLATNIK].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15688, with Mr. SISK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Minnesota [Mr. BLATNIK] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. ERLENBORN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this legislation has as its purpose to extend the authority granted to the President in the Reorganization Act of 1949 to submit reorganization plans to the Congress. The last extension of this act was made by the Congress in 1965 and, unless this bill is passed, will expire on December 31, 1968. As Members of the House well know, these reorganization plans become law unless vetoed by either the House or the Senate in 60 days. Four reorganization plans have been submitted by President Johnson thus far in 1968.

The Reorganization Act has been extended at various intervals since it was adopted in 1949. Changes in the basic act have been made but for the most part these have been minor and the legislation stands today pretty much as it was adopted upon the recommendation of the Hoover Commission. Our chairman, the gentleman from Illinois [Mr. DAWSON], our ranking member, the gentleman from California [Mr. HOLIFIELD], and the late Representative Clarence Brown, Sr., were the leading figures in the shaping and passage of this important statute. I am sure we all know how difficult it is for Congress to agree on legislation to make any type of reorganization of the executive branch. This act provides a method by which these reorganizations can be accomplished that has proved its value since the authority was first given to President Hoover in 1932. It is the reverse of the usual legislative process, to be sure, but so surrounded by safeguards that Congress has a simple and effective means of vetoing any plan it does not favor. Every President for the past 35 years has had this authority. We see no reason to deny it to the President—whoever he may be—in 1969.

The act puts upon the President the duty of examining all departments and agencies to determine what changes are necessary to achieve the six objectives stated as follows—section 901(a) are:

(1) to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions; and the expeditious administration of the public business;

(2) to reduce expenditures and promote economy to the fullest extent consistent with the efficient operation of the Government;

(3) to increase the efficiency of the operations of the Government to the fullest extent practicable;

(4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

(5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and

(6) to eliminate overlapping and duplication of effort.

If he finds that changes are necessary, he prepares a reorganization plan

that will accomplish one or more of the above-stated objectives and submits it to Congress. The plan must, of course, conform to the terms of the act—sections 903 and 904—and may not violate the limitations placed on it by section 905.

When a reorganization plan reaches the House it is referred, under the rules, to the Committee on Government Operations. Our Subcommittee on Executive and Legislative Reorganization makes a detailed study of its contents to see if it conforms to the requirements of the statutes. Hearings are held in which the views of Members of the House, among others, are solicited and the affected officials interrogated.

The bill, as presented by the administration, called for a 4-year extension. The committee has reduced this to 2 years—considering this adequate for the next President to develop his own recommendations. Further extensions can be considered by the 91st Congress.

You will note that one of the objectives listed in section 901(a) of the act was to reduce expenditures. In this connection the act further provides—section 903 (b)—that with respect to each abolition of functions the President specify "the reduction of expenditures"—itemized so far as practicable—"that it is probable it will be brought about." Our colleague the gentleman from Illinois, Congressman ERLENBORN, suggested an amendment, adopted by the committee, that the word "aggregate" be added to this provision so that the President will specify the "aggregate reduction" of expenditures. His intention is that some estimate be provided if a reduction in expenditures is anticipated. He also suggested an amendment to which we agreed, adding to section 903(a) the following language: "and specifying which of the purposes of section 901(a) is accomplished by each such reorganization." His aim here is to have the President state in his message with each plan which of the six objectives I read to you earlier were being achieved. He will, I am sure, elaborate on the reasons for these amendments.

Many plans have the achieving of economies as their principal purpose. The reorganization of the Customs Bureau is just one example. We always applaud this. Other plans are submitted to make the execution of programs enacted by the Congress more effective. The consolidation of the Bureau of Drug Abuse Control and the Bureau of Narcotics is illustrative of such an effort.

This tool for reorganization has been used by Presidents many times over the years. Eighty-three plans have been submitted under the act. More recently, President Kennedy submitted 10 plans during his tenure and President Johnson submitted five plans in 1965, five plans in 1966, three plans in 1967 and, as I have already indicated, four plans, to date, in 1968.

Only a simple majority of those present and voting in either House is required to veto a reorganization plan. Hence, it cannot be said that the will of Congress can be thwarted by the Executive. The record will show that 22 plans have been rejected by the Congress since this act has been in effect. I am satisfied that this authority is encompassed by sufficient safeguards so that the power and the prerogatives of Congress are fully preserved.

I urge my colleagues to support this extension.

AMENDMENTS TO REORGANIZATION ACT OF 1949

In 1953 the act passed in 1949 scheduled to expire on April 1, 1953, was extended, after hearings by the committee, until April 1, 1955.

In 1955 the act was extended, without hearings by the committee, until June 1, 1957.

In 1957 the act was extended, after hearings by the committee, to June 1, 1959. An amendment was adopted to enable a resolution of disapproval to be adopted by a simple majority of either House.

In 1959 the committee recommended a 2-year extension, without hearings, but the authority lapsed because no action was taken by the Senate.

In 1961 the committee, without hearings, and the Congress agreed—on April 7—to a 2-year extension until June 1, 1963.

In 1964, after hearings, the committee recommended, and on July 2, 1964, the Congress agreed, to an extension until June 1, 1965. The act was also amended to prohibit the creation of new executive departments by reorganization plan.

In 1965 the committee recommended, after hearings, and Congress agreed, to extend the act to December 31, 1968.

Mr. Chairman, I now yield to the gentleman from California who has had much experience with regard to this and who is one of the pioneers in this field and was a member of the Hoover Commission which made its report on the Reorganization Act of 1949 and he will explain for the benefit of the Members the further details that may be required.

Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I shall be very brief today. We are always aware of the duties of Members and their anxiety to get back to their offices to take care of the many matters on their desks.

Mr. Chairman, we have the opportunity today to continue on the statute books a measure that has proved itself worthy throughout the years which enables the President, whether he be Republican or Democratic, and the Congress to produce more effective and more efficient administrative machinery in this vast and complex government.

The Reorganization Act was put into effect to have a transfer of bureaus and agencies to other units if improved administration will result and consolidate and coordinate bureaus, or agencies, economy and efficiency would be served—and the operation in whole or in part of various agencies which have served their purposes and whose functions are no longer needed. We hear the familiar cries of economy and "cut the costs of Government" every time we go home to our districts. The cries are loud, and perhaps they should be. Here is an opportunity to vote for legislation that, through its use by the President and the Congress, can help to cut the cost of "Government and make it more efficient."

The Reorganization Act is the product of the Hoover Commission, and probably stands as its most enduring monument. It was carefully drafted, and I can attest to the thorough consideration that we gave to this measure in committee and on the floor nearly 20 years ago. Important changes have been made in this act over the years as they were needed. Today we propose certain improvements, largely the work of our colleague from Illinois [Mr. ERLENBORN]. The Reorganization Act has stood the test of time. In my opinion, we should allow it to continue. This is the unanimous recommendation of our committee, and I hope it will be given overwhelming support.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I am still waiting for one of these reorganizations, such as the Defense Department, the Department of Transportation, and others, to show efficiency and savings to the Federal taxpayers. Does the gentleman know of any cutback in employment that has resulted from the reorganizations?

Mr. HOLIFIELD. I do not have a specific number in mind, but I will tell the gentleman that since he and I came to Congress this Nation has increased about 40 million in population, part of them in my district, part of them in the district of the gentleman from Iowa. Wherever they may be, the citizens of the United States are requesting more services. They look to their Government to give these additional services. It has been the will of the Congress that certain services and functions be performed by the Government, and these functions require money to pay for them. So far the taxpayers have been willing to support both the gentleman from Iowa and the gentleman from California in their work in the Congress, and I think a majority of the Congress has gone along with these different services. I am sure the gentleman wants them to be as economical and as efficient as possible.

This is not a reorganization plan that we have before us today. This is an extension of the basic act, and as the gentleman well knows, it will allow the President and the Congress to continue to try to improve the function of Government. I am sure the gentleman, who is a man who has stood firm for economy and efficiency in Government, will be glad to give his vote to this act today.

Mr. GROSS. I will say to the gentleman, if he will yield further, that I do not believe I voted for a single one of these proposals of the nature and type of the one that is before us today, and I doubt, having gone this far, that I am going to change. I reiterate that I have not seen very much of a beneficial nature result from the reorganiations that have been put into effect up to this time. I do not think I am going to hold my breath waiting for some of this efficiency and economy to come along.

Mr. HOLIFIELD. I am sure the gentleman is very patient. He has waited. I am hopeful; I am patient, too. I am hopeful the gentleman will join with us in making the Government more economical and efficient.

Mr. ERLENBORN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill, H.R. 15688, comes to the House as a noncontroversial bill, and I believe agreed to by all members of the Committee on Government Operations.

I offered three amendments in the committee. All three were accepted by the committee and are contained in the bill.

The first amendment changes the period of extension from 4 years to 2 years, so that 2 years from now, in 1970, we will again have an opportunity to review the reorganization powers of the President and extend them with such amendments as we may see fit, or if at that time we feel the powers should not be extended, we can allow them to lapse.

Second, I offered an amendment which will, I hope, cure one of the objections I have had to the President's messages transmitting these plans. The Reorganization Act has always required that reorganization plans fulfill one or more of the purposes set forth in the act, and the President's messages which transmit the plans regularly contain a statement that the plan does accomplish one or more of the purposes specified in section 901(a), but regularly the messages do not specify which of the purposes of the act are being accomplished by the reorganization plan. The amendment that I offered, and which is contained in this bill, will require that the message specify which of the purposes are being accomplished.

The last of the amendments is one again that will, I hope, cure one of the defects I find in the President's messages. The Reorganization Act now does require the President's message to specify the reduction of expenditures and itemize them as far as is practicable. It has been the interpretation of the Bureau of the Budget in drawing the reorganization messages transmitting the plan, to read the language as requiring the reduction of expenditures to be specified only if practicable, rather than the itemization.

We are adding the word "aggregate" to section 903(b) so that the wording will now be: "and the aggregate reduction of expenditures—itemized as far as practicable—shall be contained in the message."

We hope that with the legislative history and the addition of this word, it will be clear that reductions accomplished by the reorganization are to be specified in the President's message of transmittal and that these reductions then shall be itemized as far as practicable.

I hope that with these amendments and legislative history the President's messages transmitting these plans will be more informative to the Congress, and that the Bureau of the Budget will understand that this is what Congress and the Committee on Government Operations desire.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding. Certainly I compliment the gentleman on the amendments, which I understand from the report and from the Ramseyer print were accepted in committee and are in the bill which the committee brings here as an extension of the authority for the "veto in reverse." I think these are good amendments.

There is legislation in the statutes previously passed by the Congress pertaining to new legislation that requires not only that the aggregate identified cost be in the report of each bill presented to the Congress, but also information as to the personnel.

Did the gentleman give any consideration to requiring that the aggregate increases or decreases in personnel under the various clauses listed be added, as well as the aggregate expenditure?

Mr. ERLENBORN. No, I did not; and I think for a very good reason—that is, that the reorganization plans of themselves do not call for any increase in personnel. It may be that after the reorganization there may be some reason for an increase. Generally, a reorganization plan might abolish a function and thereby eliminate personnel, but no new function can be created by a reorganization plan. It is possible to transfer from one department to another, or it is possible to abolish a function, but no new functions can be created by a reorganization plan. Therefore, it would not call for an increase in personnel except if, as a side issue, additional emphasis may be required by the President in the area covered by the plan. But the plan itself will never create a new function of government and therefore would not call for new personnel.

Mr. HALL. I understand that, and if the gentleman will yield further, I also understand that this applies to the executive agencies or departments only. But I think we can all recall even in this Congress—perhaps in this session—transfers of authority, surveillance, oversight responsibility among branches or agencies; where, indeed, as the gentleman from California said, because of the population explosion or increase and other reasons, additional requirements are made. Furthermore, I think it would be of interest to the Congress to know what these consolidations of executive reorganization cause in the way of decrease in personnel, so that in appropriations we might decrease perhaps the number of supergrades, or other good personnel and fiscal practices.

I believe it is worthy of additional study and consideration as an amendment in the future.

Now, if the gentleman will yield further, I wish to shift to another subject, after complimenting the gentleman on these amendments, and especially that one permitting each Congress to have the right to extend this.

Is there any concern, inasmuch as this came out of the committee and the subcommittee unanimously, as to the question of yielding the legislative prerogative to the executive branch, on the one hand realizing that the executive branch should have the power to consolidate, as to doing it by this process of a reverse veto, wherein one or the other body has to act on such a proposal simply printed in the Federal Register, within 60 days?

Certainly in respect to the Defense Department and certainly in respect to examples brought to my attention as a member of the Joint Committee on the Organization of the Congress and related agencies, this has caused some loss of oversight and surveillance on the part of the Congress, and especially so when there is a strong majority in the White House as well as in the legislative Halls.

Would there not therefore be concern on the part of this committee, especially the Committee on Government Operations, which I believe should be equally staffed and made up of equal numbers of each major party, and so forth—if not according to the parliamentary precedents of the "back benchers," in the hands of the minority—about true oversight and surveillance? This was dealt with in the report on the reorganization of the Congress in the past 3 years.

Is there not concern over the possible failure to take up the power of vetoing the President's recommendation of a plan within an adequate amount of time?

Mr. ERLENBORN. Of course, this is basic to the Reorganization Act. It is, in effect, a reversal of the legislative process, giving the President the power to legislate and leaving with the Congress only the power to veto.

There is concern, to answer the gentleman's question. Yet I believe those of us who share this concern—and I do, as well as the gentleman—about relinquishing the power to legislate to the President, feel that with proper safeguards it is a legitimate exercise of the legislative function. It is because this is such a basic right of the Congress to control legislation, and through the reorganization plan we are relinquishing this power to the President, that I have always objected to the administration request to extend this act without limitation or to extend it for a long period of time. I believe we should maintain a close oversight on the use of the Executive power to reorganize.

Historically Congress has done this. The power has existed, by the way, for many years, since the 1930's, with some lapses. Generally each President since the 1930's has had this power of reorganization.

It was recommended by the Hoover Commission that this sort of power be given to the Executive.

From time to time Congress, in exercising a real oversight of the powers granted under this act, has put definite limitations on the power of the President. We have made it relatively easy to veto a reorganization plan. At one time under the Reorganization Act there was required the joint action of both the House and the other body to veto a plan. At another time there was required a constitutional majority to exercise the veto power. Now it is a bare minimum majority of those voting on the question in either House of the Congress that can veto a reorganization plan.

Congress has felt at some times in the past that the President was improperly using the power granted to him. We did

a few years ago, at the instance of a colleague of mine, the gentleman from Illinois, Congressman JOHN ANDERSON amend the Reorganization Act so that the President could not create new departments of Government but could only abolish them or transfer their functions. So we have watched very carefully, and particularly the Committee on Government Operations, the exercise of the powers granted to the President under the Reorganization Act.

We feel there is an area where these powers can legitimately be exercised to the betterment of the functioning of our Government. For this reason I and the full minority of the Committee on Government Operations have supported this extension.

Mr. HALL. Mr. Chairman, I certainly appreciate the gentleman's detailed explanation. Obviously he thinks that there are adequate safeguards that have throughout the years evolved to protect this reversal of the power of veto, which in my mind is a question of constitutional variation.

Mr. ERLENBORN. If I might interrupt the gentleman at that point, I do feel so, but I feel from time to time additional safeguards are necessary just as we are amending the act in this bill. That is again a reason why I like a short extension for only 2 years so that we can make basic amendments to the act itself as the times dictate and as we see that additional safeguards are necessary.

Mr. HALL. As in the beginning, I compliment the gentleman for this and thank him for his explanation. I am still worried about this for fear that we are using expediency in the name of efficiency, but perhaps with the additional safeguards that the gentleman has in mind, or what I suggested about personnel decreases in such reorganization resolutions and accompanying Presidential messages, it would be beneficial.

I thank the gentleman for yielding.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman.

Mr. HUTCHINSON. I would like to make a further observation on this point of the reverse veto. In the traditional legislative process, those who seek change have the burden of getting together the requisite majority to make the change. Those who are satisfied with the status quo on any measure do not have the burden to go forward. But under the concept of Executive reorganization, where the President legislates and the Congress retains a veto, this burden is also reversed. The burden there falls upon those who do not want the change. They are the ones who would have to get together the majority necessary to preserve the status quo against change. I think that this aspect of this concept of Executive reorganization is a very fundamental one which I have never been able to subscribe to because of that very change in the burden that it entails.

Mr. ERLENBORN. I thank the gentleman for his contribution. He is right, of course, that the burden is shifted to those who would want to maintain the status quo, I think it is really the purpose of the Reorganization Act to shift this burden. It is for this reason that the President is given this power so that desired changes can be made. It is not an easy thing to accept this shift in burden and relinquish the right of the Congress to legislate, but given proper oversight, I think that these powers are desirable and various Congresses since the 1930's have apparently agreed.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from California.

Mr. HOLIFIELD. The phrase "giving the President the right to legislate," I think should be clarified a little bit for the RECORD. It is frequently the case that different departments of the Government send up drafts of legislation which they have worked over in the various departments of the Government to the committees of Congress who then sit and judge on the worth of that legislation. All legislation is not drafted by the committees who consider the legislation. In this case the President is really not legislating. He is proposing legislation under certain rules. When we act in the Congress either one way or the other, we are doing the legislative act just the same as if it was a bill that was coming up.

As I say, I recognize that we consider it under different rules, but actually we are doing the legislating on the proposal that has been sent up by the executive branch of the Government very much as a regular committee does on a proposal that is sent up by the executive branch. So I would say in judging this that we can say that the President sends up a proposal for legislation and we do act upon it. We have the right either to reject or accept it, and the Congress does take an action. Of course, if the Congress does not take any action on it, as is their prerogative, then it automatically does become law. That is true.

Mr. ERLENBORN. I thank the gentleman. It is not too often that I disagree with the gentleman, but I do in this case. I think really we are giving through the Reorganization Act the power to the President to legislate in a very restricted area. Bear in mind this does not give the President the power to create anything new.

Now, certainly, any executive should have a good deal of latitude as to the structure of the very organization that he heads and within which he must function. That, in my opinion, is the reason that these powers are given to the President so that, within a limited area, the President may propose legislation, and all Congress has is the power to veto. We cannot amend or change his recommendations. We either accept them or veto them. I think, really, within this area the President is given the power to legislate. I think it is desirable because the Chief Executive has the right, with these safeguards, to structure the executive branch and his own organization in the most efficient manner.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Iowa.

Mr. GROSS. That is why the gentleman from Illinois thinks this legislation is desirable—the explanation which he has just given?

Mr. ERLENBORN. That is right. To answer the gentleman, it is my opinion that the organizational powers as contained in this act are desirable.

Mr. GROSS. But, Mr. Chairman, if the gentleman will yield further, the House of Representatives under the reorganization procedure provided by this legislation is foreclosed from offering amendments to a Presidential plan. That is not the traditional way in which Members of the House of Representatives are permitted to work their will. This is a denial of the democratic process.

Mr. ERLENBORN. I agree with the gentleman from Iowa, though we do retain the power of legislating. If we want to make any changes in the executive branch, we can come forth with affirmative legislation in this area.

Mr. GROSS. I do not mean this particular piece of legislation. I mean the legislative proposals.

Mr. ERLENBORN. I understood the gentleman properly and I am addressing myself to that fact. We still have the power to propose legislation reorganizing the executive branch. We are not relinquishing that power. We are only giving a portion of that power to the President to exercise.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, the fact is that the President sends down these reorganization plans, but with this legislation we will not have the reorganization proposals that we once did.

Mr. ERLENBORN. We still can.

Mr. GROSS. We still can?

Mr. ERLENBORN. We are not foreclosed by this legislation from offering substantive legislation in the field of the reorganization of the executive branch of the Government.

Mr. GROSS. If the gentleman will yield further, for all practical purposes we are turning the legislative function over to the executive branch. The only important thing we retain is the vote or the opportunity of taking a vote thereon.

Mr. ERLENBORN. I agree with the gentleman from Iowa. But, various Congresses since the 1930's have considered that this is desirable and I happen to agree with them. Apparently the gentleman from Iowa does not.

Mr. BLATNIK. Mr. Chairman, we have no further requests for time.

Mr. ERLENBORN. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 15688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 905(b) of title 5, United States Code (which relates to the latest date on which reorganization plans may be transmitted to Congress), is amended by striking out "1968" and inserting in lieu thereof "1972".

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 1, line 6, strike out " '1972' " and insert in lieu thereof " '1970' ".

The CHAIRMAN. The Clerk will report the remaining committee amendment.

The Clerk read as follows:

On page 1, insert after line 6 the following:

"SEC. 2. Section 903(a) of title 5, United States Code, is amended by striking out the period at the end thereof and inserting a comma and the following: 'and specifying which of the purposes of section 201(a) is accomplished by each reorganization plan.'.

"SEC. 3. Section 903(b) of title 5, United States Code (which relates to the specification by the President of reductions in expenditures in connection with reorganization plans), is amended by inserting 'aggregate' immediately before 'reduction of expenditures'."

The committee amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want the RECORD to show that if there is not to be a rollcall vote on this bill that I am opposed to it, and for the reason that I am opposed to any further delegations of power to the executive branch of the Government, powers that ought to be retained by the Congress.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional 4 years, pursuant to House Resolution 1136, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 258, nays 51, not voting 124, as follows:

[Roll No. 107]

YEAS—258

Adams	Annunzio	Barrett
Albert	Arends	Bates
Anderson, Ill.	Ayres	Battin
Belcher	Haley	Pickle
Bell	Halleck	Pike
Bennett	Hamilton	Pirnie
Berry	Hanley	Poff
Betts	Hardy	Pollock
Bevill	Harrison	Price, Ill.
Biester	Harsha	Pryor
Blackburn	Harvey	Purcell
Blanton	Hathaway	Quie
Blatnik	Hays	Railsback
Bow	Hechler, W. Va.	Randall
Brademas	Helstoski	Rees
Brooks	Herlong	Reid, Ill.
Broomfield	Holifield	Reid, N.Y.
Brotzman	Hosmer	Reifel
Brown, Ohio	Howard	Reuss
Broyhill, N.C	Hull	Rhodes, Ariz.
Burke, Fla.	Hungate	Rhodes, Pa.
Burke, Mass.	Hunt	Riegle
Burleson	Ichord	Rivers
Burton, Calif.	Jacobs	Roberts
Burton, Utah	Jarman	Robison
Bush	Joelson	Rodino
Byrnes, Wis.	Johnson, Pa.	Rogers, Colo.
Cabell	Jonas	Rogers, Fla.
Cahill	Jones, Ala.	Rooney, N.Y.
Carter	Karsten	Rooney, Pa.
Clancy	Karth	Rosenthal
Clawson, Del	Kastenmeier	Roth
Cohelan	Kazen	Roush
Collier	Kee	Roybal
Conable	Keith	Ruppe
Conte	King, Calif.	Ryan
Corbett	Kirwan	St. Onge
Cowger	Kleppe	Saylor
Culver	Kornegay	Schneebeli
Cunningham	Kuykendall	Schweiker
Daniels	Latta	Schwengel
Davis, Ga	Lipscomb	Shipley
Davis, Wis.	Lloyd	Shriver
Dawson	Long, Md.	Sikes
de la Garza	Lukens	Sisk
Delaney	McCarthy	Skubitz
Dellenback	McCloskey	Slack
Denney	McClure	Springer
Devine	McCulloch	Stafford
Dickinson	McDade	Stanton
Dingell	McFall	Stratton
Dow	Macdonald, Mass.	Sullivan
Downing	MacGregor	Taft
Dulski	Machen	Talcott
Duncan	Mahon	Taylor
Dwyer	Marsh	Teague, Calif.
Eckhardt	Martin	Teague, Tex.
Edmondson	Mathias, Calif.	Thompson, Ga.
Edwards, Ala.	Matsunaga	Thompson, N.J.
Edwards, Calif.	Mayne	Thomson, Wis.
Edwards, La.	Meeds	Tunney
Eilberg	Meskill	Ullman
Erlenborn	Michel	Utt
Esch	Miller, Calif.	Van Deerlin
Eshleman	Miller, Ohio	Vander Jagt
Evins, Tenn.	Mills	Vigorito
Fallon	Mink	Waldie
Fascell	Minshall	Walker
Fisher	Mize	Watkins
Flood	Morgan	Whalen
Foley	Morris, N. Mex.	White
Ford, William D.	Morse, Mass.	Wiggins
Fountain	Mosher	Williams, Pa.
Fraser	Moss	Willis
Frelinghuysen	Murphy, Ill.	Wilson, Bob
Friedel	Murphy, N.Y.	Wilson, Charles H.
Fulton, Pa.	Myers	Winn
Fuqua	Natcher	Wolff
Gallagher	O'Hara, Mich.	Wright
Garmatz	Olsen	Wyatt
Gilbert	Ottinger	Wylie
Gonzalez	Patman	Wyman
Goodling	Patten	Young
Green, Pa.	Pepper	Zablocki
Griffiths	Perkins	Zion
Gude	Pettis	Zwach

NAYS—51

Abbitt	Hall	Pelly
Abernethy	Hammer-schmidt	Poage
Ashbrook	Hébert	Pool
Brinkley	Henderson	Price, Tex.
Brown, Mich	Hutchinson	Rarick
Broyhill, Va.	King, N.Y.	Satterfield
Buchanan	Kyl	Scott
Chamberlain	Langen	Snyder
Clausen, Don H.	Lennon	Steed
Curtis	Long, La	Steiger, Ariz.
Dorn	McMillan	Stuckey
Everett	Mailliard	Tuck
Gathings	Montgomery	Waggonner
Gettys	Nichols	Wampler
Griffin	O'Konski	Watson
Gross	O'Neal, Ga.	Whitener
Grover	Passman	Whitten

NOT VOTING—124

Adair	Fino	Moore
Addabbo	Flynt	Moorhead
Anderson, Tenn.	Ford, Gerald R.	Morton
Andrews, Ala.	Fulton, Tenn.	Nedzi
Andrews, N. Dak	Galifianakis	Nelsen
Ashley	Gardner	Nix
Ashmore	Giaimo	O'Hara, Ill.
Aspinall	Gibbons	O'Neill, Mass.
Baring	Goodell	Philbin
Bingham	Gray	Podell
Boggs	Green, Oreg.	Pucinski
Boland	Gubser	Quillen
Bolling	Gurney	Reinecke
Bolton	Hagan	Resnick
Brasco	Halpern	Ronan
Bray	Hanna	Rostenkowski
Brock	Hansen, Idaho	Roudebush
Brown, Calif.	Hansen, Wash.	Rumsfeld
Button	Hawkins	St Germain
Byrne, Pa.	Heckler, Mass.	Sandman
Carey	Hicks	Schadeberg
Casey	Holland	Scherle
Cederberg	Horton	Scheuer
Celler	Irwin	Selden
Clark	Johnson, Calif.	Smith, Calif.
Cleveland	Jones, Mo.	Smith, Iowa
Colmer	Jones, N.C.	Smith, N.Y.
Conyers	Kelly	Smith, Okla.
Corman	Kluczynski	Staggers
Cramer	Kupferman	Steiger, Wis.
Daddario	Kyros	Stephens
Dent	Laird	Stubblefield
Derwinski	Landrum	Tenzer
Diggs	Leggett	Tiernan
Dole	McClory	Udall
Donohue	McDonald, Mich.	Vanik
Dowdy	McEwen	Watts
Evans, Colo.	Madden	Whalley
Farbstein	Mathias, Md.	Widnall
Feighan	May	Wydler
Findley	Minish	Yates
	Monagan	

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Gerald R. Ford.

Mr. Philbin with Mr. Smith of California.

Mr. Donohue with Mr. Goodell.

Mr. Aspinall with Mr. Bray.

Mr. Boggs with Mr. Laird.

Mr. Addabbo with Mr. Moore.

Mr. Brasco with Mr. Quillen.

Mr. Madden with Mr. Roudebush.

Mr. Minish with Mr. Widnall.

Mr. Dent with Mr. Wydler.

Mr. Feighan with Mr. Halpern.

Mr. Giaimo with Mr. Gubser.

Mr. Rostenkowski with Mr. Derwinski.

Mr. Colmer with Mr. Cramer.

Mr. Farbstein with Mr. Cederberg.

Mr. Byrne of Pennsylvania with Mr. Adair.

Mr. Celler with Mrs. Bolton.

Mr. Johnson of California with Mr. Rumsfeld.

Mr. Daddario with Mr. Fino.

Mr. Andrews of Alabama with Mr. Gurney.

Mr. Boland with Mr. Findley.

Mr. Kluczynski with Mr. Cleveland.

Mr. Flynt with Mr. Nelsen.

Mr. Bingham with Mr. Horton.

Mr. Monagan with Mr. Andrews of North Dakota.

Mr. Ashmore with Mr. Brock.

Mr. Galifianakis with Mr. Whalley.

Mr. Ronan with Mr. Hansen of Idaho.

Mr. Staggers with Mr. Smith of Oklahoma.

Mr. Carey with Mr. Morton.

Mr. Tiernan with Mr. Schadeberg.

Mr. Leggett with Mr. Reinecke.

Mr. Tenzer with Mr. Kupferman.

Mr. Stubbefield with Mrs. Heckler of Massachusetts.

Mr. Jones of North Carolina with Mr. Dole.

Mr. Vanik with Mr. Button.

Mrs. Kelly with Mr. Mathias of Maryland.

Mr. Podell with Mr. McEwen.

Mr. Fulton of Tennessee with Mr. Scherle.

Mr. Gray with Mr. Smith of New York.

Mr. St Germain with Mr. Sandman.

Mr. Hicks with Mrs. May.

Mr. Selden with Mr. McClory.

Mr. Smith of Iowa with Mr. Steiger.

Mr. Moorhead with Mr. Dowdy.
Mr. Clark with Mr. Conyers.
Mr. Corman with Mr. Ashley.
Mr. Brown of California with Mr. Diggs.
Mrs. Green of Oregon with Mr. Hawkins.
Mr. Nix with Mr. Nedzi.
Mr. Macdonald of Massachusetts with Mr. Landrum.
Mr. Kyros with Mr. Irwin.
Mr. Anderson of Tennessee with Mr. Baring.
Mr. Casey with Mr. Evans of Colorado.
Mr. Gibbons with Mr. Hanna.
Mr. Hagan with Mrs. Hansen of Washington.
Mr. Holland with Mr. Resnick.
Mr. Stephens with Mr. Pucinski.
Mr. Yates with Mr. Watts.
Mr. Udall with Mr. O'Hara of Illinois.
Mr. Scheuer with Mr. Gardner.

The result of the the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes."

A motion to reconsider was laid on the table.

POOR PEOPLE'S MARCH

Mr. LENNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, on April 25, my friend and colleague from North Carolina, the Honorable ROY A. TAYLOR, in his capacity as chairman of the Interior Subcommittee on National Parks and Recreation, sent a telegram to the Secretary of the Interior insisting that he decline any application of the so-called poor people's march or any other special group to erect tents and to camp on any portion of the Mall or Capitol Grounds or any other lands in Washington where camping is not normally permitted. I commend Mr. TAYLOR for this action and trust that his position is the judgment of the preponderant Members of the House of Representatives.

The conscience of America is sufficiently awakened to the conditions of economic inequities and social problems existing in our Nation. The manner and philosophy of protest contemplated in the so-called poor people's march may well retard the improvements in society we need and seek. Why should efforts and money to be in the planned assembly be dedicated to disruptive purposes, as stated by the campaign leaders? This is a time for rational and responsible effort. I would fervently urge all peoples—the poor, the rich, those of moderate means—to press toward the goal of solving the problems in a constructive, charitable, and creative spirit without further encouragement to violence and defiance of law and authority.

Mr. Speaker, I am today introducing a resolution in behalf of the distinguished chairman of the Committee on Rules, the gentleman from Mississippi, the Honorable WILLIAM M. COLMER, and myself, expressing the sense of the House with respect to the use of certain Government property. I trust that many Members of the House will join in a subsequent similar resolution when the opportunity is accorded.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, there is a precedent to what the distinguished gentleman from North Carolina has just said. As some of us well recall, some 20,000 veterans came here who, of course, were advocating the passage of a certain veterans' benefits law—the payment of the adjusted service certificates issued to 3,500,000 veterans of World War I—a debt that had been conferred as due by the U.S. Congress. However, they were denied the privilege of using the Mall or other Government property to camp on in this area.

Mr. LENNON. I thank the distinguished gentleman from Texas for his contribution and I hope the gentleman will be as effective in supporting the resolution which the gentleman from Mississippi and I have introduced, and will cooperate and agree in seeking the denial of this permit or permission, and that it shall not be granted to any special group.

HAMPTON INSTITUTE ANNIVERSARY

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, Hampton Institute, the oldest Negro college in the United States, recently celebrated its 100th anniversary. Under the leadership of President Jerome Holland, one of our Nation's ablest educators, and Dr. Arthur Howe, Jr., chairman of the board, Hampton is expanding its educational service to the Nation, especially in urban areas. It is hoped, in addition, that Hampton will become a center for the study of Negro life in America, and African affairs. Further, some 49 students from 19 countries also are part of the Hampton student body.

I am happy to call the attention of Members to a news story in the Daily Press, Newport News, Va., paper on Friday, April 26, describing a centennial dinner held last Thursday night:

GODWIN LEADS TRIBUTE TO HAMPTON INSTITUTE

(By Harry Covert)

Gov. Mills E. Godwin Jr. led the city of Hampton's tribute to Hampton Institute on its 100th anniversary Thursday night pointing out: "Education is the salvation of Virginia and the South as they come of age in our time."

More than 300 city and civic officials from Hampton and surrounding Peninsula communities attended the black tie affair at the Hotel Chamberlin.

Highlighting the night was Hampton Mayor Ann Kilgore presenting the city's Distinguished Citizens Award to HI President Dr. Jerome H. Holland.

At the same time, Dr. Holland presented centennial medallions in recognition of outstanding service to Governor Godwin, Mayor Kilgore, State Sen. Hunter B. Andrews, Rep. Thomas N. Downing, W. Tilford Smith, vice president of the Newport News Shipbuilding and Dry Dock Co., and Dr. Archie G. Richardson, associate director of secondary education for Virginia.

The celebration sponsored by the city turned into a night of praise for Dr. Holland.

"I have been particularly impressed with my association with Dr. Holland, not only for the way he has acquitted himself for the institution," said Godwin.

In presenting Holland the city's special award, Mayor Kilgore said, "If there is one person more responsible for this dynamic surge forward in the 1960s, one person who has by example set the pace for the next 100 years—it is Dr. Holland."

Dr. Holland was also surprised with a special centennial medallion he received from Dr. Arthur H. Howe Jr., chairman of the board of trustees.

Dr. Albert Berrian, dean of the faculty, said, "The college has had amazing growth under your leadership . . . Your work at Hampton Institute represents your crowning point."

Dr. Holland accepted the honors and noted: "The banquet reflects the spirit of the people of this community coming together."

"We are sometimes misunderstood by our friends and enemies. We certainly accept the challenge to do the job ahead of us as we have been doing for the past 100 years.

"We move toward the second century recognizing problems of every day life, but we face the future with confidence on a firm foundation of past experiences."

Mayor Kilgore formally presented the Kecoughtan Clipper, the city's first tour boat, to the college. The college will use the boat in marine biology courses.

Downing, who served as master of ceremonies, introduced Godwin as "Virginia's man of destiny, the greatest governor of modern Virginia history."

Godwin continuing his push for improved education in Virginia that has marked his administration, said it is a tragedy that his colleagues of 150 years ago did not share his vision for the state.

"I have said an equal number of times that Virginia was in dire need of more colleges and universities and graduate schools and again my words only echoed those of the founders of Hampton Institute and of the other privately supported colleges in Virginia of a century or so ago."

The governor lauded HI and saying the founders understood what "we accept without question today, that knowledge is the great equalizer of our time."

Godwin also praised the city for honoring the college.

"I feel certain that this sponsorship is more than simply the acknowledgment of a debt to Hampton Institute by the city.

"I believe it is a realization that an urban complex and an institution of higher education in the midst can and should complement each other."

NEGRO SURGEON BLASTS POOR PEOPLE'S MARCH

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, in all of the literally millions of words which have been written and spoken about the poor people's campaign in particular and the economic plight of Negroes in general, I believe the most compelling and convincing arguments have been furnished by Dr. Thomas W. Matthew, a prominent neurosurgeon from New York, president of the National Economic Growth and Reconstruction Organization—NEGRO.

An article appearing in the Sunday, April 28, edition of the Washington Post quotes Dr. Matthew as follows:

The pie in the sky promises of the poor people's march must be exchanged for bread on the table today.

And, further:

Our grandparents had a guaranteed annual income. They called it slavery. A guaranteed income would make blacks more dependent. We should know better.

Dr. Matthew's comments should be required reading for everyone, both black and white, as we seek to keep these serious problems in their proper perspective.

I include the above-mentioned article at this point in the RECORD:

NEGRO SURGEON BLASTS POOR PEOPLE'S MARCH

(By Jim Hoagland)

The head of one of the Nation's largest Negro self-help organizations castigated the Poor People's Campaign yesterday and proposed as an alternative a ten-year economic development program for black businesses.

Challenging the Campaign's leader, the Rev. Ralph Abernathy, to debate him "in the ghettos across the Nation," Dr. Thomas W. Matthew said the Campaign's demands for more welfare and a guaranteed income would "perpetuate slavery."

Dr. Matthew, a New York neurosurgeon, is president of National Economic Growth and Reconstruction Organization (NEGRO), which operates 15 enterprises across the country, including a general hospital in New York and a bus line in the Watts section of Los Angeles.

"The time has come for black Americans to face reality," Dr. Matthew, a Negro, told about 50 former officers of the national Junior Chamber of Commerce meeting here. "The pie in the sky promises of the Poor People's March must be exchanged for bread on the table today."

ASKS END TO RIOTING

Calling for a moratorium on demonstrations and riots, he said the riots "have gotten the point across . . . White Americans have begun to understand the problems and ask how they can help."

He dubbed the Poor People's effort "operation overkill" and likened it to an inexperienced nurse who wakes up a sleeping patient "to give him a knockout pill."

Dr. Matthew also said he would begin a "Nitty Gritty School of Economics" on Washington street corners to teach basic facts of finance to ghetto dwellers and to compete with the Poor People's Campaign.

"Our grandparents had a guaranteed annual income. They called it slavery. A guaranteed income would make blacks more dependent. We should know better," he said.

Estimating that the Campaign may involve $500,000 in expenses, Dr. Matthews said that that much money invested in his organization "could supply 20,000 permanent jobs for the hard-core unemployable."

LOAN PROGRAM URGED

He said he would propose to Congress a plan that would provide 100-year loans from the Federal Government at 2 per cent interest, 20-year loans from private industry at 4 per cent and five-year loans from foreign investors at 6 per cent. All loans would be guaranteed by the Government.

Dr. Matthew also called on the Government to commit 2 per cent of all its contracts with private industry to NEGRO, his group, which would underbid the lowest private bid on the contract.

NEGRO, which was begun about 11 years ago, is supported by the earnings of its 15 industries and the sale of bonds in denominations from a quarter to $10,000. It has about 700 full-time employes, 20 per cent of whom are white.

The organization also runs industrial clinics that train unskilled workers for its industries. Dr. Matthew, emphasizing that NEGRO has refused grants from the Government or foundations, said that about 80 per cent of NEGRO's workers had previously been on relief in one form or another.

MARCH ON WASHINGTON SHOULD BE PROHIBITED

Mr. FISHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, the eyes of the Nation are focused upon the Congress, watching to see if this body of lawmakers is to yield to the intimidation of invading hordes who, according to the press, are headed this way with wild and undefined demands for more and more welfare money. Apparently the $30 billion a year now being dished out is not enough.

The American people want to know how much backbone and sense of responsibility is lodged in this great body. I have every faith in the integrity and the courage of the membership. I am confident the answer will be loud and clear—that this group of lawmakers will repudiate in no uncertain terms this monstrous method of "petitioning" the Congress. Because this demonstration, as everyone knows, is almost certain to feature the usual developments associated with "nonviolent" racial marches; that is, crime, immorality, bloodshed, arson, looting, and violence.

Mr. Speaker, this Nation is at war. More than half a million young Americans are on duty in the war zone. We are faced with mounting domestic problems. Crime is on the march in this country. There is simply no time to tolerate the foolishness and time-consuming distraction occasioned by the pending march on Washington. The American people are sick and tired of this kind of monkey business. And they are sick and tired of all the pampering and coddling that is applied to the participants.

Mr. Speaker, no marches and no demonstrations should be allowed to take place in the Nation's Capitol at any time during the foreseeable future. The District just survived a $20 million riot, staged by people the like of whom will be engaged in the pending brawl.

The matter of whether marches are held, and whether tents are erected on public lands, is determined by the Secretary of the Interior and by the President. Both of these authorities should make it clear, without delay, that there will be no encampments on public property, no obstruction or interference with the movement of traffic connected with Government operations, and no sit-downs in front of public buildings. The public interest comes first, and it must be protected. Armed Forces should be alerted, prepared to move in, if and when needed, to carry out and fully enforce this policy.

One other thing: If only television and other news media would rise to the occasion for once, there would be no problem even if the demonstrations should take place. The remedy—simple and effective—would be to give them the silent treatment. Without publicity the entire debacle would fold up and disappear within a week. It is time for maturity and responsible actions on the part of all—including the news media.

SAFE STREETS AND CRIME CONTROL

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, the American people are deeply disturbed about the rising crime rate and the breakdown of law and order in our society.

The National District Attorneys Association, representing about 2,500 prosecuting attorneys from the United States and Canada, expressed their concern at a recent conference. The district attorneys passed a series of resolutions dealing with safe streets and crime control, narcotics, drugs, and glue sniffing, auto theft, alcoholism, fingerprints as part of felony conviction judgments, and minimum standards in fields of criminal procedure which they think—if implemented by legislation—would greatly assist the prosecutor in carrying out his duties.

The association urges that Congress enact pending legislation and that it consider other measures to make these proposals effective weapons in the battle against crime. I invite attention to these resolutions, which follow:

RESOLUTION 1—SAFE STREETS AND CRIME CONTROL

Whereas, the high incidence of crime in the United States threatens the peace, security and general welfare of the nation and its citizens; and

Whereas, the increasing rate of crime has undermined the confidence of citizens in going about their usual affairs and has impaired the freedom of the people of this country; and

Whereas, to prevent crime and to insure the greater safety of our people, law enforcement and criminal justice efforts must be better coordinated, intensified and made more effective at all levels of government; and

Whereas, the control of crime is primarily the responsibility of state and local governments; and

Whereas, additional funds are acutely needed by law enforcement and other crim-

inal justice agencies of the state, county and city governments throughout the nation; now, therefore,

Be it resolved, that the National District Attorneys Association urges the Congress to promptly enact legislation which will provide grants to state and local governments to assist them in up-grading their law enforcement capabilities.

RESOLUTION 2—MCCLELLAN AMENDMENTS

Be it resolved, that the National District Attorneys Association in convention assembled hereby endorses amendments offered by United States Senator John McClellan to the Safe Streets and Crime Control Act (S. 917) as follows:

1. An amendment authorizing wire-tapping and electronic interception of communication pursuant to court order.

2. An amendment making voluntariness the test for admissibility of any statement, admission or confession.

3. An amendment restricting the jurisdiction of the United States Supreme Court to review certain decisions of state supreme courts.

RESOLUTION 3—NARCOTIC AND DRUG CONTROL

Be it resolved, that the National District Attorneys Association supports legislation making it a felony to unlawfully manufacture, sell or distribute LSD or other hallucinogens, and

Be it further resolved, that we support legislation making it a felony to unlawfully possess LSD and other halucinogens, and

Be it further resolved, that we endorse the recent request by President Lyndon B. Johnson for funds to increase the number of federal narcotics and drug abuse agents, and

Be it further resolved, that we urge the National Commission on Reform of Federal Criminal Laws to review all federal narcotic and drug abuse laws with the view toward making such laws realistic, meaningful and enforceable, and

Be it further resolved, that we urge increased research into narcotics, drugs and the rehabilitation of addicts and abusers by the National Institute of Mental Health.

RESOLUTION 4—GLUE SNIFFING

Whereas, glue sniffing has been determined by medical authorities to have both temporary and permanent most harmful effect upon the tissues of the brain of an individual who engages in the same; and

Whereas, in recent years there has been an alarming increase in glue sniffing by teenagers particularly throughout the United States; and

Whereas, the immediate effect of glue sniffing has led glue sniffers to engage in conduct harmful to themselves and to others; and

Whereas, some state legislators and municipal councils are enacting into law prohibitions against glue sniffing; and

Whereas, the enforcment of such laws has proven to be virtually impossible; and

Whereas, some legislative authorities have indicated a desire to pass laws prohibiting the sale of glue to minors or to others, except by government regulation; and

Whereas, it is most desirable that people be protected from the end results of glue sniffing; and

Whereas, it has been determined that an irritant may be added to glue so as to make it sufficiently repulsive to the senses that one would not or could not engage in glue sniffing; now therefore

Be it resolved, that the National District Attorneys Association respectfully requests the manufacturers of glue to assume the responsibility of determining what irritant might be added to glue, and thereafter to add the same so as to provide for the protection of the would-be-users and others that might suffer from the conduct of the would-be-users.

RESOLUTION 5—FIREARMS CONTROL

Whereas, the easy accessibility to firearms is a significient factor in criminal homicide and other crimes of violence; and

Whereas, federal and state firearms control laws will assist law enforcement in reducing the number of offenses committed with firearms and will aid in the detection, arrest and successful prosecution of persons using firearms in the commission of crimes; now, therefore

Be it resolved, that the National District Attorneys Association supports efforts presently being made in the Congress to regulate the interstate and mail order shipment of firearms, over-the-counter sale of hand guns to out-of-state purchasers, and the sale of firearms to minors; and

Be it further resolved, that we urge the Congress to consider expanding such legislation to prohibit the sale of firearms to convicted criminals and to persons suffering from mental disorders; and

Be it further resolved, that we support legislation at the local level requiring the registration of all firearms.

RESOLUTION 6—FEDERAL PROSECUTION OF AUTO THEFT

Whereas, automobile theft is a major criminal violation in the United States with well over one half million vehicles stolen annually; and

Whereas, automobile theft is frequently the first step leading to a career of crime; and

Whereas, stolen vehicles facilitate the commission of other serious offenses; and

Whereas, prompt prosecution and appropriate punishment serve as a deterrent to the crime of auto theft; and

Whereas, due to the mobility of the offender local prosecution of auto theft is frequently difficult or impossible; now, therefore

Be it resolved, that the National District Attorneys Association urges prompt and vigorous federal prosecution of automobile theft cases in all instances where the federal government has jurisdiction under the Interstate Transportation of Motor Vehicles Statute.

RESOLUTION 7—ALCOHOLISM

Whereas, alcoholism is now the fourth major public health problem in the United States; and

Whereas, the ultimate rehabilitation of the victim of alcoholism can best be achieved by emphasizing non-penal alternatives to the problem; now, therefore

Be it resolved, that the National District Attorneys Association favors non-penal alternatives to the custody and control of the chronic alcoholic; and

Be it further resolved, that we urge the states to consider enacting appropriate legislation providing for civil commitment and treatment of chronic alcoholics in lieu of criminal prosecution.

RESOLUTION 8—FINGERPRINTS AS PART OF FELONY CONVICTION JUDGMENTS

Whereas, the rate of criminal recidivism is high and increasing; and

Whereas, the imposing of enhanced penalties upon subsequent felony convictions is necessary and desirable as a deterrent to crime; and

Whereas, most, if not all, of the States have enacted enhanced penalty statutes and habitual offender statutes, but such statutes are virtually impossible of enforcement because of the problem of proving the identity of the defendant as the person previously convicted; and

Whereas, the State of Florida, at the recommendation of the Florida Prosecuting Attorneys Association, has recently enacted a statute requiring that the fingerprints of convicted felons be made a part of the judgment of conviction and providing that such judgment, with the fingerprints thereon, shall be prima facie evidence of the identity of the convicted felon; and

Whereas, the enactment of the same or similar statute by the several States and by the Congress of the United States will contribute greatly to the successful prosecution of recidivists and the imposing upon them of enhanced punishment and thus serve to deter crime and discourage recidivism; now, therefore

Be it resolved, by the National District Attorneys Association, in regular convention assembled, recommends that the Legislatures of the several States and the Congress of the United States enact the same, or similar, statute as that enacted by the Florida Legislature, a copy of which said statute is hereto attached.

RESOLUTION 9—AMERICAN BAR ASSOCIATION MINIMUM STANDARDS

Whereas, the American Bar Association Project on Minimum Standards for Criminal Justice has released a series of pamphlets setting forth drafts of proposed minimum standards for criminal justice in various fields of criminal procedure; and

Whereas, the standards would most effect law enforcement; and

Whereas, the members of the National District Attorneys Association have great expertise in the field of criminal administration and justice; and

Whereas, it is the considered opinion of the National District Attorneys Association that the implementation of these standards would have tremendous impact on the administration of criminal justice; and

Whereas, it is the considered judgment of the National District Attorneys Association that some of the standards are froth with dangerous consequences for law enforcement and present serious constitutional questions to the nation at large; and

Whereas, it is the sincere belief and objective of the National District Attorneys Association, that in the administration of criminal justice, the people of these United States are entitled to the fullest protection of the law as well as enforcement thereof; and

Whereas, it is the considered judgment of the National District Attorneys Association that a proper balance must be maintained between rights of the people and the individual rights of the accused; now

Therefore, be it resolved, in view of the foregoing considerations, that the National District Attorneys Association recommends and formally requests that the House of Delegates of the American Bar Association declare a moratorium for a period of one year on the implementation of the standards adopted by the House of Delegates so that the National District Attorneys Association may continue an in-depth and thorough study of those standards for the purpose of recommending to the American Bar Association appropriate and necessary modifications of said standards; and

Be it further resolved, that a copy of this Resolution be forwarded to every State Bar Association and recommend to them a delay of the implementation of said standards.

THE 177th ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, 177 years ago the liberty-loving people of the world rejoiced because the people of Poland had adopted on May 3, 1791, a constitution of great historic significance. This far-reaching act of declared independence by a people surrounded by monarchies and autocracies throughout Europe was heart warming to our own forbears who were so valiantly trying to implement the provisions of our own Constitution. Fortunately for us they were more successful in their efforts than were their Polish counterparts. Freedom for the Polish people was of short duration and once again Poland became the vassal of the overwhelming powers of Russia and Austria.

This Nation owes a debt of gratitude to the great Polish American societies who annualy remind us of the anniversary of the Polish Constitution. For in so doing, these fine patriotic groups help us to realize how blessed we are in being able to live under the magnificient guarantees which our own Constitution provides.

Mr. Speaker, on Sunday afternoon I had the privilege once again of participating in the Constitution Day ceremonies arranged by the Polish American Societies of South Brooklyn at Prospect Hall in Brooklyn. I shall read my brief remarks on that occasion:

Mr. Dworanczyk, Reverend Father Budney, Mrs. Markowska and her family, Mr. Chumiecki, Mr. Brunhard, my friend Assemblyman Chester Straub, ladies and gentlemen:

It is a real privilege for me to share once more with you the observance of the anniversary of the Polish constitution. Since I became a congressman almost twenty-five years ago I have many times participated in these ceremonies which have such significance in Polish history and the free world.

We meet to observe the passage of 177 years since the valiant leaders in Poland took the courageous and historic step to adopt a constitution patterned so much like our own constitution which came into being only four years earlier. Your Polish forbears were brave men indeed to adopt a manifesto of such a liberal and democratic nature. In the midst of European autocracy and wide-spread serfdom, it took both courage and great belief in the future of mankind to adopt a constitution so magnificient in its recognition of the inherent dignity of man and the inalienable rights of mankind.

My heart will always be filled with sorrow that the Polish people who rejoiced in their new found freedom and independence under their new Constitution were to be denied those benefits and in a few years be forced to submit to virtual enslavement as the greedy powers, Russia and Austria, carved up their homeland.

How fortunate our Nation is to have citizens like you who are here today. You who represent the United Polish Societies of south Brooklyn are outspoken and devoted admirers of our American Constitution. Even as you pay tribute to the Constitution of your Polish homeland you honor the treasured document which is so meaningful to true Americans.

But the Polish American societies are not content to view our treasured Constitution as a hallowed document to be preserved for posterity. Polish-Americans here in Brooklyn and throughout the Nation look upon our Constitution as a way of life. It is a personal guarantee of freedom and independence. Its provisions must be implemented if to be significant. So your fine societies engage in a vast variety of civic and community enterprises. Your patriotic fervor and zeal to be good Americans make you leaders among the most loyal of Americans.

Nowhere in the Nation can you find more dedicated Americans than among the societies of Brooklyn which are represented here today. When I read of the individuals and the organizations who speak disparingly of our Constitution or who would undermine the way of life which it assures, I become discouraged and sad. But then I have only to think of you, my friends here today, and my spirits begin to rise.

For more than a generation I have worked with you on projects of common interest and for benefits of mutual desire. Is it any wonder that I cherish and value the friendship of such eminent Americans as my former colleague, Judge Ludwig Glowa, Mrs. Helena Markowska, Stanley Chumiecki, Vincent Brunhard, Stanley Dworanczyk and many others.

My friends, we live in tense days with history being made every moment. This Nation needs the loyalty which you give to it and the faith which you have in its future. We all need to have that same kind of faith in the future of Poland and in the belief that the day is not too distant until your Polish relatives and friends can once again enjoy the constitutional privileges which today belong to us.

To that end I shall continue to work side by side with you, hopeful that as we come together to celebrate the anniversary of the Polish Constitution it will be with the joyful realization that the Polish people once again are benefiting from its provisions.

PERMISSION FOR SUBCOMMITTEE ON LEGISLATIVE OVERSIGHT OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO MEET DURING GENERAL DEBATE TODAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Legislative Oversight of the Committee on Interstate and Foreign Commerce may sit this afternoon during general debate.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Michigan?

There was no objection.

NEED FOR METROPOLITAN COALITION IN CONGRESS

The SPEAKER pro tempore (Mr. PRICE of Illinois). Under previous order of the House the gentleman from New York [Mr. WOLFF] is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, this Nation is beset with grave and urgent problems of substandard housing, inadequate education, persistent poverty, joblessness, and inadequate job training. The President's Commission on Civil Disorders pointed dramatically to these problems and the recent wave of violence in the streets of many of our cities and suburban communities serves as a tragic reminder of the seriousness of the present situation.

Yet we must not be coerced into action. We should not act from fear nor by threat by poor peoples marches nor anything else. Furthermore we must not condone violence and anarchy.

But, we must recognize, instead, that for the future political, economic, and social vitality of this Nation that thousands of Americans must be moved from the welfare rolls to the tax rolls by providing job training and employment opportunities.

To accomplish this, and to end the indignity and waste of welfare, anarchy must be rejected and replaced with bipartisan legislation to provide a constructive answer to the Kerner Commission recommendations.

The problems facing this Nation are not partisan. It would be folly to respond with partisanship.

Thus I call upon my colleagues to work for the creation of a bipartisan metropolitan coalition in the Congress. We must recognize the shared interests of Congressmen from suburban and urban districts throughout the country and work together to counter the work of special interests that tend to block necessary legislation to attack and solve the problems of metropolitan areas.

Such a metropolitan coalition could reassess funding priorities, pursue pending legislation for aid to metropolitan regions and propose and work for the passage of new legislation.

I call upon my colleagues to act now to present a united front so that we can attack the growing problems that face the suburbs and cities of this Nation. A positive and successful effort by Congress is necessary if we are to preserve the political, economic, and social identities of our suburbs and cities.

This effort is not meant to meld the suburbs with the cities, but rather to preserve the integrity of both. However, since there is a community of problems it is time the suburbs and cities joined forces.

If we fail, we must recognize that we will abdicate our congressional responsibility and our role as an effective voice of a substantial segment of our population.

If we fail to act we must recognize that we will leave our children a shameful legacy of violence and anarchy.

SERIES OF THREE ARTICLES BY CHARLES DANCEY TO THE INTER-AMERICAN PRESS ASSOCIATION DESCRIBING REACTION TO THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, Mr. Charles Dancey, editor fo the Peoria Journal Star was in Washington recently after spending a week in Jamaica where he attended a meeting of the Inter-American Press Association. In a series of three articles appearing in the Peoria Journal Star, Mr. Dancey describes the reaction there to the assassination of Dr. Martin Luther

King, Jr., as well as reporting the observations of his colleagues from Latin America about conditions in general in the United States.

These newsmen, many of whom are Negroes, had some rather disturbing and thought-provoking observations to make about the role of the Federal Government in the United States, with such comments as:

The government gives the impression it has no sense of responsibility, no real will.

Or:

Your government shows no confidence in its own authority.

And, this very significant comment:

You do not even defend yourself from those who openly defy the laws, make threats against your society.

I hope Attorney General Ramsey Clark is listening.

And, finally, this:

We have the impression that the U.S. is out of control. Anything can happen there. You sit on your hands while criminals run loose and the most inflammatory actions are openly threatened. You seem to be inviting violence, by individuals, or by mobs.

Thus, we can see how others see us and it is not a very comforting picture to say the least. I insert these three articles at this point in the RECORD:

LATINS BELIEVE UNITED STATES INVITES VIOLENCE

(EDITOR'S NOTE.—Charles L. Dancey, editor of The Peoria Journal Star, has arrived in Washington after a week in Jamaica where he attended a meeting of the Inter American Press Association. In the first of a series of articles he describes the reaction there to the assassination of Dr. Martin Luther King Jr.)

(By Charles L. Dancey)

It was a strange place to be while America seemed to be coming unglued, once again.

I had been in Jamaica, an independent Negro nation, amid a group of Latin American newspaper editors, most of whom are old hands at riots and revolutions.

The reactions of Jamaicans and Latins to the events that rocked us all through that week were drastically different than those I have found since driving through the ghost town of Washington after curfew to a downtown hotel from the airport, past truckloads of Army troops at street corners—and not another single person or private automobile in sight . . . just my taxi.

(I had not seen that before except in Buenos Aires a few years ago, and something somewhat similar at Santiago, Chile, where I happened to be when President Kennedy threw down the gauntlet to Khrushchev in the Cuban missile crisis.)

But you have plenty of sources for events here in Washington. Let me tell you of the attitude of my Latin and Jamaican friends before all this started . . . and then the impact on them of first, the assassination, and then the riots.

When I arrived, I was assigned one room of a suite, shared with Carlos Carnelas, editor of "Los Tiempos" of Cochabamba, Bolivia, near where Che Guevara was shot. His paper was wrecked and seized some years ago. The first person to greet me was George Westerman, distinguished former-diplomat and distinguished editor in Panama. George, who happens to be a Negro, was solemn and strained, because Panama had just been torn by riots the week before and was awaiting the decision of the Supreme Court on whether the ouster of the President by the Senate was legal.

There was German Ornes of Santo Domingo, whose newspaper building was wrecked in a riot where not so long ago. (It has been seized and he was exiled years before by Trujillo the dictator.)

There was Carlos Ricart, also of the Dominican Republic.

(Pedro Chamorro of Nicaragua was absent. He had trouble enough at home where he had but recently left jail.)

That's the kind of group it was—Riobo Caputto of Argentina, Julio Mesquite of Brazil, Augustin Edwards of Chile, Rudolfo Junco de la Vega from Mexico, and so on.

Usually when we meet there is a crisis situation in somebody's homeland—not in the U.S.

This time, the very first night, before the assassination or other events, the United States was already the subject of attention. Although in surveying the Latin newspapers available I found the war and the President's dramatic statement generally far "inside" the papers, getting minor treatment.

To my surprise, very little interest in the war surfaced.

But there was bitter, private criticism of the U.S. government, and a high degree of distrust among the Latins, for a considerable part, in the then "hot" news of the President renouncing re-election.

"The U.S. needs a complete reassessment of its entire leadership role," said George Westerman with some heat. Others joined in, and in the "family atmosphere" of frank talk from men who would not speak publicly of the internal affairs of another country, I was amazed to discover that they were not talking about America's "leadership role" in the world.

They were talking about the role of United States government in the United States.

"The government gives the impression it has no sense of responsibility, no real will."

"Your government shows no confidence in its own authority."

"You do not even defend yourself from those who openly defy the laws, make threats against your society."

"You don't even deal effectively with your common criminals."

"We have the impression that the U.S. is out of control. Anything can happen there. You sit on your hands while criminals run loose and the most inflammatory actions are openly threatened."

"And now the abdication of the President, while it may be only a political trick, suggests the same thing. Shrinking from responsibility."

"You seem to be inviting violence, by individuals, or by mobs."

That's the way it was even before the assassination, and before troops occupied Washington.

Afterward . . . well, make it a separate piece.

U.S. RESPONSIBILITY OFF BASE TO OTHERS

(By Charles L. Dancey)

The assassination of Dr. Martin Luther King Jr. hit Jamaica, as well as the North American and Latin American editors assembled there like a thunderbolt.

Jamaica was where Dr. King had been going for years "to relax," and where he often said, "I am a Jamaican."

He was better and more intimately known in Jamaica than in Peoria, Ill.

Ironically, the almost all Negro nation avoids that identification. Its motto is: "Out of many, One People."

And it was this attitude, which Dr. King, himself, repeatedly referred to, saying that in Jamaica, he "felt like a human being" and he could relax there because of "the unity amongst the people of Jamaica in such a vast number of ethnic backgrounds."

He had relaxed there only six weeks ago.

Jamaicans mourned him as their own, and some of them mourned also for the United States and for the world.

The Daily Gleaner, the foremost newspaper, hit its front page with an editorial that said, in part: "What real leadership can a country so affluent, so powerful, so gifted in science, technology, art, knowledge offer to a worried world when its society throws up such devilish criminal elements as are embattling its life and substituting murder for morals?

"The whole world must today be frightened, horrified at the growing, overpowering, nightmare of a great nation turning Frankenstein."

That was in the same paper that announced the assassination.

This, too, bespoke much of the reaction of the Latin friends with whom we were meeting in Jamaica.

To them, the assassination was evidence of the concern they had expressed the day before and confirmation of it.

They stand apart from some of the people in the U.S. to whom it is less important whether someone was killed than whether he was a Negro killed by a white man or a white man killed by a Negro.

To them it is all the same.

The very fact that, in their eyes, our government is more concerned about the rights of criminals than the rights of society disqualifies us from having a responsible government.

"Your country virtually encourages this sort of thing," I was told, "because all the emphasis is not against crime or violence but against the police."

"You not only encourage people to think independent action is permissible in a negative way, but, naturally, to think they can commit 'crimes of conscience' also."

"Such a climate naturally produces a larger crop of fanatics capable of pulling a trigger, and violence in your country grows accordingly."

The man who had said the day before that we needed a complete "reassessment of leadership," repeated it, after the assassination, saying that "taking the law into one's own hands" has been approved and encouraged—and is adopted by inflammed and emotional people for any and all "causes" or convictions or purposes.

In short, Jamaicans and Latins, alike, seemed not to blame Dr. King's death so much on "white racists" as on a lack of authority in our domestic affairs so great as to cause unstable people to use violence in a variety of ways—of which the assassination was but one.

They blamed government "laxity" (what we call "restraint") for the "climate" which produced the assassination.

That was the day of the news of it.

The next day brought news of the riots, and brought us the prime minister of Jamaica, a Negro and a close personal friend of Dr. King.

We were surprised at the speech he made.

CHANGES COME WITH BALLOT, NOT BULLET

(By Charles L. Dancey)

"We are truly all one hemisphere, now," said one Latin newspaperman as news of the riots in the U.S. and troops occupying Washington came through to us in Jamaica. "We are all alike."

Others tried a little humor: "Is it true that Dominican Marines are landing to help the U.S.?" "Perhaps the Organization of American States can send technical advisers to Washington."

But the man who came to our group as an expert was Hugh Shearer, a Negro, the prime minister of Jamaica, frequent host to and longtime friend to Dr. Martin Luther King.

The energetic, young (aged 40) former labor leader, now the political chief of his

country, could afford to stand as a lone expert on peace and stability.

He pointed out that since Jamaica became an independent country in 1944: "Every time we have changed our political affiliation it has been done by ballots and not by bullets."

He protested the climate of "hysteria" which has plagued the rest of the hemisphere, north and south, and he blamed the press for it, in part.

"It is the news media," he said, "which have mesmerized the public into wanting news with hysteria content."

"The act of creation is greater—far greater—than the act of destruction," he said. "Creation embodies love and beauty and joy. Destruction is allied to hate and ugliness and sadness.

"The act of creation has excitement, but it sometimes appears that to the news media it's the brutality of destruction electrified with the excitement of bold language which stimulates human emotions."

The prime minister proceeded to speak on "acts of creation" versus "acts of destruction," and to insist that "the solution of problems and conflicts is not the responsibility of governments alone."

Here, after hearing fellow newsmen criticize the government for paralysis which to them seems to encourage—and at time almost goad—intense individuals to acts of violence, with particular emphasis on permitting inflammatory threats and speeches to be made, now the shoe was on the other foot. The prime minister seemed to be blaming the press for publishing inflammatory material.

Speaking as he was the day after the news of Dr. King's assassination, and after the riot news had begun to flow, Shearer spoke of King's death and specifically of the "explosive modern problem of race relations."

"We believe that the press can do much," he said, "to induce a logical and peaceful solution to the problem by sane, levelheaded and essentially a moral approach."

He protested that too much has been done, and too much printed "to promote racial disharmony."

His speech, of course, was to a group of newspapermen, and was addressed accordingly, but it might have been made to politicians, to college professors, or, indeed, to civil rights leaders, themselves, in much the same language.

The point was an unusual one to hear in a climate of confusion, from a cool, competent, genuine leader of his own nation with an overwhelming Negro majority.

But, perhaps not.

The Jamaican newsman who introduced the prime minister had described how Jamaica's "freedom leader" had accepted that dirty word "gradualism" and restrained extremist elements "until everybody realized that there really wasn't any magic wand" whereupon came Jamaican unity and working together to solve common problems as best they could.

He marked Shearer as the heir, and a brilliant chief of state, and credited the remarkable progress of Jamaica to this approach instead of seeking "the magic wand."

It reminded me of a speech by Carlos La Cerda castigating this same group about his fellow Latin Americans refusing to face up to real problem in constant pursuit of the "magic wand" of revolution—even after countless revolutions failed to produce it.

It makes you wonder if there IS a magic wand, indeed, even for a country that might try to offer 30 to 80 billions of dollars for one.

FOUR CRISES

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, during these first 4 months of 1968, our country has been faced with one crisis after another. And as these events move swiftly across our lives it may seem as though when each new crisis looms up before us the others are either solved or forgotten.

But today we know that these events present our country with extremely serious problems that will be with us for some time to come.

The U.S. Navy ship *Pueblo* is still in the hands of the North Koreans, along with its crew. The ship was pirated off the high seas in a manner which in any other day would have meant a declaration of war.

But American military power either could not or would not be used in our own defense in that incident. We put our full reliance on diplomacy as the way to get the ship back.

And so far it has failed. Washington has not found a way to stand up for American rights in the *Pueblo* case, and we cannot rest well until we find a way.

The second major problem is that of Vietnam; and, of course, this may be the greatest of all. Americans everywhere are praying that an honorable peace will soon be agreed upon, and that it will be a lasting peace so that we will not have to fight again.

But there is no quick or easy solution to this war. Honest men have differing opinions as to how we should proceed—and these differences of opinion divide and confuse many Americans.

If anything is sure about Vietnam it is that the enemy is crafty and patient; we somehow have to match them on both counts. Most of our mistakes have been political and diplomatic, in my opinion.

Our fighting men have done their jobs very, very well, and we can all be proud of them. What they need most from Washington is a greater unity in their support.

Mr. Speaker, the third great crisis of 1968 is about money. It is about the Federal budget deficit, taxes that we all pay, and outflow of gold to other countries, waste and inefficiency in Washington, loss of confidence in the dollar, and rising prices that we all pay for the goods we must buy.

Part of the answer to this problem is a big cut in wasteful spending by Washington. We have made some progress toward this goal in recent months, but we must make a great deal more.

When prices go up, the people who are hurt the most are the lower and middle income people, and these folks are then forced more and more to depend on Federal Government help to get by.

The fourth big crisis is the matter of riots in the streets of our cities, and the problem of crime, and general disrespect for the law.

Our legal system and our Government are not perfect. There are injustices which should be corrected. But these improvements must come through orderly change, not destruction of the system.

If every citizen is given a free license to burn, and shoot, and steal, and obstruct others, then we all have to live like animals in the jungle.

If one man has a right to hit another over the head outside the law, then nobody has any rights at all.

It has become entirely too easy in America to oversimplify these problems, to advocate either a simple hard-line solution or a simple soft-line solution.

But there are no easy solutions. Progress requires some difficult steps based on realistic, unemotional actions aiming for greater understanding among our people and on the fundamental requirement that law and order must be maintained.

These four major crises of 1968 are not solved and they are not forgotten. They ought to be receiving full attention in Washington every day.

PRESIDENT JOHNSON SEEKS NATIONAL UNITY

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, if there were any "doubting Thomases" concerning President Johnson's withdrawal from the presidential race in order to advance the cause of national unity, then these people should be convinced by the President's speech last night in Chicago.

No reasonable person who reads the President's remarks could come to any other conclusion but that Lyndon Johnson, above everything else in the world, wants to see a united America face the many challenges confronting us at home and abroad. Regarding our political parties, the President, said they "must become the guardians of all the people."

Referring to the need for national unity, President Johnson said:

> No nation can long endure when citizen is turned against citizen, when class is turned against class, when cause is turned against cause, and race against race, and section against section, and generation against generation, by the mean and selfish spirit of partisanship.

In this critical period of our national history, every American should be thankful that such a man occupies the Presidency. Because of the significance of the President's remarks in these days, I ask to insert them in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT CHICAGO, ILL.

Mr. Chairman, Governor Kerner, Mr. Mayor, Dick Daley, Governor Shapiro, General Clark, Colonel Arvey, Members of the delegation of Chicago—one of the finest delegations in all the Congress—my fellow Democrats, Ladies and Gentlemen:

First, on behalf of Mrs. Johnson and myself, I want to thank each and every one of you for this wonderful welcome. I never really realized that withdrawal pains could be so pleasant. For a minute, while you were standing there, I closed my eyes and I thought that I had leaped ahead of time to that other hall over by the stockyards. But then I realized who I was—the President—not the Vice President, nor one of the Members of the Senate.

As we came in down here tonight, I saw

four of your young men out there shouting, with their placards. They were yelling "thief, scoundrel and murderer" and some other ugly names that I cannot repeat to this audience.

My Secret Service detail, Mr. Mayor, and your Colonel Riley both seemed to be slightly alarmed and I had to tell them that it was only—as nearly as I could judge—four out-of-town Democratic leaders working to unite the Party. Colonel Riley readily assured all of us that they could not have been Chicago Democrats.

Mayor Daley, we are so glad that you asked us to come. All of you have honored us by asking us here tonight. I am so proud and so happy to share your honors and the great pride that you people of Chicago feel with your great Mayor and my true and loyal friend for many years.

I not only want to thank Dick and Mrs. Daley and their wonderful family from the bottom of my heart, but Mrs. Johnson and I will always be greatful for the strength that their loyalty and their cooperation and their steadfastness have given us every step of the way—all these years, all along the road.

Governor Kerner and Governor Shapiro, General Clark, I want to thank you, too. I want to explain that I came out here tonight to repay part of my debt. Mayor Daley extended this invitation to me last year. John Bailey, my beloved chairman of the National Committee renewed it several times. I promised to attend. When I make a promise, I try to keep it.

Now some Chicago newspapers have been wondering if there is any very special significance to my visit here tonight. But, as I told the Mayor as we came up the steps, the answer to that is quite simple. Dick, I just do enjoy coming to Party dinners because I used to be in politics myself.

I am here tonight to speak, not as a fellow Democrat, but to speak to you as a fellow American. I have come to talk to you about the tests of our times—and the trust of our parties.

For more than 100 years, both of our parties—Democrat and Republican—have drawn enduring strength from leaders who have known the shores of these lakes and who have walked the grass of these Middle Western plains.

In a time of danger and division for America, it was from the prairies of Illinois that the nation heard the counsel of unity and compassion from the strong Republican voice of Abraham Lincoln.

In our times—when danger confronted us and confronted all mankind—it was from these same prairies that we and the world were inspired by the counsel of sanity and good sense—from the brave and eloquent and wise Democratic heart of Adlai Stevenson.

In this vital year, as we approach our national decision together, I believe that the example of such men from the heart of America must be the example that governs America's head.

When this Republic was born, Thomas Jefferson looked about at the energy and the creativity that stirred among the people in the first years of our freedom. He was excited and he was inspired at what he saw. He wrote to a friend. He said: "It is like a new time."

He could have been writing about our own day.

No man could serve where I have served now for more than four years and five long months—in this great office of all the people—without sensing that we are once again in "a new time."

Yet, there are fears and doubts and suspicions and questions.

There are young men and women wondering if there is a place for them in a world that they did not make—in a world that they deeply yearn to make far better than they think it is.

There are mothers and fathers in every land and I am one of those fathers and she is one of those mothers—who despise war as their children despise it.

I will devote all of my days and all of my powers and all of my energies to winning the peace that is the prayer of every single American family.

There are men and women, boys and girls, whose souls rage each day against the bare walls and the bleak windows of their lives—where the sunlight of hope seldom ever shines.

But the story of our land—America, the beautiful—the story of our times—The United States of America—is not a dismal story of wrongs without end. Here in America, as nowhere else since time began, we are striving eagerly to let the sunlight shine upon all of our people. Because that is what America is all about.

Step by step, year by year, we are moving out of the darkness and out of the shadows, out into a new day of light and justice for all of our people.

True, our society does still bear burdens and scars from times long before any of us were born. We cannot correct the injustice of centuries in a matter of hours or days or months. But we are on our way and we have acted to relieve those burdens and to heal those wounds. Nowhere else—in no other society on this earth—are so many so devoted to leaving this earth better than they found it.

I ask you, is there anyone in the room tonight who would trade where you are for where you were when you discovered this land? It is this purpose that is throbbing through our Republic tonight.

It must be served. With God's help, it will be served.

The progress of America is the achievement of a nation that is unified: not a nation in lockstep, not a nation where all men must think alike or act alike or vote alike—but a nation in which the labors and the talents of the people make common cause toward common goals.

Our parties and our politics must ever serve this purpose. They must never be permitted to divide or to divert us from the goal of one America.

In saying this to you, my friends, tonight, I am only repeating the wisdom and the warnings of great Americans throughout all of our history. From the first days of the Republic to our times, the leaders who have loved America have warned continuously against the divisive spirit of faction and special interests. Every generation of Americans must heed that warning.

However strong we may be, however prosperous we are however just its purposes or however noble its causes, no Nation can long endure when citizen is turned against citizen—when class is turned against class—when cause is turned against cause—and race against race—and section against section—and generation against generation—by the mean and selfish spirit of partisanship.

The decisions that we must make this year are among the most vitally important decisions that Americans have ever been called upon to face. Perhaps more than any time in all of our past, we shall be choosing our future—and we shall be choosing the future of our children.

The trial of our course and our wisdom will continue far beyoud the terrible ordeal of Vietnam.

The test of our compassion will continue long after the ordeal of our great cities.

Through all the ten thousand tomorrows of this century, the generations of Americans who are living now—and those who will live later—will awake each morning into a new world. In that new world, each day may bring challenge—and I hope will bring promise.

If the challenges are to be met—if the promises are to be realized—then America's political parties must become the guardians of all the people.

America will not be served by parties which only serve—or refuse to serve—those in business, or those in labor, or those in agriculture, or those in a specific minority or those in the cities, or those of one race or one heritage or one faith. We can and we must move on the broad highway toward greatness as a Nation only if the parties themselves are broad and open, receptive to all and always responsive to all of the people.

Our politics today is changed—and it is changing. Our issues are new. Our alignments are new. Our styles are new. Our slogans are new. And all of this is good—for it reflects and it serves the changes that are being wrought by America's own advances in the world. But the purpose of our politics is not changed, and it must not change—for that purpose is to serve the unity of all of our people all of the time.

In this time—and at this place—here in this great City of Chicago—with the presence of these devoted leaders, it is fitting to recall the words of one of our great American leaders, Abraham Lincoln, when he spoke 110 years ago in a small Illinois town. He was then referring to the authors of our Declaration of Independence, Abraham Lincoln had this to say:

"Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants. So they established these great self-evident truths that when in the distant future some man, some faction, some interest, should set up the doctrine that none but rich men, or none but white men, were entitled to life, liberty and the pursuit of happiness, their posterity might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began."

So, not as partisans, not as Democrats, and not as Republicans, but only and always as Americans let us look to the good that has been wrought. Let us look to the victories that have been won for all of our people. Let us look at how far we have come and how far we must go. Let us look at the progress that our grandfathers and our fathers have made since they came to these shores. Let us look to the advances that we have made together in unity and in understanding and let us, too, take courage—to renew, and to sustain, that "battle which our fathers began."

When I talked to the Mayor late this afternoon and he asked me again to reconsider, I told him that I had been engaged the last several days in a complete reassessment of my own personal situation. I have come to the conclusion that I stood today just where I stood last year when he first invited me. I told him I would be here.

PRESIDENT JOHNSON NAMES ABLE SUCCESSOR TO AMBASSADOR GOLDBERG

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, President Johnson has chosen an exceptionally qualified person as Ambassador to the United Nations to succeed Arthur Goldberg—George W. Ball, former Under Secretary of State.

George Ball's service to America has been long and productive. His work on behalf of the United States spans three

decades—during the time of war and of peace.

His service to the Allied cause during World War II earned him the special commendation of two nations—and his service to country during peacetime has been equally distinguished.

As Under Secretary of State under Presidents Kennedy and Johnson, he was intimately involved in the shaping of American foreign policy for 5 years. His perspective and rational approach to foreign affairs won him the admiration of his Nation—and of his President, Lyndon B. Johnson.

His long experience in Government, his skillful ability as a diplomat, and his ability to articulate America's hopes for world peace will serve him well before the United Nations.

He inherits a position held by a distinguished successor—Arthur Goldberg. Mr. Goldberg left the prestige—and permanency—of the Supreme Court to serve his country in the cause of international peace—and he served that cause with great distinction. The United Nations has rarely had a more vigorous and persuasive advocate for freedom.

The United States—and the United Nations—are fortunate to have in George W. Ball an able successor to Ambassador Goldberg.

The Nation wishes George Ball well in the arduous position he is about to assume.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WILLIS, for the period May 1 to May 7, 1968, on account of official business.

Mr. KYROS (at the request of Mr. ALBERT), for today, on account of official business.

Mr. GALIFIANAKIS (at the request of Mr. ALBERT), for the remainder of the week, on account of official business.

Mr. CORMAN, for April 29, 1968, on account of official business—Commission on Civil Disorders.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WOLFF, for 5 minutes, today.

Mr. MURPHY of New York (at the request of Mr. MONTGOMERY), for 1 hour, May 1; to revise and extend his remarks and include extraneous matter.

Mr. RANDALL, for 1 hour, Wednesday, May 8, 1968; to revise and extend his remarks, and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. SIKES in five instances.

Mr. MICHEL and to include extraneous matter.

(The following Members (at the request of Mr. KUYKENDALL) and to include extraneous matter:)

Mr. MIZE.

Mr. KUYKENDALL.

Mr. SPRINGER in two instances.

Mr. SKUBITZ.

Mr. QUILLEN in four instances.

Mr. BATES.

Mr. WYMAN in two instances.

Mr. SCHWENGEL.

Mr. RHODES of Arizona in five instances.

Mr. GUDE.

Mr. UTT.

Mr. BERRY.

Mr. SNYDER.

Mr. DERWINSKI in two instances.

Mr. AYRES.

Mr. HUNT.

Mrs. DWYER in three instances.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. CORMAN.

Mr. LONG of Maryland.

Mr. HANNA in three instances.

Mr. GALLAGHER in two instances.

Mr. RODINO.

Mr. ASPINALL.

Mr. BARRETT.

Mr. DAWSON.

Mr. HÉBERT.

Mr. RYAN in three instances.

Mr. HAMILTON in two instances.

Mr. WOLFF.

Mr. BRINKLEY.

Mr. MORRIS of New Mexico.

Mr. HATHAWAY.

Mr. POOL.

Mr. LONG of Louisiana in two instances.

Mr. PATTEN.

Mr. ROGERS of Colorado.

Mrs. SULLIVAN in three instances.

Mr. VAN DEERLIN.

Mr. KASTENMEIER.

Mr. RARICK in two instances.

Mr. GONZALEZ in three instances.

Mr. BLATNIK in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 913. An act to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2434. An act for the relief of Nora Austin Hendrickson.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; and

H.R. 15398. An act to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 30, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1780. A letter from the Comptroller General of the United States, transmitting a report of problems in developing the Pershing missile system indicating a need for better communication among Army officials, Department of the Army; to the Committee on Government Operations.

1781. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide continuing legislation for maintaining farm income, stabilizing prices and assuring adequate supplies of agricultural commodities; to the Committee on Agriculture.

1782. A letter from the Secretary of Defense, transmitting volume I of the report of the first quadrennial review of military compensation, on an interim basis, pursuant to the provisions of 27 U.S.C. 1008; to the Committee on Armed Services.

1783. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Naval Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1784. A letter from the Secretary of State, transmitting the 15th report of the Department of State on its activities under the Federal Property and Administrative Services Act of 1949, covering the calendar year 1967, pursuant to the provisions of Public Law 81-152; to the Committee on Government Operations.

1785. A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to commemorate the 100th anniversary of the establishment of Yellowstone National Park by providing for the national park centennial, and for other purposes; to the Committee on the Judiciary.

1786. A letter from the Chairman, Washington Metropolitan Area Transit Authority, transmitting the first annual report of the Authority, for calendar year 1967, pursuant to the provisions of Public Law 89-744; to the Committee on the Judiciary.

1787. A letter from the Postmaster General, transmitting a draft of proposed legislation to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections, under the postal embezzlement statute, section 1711 of title 18, United States Code; to the Committee on the Judiciary.

1788. A letter from the Postmaster General, transmitting a draft of proposed legislation to authorize the Postmaster General to enter into certain service contracts for periods not exceeding 4 years, and for other purposes; to the Committee on Post Office and Civil Service.

1789. A letter from the director, the American Legion, transmitting a statement of fi-

nancial condition of the American Legion as of December 31, 1967, pursuant to the provisions of its charter; to the Committee on Veterans' Affairs.

1790. A letter from the Secretary of State, transmitting a draft of proposed legislation to carry out the obligations of the United States under the International Coffee Agreement, 1968, signed at New York on March 21, 1968, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of April 24, 1968, the following bill was reported on April 25, 1968:

Mr. PERKINS: Committee on Education and Labor. H.R. 16729. A bill to extend for 2 years certain programs providing assistance to students at institutions of higher education, to modify such programs, and to provide for planning, evaluation, and adequate leadtime in such programs (Rept. No. 1319). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted April 29, 1968*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 13217. A bill to authorize the appropriation of $200 million for a U.S. contribution to multilateral special funds of the Asian Development Bank; with amendment (Rept. No. 1320). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 13514. A bill to designate the San Gabriel Wilderness, Angeles National Forest, in the State of California (Rept. No. 1321). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN. Committee on Armed Services. H.R. 5783. A bill to amend titles 10, 14, and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice (Rept. No. 1322). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 15225. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming. (Rept. No. 1323). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 391. An act to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes" (Rept. No. 1324). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1173. An act to convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma (Rept. No. 1325). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 3033. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior (Rept. No. 1326). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H.R. 16848. A bill to establish a National Science and Technology Center for Crime Prevention and Control; to the Committee on the Judiciary.

H.R. 16849. A bill to amend title 18, United States Code, to provide criminal penalties for the manufacture, advertisement for introduction into interstate commerce of motor vehicle master keys, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 16850. A bill to authorize the coinage of 50-cent pieces in recognition of the outstanding services of the Reverend Dr. Martin Luther King, Jr., to the cause of the individual rights and the equality of men; to the Committee on Banking and Currency.

H.R. 16851. A bill to increase the funds authorized for existing programs to build low- and moderate-income housing, and for other purposes; to the Committee on Banking and Currency.

By Mr. DINGELL:

H.R. 16852. A bill to amend section 11 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. GALLAGHER:

H.R. 16853. A bill to amend section 341 of the Public Health Service Act to authorize not more than six additional hospital centers for the treatment and care of drug addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER:

H.R. 16854. A bill to amend title 5, United States Code, to impose prohibitions on the employment by the Federal Government or District of Columbia government of persons convicted of engaging in riots and certain other activities involving violence and civil disorder, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALL:

H.R. 16855. A bill to amend title 10, United States Code, to authorize an Assistant Secretary of Defense for Health, Affairs, and other purposes; to the Committee on Armed Services.

By Mr. HAMILTON:

H.R. 16856. A bill to amend the Uniform Time Act in order to allow an option in the adoption of advances in time in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. HANLEY:

H.R. 16857. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 16858. A bill to provide for the election of President and Vice President as required by the article of amendment to the Constitution proposed by House Joint Resolution 1086 of the 90th Congress; to the Committee on House Administration.

By Mr. KUYKENDALL (for himself, Mr. BLANTON, and Mr. EVERETT):

H.R. 16859. A bill to permit the city of Memphis, Tenn., to count expenditures in connection with the Beale Street interceptor sewer as local grants-in-aid to certain urban renewal projects; to the Committee on Banking and Currency.

By Mr. MINISH:

H.R. 16860. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 16861. A bill to amend the Railroad Retirement Act of 1937 to provide that a spouse otherwise qualified may become entitled to a full spouse's annuity at age 55; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL:

H.R. 16862. A bill to require persons holding demonstrations on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstration; to the Committee on Public Works.

By Mr. RODINO:

H.R. 16863. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 16864. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 16865. A bill to provide for the issuance of a special postage stamp in honor of the late Dr. Martin Luther King, Jr.; to the Committee on Post Office and Civil Service.

By Mr. SHRIVER:

H.R. 16866. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WATKINS:

H.R. 16867. A bill to provide for the holding of court by the U.S. District Court for the Eastern District of Pennsylvania at Philadelphia or its environs; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 16868. A bill to require an applicant for a permit to hold a demonstration, parade, march, or vigil on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstration, parade, march, or vigil; to the Committee on Public Works.

By Mr. WYDLER:

H.R. 16869. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN:

H.R. 16870. A bill to increase the penalties for unlawfully carrying a firearm or other deadly weapon in the District of Columbia; to the Committee on the District of Columbia.

H.R. 16871. A bill to amend title 18, United States Code, to permit the detention before trial of a person charged with a noncapital offense if the court determines that the release of such person poses a danger to the community; to the Committee on the Judiciary.

By Mr. YOUNG:

H.R. 16872. A bill to authorize a project for navigation, flood control and related purposes for the Colorado River and tributaries, Texas; to the Committee on Public Works.

By Mr. EILBERG:

H.J. Res. 1248. Joint resolution authorizing the President to proclaim annually the fourth day of April as Martin Luther King Day; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.J. Res. 1249. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HATHAWAY (for himself, Mr. LANGEN, Mr. STEIGER of Arizona, and Mr. JOHNSON of California):

H.J. Res. 1250. Joint resolution to authorize the temporary funding of the Emergency Credit Revolving Fund; to the Committee on Agriculture.

By Mr. HATHAWAY:

H.J. Res. 1251. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. NICHOLS:

H.J. Res. 1252. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.J. Res. 1253. Joint resolution to authorize the temporary funding of the Emergency Credit Revolving Fund; to the Committee on Agriculture.

By Mr. ROUSH:

H.J. Res. 1254. Joint resolution to authorize the temporary funding of the Emergency Credit Revolving Fund; to the Committee on Agriculture.

By Mr. HAMILTON:

H. Con. Res. 771. Concurrent resolution urging the President to convey to the Government of France the sense of the Congress with respect to the responsibility of France in connection with the repudiation of its international obligations undertaken in furtherance of the North Atlantic Treaty; to the Committee on Foreign Affairs.

By Mr. ABERNETHY (for himself, Mr. GRIFFIN, Mr. MONTGOMERY, and Mr. WHITTEN):

H. Res. 1139. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. COLMER (for himself, and Mr. LENNON):

H. Res. 1140. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. GETTYS (for himself, Mr. HULL, Mr. MCMILLAN, Mr. RIVERS, Mr. GATHINGS, Mr. DORN, Mr. NICHOLS, and Mr. SIKES):

H. Res. 1141. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. HALEY (for himself, Mr. HERLONG, Mr. FUQUA, Mr. ROGERS of Florida, and Mr. BENNETT):

H. Res. 1142 Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. LANDRUM (for himself, Mr. O'NEAL of Georgia, Mr. DAVIS of Georgia, Mr. BRINKLEY, and Mr. STUCKEY):

H. Res. 1143. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. MORGAN (for himself, and Mrs. BOLTON):

H. Res. 1144. Resolution commemorating the 20th anniversary of the State of Israel; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADAMS:

H.R. 16873. A bill for the relief of Ah Mee Qu Locke (Amy Locke); to the Committee on the Judiciary.

By Mr. ADAMS (by request):

H.R. 16874. A bill for the relief of German D. Anulacion; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 16875. A bill for the relief of Thomas McHugh; to the Committee on the Judiciary.

H.R. 16876. A bill for the relief of Anna Marrossa; to the Committee on the Judiciary.

H.R. 16877. A bill for the relief of Vito Scherma; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 16878. A bill for the relief of Dr. Roland Ang Lim, Mrs. Dominga A. V. Lim, Jennifer Cynthia Lim, and Roland Lim, Jr.; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 16879. A bill for the relief of Lawrence Brink; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 16880. A bill for the relief of Phillips Petroleum Co., a Delaware corporation, and David Miller; to the Committee on Interior and Insular Affairs.

By Mr. FRIEDEL:

H.R. 16881. A bill for the relief of Nikitas Baltas; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 16882. A bill for the relief of Generosa Fusco; to the Committee on the Judiciary.

By Mr. MONTGOMERY:

H.R. 16883. A bill for the relief of Mrs. Marie Howell; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 16884. A bill for the relief of Sushil Kumar Verma; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 16885. A bill for the relief of Peter Karonis; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 16886. A bill for the relief of Yun Keum Park; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 16887. A bill for the relief of Cuthbert DaCosta McClean; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 16888. A bill for the relief of Armindo Lopez Fernandez-de Carvalho; to the Committee on the Judiciary.

PETITIONS, ETC.

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

296. By the SPEAKER: Petition of Richard A. McQuade, Rosemount, Pa., relative to deserters from the U.S. Armed Forces; to the Committee on Armed Services.

297. Also, petition of Georgia Bankers Association, Atlanta, Ga., relative to the dollar drain and its effect on this country; to the Committee on Banking and Currency.

298. Also, petition of the board of supervisors, San Joaquin County Flood Control and Water Conservation District, California, relative to Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

299. Also, petition of Mrs. Lucille Drake, Chicago, Ill., relative to foreign nations; to the Committee on the Judiciary.

300. Also, petition of Mrs. Hattie Carter, Washington, D.C., relative to a personal injury claim against the Government; to the Committee on the Judiciary.

SENATE—*Monday, April 29, 1968*

The Senate met at 10 a.m., and was called to order by the President pro tempore.

Hon. WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in Heaven, at the beginning of another deliberative day, we, to whom has been assigned the responsibility of considering laws for the operation of this Government and the rule of the people, meet with the plea in our hearts that Thy spirit may be with us in our deliberations.

In this period, when our beloved country is torn with dissension, when men are looking in every direction for solutions to our many problems, we pray that the hearts of those of us who have this responsibility may be turned to Thee, that we may search there for the ultimate solution of these problems. Bless us that we may search for unity rather than division, that we may realize that Thou art the giver of all good and perfect laws, and that the best laws we can write will be rooted in the laws that Thou hast laid down over the centuries for the conduct of men.

With this prayer in our hearts, we face again our responsibilities, asking for Thy blessing on our efforts, in the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 26, 1968, be dispensed with.

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

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTIONS OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Massachusetts [Mr. BROOKE], there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

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

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Massachusetts.

A PERSPECTIVE ON AFRICA: AFRICAN OBJECTIVES AND AMERICAN POLICY

Mr. BROOKE. Mr. President, before beginning my prepared remarks, I wish

to express my great appreciation to a number of distinguished guests who are in the Capitol this morning.

Assistant Secretary of State Joseph Palmer and members of his staff, together with many American diplomats at embassies and consulates in Africa, contributed immeasurably to making my recent study trip to that continent a fruitful learning experience.

At the same time, I am deeply grateful and highly honored that a number of distinguished representatives of the countries which I visited have joined us this morning.

The peoples and leaders of Africa are warm and hospitable. Their courtesy to me has been unstinting, and I am extremely pleased that these distinguished guests are able to be with us today.

Mr. President, early this year I undertook a study mission, on behalf of the Committee on Banking and Currency, to a number of African countries. Between January 12 and February 3, I visited Senegal, Guinea, Liberia, the Ivory Coast, Ghana, Nigeria, Congo (Kinshasa), Zambia, Botswana, Tanzania, Uganda, and Kenya. These countries encompass approximately one-half of the continent's population and a major fraction of its land area.

In a region so vast and so varied, no group of states could be termed representative, and no brief visit could provide a deep and balanced knowledge of the area. But I learned much during my period in Africa. Today I should like to discuss at some length my principal observations and conclusions, concentrating especially on some of the pressing issues and implications for U.S. policy in Africa. Although my limited experience in Africa permits nothing more than tentative and qualified findings on most counts, I believe it is imperative for the Senate and other elements of the American Government to begin exploring problems in this area. I hope that my remarks may make a useful start on this important task.

The purpose of my trip was to study economic development and political conditions in the region. I was interested in analyzing the U.S. AID program, the Peace Corps, and the role of American private investment. I also wanted to look closely at other sources of foreign investment and assistance, most particularly the programs of our European allies and of the Soviet bloc and China. I talked with heads of state and directors of regional and Pan-African economic organizations, and attempted to assess the prospects for further regional and multinational cooperation. And, finally, I was interested in the prospects for political stability, not only within each individual country but also in the larger context of international cooperation within Africa. In this regard, my attention focused primarily on several known "trouble zones," particularly the present civil war in Nigeria and the racial situation which has been smoldering for some time in southern Africa.

Let me make clear at the outset my conviction that our preoccupation with Southeast Asia is leading us to neglect other areas of growing significance in the developing world. My attempt to assess the current status of Africa's economy and politics from this standpoint is an individual effort to insure that, in the midst of the Asian conflict, the major issues in Africa receive attention in the American Government. In my opinion, one of the most important roles which Members of the Senate can play is to see that the intense focus of our Government on today's urgent business does not cause us to lose sight of other questions we must be prepared to meet if tomorrow's affairs are not to be even more troubled.

The crisis in Asia, in which we are so embroiled today, was brewing at a time when our attention was focused on other matters: on Europe, on the international monetary system, on winning the Second World War. For many years Asia was regarded as the domain of our allies in Europe, of American missionaries and businessmen, and of a few "Asian experts" in the State Department.

Today, the situation has changed. We are deeply involved in Asia, in a contest that has many fronts and many ramifications. Now it is Africa that is regarded as the domain of our allies in Europe, of American missionaries and businessmen, and of a few experts in the State Department. We tend to think of Africa as a maze of tiny independent states—41, in fact—which are economically nonviable, politically tumultuous, and relatively outside the range of our immediate national interest.

This is not so. Botswana, one of the countries which I visited, is larger than the State of Texas. Yet it had never, in almost 2 years of independence, received an official American visitor. Another state, with one-quarter the territory and population of the United States itself, has been engaged in a bloody civil war for many months, using sophisticated weapons, tanks, and jet aircraft. Yet until recently its plight had received relatively little attention in the American press, despite the massacre of untold thousands of men, women, and children on both sides of the conflict.

In the five states of Southern Africa, over 32 million people are denied the right to participate in making the laws by which they are governed, and are segregated and classified on a purely racial basis. Trouble is brewing in this area, for, as the white minority governments have become more repressive, numerous well-organized liberation groups have turned to violence to secure the rights of the majority. It behooves us to acquaint ourselves with trends and conditions in this vital region.

Africa is already an important force in world affairs, and this importance will inevitably increase as the African nations come into their own. The continent is three times the size of the United States; it accounts for 20 percent of the land mass of the world. It has a population of over 250 million, which is larger than that of the United States. It has 40 percent of the world's potential hydroelectric power; 65 percent of the world's gold supply; 96 percent of the world's diamonds; and at least 25 percent of its known copper reserves. In addition, large deposits of offshore oil have been discovered along the western coast of Africa. The bulge of West Africa, notably Guinea and Ghana, possesses some of the world's richest sources of bauxite, from which aluminum is made. Africa has twice the uncut forest area of the United States, more arable land and grazing land than the entire Soviet Union. Africa, in short, is a wealth of untapped resources. Its present level of crop production can be multiplied many times over by the use of mechanical implements, by improved methods of water control, by using fertilizers and insecticides, and by bringing more acres under cultivation.

In terms of conventional warfare, Africa occupies a strategic position in the world as well. During World War II, it was from North Africa that the great battles were fought to determine who would control the vital supply route of Suez, the Mediterranean, and Gibraltar. It was from the French-speaking states to the south that a large portion of the supplies and reinforcements were derived. Naval bases in southern Africa kept open the alternate supply route around the Cape of Good Hope.

Even today, Europe depends heavily on access to the Suez Canal and the Mediterranean supply route for its oil supplies. This water route is still the most effective means of exchanging goods with the nations to the east—including such important trading partners of Western Europe as Australia, India, and New Zealand. At times when the Suez Canal is closed, as it has been since last year's Middle East war, the alternate route around the cape of Africa assumes a new and greater importance. South Africa has the only harbor south of the Sahara where major naval and commercial vessels can dock, refuel, and undergo repairs, though several of the countries of West Africa, such as Senegal, Guinea, Nigeria, and the Ivory Coast, are deepening their shipping channels and may assume a larger role in the years to come.

Ethiopia, South Africa, and the Malagasy Republic have cooperated in the American space program, providing valuable sites for radar and tracking installations. Other African states have played helpful roles in a variety of joint scientific, technical, and commercial ventures with the United States.

African nations have also attracted a growing share of U.S. trade and investment. American private investment in Africa now totals more than $2 billion, while the volume of trade with all the African states has more than doubled in the last decade. Our annual exports to Africa increased from $623 million in 1955 to $1.2 billion in 1964. At the same time our imports from Africa rose from $534 million in 1955 to nearly $1 billion in 1964.

All of these statistics are important. By any yardstick—economic, political, geographical—Africa's role in the world is large and expanding.

The emergence of Africa is part of a broader phenomenon with which we are all familiar, the rise of nationalism and the struggle for independence in the former colonies. In Africa as elsewhere, most of those colonial territories have now achieved their independence. The

end of the colonial era has transformed world politics.

The new nations of Africa, Asia, and Latin America have chosen many paths to development. But in their immense diversity they have several things in common: they are poor; they are nonwhite; they are for the most part non-Christian; and they contain by far the major portion of the world's population, land area, and natural resources.

Western values and Western culture predominate in a surprisingly small portion of the world, and that portion seems to be shrinking. While Western culture, if assessed in material terms, has had a sustained impact throughout the world, it can be anticipated from present educational trends that only a declining proportion of the governing elite will in the future be "Western" in education, religion, and background. One measure of these countervailing tendencies is the fact that within the next 25 years most of sub-Saharan Africa will not be Christian, but Moslem.

This trend need not disturb us. Western culture is unique, and it is only being realistic to understand that no area of the world can adopt the values of another in toto. Africa will be itself, neither Eastern nor Western, but a distinctive blend of those cultures together with its own, an incredible multiplicity of tribal and regional subcultures. And that is as it should be. The diversity of mankind has always been one of its most precious qualities. Africa has much to contribute to that diversity.

To say this, however, is not to say that Africa can or should develop in isolation from the rest of the world. The leaders of Africa recognize what is also obvious to non-African observers, that Africa's future welfare is very much tied to its ability to find a solid place in the world at large. If the continent is to become an arena of human progress, rather than a quagmire of human misery, it must enlist the good will and assistance of the more developed nations. And I believe that the political and economic interests of the advanced nations, as well as their moral values, are served by a posture of generous cooperation with the new states of Africa and other continents.

AFRICAN OBJECTIVES AND PRIORITIES

If such cooperation is to be fruitful, those of us in the developed nations must comprehend and respect the objectives established by the African leaders and people themselves. Ten years ago, those objectives could have been summed up in a single word: independence. Today those goals and the methods for obtaining them are infinitely more complex.

There are presently 41 independent countries in Africa. Beginning with the Sudan in 1956, 34 of these countries have obtained their independence in the past 12 years.

African nations are, for the most part, in the unenviable and ambiguous position of having fought for and secured de jure political independence, while remaining dependent to a large extent upon outside support for their survival as nations. Independence is thus still a very real issue, while the specific objectives subsumed under that heading are more subtle and more difficult to achieve than the original goal of "a constitution, a flag, and free elections."

In the postindependence period, the nations of Africa are striving for freedom from undue foreign influence, for economic independence, for a secure bargaining position in the world market, for an independent and constructive role in dealing with world problems. Achievement of these goals requires the rapid and efficient development of each country's own resources and capabilities.

Because such development cannot occur where the population is largely uneducated, African leaders have given high priority to massive efforts to educate their people. In many countries, the literacy rate is a bare 10 or 15 percent of the total population. Thus the initial goal of most African nations has been to develop their manpower reserves as quickly as possible. Great strides have been made in this field. In Nigeria, the percentage of school-age children actually attending schools has reached 50 percent in the southern regions. In Liberia, President Tubman has undertaken an intensive program to forge national unity which has focused on educating the tribesmen in the interior of the country. In Tanzania a massive program is underway to prepare the youth of the country for constructive participation in the economic and political processes. In most African countries the percentage of the national budget devoted to education varies anywhere from 12 to 30 percent. Education is, indeed, a primary concern of all African leaders. And it is liable to become more so, for already more than 50 percent of the population of most African nations is below the age of 15, and the number of young people is increasing every year. Some nations find that even doubling the number of schools or teachers since independence has hardly allowed them to keep up with the natural increase; the percent of children in schools has not increased at all. Nor is it enough simply to provide an education. Africa's youth must be educated for something if the intensive concentration on primary and secondary schooling is to achieve its real goal. African leaders are learning that an educated population with nowhere to go can be a greater handicap than a population which is 90-percent illiterate. Most of the young people who finish primary or secondary school have not been willing to return to the farm. Positions must be found for them in the economy, and since the economies of most African nations are still quite traditional, these positions have increasingly been found in the government bureaucracy. The result has been an overwhelming concentration of relatively educated and ambitious young people in the government hierarchy, with a consequent drain on the government's limited resources and a significant decrease in the ability of the government to meet the needs of the general population. Many young people in Africa take it for granted that the government which educated them and raised their aspirations now has a responsibility to provide them with adequate employment opportunities.

The long-term solution to this ever-growing problem is the same for virtually all developing nations: diversification of industry and of agriculture. This has become the second great priority of the African States. If more jobs become available in the private sector, the pressure on government will be relieved, and those who acquire an education will find the kind of productive employment which they and their country so desperately need.

Diversification has begun, and has taken many forms. In Uganda, Zambia, and Tanzania, for instance, the governments have undertaken to make agriculture more scientific, to provide fertilizers and hand tools and new types of seed, and to instruct the farmers in their use. Tanzania has also been adamant about telling their students that at least 50 percent of them must find employment in the agricultural sector. It is hoped that by introducing new crops and new methods of farming, by utilizing the good soils and favorable climate, by encouraging the development of marketing cooperatives and by building roads into the interior of the country, the agricultural sector may begin to contribute its full share to the country's exports, foreign exchange earnings, and domestic savings.

Diversification has also taken the form of building industries based on the availability of domestic agricultural products. A country which produces cotton and sisal, for example, should be able to develop textile and rope factories of its own rather than exporting the raw materials and purchasing the finished goods from abroad. Countries which have large fishing industries, or produce pineapples or cocoa, are beginning to establish canning and processing factories for those products. The advantages to the economy are multiple: the industries provide jobs for the increasing number of skilled and semiskilled workers in the urban areas, as well as providing opportunities for employment of an educated, incipient entrepreneurial class. The products which are exported in finished form bring higher prices, and are less subject to spoilage and other types of damage which have reduced income from perishable exports in the past. And finally, the manufacture of consumer goods, while increasing the need for capital goods, may, in the long run, lessen the dependence of these nations on foreign imports.

Within this attempt to broaden the base of the economy, there are a multitude of employment opportunities for youth who have been properly trained. Young people who have completed primary school but have not the means or ability to go on for higher education are being encouraged to enter technical and vocational training schools. Ministries of Agriculture and of Economic Development are training agricultural experts and technicians to assist in the expansion and development of that sector of the economy. Some countries have instituted programs for small businessmen, and young people are being encouraged to enter the field of marketing and sales which were previously the exclusive domain of Asian or Middle

Eastern entrepreneurs, or of large Western concerns.

As development has begun within individual African states, the attention of the leaders has turned increasingly to the likely advantages of regional cooperation. Regionalism itself has become a major objective of many African leaders. There are at the present time no less than 42 different multilateral economic organizations among the independent African States. These range in size from the African Development Bank, which claims 29 members, to a cooperative arrangement between the Nigerian and Ghanaian Airways. One of the most successful regional organizations is the East African Community composed of Kenya, Uganda, and Tanzania. The Community operates a Development Bank, the East African Airways Corp., and joint communications and port facilities. A common market is also in the initial stages of formation, and a joint tax structure is being devised.

Recently, there have been increased efforts to overcome the colonial framework and to work together in new regional groupings regardless of previous colonial status or present stage of development. Thus the East African Community is reviewing the applications for membership of Zambia, Somalia, and Ethiopia. Their inclusion in the Community could have ramifications far beyond the obvious economic consequences. Somalia, Ethiopia, and Kenya have been engaged for years in bitter border disputes and irredentist wars. Hostilities among some of these states were terminated as a precondition for negotiation with the Community. In this case the prospect for regional economic cooperation bears with it the promise of greater political stability as well.

Taking their cue from East Africa, the nations of West Africa are also beginning to discuss the possibilities of a West African common market. While such an organization is in the future, there are at least some steps toward regional cooperation which can be taken at the present time. Ghana and Liberia, for example, have been leaders in the effort to overcome the barriers of language and culture, and to establish closer ties with their French-speaking neighbors, both through trade and aid, and through the sharing of common facilities such as Ghana's Volta River hydroelectric project.

Practically all the African states are becoming aware of the need to work together. Whether that cooperation takes a general form, such as participation in the African Development Bank, or a functional form, such as membership in the Cocoa Producers' Alliance or the Inter-African Coffee Organization, regional cooperation seems to be the wave of the future.

Africa's goals—independence, education, economic diversification, and regional cooperation—merit our support. Africans are grateful and Americans can be proud that the United States has expressed its support for Africa's ambitions in a variety of constructive ways. But American policy in Africa confronts a number of difficult problems which demand more attention than we have yet given them. American programs in Africa face both obstacles and opportunities which deserve more resources than we have yet supplied.

Mr. President, I propose to review some of the more critical aspects of these programs and problems, and to outline what seems to me some necessary guidelines for future U.S. efforts in Africa.

U.S. POLICY AND PROGRAMS IN AFRICA

The United States has enjoyed three political assets in its relations with Africa: It is not and never has been a colonial power, it has a large population of African descent, and it is a nation whose own democratic revolution gave it a certain kinship with the new nations. From the standpoint of the new African states and of this country, these factors argued for warm and cordial relations.

But those relations have not developed as rapidly or as richly as might have been expected. There are many reasons for this, but the dominant one has probably been the problem of scale. So many African states have become independent so quickly that the United States has not been able to cope with them as effectively as we might desire. This is well illustrated by the experience of the U.S. foreign assistance programs in Africa.

In 1958, there were eight independent African states: Ethiopia, Ghana, Liberia, Libya, the Republic of South Africa, Sudan, Tunisia, and the United Arab Republic. Excluding South Africa, which is regarded as a developed country and has never received assistance from the United States, the remaining seven countries shared among them a total of $86.4 million in AID loans and grants. Four years later there were 29 independent African states, at a time when direct American assistance to all of Africa totaled $322.2 million. Today there are 41 independent African states, while U.S. loans and grants to Africa have declined to $202.2 million. Thus, if U.S. assistance could be computed on a per country basis, American aid has been steadily declining from an average of $12.3 million in 1958 to $5.3 million in 1966, or less than half the amount available per country only 8 years before. While Peace Corps and Public Law 480 assistance have made up some of the difference, they do not begin to provide the quantity of aid required for rapid advancement.

As the number of African countries increased, the United States became increasingly concerned about the difficulties of assisting their development on an individual basis. Many of those in the AID program felt that by trying to help too many countries we would in fact be spreading our development funds too thin, and our aid would have minimal effect. In their judgment, to attempt everything was to achieve nothing.

There were two primary factors involved in the revisions of U.S. aid to Africa, which were decided on in 1966 and put into effect this year. One was the report of the former American Ambassador to Ethiopia, the Honorable Edward M. Korry, on "U.S. Policies and Programs" in Africa. The other was a congressional limitation on the total number of developing countries which could receive U.S. assistance.

The main thrust of the Korry report was that, because African development will be a long and difficult process, American assistance should concentrate as much as possible on regional and multinational programs which will have a long-term impact. The report argued that bilateral aid should be given only to those few countries whose size, population, resources, and performance afford the best opportunity for significant progress.

In fiscal year 1967, AID allocated only 10 percent of its development assistance funds for Africa to regional projects. The remainder was divided among 34 countries on a bilateral assistance basis.

In fiscal year 1968, the first year in which the new regional preference is being followed, it is expected that 20 percent of the AID funds will go to regional projects, with a planned rise to 37 percent in fiscal year 1969. During this time bilateral assistance programs are to be phased out for all but 10 countries which are considered to have particularly good prospects for development success, or which have a special interest or relationship with the United States. These 10 countries, the so-called development emphasis nations, are Liberia, Ghana, Ethiopia, Tunisia, Morocco, Sudan, Nigeria, and the three East African Community members, Kenya, Uganda, and Tanzania. The Congo (Kinshasa) will also continue to be eligible for a special category of supporting assistance which was begun by the United States during the military crises of the early 1960's. But some nations receive no direct American assistance. For example, Botswana, a friendly but poor country, has received no U.S. development aid apart from an extremely modest Peace Corps program which has just begun.

There is, of course, merit to the approach advocated by the Korry report, and there were defensible justifications for a congressional limit to the number of nations eligible to receive direct U.S. assistance.

For many nations, regional cooperation may be the best solution to a number of their development problems. The regional approach to assistance received the endorsement of two Vice Presidents of the African Development Bank with whom I spoke; they pointed out that the Bank itself is emphasizing regional programs, and hopes to receive some capitalization from the United States.

But while regional assistance is important, African countries still need considerable bilateral assistance as well. The two forms of assistance can and ought to be complementary, not mutually exclusive.

Many regional projects do not reach the majority of the people, except indirectly. Their benefits to the economy are not immediate, but long term. Furthermore, these are often the very projects which are receiving or can receive considerable assistance from other sources: The World Bank, the International Monetary Fund, and the African Development Bank.

The United States already contributes substantially to the World Bank. The President has indicated his intention of shortly asking for a special appropria-

tion for the African Development Bank. American contributions to such institutions are desirable, and, I believe, the proper means through which many regional assistance programs should be handled.

In reviewing American efforts in Africa, I found that those programs which received the highest marks from the Africans with whom I spoke were those which involved Americans and Africans in direct, sustained working relationships. Ambassador Sol Linowitz has commented perceptively that the best way to sell the American idea is to "wrap it up in a man." The most notable American programs in Africa have been the Peace Corps projects, the work of American doctors, the assignment of American teachers to African universities, the efforts of American agricultural technicians in increasing rural production, and the endeavors of private American industry in developing local enterprises.

These programs have won friends for America. But most importantly, they have helped to meet the essential needs of the African states for improved health and education, for agricultural development, and for general economic expansion.

I believe that American assistance should retain more of its original, bilateral character and should be geared to the development of human resources. Bilateral programs may be hard to administer effectively, but they are certainly worth the additional effort. We should grant longer term loans at less interest; schools, health centers, and even small businesses will not liquidate their initial costs in short periods. Such programs, designed to supplement the assistance of international bodies and former colonial powers, would be of greater value to the African states than an exaggerated emphasis upon regional planning. In recommending such an approach, I am also taking into consideration the benefits which such a program would have to the United States.

Many African leaders feel that the new emphasis on multilateral channels and the reduction in total U.S. assistance mark the beginning of an American economic withdrawal from Africa. I do not believe this is the case and I took pains to point out to those leaders the present financial difficulties of this country. To bolster African confidence in our long-term intentions, it is my conviction that we should now make clear our determination to increase U.S. assistance programs in Africa as soon as the exigencies in Asia permit.

In lieu of a substantial expansion this year in funds for foreign aid, I believe that Congress should remove the country limitations it has imposed so as to allow as much flexibility in our aid program as possible. Furthermore, the Congress should recognize that the AID budget has already been pruned severely. The reduced appropriations which have been requested should receive prompt congressional approval.

Obviously, foreign aid cannot provide all the answers to Africa's development problems. U.S. foreign assistance, 90 percent of which is spent in the United States, often results in the recipient countries becoming more deeply in debt, with a consequent reduction in the amount of domestic funds available for their own development. Because of their soaring indebtedness, there is a danger that the developing nations may become capital-exporting states—a condition they can hardly afford.

If the developing countries are truly to improve their economic position in the world, they must be able to sell their products at reasonable prices and to accumulate their own development capital.

The United States and the other developed nations could and should offer to support the world prices of certain basic commodities. The International Coffee Agreement and the discussions regarding cocoa represent a worthwhile beginning. But even this can only be a temporary solution to the problem of integrating the new nations into the world trade system.

Other possibilities should also be considered. It may be necessary to give tariff preferences or even credits to the manufactured goods of some of the new African nations, so that they may increase their capital and develop the wage-labor sector of their economy to the point where domestic markets can absorb a large share of their products. At the present time, the tariff structures of the developed nations actually discourage manufacturing in the developing states, for high import duties prevent them from selling their goods abroad. At the last meeting of the U.N. Conference on Trade and Development many of these issues were considered, but not resolved. The United States should take the lead in pressing for action in these fields. Only through such initiatives will the economic gulf between the developed and the developing nations be permanently bridged.

will, in the short run, leave the develop-

The hard fact is that the aid we give ing nations more in debt than before, although enlightened policies by the United States and other donor nations can make it possible for recipients to support high external debts. As many of them are coming to realize, the long-term answers to their problems lie in trade, not aid. Their objective is to help themselves; our objective must be to help them to help themselves.

PRIVATE INVESTMENT

Development aid cannot and should not be limited to public assistance alone. In the long run a most significant role in African development is open to business and private investment. Governments alone cannot assume the full responsibility for economic development. Governments can help to determine needs and priorities. They can give guidance and incentives. They can make direct investment in areas which are not directly remunerative, such as education and health and development of an effective infrastructure. But private investment has a definite contribution to make, not only in the obvious areas of investment, development, and profit accumulation, but in a variety of related fields as well.

Mr. President, I am pleased that Africa is attracting increasing amounts of U.S. private investment. In 1966, the latest year for which accurate figures are available, American private investment in Africa as a whole amounted to $2.1 billion; of this $300 million was in Liberia, rubber; $428 million was in Libya, oil; $601 million in South Africa; and the remainder, or $879 million, in the other nations of Africa.

Over the past several years there has been a steady increase in private investment in the newly independent African states. This is due in part to the success of certain major business concerns, such as Valco in Ghana and Firestone in Liberia, whose ventures have attracted widespread attention in the American business community. Studies conducted by such organizations as the U.S. Chamber of Commerce and the U.S. Department of Commerce have underscored the attractiveness of investment in Africa. Also, the African countries themselves are beginning to recognize the advantages to be gained from American private investment, and are not only publicizing their resources and opportunities, but are offering concessions to attract investors. And finally, the recently announced limitation on foreign investment, which prohibits all new direct investment in developed countries and limits reinvestment in such countries, will have the effect of encouraging businessmen to look to the developing states for foreign investment opportunities. The relative attractiveness of investment in Africa should increase.

Yet, in a continent which has the vast resources and potential of Africa, American private investment equals only about 2.6 percent of total American investment abroad. What is more, with the exception of South Africa which has well over 250 American firms contributing to its economy, the majority of American investments in Africa are limited to a few fields and a few firms. The relatively slow growth of U.S. private investment in the region is surprising when one considers the good profit record shown by investments in Africa. Tentative studies reveal that American business has been doing better in Africa, in terms of return on investments, than in any other part of the world.

The investment opportunities in a large number of African countries are improving markedly. But there is a significant discrepancy between those industries and fields in which American firms have invested in the past, and those which will prove to be of greatest benefit to the economies of the host countries. This is not, in my estimation, because the opportunities in these other areas are any less attractive. It is more likely to be a result of the fact that African countries need investment in specialized projects: small businesses of many types, machine tools, food canning, paper and box manufacture, refrigeration facilities, and home construction. These industries are generally operated on a smaller scale than are the oil and rubber and banking concerns which are presently most active in Africa. American businessmen in these fields may not be as aware of the opportunities for investment abroad, or as interested in learning about them. They

can and should be encouraged to investigate the opportunities available; the U.S. Government and the governments of the African states should take a more active role in disseminating information to potential investors in these businesses and industries.

PEACE CORPS AND SMALLPOX-MEASLES PROGRAMS

Before discussing other issues, I would like to comment briefly on two of the most notable American endeavors in Africa, the Peace Corps and the smallpox-measles eradication program. Americans should know more about these undertakings, for few American efforts abroad have accomplished so much and reaped so much good will for our country.

At last count, there were nearly 3,000 Peace Corps volunteers serving in 23 countries in sub-Saharan Africa. Three thousand young Americans working in towns and villages throughout an entire continent, coming into daily and intimate contact with hundreds of people speaking a different language, observing vastly different cultural patterns, and living very different ways of life, can have a tremendous influence. Properly trained for the hardships they must endure, these volunteers can literally move mountains; they win innumerable friends both for themselves and for the Nation they represent.

In the countries where the Peace Corps is active, the concept of the Corps, the projects they have undertaken, and the behavior of the volunteers have won high praise.

Mr. President, I had the opportunity to talk with Peace Corps workers in a number of fields. I found that secondary education has been the most popular project for volunteers to date. Africans with only a primary education are teaching basic skills to African children in many countries. But few countries have enough qualified teachers to provide the more advanced education required by the ever-growing number of primary school graduates. African cities are being flooded with uneducated or undereducated youth looking for employment. These young people want a better education but the governments simply do not have the teachers or the facilities to provide instruction. In a number of countries Peace Corps volunteers have been requested to fill the gap and this has been the principal function of the Corps in Senegal, Tanzania, and several other countries.

But this is not the whole story by any means. While education may be the No. 1 goal in many of the nations of Africa, there is a growing realization that general education alone will not solve the problems of development. There must be education and training in the areas where useful jobs will exist: business, the vocations, and teaching. Furthermore, education must be accompanied by improvements in health, community development, agricultural production, and marketing skills and administration. An increasing number of volunteers are being trained and are serving in these fields as well.

I cannot conclude my discussion of the Peace Corps without mentioning one serious problem which it has encountered. In some countries the Peace Corps has been prejudged not on its own merits but because, as President Nyerere of Tanzania observed, "it bears the burden of a Great Power." One measure of this burden is the suspicion in some parts of Africa that the Peace Corps is closely associated with U.S. intelligence operations. One cannot simply dismiss such suspicion by fiat. What is called for is a mature restraint regarding the very special institution which is the Peace Corps. We must make absolutely certain that the integrity of the Corps is safeguarded. At the same time the states in which the Corps is working must resist the temptation to take reprisals against the Corps for unrelated political frictions which will undoubtedly arise from time to time.

The distinguished achievements of the Peace Corps are a tribute to the program's concept and to the volunteers themselves. African leaders are virtually unanimous in their requests for more trained volunteers in a variety of additional fields. The Director of the Peace Corps announced just the other day that applications were up nearly 30 percent over last year. Clearly a great many Americans appreciate the opportunities for humane service as Peace Corps volunteers. We should continue to expand the Corps to meet the growing need for such service.

Mr. President, less well-known than the Peace Corps is another exemplary American project, the smallpox-measles eradication program. It is unquestionably one of the most successful projects ever undertaken by the United States in Africa. Since the first doctors and equipment arrived in late 1966, the program has been extended to 19 African countries. Its goal is the immunization of 105 million people, and the eventual eradication of these two dread diseases in the entire region. In some countries the incidence of disease has already declined appreciably. I was in Africa on January 15 when the 25 millionth African was vaccinated against smallpox; by now the total is closer to 35 million.

With a staff of 36 American doctors and 1,100 West African doctors and employees, the program is ahead of schedule and is well on its way to one of the historic accomplishments in the field of public health. It has received the commendation and unqualified support of the leaders of the participating nations, and has elicited solid cooperation among the African states. The smallpox-measles program marks a high point in America's collaboration with the peoples of the continent.

Measles is a killer in a tropical climate, and it is highly contagious, as is smallpox. The diseases must be controlled throughout Africa. The promise has been made. The program has been initiated. The endeavor merits our ample and continued support, both financial and technical.

THE LARGER INTERNATIONAL CONTEXT

Mr. President, in designing American policy for Africa we need to be aware of the efforts being made by many other nations to aid and influence developments in the region.

U.S. assistance to Africa accounts for only a small fraction of the aid which those nations derive from the free world. The nations of Western Europe are large contributors to African development, as are Japan and Israel among the non-European states.

Since independence, the nations of Africa have continued to remain closely tied to the economies of the mother countries. In the case of the former French colonies, as much as 80 or 90 percent of their exports may still go to France. In return, the bulk of their manufactured goods and capital machinery may be imported from the former mother country. French private investment is heavy, particularly in such countries as the Ivory Coast and Senegal. And France gives foreign aid in the form of loans and grants to all her former colonies except Guinea.

The British likewise have maintained close ties with their former territories. Most of the major banks in Zambia, Kenya, Tanzania, and Uganda, for example, bear British names. British companies still invest heavily in both East and West Africa, and Britain gives these countries considerable economic assistance as well.

Total foreign aid from free world sources other than the United States is about $1.4 billion per year. Ninety percent of this aid comes from the 14 nations, other than the United States, which are members of the Development Assistance Committee—DAC—of the Organization for Economic Cooperation and Development.

The Development Assistance Committee attempts to coordinate the aid policies of the member nations. But the group's main objective of encouraging additional aid from the member states to meet the growing needs of the developing world has not been achieved. DAC has done little more than legitimize existing arrangements: it has, for instance, approved the policy whereby former metropolitan powers contribute the majority of their aid budgets to the former colonies.

DAC could, however, be more effective. Its operations ought to receive considerably more support from the United States and from the other members. Coordination of aid efforts is essential, and this organization provides a suitable starting point. In addition, other donor states could be invited to attend and to participate in deliberations. The African states themselves should be invited to send representatives to discuss development needs and priorities, and to enlist multinational support for various programs. The DAC concept is sound; the committee should be encouraged and utilized to the fullest.

It scarcely needs to be pointed out that the free world is not alone in the interest and attention it gives Africa. of a subdued but steady struggle for influence by the Soviet bloc, and the Chinese.

The Soviet Union has diplomatic representation in 29 of the 41 independent African nations. One or more of the Eastern European states are represented in 21 countries.

In addition, 14 African states have diplomatic relations with Communist

China, while two—Senegal and Nigeria—recognize both Chinas but have relations with neither. Of the 14 states, seven also have diplomatic relations with Cuba, and six have exchanged representatives with the Republic of North Korea. And at least two countries—Algeria and Tanzania—have exchanged diplomatic representatives with the National Liberation Front of South Vietnam.

The awakening of Soviet and Chinese interest in the nations of Africa coincided with the surge toward independence which occurred in the late 1950's and early 1960's. Both Communist countries were active participants in the various conferences of nonaligned states. African leaders were welcomed to Moscow and Peking in large numbers, and, beginning in 1960, the first trade treaties were signed between the Communist countries and a number of African states.

Trade with Africa has grown to the point where it accounts for 15 percent of the products which the Communist countries import from developing areas. In dollar terms, the Communist countries as a whole imported goods valued at $267.2 million in 1965, and exported to Africa goods valued at $360 million. This represented an overall increase in Communist trade with Africa of 30 percent over the previous year.

One serious problem encountered by the African states in their trade with the Communist countries is that their products are often paid for not in hard currency but in credits or in goods from Communist states. Thus a country like Guinea, which conducts half its trade with the Soviet bloc, has found that the exchange is of very little use in settling its balance-of-payments problem or in giving it additional purchasing power on the world market. Most African states are now trying to adjust their trade relations with the Communist countries, either by lessening their dependence on these nations as trading partners, or by securing hard currency for their goods.

Communist assistance to Africa is more difficult to determine in dollar terms than is its trade. For one thing, much of the aid extended by the Communist nations is in the form of trade credits, extended for 12-year periods, generally at 2.5 percent interest, which enable the developing country to purchase Communist goods on credit. Also, while pledges of aid are widely publicized, they are usually declarations of intent which must be followed by feasibility studies and agreements on specific projects. It is almost impossible to determine the exact cost of a project or the amount received in the form of a grant or loan from the Communist donor. Thus, total Communist assistance extended to Africa between 1954, the year the Communist nations inaugurated their foreign aid program, and 1966 is estimated at $1.5 billion, distributed among 18 nations. But the actual amount received in cash grants or products by these states may have been somewhat less.

To further their assistance programs, the Communists frequently dispatch technicians to serve as advisors, engineers, and managers. Between 1965 and 1966, the number of Soviet technicians in Africa rose from 2,720 to 4,170, an increase of 53 percent. At the same time, the number of East European technicians in African countries rose from 2,520 to 3,590, and the number of Communist Chinese technicians from 2,615 to 3,025, an increase of 42 percent and 15 percent, respectively. Three-fifths of all the East European and Chinese technicians serving in developing nations are working in Africa, while one-third of all the Soviet Union's foreign-based technicians and advisors are located there. Obviously, the Communist nations attach major importance to the continent.

It is not uncommon for Africans to seek assistance for particular projects first from the West, and to turn to the Communist nations mainly for proposals which have not won support elsewhere. This has been true, for example, in Tanzania, where the government of Julius Nyerere had been asking for several years for foreign assistance to construct a railroad from Zambia to the port of Dar-es-Salaam. Since Rhodesia's unilateral declaration of independence, Zambia has tried to reduce its dependence upon Rhodesian transportation links and has argued that the railroad is essential. But U.S. AID studies have shown that such a railroad is not economically feasible or necessary, contradicting studies conducted by the World Bank.

The United States has contended that a preferable alternative to construction of a costly rail connection would be improvement of the primitive highway linking the two countries. U.S. investments have already been made in this area, and U.S. technical experts have noted that the road can be made adequate at far less expense than is involved in constructing a railroad. In addition, there is something to be said for the fact that freight trucks are inherently more flexible than freight trains. Some analysts have disputed the arguments made in support of the railroad by stressing that they give too much weight to analogies in the experience of other countries, including the United States, where economic development closely paralleled the progress of the railroad. In modern times, these analysts stress, there is no basis for concluding that development should be tied to a 19th century technology. Beyond the opportunities afforded by automotive transport, a whole new era of air freight capability is opening with the construction of such giant aircraft as the C-5A. Studies should certainly be made to evaluate the potential advantages of using large aircraft for heavy transport between Zambia and Tanzania.

Nevertheless, Tanzania and Zambia have finally accepted a Chinese offer to construct the railroad, for they feel that construction cannot be delayed any longer. The railroad will take several years to complete, and will cost an estimated $320 million—the largest single Chinese assistance project anywhere in the world.

Although the prospect of an increased Chinese presence in the area has alarmed many of Tanzania's friends in the West, I think a more dispassionate view is in order. In my opinion, President Nyerere and his associates are fully capable of protecting themselves against improper political inroads by the Chinese or any other foreign power. And in hard-nosed geopolitical terms, the project is likely to absorb so much of China's limited resources for such efforts that Peking will have to reduce its activities elsewhere.

In the minds of most Africans, the cold war is not an issue. Development is an issue. So is peace. And so is freedom for all Africans.

Mr. President, there exists in Africa a real opportunity to create a climate very favorable to the West. We should recognize it as such, and act accordingly. The presence of a Chinese factory or a Soviet agricultural mission is not going to turn any nation in Africa against us. Nor is a much-publicized visit to Moscow by one or another African leader, or a tour of Africa by some prominent Chinese or Soviet figure, a sign of soaring Communist influence in the continent. Every contact does not constitute a conspiracy.

And, although the collectivist sentiments of some African leaders differ sharply from our individualist values, we must respect the principle that each society has the right to organize itself according to its own preferences.

We can prejudice our own case severely if we allow our preoccupation with the cold war to dominate our policies, or if we presume to chastise nations for accepting Communist aid. So long as these nations are diligent in protecting their independence, we should share their satisfaction that both East and West are prepared to aid their development. Our goal should properly be to help these nations marshal and focus all the resources they can obtain to speed their progress toward a healthy and prosperous society. For in such progress lies the best, indeed the only defense against discord and dictatorship in Africa. And in the course of that march toward progress, I have faith that the precious values of individual freedom will in fact prevail over the authoritarian alternatives arrayed against them.

CURRENT CRISIS IN AFRICA

If the disruption of cold war politics is not a prime danger in today's Africa, the continent has problems enough of its own. I would like to discuss briefly several of the critical areas which demand the most meticulous attention of American policymakers; the Nigerian civil war and its likely aftermath, conditions in the Republic of Guinea, the situation in the Congo (Kinshasa), the former Belgian Congo, and, most perplexing of all, the general question of the minority regimes in Southern Africa.

NIGERIAN CIVIL WAR

Both in area and population, Nigeria is one of the largest nations not only in Africa but in the world. In terms of natural resources and economic potential Nigeria is second only to the Republic of South Africa among the nations south of the Sahara. But in the 8 years since independence this country of approximately 55 million people has moved from a parliamentary government to a Federal republic, to a succession of military dic-

tatorships, and now to secession and civil war.

All of the various changes in government which preceded the outbreak of civil hostilities in May of 1967 were designed to accommodate one of the most difficult ethnic situations existing anywhere in the world. Nigeria is similar to most other African states in that the boundaries established by the colonial power *include* under one administrative roof literally hundreds of different tribes. But the borders established for Nigeria also included three distinct and reasonably well organized, ethnic groups: the Moslem, Hausa-Fulani peoples in the north; the Yorubas in the southwest; and the Ibos in the southeast. Overriding all their internal tribal distinctions and characteristics, each of these three ethnic groupings has a definite sense of "national" identity. What is more, their contacts with each other frequently have served to increase mutual suspicion and hostility.

Under the British, the Ibos spread throughout all of Nigeria where they became businessmen, administrators, teachers, and civil servants. They often alienated the local population by taking over many of the more desirable and influential positions in the colonial structure.

By the time of independence in 1960, animosity toward the Ibos was widespread, and the Ibos were driven to greater clannishness and nepotism to protect themselves. They continued to dominate the civil service, transportation, and communications, and a large share of the commerce and industry of the country, but they felt their position weakening. Growing efforts by northern-supported politicians to increase their power in the national government made the southern tribes extremely apprehensive that they would fall under the domination of the Northerners.

On January 15, 1966, Ibo officers in the Nigerian Army staged a coup and took over the government. Only 6 months later they were forced out of office and the present military government assumed control. Persecution and disorders followed; despite attempts by the Federal Military Government to achieve a peaceful solution to the country's internal problems, large numbers of Ibos suffered. This bitter experience bred deep fears of future reprisals against the minority, fears which seriously complicate the quest for peaceful reunification.

In May of 1967, Col. Yakubu Gowon, head of the federal government, announced the reorganization of Nigeria into 12 states, only one of which possessed a clear Ibo majority. The eastern region, where one-half of the population was Ibo, promptly seceded and proclaimed itself the independent nation of Biafra. A civil war ensued. The federal government requested that the United States sell arms to Nigeria; the United States refused, and the Nigerians bought their weapons from Britain and the Soviet Union.

This sequence of events is well known in Nigeria. Many Nigerians, particularly those in the army, know that many of the arms with which they are fighting to preserve the unity of their country, most notably the aircraft, were provided by the Soviet Union. They claim that many of the weapons captured from the other side are Western in origin. Most of them know of the U.S. refusal to sell arms to their government. A number are inclined to interpret that refusal in terms of some presumed neocolonialist plot. Some feel it stemmed from Western hostility to the idea of a united Nigeria.

Many Nigerians were understandably disappointed that the Americans, whom they consider their friends, declined to provide military equipment at a time of ultimate crisis for Nigeria. But I believe that the Nigerians should understand, as some of their leaders already do, the basis for the U.S. decision. The American refusal to sell sophisticated arms was in no way a sign of animosity toward Nigeria. It was fundamentally rooted in a deep concern to limit the violence in a civil conflict.

The U.S. Government justifiably concluded that every effort should be made to encourage an early political settlement between the central regime and the Ibo secessionists. It also concluded that the goal of nonviolent accommodation among the Nigerians would best be served if all the great powers abstained from arms shipments into the troubled area.

No one will ever be sure whether the failure of other producers of military hardware to exercise comparable restraint helped or hindered the restoration of peace. It is clear that the introduction of additional weaponry has substantially increased the capacity of both sides in the civil war to inflict large-scale bloodshed. On balance, I believe, and I hope that the Nigerians will someday fully agree, that the American decision was the correct one.

The true test of our friendship for the people of Nigeria will come in the aftermath of the present conflict. When the civil war ends, the United States should be prepared to offer substantial assistance in rebuilding the economic fabric of Nigeria.

Fortunately, Nigeria is a development emphasis country, so that even within the present assistance policy significant bilateral aid can still be given. But I would suggest that we ought to consider the possibility of a supplemental emergency assistance program to Nigeria as well.

There will be a massive problem of emergency relief once hostilities are concluded. The United States should be prepared to step in with food for peace, and to supplement the work of the Red Cross and various voluntary agencies with medical supplies and temporary shelters.

As a result of hostilities, a number of AID projects in the former eastern region have been suspended. These include not only educational facilities and programs, but also road construction, and agricultural station, and agricultural research and extension services. All of these programs should be resumed as soon as possible after the war.

Nigerian recovery will be a formidable task. Before the civil war erupted, the economy was growing at a rate of 5½ percent per year, and Nigeria was financing three-quarters of its development program with its own resources. But Nigeria has lost untold millions of dollars in products, equipment, revenue, and trade as a result of the war. The damage to private property alone is estimated at several hundred million. Nigeria's development plan has been temporarily suspended, and programs involving foreign assistance have been operating on a restrictive basis. No new projects have been started. In addition, an increasingly large portion of the Federal budget has been spent on war materials, and on the general costs of maintaining an army in the field. Nigeria will need massive inputs of capital, both public and private, to build its infrastructure, reestablish agricultural and industrial facilities, and resume its educational and technical programs. The agricultural sector will require particular attention, for agricultural production has not increased significantly, despite the fact that it accounts for three-fourths of the labor force and 60 percent of gross domestic and export earnings. And Nigeria will need trade with the West to enable it to regain the revenues it has lost.

Demobilization will also pose a problem. In 1 year's time, the size of Nigeria's army has grown from 8,000 to an estimated 70,000 men. In addition, there are probably close to 50,000 men under arms on the other side. Nigeria cannot afford to maintain an army of this size, nor does the Government want to do so. Thus, once hostilities are concluded, there will be a problem of integrating anywhere from 50,000 to 100,000 men back into the economy. The United States should be prepared to assist in this undertaking also by helping to support productive but labor-intensive aid projects such as roadbuilding and dam construction; and by lending assistance to provide advanced training for those qualified to accept it.

We all hope that the conflict will end shortly. This is the expectation in Lagos, an expectation which seems more plausible in light of recent indications that both sides are prepared to enter unconditional negotiations for a political settlement. I hope that prospects for talks, will not be clouded, however, by Tanzania's recent decision to recognize Biafran independence.

No issue in Africa is so urgent as the restoration of peace in Nigeria. The United States should be alert to any opportunity to serve that goal.

GUINEA

Some of the most delicate issues for U.S. policy in Africa have arisen in our relations with the West African nation of Guinea. Under the leadership of President Sékou Touré, Guinea became the only French colony to vote overwhelmingly—98 percent—against the Constitution of the Fifth Republic and for independence in a national referendum in 1958. French retaliation was swift and sure. All foreign assistance was promptly terminated. French technicians were withdrawn, and all movable equipment installed by the French, up to and including telephones, medical equipment, and all of the filing cabinets and records of the Guinean Government were taken back to France.

Guinea immediately asked the United States for assistance; for uniforms and arms for its military, for food for its people, for technical assistance. Primarily on the basis of our close ties with France, the United States refused. Only two countries responded at first to Guinea's plight: both Ghana and Liberia offered substantial loans to help Guinea through its initial difficulties. Several East European countries made prompt offers of technical aid and equipment; and what is more, agreed to buy Guinean products that France would no longer admit. The United States, too, provided some food for peace during fiscal year 1959, and extended a grant of $2.1 million the following year. By 1960 Guinea had withdrawn from the franc zone and was receiving much larger amounts of aid from the Soviet Union and East Europe. Fear began to grow that Guinea was going Communist, and U.S. assistance was cut back significantly.

When difficulties developed between the Guinean Government and the Soviet Union in 1962, the United States saw an opportunity to provide an alternative to continued reliance on East bloc assistance. As Soviet influence declined, the level of U.S. obligations rose steadily from $11.2 million in 1962 to $24.4 million in 1965, a substantial level of aid among the countries of Africa.

According to logic and to economics, Guinea should have been well on the road to development by 1965. But Guinea's economy was not developing. It was in fact declining. Per capita income was lower in 1965 than it was in 1958, and knowledgeable estimates conclude that it is even lower today.

Part of the difficulty must be attributed to President Touré's own policies. He was firmly committed to the concept of a Socialist economy, believing that in a new and underdeveloped nation only the government can accumulate sufficient funds to invest in large industrial and agricultural projects. But capital accumulation by the government must be matched by skilled personnel on the government payroll to manage the investments and to operate the projects. This Guinea lacked. The Government of Guinea took over all private industry in the country. It assumed control of the new projects built by foreign aid. It supplanted local merchants and traders with Government purchasing agencies run by civil servants. The result was at best, mismanagement; at worst, widespread corruption.

In 1966, the United States decided to abandon a predevelopmental strategy in Guinea and to retrench the AID program there. A number of AID projects were terminated during fiscal year 1967, leaving a total AID commitment in that country of only $1 million. In the coming year it is likely that the last remaining AID projects, a technical school in Conakry and the Samova/Mack truck factory, both which I visited, will also be phased out.

Mr. President, I believe it is a mistake to terminate U.S. aid to Guinea.

I found no evidence that Sékou Touré is pro-Communist or anti-West. He is a nationalist, in that flamboyant, unpredictable, and inspiring tradition of national heroes who, no matter how much they may aggravate other nations, are the only leaders capable of creating a sense of nationhood among their own diverse peoples.

Among other leaders in Africa President Touré is highly regarded for his determined efforts to forge national unity and to protect his nation's independence. He has also earned respect throughout the continent for his vocal and effective advocacy of Pan-Africanism.

Sékou Touré is still young. He has just been reelected president by a wide margin. He is extremely popular with his people and maintains close contact with local affairs. He is likely to remain an active political figure for many years.

I strongly believe that the United States should be willing to work with President Touré and to resume its bilateral assistance programs in Guinea.

CONGO (KINSHASA)

If the United States has tended to disengage from close relations with Guinea, it has been deeply involved in the continuing international efforts to assist the Congo (Kinshasa).

The Congo is the geographic and strategic heart of Sub-Saharan Africa. Though it has a population of only 15 million people, the country has a solid base upon which to build a health economy. At the time of independence, it was in fact the second most developed country in black Africa.

But the Congo is a war-torn country. Civil war erupted only 4 days after the Congolese received their independence from Belgium in 1960. For the next 5 years, the country was torn by a bloody and vicious conflict. Peace was not restored until the end of 1965, when Col. Joseph Mobutu staged a bloodless coup and named himself President for 5 years. Since then, despite sporadic uprising and mutinies in the eastern provinces, the government in Kinshasa has maintained reasonably effective control over the country.

The Congo has made notable political strides in the last 2 years. A constitution has been drafted, political parties are being formed, and an election is scheduled for later this year. But economically the country is still in critical condition. The war years caused considerable destruction to agriculture and transportations. Private investment fell off appreciably, and spiraling inflation added to the country's economic problems.

One of the first acts of the Mobutu government was to call in a team of economists from the International Monetary Fund to assess the damage and to develop a monetary reform and stabilization program. This program was inaugurated in June of 1967. The Congolese franc was devalued from floating rates of 150–180 to the dollar to a single rate of 500 to the dollar. Credit ceilings were imposed. Taxes were increased, and restrictions on imports were liberalized to reduce the activities of the black market. Finally, the government committed itself to generating a surplus of $20 to $24 million per year to finance essential public investment.

These stringent reforms had the full backing and financial support of both the International Monetary Fund and the United States. The IMF gave standby credits of $27 million to help bolster the Congo's currency. The United States extended a loan of $17 million, with the promise of a subsequent loan of $15 million.

The Congolese Government now wants to work with the World Bank to create an overall development plan. They intend to establish firm economic priorities, and to create a single national institution through which all external aid can be coordinated and channeled.

The Congo may be well on the way to becoming one of the most economically stable countries in all of Africa. In this endeavor it has, and deserves, our continuing support. But it should also serve as a lesson and an example in our dealings with other African states. Our relations with the Kinshasa Government are on a purely businesslike basis, and that is the way they, and we, want it to remain. Our aid is in the form of loans, which the Congolese Government is quite capable of repaying. Its external debt is only 3½ percent of its annual export capacity, and the country enjoys a strong balance of trade. The country is paid up in all its international obligations, including contributions to the newly established African Development Bank. With international assistance in planning and long-term loans, the Congo should be able to support a vigorous program of economic development. Prerequisite to that development, however, is the clear demonstration by the Congolese of their ability to organize themselves politically and to end the internal turmoil which has plagued their country. At the moment there is some reason to be sanguine about the Congo's embryonic political structure. The test, however, is a continuing one, and it will be decades before a firm sense of national identity can be forged to insure the long-term success of the Congo as a nation.

SOUTHERN AFRICA

As I have said, I believe there is some basis for optimism about likely trends in the Congo, Guinea, and Nigeria. I can find no such hopeful foundation for appraising the gravest crisis in Africa today, the festering racial tensions in southern Africa.

All five of the political divisions in the area, the Republic of South Africa, the rebel British colony of Southern Rhodesia, the former South African mandate of South-West Africa, and the two Portuguese colonies of Mozambique and Angola, are ruled in one form or another by white minority governments.

The history of each is a story in itself.

South Africa has followed a policy of segregation for generations, with the restrictions on the African majority becoming more severe in direct proportion to the achievement of independence in other parts of the continent and to the anticipated possibility of political and economic demands from within. Since 1948, with the adoption of a formal policy of apartheid, these restrictions have included the segregation of Africans into specifically designated areas, often far removed from places of employment; the requirement that Africans

carry passbooks indicating past and present employment, origin, residence, and record of past arrests; the refusal to permit African wives to live with their husbands in the cities on the grounds that there is no room for them in the crowded urban areas; restrictions on travel; and prohibition on political activity.

In 1965, in response to stepped-up demands or political representation and economic rights, and to increased activity by local guerrillas, the South African Government passed the so-called Terrorism Act. Under this act, since amended, it is a capital offense for an African to engage in any action which might be judged detrimental to the national well-being. This incredibly broad provision includes not only taking up arms against the state or participating in acts of sabotage, but participating in strikes, demonstrations, and political rallies, or any individual acts of defiance, such as resisting arrest. Persons charged under this act may be arrested without warrants and detained for indefinite periods of time with no possibility of release on bail and without, in some cases, the right to counsel or visits. Persons arrested under this act are not permitted to have the benefit of trial by jury. If found guilty they may receive the death penalty, but must be given a minimum 5-year sentence. Even if acquitted, they are still subject to rearraignment and retrial for alleged actions arising out of the original charge.

South West Africa became a trusteeship territory of South Africa under a League of Nations mandate. It is now, for all practical purposes, a colony of South Africa, despite a series of U.N. resolutions terminating the area's mandate status and contemplating establishment of an independent government.

South Africa's contempt for democratic principles is matched by the harsh practices of the breakaway regime in Southern Rhodesia, where British and U.N. sanctions have proven too mild and too easily circumvented to be effective.

And in Angola and Mozambique, where 360,000 Europeans dominate an African population of almost 12 million, conditions are even more brutal, for there the government is more arbitrary, and the African population receives less care and attention. African liberation groups and some 100,000 Portuguese troops have been engaged in armed conflict for several years.

Taken as a whole, there are 32 million non-whites in these five areas who are ruled by a white minority of 4.2 million. They have been suppressed for generations. They have been denied political and economic rights. They have been exploited, segregated, terrorized, and killed. Their best leaders, who dared to speak out against the governments, have paid for their ideals with their lives.

I cannot emphasize enough the critical nature of conditions in southern Africa today.

There are significant European populations in these five territories, to be sure. For many of these Europeans, Africa is the only home they have ever known. They do not want to leave, yet they are afraid to stay if majority rule ever becomes a reality. In their fear they ignore the commendable experiences of Zambia and Kenya, and are instead seeking strength in military suppression. It will not work.

The leaders of the African liberation movements have come increasingly to believe that they will achieve their objectives only by violence. When one considers that they are denied the opportunity for peaceful demonstrations, rallies and petitions, that political organization is forbidden, that 99 percent of the population is not even allowed to vote in most of these areas, their desperation is understandable.

With positions hardening on both sides, the conflict seems destined to grow, and to involve not only the peoples of southern Africa, but neighboring African states and an increasing number of nations throughout the world.

Already the lines are being drawn. Despite official government denials, rebel leaders are apparently using both Zambia and Tanzania as staging areas. Most of the freedom movements have headquarters either in Lusaka, in Dar-es-Salaam, or both. With the outbreak of wider conflict in southern Africa, Zambia and Tanzania would inevitably be drawn into the war, to the great detriment of their own development. The superior military capabilities commanded by the minority regimes would probably combine, and would further compound the bloodshed and devastation.

The other independent nations of Africa have cast their lot with the freedom fighters. At the September meeting of the Organization for African Unity in Kinshasa, the 38 members of the OAU voted to give $2 million of their $3.1 million budget to the various liberation groups.

Although some of the Angolan rebels are employing Western arms, much of the weaponry and other support for the liberation organizations seems to come from Communist sources.

I discussed this matter with several of the leaders of the freedom movements, and their replies were virtually identical: "If we have to use Communist aid to free ourselves, we would be foolish not to use it. Where else can we get it?" These leaders do not expect that they or their people will turn to communism as a way of life. They do not use the rhetoric of communism; they do not view the impending conflict in Marxist class terms. But they are using Communist weapons, and have Communist advisers. Some of their officers are being trained in Communist countries, and many of their students are studying there. In the long run, while southern Africa may not go Communist, it may turn out to be very pro-Communist.

In these circumstances, with a long and bitter struggle looming ahead, the choices for American policy are as difficult as they are urgent. To be sure, we have often expressed our ideological position and our hostility to both colonialism and the antidemocratic systems in southern Africa.

The United States has long made clear its opposition to the apartheid policies of South Africa. This Government has joined in economic sanctions against Southern Rhodesia. It supported the creation of an ad hoc U.N. committee to study the problem of South-West Africa. It deplored the trial in Pretoria of the South-West African freedom fighters. And the United States has tried to exact guarantees from its NATO ally, Portugal, that military equipment provided by the United States will not be used outside the NATO area.

But in African eyes, the record of what we have not done speaks much more clearly. We have taken no purposeful action to discourage American private investment in South Africa, which is now in excess of $600 million and serves as a vital pillar of support for that unpopular regime. In addition, we have placed no restrictions on U.S. trade with South Africa, other than a prohibition against the sale of military equipment. Trade with that country has now risen to $650 million a year.

The United States regards Southern Rhodesia as a "British colony in rebellion," yet because of the limited nature of our investments and trade, our economic sanctions have had no impact at all; and we have done too little to persuade the British to increase pressure on the rebel government.

America's allies sell arms and sophisticated military equipment outright to the South African Government, and the U.S. Government has made little effort to persuade them to do otherwise.

Portugal receives considerable military assistance from the United States, and the African freedom fighters insist that American weapons are killing their people in Angola and Mozambique.

I believe that the time has come to wrench ourselves from this pattern of implied complicity with the southern African regimes. I do not fancy that maximum American pressure will bring early and easy political change to the area. I realize that firmer action on our part may increase tensions with our European allies. But I believe we must remove from the United States any hint of sympathy for the minority governments of southern Africa.

Conditions in southern Africa confront the United States and other members of the international community with the most difficult issues of international law and morality. No one who respects as I do the rule of law among men and among nations will lightly transcend the principle that the domestic affairs of sovereign states are not an appropriate subject for international consideration. The United States and other Western nations have been understandably reluctant to take stringent action against southern Africa precisely because of their respect for this standard.

But the facts are that the abridgement of human liberty in this area is so overwhelming that it is necessarily the concern of all nations; the danger to international peace is so great that it must be dealt with by the larger community of nations; and, with the exception of South Africa itself, none of the territories involved is itself a sovereign state which can properly invoke the privileged claim that its domestic affairs are immune from international review. What

we face in southern Africa is a last, terrible harvest of practices which have won the general condemnation of mankind.

The trusteeship provisions of the Charter of the United Nations, agreed to by all of its 120 members, stand in decisive testimony that there is a definite international responsibility for the dependent peoples of this planet. The United States and the world community must take every reasonable step to fulfill that obligation.

This will require us to take a number of costly actions now in order to avoid more costly actions in the future.

I believe we must make clear to South Africa that, lacking evidence of that Government's willingness to move toward social justice and equality for the African population it controls, the United States will begin to disengage from its burgeoning economic ties to that country.

I believe we must make clear to Portugal that, lacking a credible commitment to self-determination in Angola and Mozambique, the United States must and will begin to reduce its military relations with the Lisbon Government, even at the sacrifice of the military facilities which we have been permitted to develop on Portuguese territory.

I believe we must do all in our power to end the intolerable situation in Southern Rhodesia, and that includes an absolute ban on U.S. trade with the territory. We must surely support the belated British proposal in the United Nations Security Council for comprehensive and mandatory economic sanctions against Southern Rhodesia.

These steps will not suffice for the purposes we seek, but they will represent a beginning.

At stake is our moral and political credit with all of Africa. I believe that credit is more precious than any short-term advantages we might protect by maintaining cordial relations with the minority regimes in southern Africa. And if there is any hope for a gradual and peaceful transition to true self-government in that troubled region. I believe it will be enhanced by a more decisive and more vocal posture on the part of the United States.

Mr. President, in southern Africa we must stand by our ideals. The cause of peace, freedom and morality is at stake.

CONCLUSION

The problems confronting the peoples of Africa are as heterogeneous as the people themselves. The policy questions facing the United States in its relations with Africa are comparably varied. I have ranged rather widely over some of the diverse issues which now loom before us. I would like to conclude by recapitulating briefly some of the principles which, in my opinion, should guide U.S. policy in Africa.

First. While there are good reasons for the United States to support various regional efforts, there are also good reasons for this country to maintain ample bilateral relations, both economic and political, with many African states. Trade, as well as aid, ought to be expanded.

Second. We should avoid any obsessive concern with the risks of the cold war in Africa. To be sure, the struggle for influence still exists. But it is contained both by the growing maturity of the great powers and their increased desire to limit the hazards of direct confrontation, and by the strongly independent spirit of the Africans themselves. We should respect this independence, and the policy of nonalinement which it has engendered. The African nations are friendly to the United States, but as Uganda's President Obote observed to me, "One cannot say that, because someone is your friend, that friend's enemy is your enemy."

Third. We should make certain that our relations with the majority of African states are not clouded by the slightest suspicion of special interest in or sympathy for the minority regimes in southern Africa. If we are to enjoy beneficial relations with Africa as a whole, it is imperative that we be willing to sacrifice the ephemeral advantages of good relations with South Africa, Southern Rhodesia, and Portugal, so long as they persist in oppressing millions of Africans. Only by standing with the just demands of the African majority, only by fidelity to our own principles, will be able to lay a sturdy foundation for our future relations with the continent at large.

Fourth. We should judge African political development according to the distinctive situation of the Africans themselves, not by our standards. A country which is 90-percent illiterate cannot be expected to operate an elaborate two-party system with the range of choices available to a more advanced nation. In some cases, one-party government may be the lesser evil in the initial stages of national evolution. We should neither condone nor condemn such regimes in general, but should measure them individually by their responsiveness to the perceived needs of their people and by the efficacy of their attempts to build a more democratic system in the shortest possible time. Where the alternatives are chaotic tribalism or fierce dictatorship, a humane central government based on a single party with wide popular participation is hardly to be despised.

Fifth. We must put issues ahead of personalities in our relations with African countries. We should gear our own decisions to our mutual needs and interests, not to the individual characteristics of particular leaders.

In building a sound basis for future relations, it is especially important that Africans and Americans come to know each other better. In particular, I hope that other Members of Congress will have occasion to visit Africa, to become acquainted personally with the peoples and governments of that continent, and to assess for themselves the vital business now underway there. It is of particular concern to me that in recent years, of all the funds spent on congressional travel, less than 2 percent was expended on travel to Africa. Similarly, I hope that increasing numbers of African students, officials, businessmen, and others will have the opportunity to spend time in the United States. A closer association of this character can be mutually rewarding, both in terms of human understanding and in terms of joint accomplishment.

Nothing the United States does will be sufficient to assure the success of African development; as always, the outcome hinges primarily on the efforts of Africans themselves. But it is no small accomplishment to be an ally in the struggle for the freedom and welfare of over 250 million people. That role America can play in Africa, together with other developed nations. That role America should play, to the limit of its capacity.

As model and midwife, the United States can help speed the birth of democracy and prosperity in that mighty continent. The opportunity and the need are there. Let us seize the one to serve the other.

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

Mr. BROOKE. I yield.

Mr. COOPER. I was interested in the Senator's comments about President Sekou Touré. Is the Senator able to make any comments about his country's relationship with Ghana and any comments about Nkrumah? I noted in the papers today a news article about the release of certain Ghanaians who had been imprisoned to return to Ghana, and also the comments about Nkrumah.

Mr. BROOKE. While I was in Africa I visited Guinea, as I have already said. I was the guest of President Sekou Touré at a conference. He told me at that time, as is well known, that Nkrumah was his house guest. At one time he had been referred to as copresident of Guinea. I did not see Nkrumah while I was in Guinea. He is relatively well protected and is mostly confined—though I do not say that he is stringently confined—to his quarters as a guest of President Touré. He apparently has no activity in the Guinean Government, for I attended a speech of President Touré, at which ambassadors of all other countries were present, and Nkrumah was not present at that time.

When I went to Ghana, I also had the opportunity to talk with General Joseph Ankrah, who is, of course, the leader of the present government. General Ankrah told me at that time they were prepared to release people who had been held in prison, who had been friendly to Nhrumah. He said that the country was progressing, and there had been no trouble since an abortive mini-coup some time ago. They did not fear any uprising in Ghana through the efforts or influence of Nkrumah.

There is still some bitterness in Ghana, paricularly on the part of the government, about Nkrumah. I was shown certain investments which had not been made wisely under Nkrumah's administration. But still, in Africa, Nkrumah seemingly was respected by African leaders for his pan-Africanism.

Several of these leaders made a distinction, saying, "There are two Nkrumahs. One is the Nkrumah of Ghana, who may or may not have been wrong in his leadership of Ghana. The other is Nkrumah, the African." They respect the latter and give no evidence of their opinion so far as the former is concerned.

But I will treat some of this in my further remarks.

Mr. COOPER. I believe it was reported several months ago that Sekou Touré contemplated a military movement against Ghana. I assume the Senator heard no discussion of that kind?

Mr. BROOKE. I did hear allegations made to that effect. President Touré denied that he ever entertained the idea of moving against Ghana. General Ankrah evidenced no fear that any such movement would be underway. Practically speaking, Guinea is encountering such economic difficulties itself that it has no army of any standing or size to use against a neighbor. It would be impractical, if not impossible, for Guinea to move against Ghana.

Mr. COOPER. My questions on this particular issue arose from reading certain articles previously, and my interest was renewed this morning in reading a news story about Guinea, Ghana, Touré, and Nkrumah.

While I am speaking, let me say that we owe the Senator from Massachusetts a great debt for bringing us his informative report. It gives us a clearer idea of the problem of these countries, which we need very much. We are very indebted to the Senator from Massachusetts.

Mr. BROOKE. I thank the distinguished Senator from Kentucky for his generous words, and for entering into this colloquy with me.

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

Mr. BROOKE. I yield to the distinguished Senator from Kansas.

Mr. PEARSON. Mr. President, I congratulate the distinguished Senator from Massachusetts for the product of his labors: a long and arduous trip and visit through Africa, his work and study, and now his report, which I am sure will provide a new insight to the entire Senate. I believe it is a most excellent political and economic report on conditions on that continent.

I was quite interested in his discussion of the independence and neutrality of so many of the African nations, which does not necessarily represent a deterrent to this country; for if we recall our own early years in this Republic, our position was very much the same.

I also was interested in his comments on aid and his favoring multilateral treatment. I must say that I favor, I believe, if I correctly understand the Senator's comments, on a regional basis, more than he would provide.

In September of last year, I had the opportunity to visit three of the East African nations and to study their coordinated efforts, to which the Senator has referred, and to note, also, the new development of the Union of Senegal African States. I would hope that aid on a regional basis, not in prestige products, but in the fundamental elements that give a nation growth—in transportation, in communication, and in education—would be part of our policy in aiding these countries that are emerging now, for they emerge really as regions. Their basic laws are the result of colonial days.

I wish to say once again that I congratulate the Senator. I hope his speech today will have the attention it deserves by every Member of this body.

Mr. BROOKE. I thank the distinguished Senator from Kansas for his kind and generous remarks. I know of his visits to Africa, and I believe he has made a contribution to my remarks today by including his opinions, particularly pertaining to regional and bilateral aid in Africa.

Mr. President, I ask unanimous consent that I may proceed for 15 additional minutes.

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

Mr. BROOKE. Mr. President, I yield to the distinguished Senator from Illinois.

Mr. PERCY. Mr. President, I should like to say, first, how grateful I am for the usual critical analysis made of a very complex problem by the distinguished Senator from Massachusetts. He has added to my understanding of this area.

I should like to ask whether the Senator is satisfied that U.S. military equipment is not used by Portugal in Angola and Mozambique.

Mr. BROOKE. I am not satisfied that it is not used. There were allegations that NATO military equipment and weaponry were being used by Portugal in Angola and in Mozambique. I did not go to Mozambique, nor did I go to Angola. I was unable to verify those allegations.

However, rebel leaders from both Mozambique and Angola with whom I spoke—and certainly the Senator should know the source of my information—were unanimous in saying that the weapons being used in their territories were of Western origin. They said these arms came primarily from Portugal, and were weapons that the United States had sent for NATO purposes.

Mr. PERCY. One further question. I am sorry I was not in the Chamber to hear all the remarks made by the Senator from Massachusetts. However, on my own visits to Africa, I have tried to determine the degree of importance that the activities of the U.S. Government has there. I have been impressed by the fine technical asistance offered by the State of Israel and the excellence of their programs, even though modest in size.

Can the Senator comment on the degree of influence being exerted by the Communist Chinese Government and by the Soviet Union in Africa, and say whether, with our own preoccupation in Southeast Asia, our lack of attention to Africa puts us in jeopardy with respect to those other two powers?

Mr. BROOKE. I know that the distinguished Senator from Illinois was not able to be present during the long remarks I made this morning, but I did treat this subject rather extensively. I pointed out that considerable assistance is being given both by the Soviet bloc and by the Communist Chinese Government to African nations. I further found—and this is something of grave importance to the U.S. Government—that in most instances the African countries had first approached Western nations, including the United States, for assistance, prior to approaching the Soviet Union, or the Communist Chinese.

This was done by Guinea, as I pointed out, after the French withdrew and took everything out of that country. President Sekou Touré came to the United States, and our Government refused to give him assistance at that time because of our close ties to France. This was done in Nigeria, when the Nigerian Government sought assistance from our country. I think we were correct in that instance, particularly in not providing additional weaponry, because we did not want to enlarge the conflict.

Again, in the case of Tanzania and Zambia, which are contemplating the building of a joint railroad plus the repair of a highway, Tanzania came to the United States for assistance but the United States refused because it did not feel the railroad was feasible. It was then that Tanzania went to the Communist Chinese, who are now building the railroad. And so it goes. There is some Soviet influence and Communist Chinese influence in Africa today, but I want to sum up by saying I do not feel that merely because a nation is the recipient of Soviet assistance or Chinese assistance that that necessarily means that nation is pro-Communist or anti-West or anti-American. It is not true. I would refer to a statement by President Kaunda of Zambia who said that you just do not take on the enemies of a nation just because you are that nation's friend.

Mr. PERCY. I have one last question. It has been my growing belief that this Nation should try to work away from bilateral aid to countries in many instances and work toward multilateral aid, and instead of a country-to-country basis, to work through such international agencies as the Special Fund of the United Nations or the World Bank.

I understand the soft loan fund of the World Bank will be nearly exhausted in April or May of this year; and that these soft loans made to developing nations by 18 countries will be necessary in many developing nations to undertake financing on long-term projects. These soft loans are loans and not grants. For every 40 cents we put in out of a dollar, 60 cents is put in by other countries, so we are matching one and one-half to one. The fund is supervised by 17 or 18 of the wealthier, more developed nations of the world.

Is it the impression of the Senator, after visiting Africa, that it would be well for the U.S. Congress to give serious consideration to help replenish international development funds of the World Bank rather than have them exhausted and only have the International Bank for making hard loans that must be paid back immediately, rather than long-term loans, and to a degree subsidize interest costs, but still have the loans repayable rather than as gifts?

Mr. BROOKE. I agree with the Senator's conclusion and I so indicated in my prepared text.

However, I did point out that even multilateral loans are in the future, and although we have adopted a policy of getting away from bilateral assistance,

nevertheless I did find that most of these countries, even though they are looking toward regional assistance and cooperation, are still at the stage of their development where they still need bilateral assistance. I do not believe that these forms of assistance have to be mutually exclusive. I believe we can have both, as the Senator from Kansas pointed out, and not just on the hydroelectric projects and matters of that nature. I believe this is the thinking of Africans themselves.

I talked with two vice presidents of the African Development Bank who are thinking in terms of regionalism. I agree with the conclusion of the distinguished junior Senator from Illinois that we can assist these African nations through the World Bank and the other development banks. The objective of African nations is to help themselves; our objective should be help them help themselves. We can best do this in the manner which the Senator suggested. I thank the Senator for his contribution.

Mr. COOPER. Mr. President (Mr. McINTYRE in the chair), will the Senator yield?

Mr. BROOKE. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, the Senator from Illinois raised a very crucial question, and it is a question to which the Senate and the House of Representatives will have to address itself this year. As the Senator knows, the foreign aid bill is now before the Committee on Foreign Relations and its provisions limits aid, including technical aid to 55 countries. It would exclude some countries in Africa that formerly received aid. Instead of 35 countries only 21 would receive aid. There is a very small amount recommended for Africa—just $179 million. About 80 percent of the entire funds recommended in the bill would be made available to 15 countries.

I believe that the bill will be cut, but I would like to see part of the relatively large sums made available for a few countries be shifted to African countries. I think we have an opportunity to aid Africa.

The Senator from Illinois was correct when he said that the "soft-loan window" of the World Bank is exhausted; $480 million has been requested of the U.S. Government in installments of 3 years. I do not know whether that amount will be made available or not. It presents problems with respect to our balance of payments, but it has been suggested that our contribution would only be available for purchase in this country, so as not to adversely affect our payments problem.

I would agree with the Senator—and I have held this position for many, many years—it is a position that grows out of my experience in India. I believe that aid by itself will not cause the recipient nation to be alined with a particular country or against a particular country. If that were true, practically every country in the world would be alined with the United States. We will have to believe that a nation desires to be independent, and if it wants to be nonalined with the United States, we hope that same independence will cause it to resist alinement with Communist countries.

I am informed that the Communist Chinese are making a determined effort in many countries in Africa to establish Communist parties and revolutionary-guerrilla type activities such as those now apparent—into Zambia, Tanzania, and Rhodesia.

I would like the Senator to give us his impression of the attitude of the people of these countries toward our country, because, as the Senator said, we do not intervene to support nationalist movements as in Rhodesia, South-West Africa, the Republic of South Africa. Also, what is their viewpoint about what is happening in America? I wonder whether the Senator discussed these issues in his visits. Particularly our internal problems. I should like to have the Senator's views.

Mr. BROOKE. The two questions I was asked most, not only by members of the various governments in Africa, but also by the people themselves to whom I spoke—notably members of student bodies in universities there—concerned the issue of civil rights in this country and the Vietnam war. Those were the two most important issues.

Naturally, our treatment of the Negro minority in this country has not endeared us to Africans living on the continent of Africa. They know that we have stated in our Constitution all men are created equal, yet they hear much about the separation of the races, the denial of equal opportunity and the quality of education. They read about riots in our urban centers, demonstrations, and the like. They are knowledgeable about these problems of America. They are very much concerned about them. They wonder how we can be so inconsistent, how our promises and their fulfillment are so different. Those are things which, of course, have hurt us in Africa. But they should not hurt us because, as I said, one of our chief political assets should be the large population of African descent in this country.

Of course, Vietnam is an issue which has been well discussed and is well known all over the world. I frankly found differences of opinion in Africa about the problem at that time which was just prior to the cessation of the bombing in parts of the north and the move toward a negotiated peace. Most of the young students to whom I spoke were similar in their outlook to many students in this country regarding cessation of the bombing, and general opposition to the war in Vietnam.

I cannot stress enough that Africa is undergoing great changes. Africa is moving on from its first goal of independence to its second goal of economic and political stability. As such, Africa is going through growing pains but is, I believe, more attuned to the West and to the United States.

Many people in Africa have great respect for Abraham Lincoln and past leaders of the U.S. Government. In the countries where I did find Chinese Communists or Soviet assistance being given—for example, in one country where there was a multimillion-dollar auditorium, with fountains playing all around it, which the Chinese had designed and constructed—I did not find that because they had constructed that auditorium, the people of that country were any more pro-Chinese, or any more anti-American, than any other country I visited.

We must be mature enough to understand that the Soviet bloc and the Communist Chinese are going to spend money. They are spending money all over the world trying to use their influence. We are doing likewise. Even though I will admit that many African leaders are collectivists, I believe that after economic development is achieved, there will be more individualist thinking on the part of leaders of African countries. And I think we have an excellent opportunity to aid the trend toward respect for individual values.

Mr. COOPER. I should like to ask the Senator from Massachusetts one more question. The Senator has spoken of the attitude of Africans toward American internal troubles. I should like to ask the Senator: Is there a realization that from a governmental point of view, that our Government, unlike the South African Government, or that of Rhodesia, does not subscribe to a policy of discrimination and that successive American administrations and the leadership in this country, politically, in the business world, among the churches, the labor movement and others are doing everything they can to move toward achieving the goal of nondiscrimination?

Mr. BROOKE. To a degree, I believe that is true. One of the things I found somewhat alarming was that African leaders, in far too many instances, as well as the African people generally, in reading the newspapers, watching television, and listening to the radio are apt to give more credence to what is written or said by one individual in this country. Let us say that one Member of Congress makes a speech which could be considered racist It will get wide play in Africa. As a result, many Africans will believe that that is the American Government speaking as a whole.

I tried my best to point out that such statements were the opinion of one individual only and not the American Government speaking, that under our system of government anyone can stand up and say anything, presumably, he chooses to say, and that Africans should look to the actions of the American Government rather than to the words of one individual.

But these views are common all over the world, including Asia. They hear one person speaking, and they listen to him and credit our entire system of government for those remarks.

Generally speaking, the more educated Africans do understand what our Government has done and what it has not done, as well as the difference between the Government's role and individual's role in speaking in America.

Mr. BAKER. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I yield.

Mr. BAKER. I commend the junior Senator from Massachusetts on his presentation, which is characteristically thorough and characteristically full of sensitive insight.

I am intrigued with the colloquy between the distinguished senior Senator

from Kentucky [Mr. COOPER], who was once this country's Ambassador to India, and the remarks of the Senator from Kansas, with respect to the general nature of our foreign assistance.

I would be particularly happy to see an adaptation of a plan, which this body has approved in principle, examined for its potential in other regions and areas of the world, including Africa. I speak now of the so-called Eisenhower plan for the utilization of nuclear energy to produce new wealth and new resources so that many of the developing nations in Africa, Asia, the Middle East, and elsewhere, can undertake a greater share in the formulation of their own economic destinies without the unilateral urging or direction of this or any nation. I feel that the central theme, as found in the presentation by the junior Senator from Massachusetts, the senior Senator from Kentucky, and the Senator from Kansas, is that we cannot purchase the good will of any nation; that America has a moral obligation and has a political obligation to use its resources to permit others to help themselves, rather than to permit the resources of America to be dedicated to the short-term purposes of any regime, or any people, or any government.

Mr. BROOKE. Mr. President, I ask unanimous consent for 5 additional minutes.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and I shall not object—I merely want to call attention to the fact that the Senator has now been speaking for 2½ hours. He has been making a fine speech, but I hope there will not be many more requests for extensions of time.

Mr. BAKER. Mr. President, I assure the distinguished Senator from Massachusetts and the distinguished majority whip that my remarks will not extend for more than a moment or two, if I may have 2 minutes on my application, Mr. President.

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

Mr. BAKER. Mr. President, to continue, I think the perils of our time, whether in Africa, as outlined by the Senator from Massachusetts, or in the Mideast, which is so volatile and so potentially dangerous, or Asia or Southeast Asia, as touched upon by the Senator from Kentucky, are such that the Nation must face up to the realization that the old techniques of bilateral aid by itself will not suffice in this era of growing nationalism; that the national dignity of countries, whether they are emerging, growing countries in Africa or elsewhere, demands a high degree of respect which they can have only if they are able to avail themselves of their available resources, rather than on the basis of a simple handout alone from this country, or Red China, or Russia, or otherwise.

So I hope the speech which the able Senator from Massachusetts has so eloquently made is heeded by this Government and that it will find new ways and techniques to use the resources of this country to foster the national ambitions and economic integrity of growing nations, without putting America in the posture of the grantor of resources. Such a direct grant of resources is so often resented simply because it is suspect as an extension of American policy. I think the unity of our foreign policy can apply in the Mideast, Asia, Africa, and throughout the world on that basis. I think the time is short during which we may face up to the fact that the way we did it 20 years ago will not necessarily serve to do it now and for the immediate future.

Mr. BROOKE. I thank the distinguished junior Senator from Tennessee for his contribution, and the distinguished senior Senator from Kentucky [Mr. COOPER] for his contribution.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

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

Mr. BYRD of West Virginia. Mr. President, I want to compliment the distinguished junior Senator from Massachusetts. He has made a very useful and a very helpful speech, and I think it will contribute much to the knowledge of those who read it. I want to congratulate him for the time that he has spent in studying the matters about which he has spoken and to congratulate him on the preparation and delivery of a very thoughtful statement.

Mr. BROOKE. Mr. President, I certainly thank the distinguished Senator from West Virginia for his very generous remarks.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the transaction of routine morning 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.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF THE FIRST QUADRENNIAL REVIEW OF MILITARY COMPENSATION

A letter from the Secretary of Defense, transmitting, pursuant to law, on an interim basis, volume I of the report of the First Quadrennial Review of Military Compensation (with an accompanying report); to the Committee on Armed Services.

INTERNATIONAL COFFEE AGREEMENT, 1968

A letter from the Secretary of State, transmitting a draft of proposed legislation to carry out the obligations of the United States under the International Coffee Agreement, 1968, signed at New York on March 21, 1968, and for other purposes (with an accompanying paper); to the Committee on Finance.

REPORT OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

A letter from the Chairman, Washington Metropolitan Area Transit Authority, transmitting, pursuant to law, the first annual report of the Authority for the calendar year 1967, and a regional rapid rail transit plan and program adopted March 1, 1968 (with an accompanying report and plan); to the Committee on the Judiciary.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

YELLOWSTONE NATIONAL PARK CENTENNIAL

A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to commemorate the 100th anniversary of the establishment of Yellowstone National Park by providing for the national park centennial, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

PROPOSED AMENDMENT OF POSTAL EMBEZZLEMENT STATUTE

A letter from the Postmaster General, transmitting a draft of proposed legislation to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections, under the postal embezzlement statute, section 1711 of title 18, United States Code (with an accompanying paper); to the Committee on the Judiciary.

ADDITIONAL CONFEREE—H.R. 15399

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator from Nebraska [Mr. HRUSKA] be appointed as an additional conferee on the part of the Senate on H.R. 15399, the urgent supplemental appropriation bill of 1968.

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

Mr. HOLLAND. In explanation, the original conferee, the distinguished Senator from Maine [Mrs. SMITH], was unable to serve. The Republican ranking member on the committee has designated the Senator from Nebraska [Mr. HRUSKA] to serve in this capacity.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 2914. A bill to authorize the further amendment of the Peace Corps Act (Rept. No. 1095).

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

H.R. 13176. An act to amend the acts of February 1, 1826, and February 20, 1833, to authorize the State of Ohio to use the proceeds from the sale of certain lands for educational purposes (Rept. No. 1096).

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967—REPORT OF A COMMITTEE—ADDITIONAL, MINORITY, AND INDIVIDUAL VIEWS (S. REPT. NO. 1097)—RESOLUTION

Mr. McCLELLAN. Mr. President, from the Committee on the Judiciary, I report favorably, with an amendment, the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness,

fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the additional views of Senators TYDINGS, KENNEDY of Massachusetts, SMATHERS, and FONG, and the minority and individual views of Senators BAYH, SCOTT, EASTLAND, THURMOND, DIRKSEN, and HRUSKA.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I submit a resolution (S. Res. 283) and ask for its immediate consideration.

The resolution requests an additional 6,000 copies of the report to the Senate to accompany S. 917, the Safe Streets and Crime Control Act.

I have discussed the request with the chairman of the Committee on Rules and Administration [Mr. JORDAN of North Carolina], and the ranking minority member, the Senator from Nebraska [Mr. CURTIS]. Both have given their approval to this procedure.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

Resolved, That there be printed for the use of the Committee on the Judiciary 6,000 additional copies of its report to the Senate to accompany S. 917, the Safe Streets and Crime Control Act.

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

There being no objection, the resolution was considered and agreed to.

DEVELOPMENTS IN AGING, 1967—REPORT OF SPECIAL COMMITTEE ON AGING (S. REPT. 1098)

Mr. WILLIAMS of New Jersey. Mr. President, pursuant to Senate Resolution 20, adopted February 17, 1967, I submit a report from the Special Committee on Aging entitled "Developments in Aging, 1967."

As the report states:

Challenges related to aging in our Nation were expressed in 1967 both in declarations of intent and by concrete actions. A year which began with President Johnson's message on older Americans—the second such message issued by a President of the United States—ended with the passage of the social security amendments that provided the largest cash benefits ever granted at one time. Federal agencies also demonstrated ingenuity and determination in administering old and new programs. Finally, the Senate Special Committee on Aging and its subcommittees began or continued studies clearly indicating that new problems and new opportunities arise as the population of aging and aged Americans increases every year.

Considerable attention is given to the question of inadequate income, which is described as "now more than ever the major problem faced by a majority of Americans living in retirement." The report notes that a new Commission on Income Maintenance has been established, but points out that the Commission has been created primarily to deal with welfare reform. The committee report recommends that "the executive branch consider the ultimate establishment of an Institute on Retirement Income closely patterned after an institute announced by President Johnson in 1967 to deal with urban problems. Such an institute would be geared for problem solving as well as sustained study."

In addition, the report gives strong support for legislation calling for a White House Conference on Aging in 1970. I am happy to note that Senate Joint Resolution 117—which proposes such a conference—received favorable consideration from the Senate Committee on Labor and Public Welfare last Thursday.

To summarize the wide range of conclusions offered in the report issued today, I offer the following:

Health service costs: The committee concludes that concern over rising medical costs will direct public attention to fundamental health care organizational deficiencies of special importance to the elderly. Medicare and medicaid are raising some levels of health care and providing much-needed financing of some costs to ill, elderly Americans. Essential as the two programs are, however, they stand in need of changes outlined in the report. The committee notes that the elderly in some urban centers face what one city health administrator described as a "breakdown of family doctoring," and offers interim recommendations intended to encourage development of new forms of service. The report also calls for a greater national commitment to preventive health care, including screening for disease before illness can take hold.

An emerging "retirement revolution": As more Americans retire earlier and live longer, they are contibuting to a "retirement revolution of such magnitude and significance that it deserves national attention and probably new directions in national policy." The committee calls for passage of a bill requiring preretirement training in Federal agencies. It also asks for experimentation by the Administration on Aging in establshing new kinds of work-life patterns including phased retirement plans and new kinds of part-time work. Educational television is described as having great potential usefulness to the retirement and preretirement community.

Employment opportunities: Anticipating that the Age Discrimination in Employment Act of 1967 will "speed other changes necessary for full and effective use of older workers," the committee also welcomes the establishment by the Department of Labor of a major pilot program intended to fulfill several objectives of a proposed older Americans community service program.

Housing and a livable environment: The rent supplement program "should be extended to serve additional numbers of Americans who, in any of several ways, stand in special need of its assistance." In addition, the model cities program should pay sufficient heed to the elderly and "their unique problems and special needs—as well as the contributions they can make to the citizen participation aspects of individual projects."

Long-term care: The report commends legislation enacted last year to raise standards in nursing homes, but also observes:

Meaningful and comprehensive progress will not be achieved until the resources of the total health community are utilized to provide the quality and degree of care desired for the elderly in a truly comprehensive spectrum of services.

Role of Administration on Aging: Created by the Older Americans Act of 1965, the AOA was absorbed by a new agency in a reorganization plan adopted by the Department of Health, Education, and Welfare in August. Today's Senate committee report says that the reorganization raises serious questions about the possible downgrading of the AOA.

War on poverty and the elderly: The report asks for "full implementation of 1967 amendments that directed establishment of more adequate programs on behalf of the elderly by the Office of Economic Opportunity."

Social services: Project FIND, an outreach program for the elderly poor, has already demonstrated that a great need exists for additional FIND-type projects. The report also discusses long-range needs likely "in the face of foreseeable increased demands for service."

Consumer interests: The report describes new educational programs begun by Federal agencies in 1967 to help older Americans get the most for their dollars in today's complex marketplace. The report also comments:

There is much room for experimentation and discussion about the design of apartments and fixtures used in federally assisted housing accommodations for the elderly. The receptive attitude at the Department of Housing and Urban Development to suggestions already received leads to the conclusion that further exploration will be productive.

I would also like to thank the subcommittee chairmen for their productive work during the year: FRANK E. MOSS, chairman, Housing for the Elderly and Long-Term Care; JENNINGS RANDOLPH, chairman, Employment and Retirement Incomes; EDWARD M. KENNEDY, chairman, Federal, State, and Community Services; GEORGE A. SMATHERS, chairman, Health of the Elderly; WALTER F. MONDALE, chairman, Retirement and the Individual.

Finally, some mention should be made of the excellent and very helpful reports made by Federal Departments and Agencies at the request of the committee. The reports are reproduced in the appendix to the report.

Mr. President, I ask unanimous consent that the report be printed, together with minority views.

The PRESIDING OFFICER. The report will be received; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation:

Executive P, 90th Congress, first session, Convention on International Exhibitions (Ex. Rept. No. 2).

BILLS INTRODUCED

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

By Mr. BROOKE:

S. 3397. A bill for the relief of Foo Ying Yee; and

S. 3398. A bill for the relief of Cheng-huai Li; to the Committee on the Judiciary.

By Mr. CASE:

S. 3399. A bill to amend the Federal Aviation Act of 1958 in order to provide for regulation of public exposure to sonic booms by certain aircraft over the United States; to the Committee on Commerce.

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

By Mr. MORSE:

S. 3400. A bill to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. SMATHERS:

S. 3401. A bill for the relief of James L. Shull; and

S. 3402. A bill for the relief of Lt. (junior grade) Richard A. Jackson, U.S. Naval Reserve; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 3403. A bill to designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado; to the Committee on Interior and Insular Affairs.

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

By Mr. BREWSTER:

S. 3404. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 25 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

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

S. 3399—INTRODUCTION OF BILL TO DEAL WITH QUESTION OF OVERLAND SST FLIGHTS

Mr. CASE, Mr. President, I introduce, for appropriate reference, a bill to help resolve the question of whether supersonic transports should be permitted to fly over the United States in such a manner as to create sonic booms.

Possibly in less than 3 years supersonic transports—SST's—capable of flying twice the speed of sound, or about 1,200 miles an hour, will begin rolling off European production lines and into commercial service throughout the world. Already six major U.S. airlines have orderd a total of 38 of these Concordes, and 10 foreign airlines, most of which fly to the United States, have ordered 36 more.

While some delays have occurred in developing the 1,800 miles per hour American version of the SST, it is expected to be in commercial service by 1974 or 1975. The U.S. SST fleet will range anywhere from 200 to 1,200 planes.

It is clear that we must begin now to prepare for the advent of the commercial supersonic age. We are fortunate that time for action remains before the first commercial Concordes appear in American skies. It is the purpose of my bill to ban overland flights at supersonic speeds until all aspects of the sonic boom have been investigated and Congress has decided whether such flights should be permitted.

Specifically, my bill will (first) ban nonmilitary supersonic flights over the United States and its territories and possessions for an indefinite period; second, provide for a 2-year program of intensive scientific investigation into all aspects of the boom; and, third, put the decision on overland flights at more than the speed of sound in the hands of the Congress.

The rapid approach of the commercial supersonic age confronts us with some difficult choices. On the one hand we are naturally eager to take advantage of the faster means of travel that the supersonics will provide. But on the other we should be aware of the penalties we may have to pay for permitting supersonic airliners, trailed by their thunderous sonic booms, to fly over land, particularly over heavily populated areas.

Contrary to what many may believe, the boom follows continuously in the track of a plane moving faster than the speed of sound, and may be as much as 50 to 80 miles wide throughout a supersonic flight. On a single flight across the United States, the experts believe, as many as 10 to 20 million persons may be boomed by a supersonically operated SST.

Far more is involved than the shattering affront to the ears. Already initial tests have resulted in cracked plaster, broken windows, and tumbling bric-a-brac, though studies on structural damage are so far inconclusive. More importantly yet to be answered are such questions as the effect of the boom on persons with heart ailments, on surgeons in the midst of delicate operations, on sleeping people, on weak buildings, on mountains laden with snow or loose rocks and on ancient geological formations, a few areas of deep concern.

In short, is the boom tolerable? The tests conducted in Oklahoma City in 1964, for example, showed that 27 percent of the residents of that community could not tolerate eight booms a day. No tests were made at night.

The American taxpayer, who is paying—on a reimbursable basis, he hopes—for 90 percent of the cost of developing the U.S. SST prototype, is clearly entitled to ask whether the SST project amounts to progress. Prompted by growing concern over the destructive potential of the sonic boom, people at all levels of government and industry, as well as the public at large, are asking some pointed questions about the program: For example, are the convenience of the few who will use the plane and the competitive advantage it will bring to the airline and aircraft industries worth the billions it may cost to develop the SST and the possible deterioration to the environment that may be caused? One of the more important aspects of that question is whether supersonic flights over the United States should be permitted if the boom, a product of physical laws, cannot be reduced to tolerable levels, assuming such levels exist.

As matters presently stand the Federal Aviation Administration apparently has sufficient authority to give the answer to this question. Unfortunately, the FAA is not only in charge of SST development in the United States, but undoubtedly is the country's leading advocate of the project and its commercial and economic potential.

Further, its position on the question of supersonic overflights has been ambivalent. On the one hand it states that further testing is needed before the question can be answered. But on another, the head of the SST project for FAA has been quoted as saying that "the public will have to learn to accept sonic boom to a degree."

Even were the FAA not in this awkward position, a decision on multiple overland supersonic flights is too important to be left in the hands of a single Government agency. Clearly the people themselves must be permitted to decide through their elected representatives in the Congress.

But what criteria will Congress use in arriving at such a decision? I, and I think most Americans, believe that the health and welfare of our people and the quality of the environment we live in should be the central consideration.

My bill is designed to assure that Congress can make up its mind about supersonic overland flights on the basis of the broadest criteria possible. It will do this by directing the FAA to conduct a comprehensive, 2-year research effort into all aspects of the sonic boom. In carrying out its study, the FAA also is directed by my bill to consult with seven departments and agencies with either expertise in the sonic boom field or concerns about the boom's effects on various facets of American life. A number of studies have been made or are underway and the National Academy of Sciences has recommended additional research. An interim as well as a final report to the Congress is required by my bill.

The other part of my bill is the indefinite ban on supersonic flights. The purpose of this ban is to give Congress an opportunity to deliberate the supersonic overflight question in an atmosphere of calm. Such an atmosphere might not prevail if, at the time of congressional consideration, the Concorde is filling our skies with sonic booms.

The threat of the sonic boom is further illustration of the conflict between man's drive for technological progress and his desire for a livable environment. But as a nation I believe we are moving from blind idolization of technology to recognition that we must also be concerned with its effect on the quality of life and the livability of the environment.

In short, I believe we want technological and physical progress, but we want it on acceptable terms.

Insofar as this is possible with the sonic boom, my bill would help in achieving it. I hope, therefore, that hearings can be held on my bill in this session of Congress.

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

The PRESIDING OFFICER. The bill will be received and appropriately re-

ferred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3399) to amend the Federal Aviation Act of 1958 in order to provide for regulation of public exposure to sonic booms by certain aircraft over the United States, introduced by Mr. CASE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3399

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307 of the Federal Aviation Act of 1958 is amended by inserting at the end thereof a new subsection as follows:

"REGULATION OF SONIC BOOMS

"(g) The Administrator shall (1) prohibit nonmilitary aircraft, singly or in any combination thereof, from being operated over the United States (including territories and possessions thereof) in such a way as to produce sonic booms, but such prohibition shall not apply to aircraft used in the investigation and study herein authorized; (2) conduct a full and complete investigation and study for the purpose of determining what exposures to sonic booms (amount and frequency) are detrimental to the health and welfare of any persons, and such investigation and study shall include (A) consultation with the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the President of the National Academy of Sciences, and (B) such research as may be necessary, which shall include, but not be limited to, the startle effect and physiological or psychological problems that result from sonic booms and the possible detrimental effects on preservation of natural beauty and historic shrines; (3) within one year from the date of enactment of this subsection make a report to the Congress on his findings as of that time, together with the written comments of the above-mentioned officials; and (4) no later than two years from the date of enactment of this subsection, report to Congress on the final results of his findings, together with the final written comments of such Federal officials."

S. 3400—INTRODUCTION OF BILL ENTITLED "GENERAL EDUCATION ASSISTANCE ACT OF 1968"

Mr. MORSE. Mr. President, I introduce a bill which has the short title, "General Education Assistance Act of 1968." I am greatly indebted to the National Education Association for having given me the opportunity to present to the Senate and to the Committee on Labor and Public Welfare the language of the proposal which was drafted by their Legislative Commission.

This measure incorporates the view of the organization with respect to the next forward step which they determine to be in the public interest to have enacted. The bill reflects the hopes and aspirations of school teachers in every State, for it is a general Federal aid to education measure.

We have made great strides since 1960 in the enactment of educational legislation, but this legislation has necessarily until now consisted of measures which were relatively narrowly drawn to meet specific problems—in short, there has been categorical aid. But the men and women of the National Education Association Legislative Commission have come to the judgment that excellent as these programs are and have been, they do not strike to the root of the problems.

These are the problems which beset our school systems. These are the problems which are of major concern to the dedicated men and women who serve our children in the schools of our country. These are the problems which loom large in every community.

What are they? Essentially, as with most problems, they are caused by unmet needs. They are caused by inadequate or unavailable financial resources for education. Many of our citizens feel that the special aids that have been given, valuable though they have been and are, nevertheless suffer from one drawback and that is that they necessarily import into our system of school support financial rigidities, and to an extent, cause a distortion in the pattern of financing.

Because of this, it has been suggested that over and above, and in addition to, existing financial aids to schools and schoolchildren, there is needed a flexible and massive program of general school aid. This, the bill that I introduce today seeks to accomplish.

It would provide beginning in fiscal year 1970 and extending through fiscal year 1974 two types of grants. The basic grant to each State would be in the amount of $100 times the number of children in the population group 5 to 17 in that State as a proportion of all children aged 5 to 17 in the United States.

The cost annually of these basic grants is estmated to be $5 billion if fully appropriated.

The second grant program contained in the bill consists of supplemental equalization grants. Here an additional factor is introduced into the formula. It consists of incorporating into the formula a resource index factor which takes into account the personal income per child in the State as a proportion of the personal income per child in all the States based upon an average of the three most recent consecutive years. The effect of the addition of the resource index factor is to channel the application of funds to a degree to those States of our Nation which have the lowest personal income per capita.

So much for the manner in which the funding of the program is determined. How is it proposed that the grants be used?

Essentially, two purposes are set forth in the legislation. Fifty percent of the money is earmarked for increasing teachers' salaries, the remainder being freely applicable for current expenditures, including expenditures for employing additional teachers and teacher aides, preschool, and summer programs, and State educational expenditures.

Here we see legislation based upon the theory that decisions for the expenditure of educational funds ought to be made at the local level and that money which comes from the Federal Treasury should be used to supplement State and local resources for schools.

I am happy to introduce this bill today because, in my judgment, it will present a challenge and an opportunity to all who are interested in the education of our children. To stop for a moment, and to look ahead on the path that must be traveled in the next few years, I would be less than candid, in view of the many factors that were currently operative in our economy, if I were to urge that the program be adopted tomorrow. But it is necessary for us to think about the problems that this bill is designed to cure today and tomorrow so that we may achieve a legislative solution to the pressing problem in the next session of the Congress.

So as I introduce the bill I do so with the pledge that to the extent that lies within my power I shall do everything I can to assure that before this Congress adjourns sine die an opportunity will be given to the educational community to present testimony on the bill to suggest improvements to the language as introduced and to present to the Education Subcommittee their reaction to the ideas that are incorporated in this legislation.

Mr. President, I ask unanimous consent that attachments A and B be printed immediately following this statement, and I further request unanimous consent that the text of the legislation be printed at the close of my remarks.

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

The bill (S. 3400) to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "General Education Assistance Act of 1968".

BASIC GRANTS AUTHORIZED

SEC. 2. (a) The Commissioner shall, in accordance with the provisions of this Act, make basic grants to State educational agencies for increasing the salaries of teachers and meeting the urgent needs of State educational agencies and local educational agencies within such States for current expenditures.

(b) For the purpose of making such grants there is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and for each of the four succeeding fiscal years an amount equal to $100 multiplied by the number of children, aged five to seventeen, inclusive, in all States.

ALLOTMENTS FOR BASIC GRANTS

SEC. 3. (a) From the sums appropriated pursuant to section 2(b) for each fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children aged five to seventeen, inclusive, in such States bears to the number of such children in all States.

(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

SUPPLEMENTAL EQUALIZATION GRANTS

SEC. 4. (a)(1) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and for each of the four succeeding fiscal years, $750,000,000 for the purpose of making supplemental equalization grants to State educational agencies under this section. From the remainder of such shall distribute such grant to local educational agencies within such State to be used for the purposes set forth in section 5, and amounts so distributed shall be used by such agencies in accordance with the provisions governing the use of grants to such agencies under this Act.

(2) From the sums appropriated pursuant to paragraph (1) of this subsection for any fiscal year the Commissioner shall allot not more than 3 per centum among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this section. Each State educational agency sums the Commissioner shall allot to each State an amount which bears the same ratio to such remainder as the resource index of such State for such year bears to the total of the resource indexes of all States for such year.

(b) For the purpose of this section—

(1) the term "resource index of a State" for any fiscal year for which the computation is made means the product of the number of children, aged five to seventeen, inclusive, in such State times the average allotment ratio of such State for such fiscal year;

(2) the term "average allotment ratio of a State" for the fiscal year for which the computation is made means the average of the three annual allotment ratios for such State for each of the three most recent consecutive calendar years for which satisfactory data are available, as determined by the Commissioner, preceding such fiscal year;

(3) the term "annual allotment ratio of a State" means the ratio which the personal income per child for all the States for one calendar year bears to the personal income per child for such State for such calendar year;

(4) the term "personal income per child" for a State for any calendar year means the total personal income for such State in such calendar year divided by the number of children, aged five to seventeen, inclusive, in such State in July of such calendar year; and

(5) the average allotment ratio for the District of Columbia shall be no smaller than the average allotment ratio for that State which has the smallest average allotment ratio.

(c) For the purpose of subsections (a)(2) and (b) of this section, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

USES OF FEDERAL GRANTS

SEC. 5. The State educational agency shall use at least one-half of any grant or grants received under this Act, in accordance with applications approved under section 6, for payment to local educational agencies within such State to be used by such local agencies for increasing the salaries of teachers employed by such local agencies, and for increasing the salaries of teachers employed by such State educational agency. The remainder of such grant may be used, in accordance with applications approved under section 6, for payment to local educational agencies within such State to meet the urgent needs of such local agencies for current expenditures, including expenditures for employing additional teachers and teacher aids, for summer school and preschool programs, and for State educational agencies to meet the urgent needs of any such agency for current expenditures, including expenditures for summer school and preschool programs.

APPLICATIONS

SEC. 6. (a) A grant or grants under this Act shall be made to a State educational agency upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

(1) provide that the use of the Federal funds received under this Act will be administered by or under the supervision of the State educational agency;

(2) provide assurances that such funds will be used in accordance with section 5, and prescribe criteria for achieving equitable distribution of such funds within such State and for identifying the urgent needs for current expenditures of such State agency and of local educational agencies within such State;

(3) set forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be available for the purposes described in section 5, and in no case supplant such funds;

(4) provide assurances that, to the extent consistent with law, programs and services designed to meet urgent needs for current expenditures will be provided on an equitable basis to children attending private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State;

(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of an accounting for Federal funds received under this Act, and such reporting procedures, including an evaluation of the impact of Federal funds received under this Act, as the Commissioner may reasonably require; and

(6) provide adequate procedures for affording the local education agencies within such State reasonable notice and opportunity for hearing.

(b) The Commissioner shall approve an application which meets the requirements specified by subsection (a) of this section and shall not finally disapprove, in whole or in part, any application without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

PAYMENTS

SEC. 7. (a) From the amount allotted to each State pursuant to section 3 or pursuant to section 4, or both, the Commissioner shall pay to the State educational agency of such State which has an application approved under section 6 an amount equal to the amount needed for the purposes set forth in such application.

(b)(1) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this Act, except that the total of such payments in any fiscal year shall not exceed—

(A) 1 per centum of the total of the amount paid under this Act for that year to the State educational agency, or

(B) $150,000, or $25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territories of the Pacific Islands, whichever is greater.

(2) There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection.

(c) Payments under this Act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

WITHHOLDING

SEC. 8. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any provision set forth in the application of that State approved under section 6, the Commissioner shall notify the agency that further payments will not be made to the State under this Act (or, in his discretion, that the State educational agency shall not make further payments under this Act to specified local educational agencies whose actions caused or are involved in such failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this Act, or payments by the State educational agency under this Act shall be limited to local educational agencies whose actions did not cause or were not involved in the failure, as the case may be.

JUDICIAL REVIEW

SEC. 9. (a)(1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section 6 or with his final action under section 8, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(b)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to any payment to such local agency pursuant to this Act, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the

court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

PROHIBITIONS

SEC. 10. (a) Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or the selection of library resources by any educational institution or school system, or over the content of any material developed or published under any program assisted pursuant to this Act.

(b) Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

ADMINISTRATION

SEC. 11. (a) The Commissioner may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

DEFINITIONS

SEC. 12. As used in this Act—

(1) The term "Commissioner" means the Commissioner of Education.

(2) The term "teacher" means any member of the instructional staff of a public elementary or secondary school who is engaged in the teaching of students, as further defined by the State educational agency of each State.

(3) The term "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, community services, pupil transportation services, operation and maintenance of plant, fixed charges, food services and student body activities, but not including expenditures for capital outlay, and debt service.

(4) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(5) The term "free public education" means education which is provided at public expense, under public supervision and direction, and without tuition charge, and which is provided as elementary or secondary school education in the applicable State.

(6) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(7) The term "salaries" means the annual monetary compensation paid to teachers for services rendered in connection with their employment.

(8) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law.

(9) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(10) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

The attachments, presented by Mr. MORSE, are as follows:

ATTACHMENT A

I. BASIC GRANTS TO STATES—FISCAL YEAR 1970–74

Amount = $100 × number children 5 to 17 (ca. $5 billion).

$$\text{State grant} = \frac{\text{children 5 to 17 in State}}{\text{children 5 to 17 in United States}}$$

II. SUPPLEMENTAL EQUALIZATION GRANTS—FISCAL YEAR 1970–74

Amount = $750 million.

$$\text{State grant} = \frac{\text{resource index of State}}{\text{resource index of United States}}$$

$$\text{esource index} = \text{children 5 to 17} \times \frac{\text{personal income per child 5 to 17 in State}^{*}}{\text{personal income per child 5 to 17 in United States}^{*}}$$

*Based upon average of 3 most recent consecutive years.

III. USES OF GRANTS

At least 50 per cent: increasing teachers' salaries.

Remainder: current expenditures, including expenditures for employing additional teachers and teacher aids, preschool and summer programs, State educational expenditures.

IV. APPLICATIONS

State agency is applicant "at such time or times, in such manner and containing or accompanied by such information as the Commissioner deems necessary"; funds to supplement, not supplant, State and local funds; no comingling with State funds; "to the extent consistent with law," programs and services to meet current expenditures to be provided on equitable basis to children in nonpublic schools; 1% or $150,000, whichever is greater, for State administrative expenses ($25,000 for outlying areas).

V. JUDICIAL REVIEW

State may seek judicial review in U.S. Court of Appeals of Commissioner's decision; local educational agency may seek judicial review of State decision.

ATTACHMENT B

STATE ALLOCATIONS UNDER $6 BILLION NEA PROGRAM

State	Basic grant (millions)	Equalization grant (millions)	Total grant (millions)	Total amount per child (5–17 years)
1	2	3	4	5
Alabama	$96.1	$19.6	$115.7	$120.40
Alaska	8.4	1.0	9.4	111.90
Arizona	46.3	7.6	53.9	116.41
Arkansas	50.8	10.0	60.8	119.69
California	487.0	52.9	539.9	110.86
Colorado	54.0	7.5	61.5	113.89
Connecticut	73.0	7.4	80.4	110.14
Delaware	14.4	1.6	16.0	111.11
District of Columbia	18.4	1.9	20.3	110.33
Florida	149.4	21.4	170.8	114.32
Georgia	122.4	21.6	144.0	117.65
Hawaii	20.6	2.8	23.4	113.59
Idaho	20.0	3.5	23.5	117.50
Illinois	276.4	30.0	306.4	110.85
Indiana	134.5	17.8	152.3	113.23
Iowa	72.5	10.0	82.5	113.79
Kansas	60.0	8.2	68.2	113.67
Kentucky	84.5	15.4	99.9	118.22
Louisiana	106.0	20.5	126.5	119.34
Maine	26.0	4.2	30.2	116.15
Maryland	99.0	12.3	111.3	112.42
Massachusetts	135.0	15.0	150.0	111.11
Michigan	238.0	30.9	268.9	112.98
Minnesota	100.5	14.6	115.1	114.53
Mississippi	67.4	17.1	84.5	125.37
Missouri	118.0	15.7	133.7	113.31
Montana	20.0	3.3	23.3	116.50
Nebraska	37.7	5.2	42.9	113.79
Nevada	11.5	1.3	12.8	111.30
New Hampshire	$17.6	$2.4	$20.0	$113.64
New Jersey	172.5	18.3	190.8	110.61
New Mexico	31.5	6.1	37.6	119.37
New York	432.5	43.6	476.1	110.08
North Carolina	134.4	24.7	159.1	118.38
North Dakota	18.0	3.2	21.2	117.78
Ohio	280.5	37.2	317.7	113.26
Oklahoma	60.9	9.4	70.3	115.44
Oregon	51.5	6.8	58.3	113.20
Pennsylvania	289.0	36.4	325.4	112.60
Rhode Island	22.2	2.7	24.9	112.16
South Carolina	73.6	16.1	89.7	121.88
South Dakota	18.8	3.4	22.2	118.09
Tennessee	99.8	18.0	117.8	118.04
Texas	294.4	47.6	342.0	116.17
Utah	31.3	5.6	36.9	117.89
Vermont	11.1	1.8	12.9	116.22
Virginia	118.3	18.0	136.3	115.22
Washington	82.3	10.4	92.7	112.64
West Virginia	46.5	8.5	55.0	118.28
Wisconsin	115.0	15.8	130.8	113.74
Wyoming	8.9	1.3	10.2	114.61
American Samoa	1.1	.3	1.4	125.37
Guam	2.6	0.7	3.3	125.37
Puerto Rico	90.7	22.9	113.6	125.37
Virgin Islands	1.3	.3	1.6	
Trust territories	3.3	.8	4.1	125.37
U.S. total	5,257.4	742.6	6,000.0	114.12

S. 3403—INTRODUCTION OF BILL TO DESIGNATE THE FLAT TOPS WILDERNESS, ROUTT AND WHITE RIVER NATIONAL FORESTS, IN THE STATE OF COLORADO

Mr. JACKSON. Mr. President, as you know, the President has transmitted to the Congress proposals for the addition of 26 new areas to the national wilderness preservation system. Several of these proposals have already been introduced and referred to the Senate Interior and Insular Affairs Committee, of which I am chairman.

By request, I now introduce, for appropriate reference, a bill to designate the Flat Tops Wilderness Area in the Routt and White River National Forests of Colorado.

The total wilderness acreage would be 142,230, including 99,489 acres of the existing Flat Tops Primitive Area, plus 42,741 acres of adjacent lands.

The area is located on the White River Plateau in northwestern Colorado, approximately 20 miles north of the town of Glenwood Springs and 30 miles southwest of the town of Steamboat Springs. The proposed wilderness lies within 250 miles of approximately 2 million people.

A variety of wilderness characteristics is offered by this high-elevation plateau and its rugged river canyons. There are sheer volcanic escarpments, alpine peaks and open grass parks. The area features an abundance of mountain scenery, solitude, tranquil lakes, rushing streams, abundant wildlife, and virtually no evidence of man's intrusion.

A hearing on the wilderness proposal was held in Glenwood Springs by the Forest Service on October 10, 1966. Eighty-nine oral presentations were made, and more than 350 letters were received. At the hearing, there was disagreement over the size and boundary of the proposed area, but there was overwhelming sentiment in favor of adding the Flat Tops area to the national wilderness preservation system.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3403) to designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado, introduced by Mr. JACKSON (by request), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3404—INTRODUCTION OF BILL RELATING TO RETIREMENT OF EMPLOYEES UNDER THE CIVIL SERVICE RETIREMENT ACT

Mr. BREWSTER. Mr. President, I am today introducing, for appropriate reference, a bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 25 years of service without reduction in annuity.

Such a bill, allowing retirement at 25 years, will naturally be most attractive to those workers who have reached this point in their careers. It will allow them to serve their professions to their fullest capacity and yet to leave Government service at an age when they are still able to pursue other profitable endeavors. It will also allow them to enjoy richer, more meaningful retired years which their families can share.

Second. With the emphasis on the excellence of youth that is so prevalent in our Nation today, we have a wealth of young people eager for employment and advancement. My bill will obviously make Federal service more attractive as their chosen profession. It will give us a chance to employ people in the prime of their working years, to promote readily in order to derive maximum benefit from their potentials, and to streamline our civil service functions.

Mr. President, I believe that this legislation will be beneficial to everyone concerned. It will appeal to the Federal employee about to retire, to the young employee anticipating a profitable Federal career, and to the Federal Government, which can look forward to a more efficient, viable, and eager labor force.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3404) to amend the Civil Service Retirement Act to authorize the retirement of employees after 25 years of service without reduction in annuity, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Georgia [Mr. TALMADGE] be added as a cosponsor of the bill (S. 2429) to amend the Internal Revenue Code of 1954 to allow an income tax credit to employers for the expenses of providing training to their employees and prospective employees under approved programs.

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

Mrs. SMITH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Minnesota [Mr. MONDALE] be added as a cosponsor of the bill (S. 2862) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

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

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from New York [Mr. JAVITS] be added as a cosponsor of the joint resolution (S.J. Res. 117) to provide that it be the sense of Congress that a White House Conference on Aging be called by the President.

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

SENATE RESOLUTION 282—RESOLUTION TO PRINT AS A SENATE DOCUMENT A REPORT BY SENATOR ELLENDER ENTITLED "REVIEW OF UNITED STATES GOVERNMENT OPERATIONS IN SOUTH ASIA"

Mr. ELLENDER submitted the following resolution (S. Res. 282); which was referred to the Committee on Rules and Administration:

S. RES. 282

Resolved, That a report entitled "Review of United States Government Operations in South Asia", submitted by Senator ALLEN J. ELLENDER to the Senate Committee on Appropriations on April 2, 1968, be printed as a Senate document; and that two thousand two hundred additional copies of such document be printed for the use of that committee.

SENATE RESOLUTION 283—RESOLUTION TO PRINT ADDITIONAL COPIES OF THE SENATE REPORT TO ACCOMPANY S. 917, THE SAFE STREETS AND CRIME CONTROL ACT

Mr. McCLELLAN submitted a resolution (S. Res. 283) authorizing the printing of additional copies of the Senate Report to accompany S. 917, the Safe Streets and Crime Control Act, which was considered and agreed to.

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

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967—AMENDMENT

AMENDMENT NO. 708

Mr. HRUSKA. Mr. President, earlier today there has been reported to the Senate, out of the Senate Committee on the Judiciary, S. 917 together with a report thereon, including minority, individual, and additional views.

In due and proper time, this Senator, on behalf of himself and several of his colleagues, will call up an amendment in the nature of a substitute to title IV of said bill.

At this time I submit the amendment, and ask that it be printed.

Mr. President, I ask unanimous consent that a sectional analysis of the provisions of this amendment be printed in the RECORD at this point. I ask further unanimous consent that the text of that amendment itself be printed in the RECORD following the analysis referred to.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the analysis and amendment will be printed in the RECORD.

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

SECTIONAL ANALYSIS OF THE PROVISIONS OF AMENDMENT

PART A—FEDERAL FIREARMS ACT AMENDMENTS

Section 901

Section 901 of amendment—amends section 1 of the Federal Firearms Act (52 Stat. 1250) by restating and clarifying existing definitions contained in the act and adding several new definitions.

The definition of "person" is unchanged. The terms "interstate or foreign commerce," "firearm," "manufacturer," "dealer," and "fugitive from justice," have been restated and clarified. The term "ammunition" has been deleted. The terms "State," "pawnbroker," "Secretary," "indictment," and "published ordinance" are new.

Paragraph (1)

The definition of the term "person" in paragraph (1) of amendment—is unchanged from the existing law (15 U.S.C. 901(1)).

Paragraph (2)

Paragraph (2) of section 901 of amendment—adds a new definition "State" to simplify and clarify later provisions of the bill and the existing law. The Canal Zone is included in the definition. Previously it was excluded. Also included are the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa, the principal Commonwealth and possessions of the United States.

Paragraph (3)

Paragraph (3) restates the existing definition of "interstate or foreign commerce" (15 U.S.C. 901(2)). However, language has been removed that has been defined in paragraph (2) above.

Paragraph (4)

Paragraph (4) restates the definition of "firearm" and revises it to exclude from the act antique firearms made in 1898 or earlier. Also mufflers and silencers for firearms are removed from the definition.

The year 1898 was selected as the "cutoff" date on the basis of testimony presented to Congress by several gun collectors organizations and to be consistent with the regulations on importation of firearms issued by the Department of State pursuant to section 414 of the Mutual Security Act of 1954.

Mufflers and silencers for firearms are excluded from coverage since these items are included presently in the National Firearms Act (Ch. 53 of the Internal Revenue Code of 1954). This act provides for heavy transfer taxes and registration of all such items.

Also excluded from the present definition of the term "firearm" is "any part or parts" of a firearm. Experience in the administration of the Federal Firearms Act has indicated that it is impractical to treat each small part as if it were a firearm. The revised definition substitutes the words "frame or receiver" for the words "any part or parts."

Added to the term "firearm" are weapons which "may be readily converted to" a firearm. The purpose of this addition is to include specifically any starter gun designed for use with blank ammunition which will or which may be readily converted to expel a projectile or projectiles by the action of an explosive. Starter pistols have been found to be a matter of serious concern to law enforcement officers.

Paragraph (5)

The definition of the term "'handgun" in paragraph (5) is a new provision. This definition is necessary because of later provisions of the bill which have application solely to these firearms. There is no intention that handguns be exempted from any of the other provision of amendment since a handgun is a firearm within the meaning of paragraph (4) above.

The term includes "pistols," "revolvers" and "any other weapons originally designed to be fired by the use of a single hand" which are made to be fired by the use of a single hand and which are designed to fire or are capable of firing fixed cartridge ammunition.

Paragraph (6)

The definition of the term "manufacturer" is a restatement of existing law (15 U.S.C. 901(4)) except that references to "ammunition, cartridge cases, primers, bullets, or propellant powder" have been stricken.

This deletion was made because experience in the administration of the Federal Firearms Act has showed that it is extremely difficult to control interstate and foreign commerce in ammunition.

The requirement that the manufacturer be "in the business of" manufacturing or importing firearms has been added to the definition to conform with a similar provision in the definition of "dealer."

Paragraph (7)

The definition of the term "dealer" is a restatement of existing law (15 U.S.C. 901(5)) except that references to "ammunition, cartridge cases, primers, bullets, or propellant powder" have been stricken as in the definition of "manufacturer" above.

The word "special" has been stricken from the definition since a gunsmith or other person in the business of repairing firearms should be required to comply with the provisions of the Federal Firearms Act if he fits only barrels which do not fall into "special" category.

The words "or breech mechanism" have been stricken because they are unnecessary to a complete description of the functions performed by a person in the business of repairing firearms.

Other minor rephrasing of the language in the definition has been made to clarify the existing language.

Paragraph (8)

The definition of the term "pawnbroker" is a new provision. Pawnbroker dealers are covered under the provisions of the existing law in the same manner as other dealers. The purpose of this definition is to provide a basis for a separate classification of pawnbroker dealers.

Under this bill pawnbrokers would be subject to a higher license fee than other dealers.

Paragraph (9)

The definition of the term "Secretary" contained in paragraph (14) is a new provision. The purpose of this definition is to eliminate the necessity of repeating "Secretary of the Treasury or his delegate" in several sections of the act.

Paragraph (10)

The definition of the term "indictment" is a new provision. Inasmuch as a person under indictment for certain crimes is proscribed from shipping or receiving firearms in interstate or foreign commerce, and a license under the act will not be issued to such a person, the definition will serve a useful purpose in making it clear that an "information" charging a crime is the same as an indictment charging a crime. This definition is in accord with the opinion of the court in *Quinones* v. *United States*, 161 F. 2d 79.

Paragraph (11)

The definition of the term "fugitive from justice" is a restatement of existing law (15 U.S.C. 901(6)) with reference to "Territory, the District of Columbia, or possession of the United States" omitted in accordance with the definition of "State" in paragraph (2) above.

Paragraph (12)

The definition of the term "published ordinance" is new to Amendment ——. It was not defined in S. 1853 although the term was used in the sworn statement required in section 2 of the bill in the provisions of the new section 2(1). The term means an ordinance or regulation of any political subdivision of a state which has been lawfully promulgated under the laws of the state, published in written form and in full force and effect. Any such jurisdiction desiring to have such an ordinance made applicable to interstate sales of firearms which are destined for that jurisdiction would be required to notify the Secretary of the Treasury of the existence and validity of the ordinance or regulation and submit a true copy of the document to the Secretary for review. If, after review, the Secretary finds that the ordinance imposes conditions on the sale or receipt of firearms within the jurisdiction which could reasonably be applied to interstate transactions, and relevant to the enforcement of the Federal Firearms Act, as amended by this amendment, then the Secretary shall include the name of the jurisdiction in a list to be compiled annually by the Secretary, published in the Federal Register and sent to each licensee.

"Ammunition"

The definition of the term "ammunition" has been stricken from the existing law (15 U.S.C. 901(7)), to exclude all ammunition from the coverage of the Federal Firearms Act.

Under existing law, the term included pistol and revolver ammunition. However, an evaluation of the evidence developed in the hearings before the committee showed that it is difficult to control effectively interstate and foreign commerce in conventional firearms ammunition used for sporting, recreational, and other lawful purposes and that the act was not enforced in this regard.

Section 902

Section 2 of the Federal Firearms Act (15 U.S.C. 902) would be restated, revised and six new subsections added. References to ammunition have been eliminated in subsections (a), (b), (d), (e), and (g). Subsection (c) has been substantially revised and broadened. Subsections (f) and (i) have been restated and language stricken which has been declared unconstitutional. Subsections (j) through (o) are new.

Subsection (a)

Subsection (a) of section 2 of existing law (15 U.S.C. 902(a)) has been restated except that the words "or ammunition" have been stricken.

Subsection (b)

Subsection (b) of section 2 of existing law (15 U.S.C. 902(b)) has been restated except that the words "or ammunition" have been stricken and minor changes have been made for clarity.

Subsection (c)

Subsection (c) of section 2 of existing law (15 U.S.C. 902(c)) has been revised and its scope broadened so that it is an unlawful act within the meaning of the act for any Federal licensee to knowingly ship or transport directly or indirectly in interstate or foreign commerce any firearm (including rifles and shotguns as well as handguns) to any person in any State in violation of any State law or published ordinance which has application to the shipment.

The existing provision has application only to State firearms control laws which require purchase permits. Fewer than 10 States have such laws, whereas most States and many local jurisdictions have firearms laws and ordinances which impose controls and restrictions on the receipt, transportation or possession of firearms in a variety of ways.

This provision has been broadened to assist the States and localities in the control of firearms commerce within their respective borders by insuring that channels of interstate and foreign commerce will not be used to circumvent applicable State laws.

It is not the intention of the subsection to impose absolute criminal liability on Federal licensees. It is contemplated that an affirmative defense would be allowed so that any person charged with a violation of this section may establish that he took reasonable efforts to ascertain that the shipment would not be in violation of the applicable State laws.

Subsection (d)

Subsection (d) of section 2 of the existing law (15 U.S.C. 902(d)) has been restated

and modified. The words "or ammunition" have been stricken.

The words "territories, possessions, or the District of Columbia" have been stricken as they fall within the meaning of the term "State" as defined in section 1(2) of the bill.

Subsection (e)

Subsection (e) of section 2 of the existing law (15 U.S.C. 902(e)) has been restated and modified by substituting crime "of violence" for the words "punishable by imprisonment for a term exceeding one year" and by striking the words "or ammunition."

Subsection (f)

Subsection (f) as changed by section 902 of the amendment is a restatement of existing law (15 U.S.C. 902(f)). The restatement eliminates the words "and the possession of a firearm or ammunition by any such person shall be presumptive evidence that such firearm or ammunition was shipped or transported or received, as the case may be, by such person in violation of this act," since the presumption is meaningless in view of the decision of the Supreme Court in *Tot* v. *United States*, 319 U.S. 463.

Subsection (g)

Subsection (g) as changed by section 902 of the amendment is a restatement of existing law (15 U.S.C. 902(g) and has been revised by striking the words "or ammunition" and making minor changes for clarity.

Subsection (h)

Subsection (h) as changed by section 902 of the amendment is a restatement of existing law (15 U.S.C. 902(h)) and the words "or ammunition" stricken wherever they appear. Also, minor changes have been made for clarity.

Subsection (i)

Subsection (i) as changed by section 902 of the amendment is a restatement of existing law (15 U.S.C. 902(i)). The restatement also deletes the words "and the possession of any such firearm shall be presumptive evidence that such firearm was being transported, shipped, or received, as the case may be, by the possessor in violation of this act" since the presumption is meaningless in view of the decision of the Supreme Court in *Tot* v. *United States*, 319 U.S. 463.

Subsection (j)

Subsection (j) as changed by section 902 of the amendment is a new provision which would make it unlawful for any licensee under the act knowingly to deliver, or cause to be delivered, to any common or contract carrier for transportation or shipment in interstate or foreign commerce, any package containing a firearm, without written notice to the carrier that a firearm is being transported or shipped. This provision is correlated to the provisions of section 2(c). Testimony before the committee disclosed the existence of a practice of surreptitiously shipping firearms, without notice or disclosure, to circumvent requirements of Federal or State law.

Subsection (k)

Subsection (k) prohibits a common or contract carrier from delivering in interstate or foreign commerce any handgun to any person knowing or having reasonable cause to believe that such person is under 21 years of age or any firearm (including rifles and shotguns) to any person under 18.

Subsection (l)

Subsection (l) as added by section 902 of the amendment is a new provision that would establish a procedure whereby the channels of interstate and foreign commerce could not be used to circumvent applicable State laws and local ordinances. It would make it a violation of the Federal Firearms Act for any licensee to ship any handgun in interstate or foreign commerce to any person other than another licensed manufacturer or dealer unless the prospective recipient has submitted a sworn statement to the manufacturer or dealer containing material information pertaining to the sale.

The dealer must then forward a copy of the statement to the appropriate local law enforcement officer or designated State official by registered or certified mail, receive a return receipt evidencing delivery of the letter or notice of refusal to accept the letter, and wait at least 7 days after return of the receipt or refusal before making delivery of the handgun to the recipient.

While there is no express requirement for this procedure to be followed by dealers with respect to mail order sales of rifles and shotguns, no provision of the amendment would bar a licensee from requiring a sworn statement from the purchaser if he so desires.

Paragraph (1)

Paragraph (1) of such subsection (l) provides that the sworn statement to be submitted to the dealer or manufacturer by the prospective recipient shall be in such form as prescribed by the Secretary of the Treasury and shall contain the following information: (1) That the recipient is at least 21 years or more of age; (2) that he is not prohibited by the Federal Firearms Act from receiving a handgun in interstate or foreign commerce; (3) that there are no provisions of applicable State law or local ordinance which would be violated by the purchaser's receipt or possession of the handgun; and (4) the title, name, and official address of the principal law enforcement officer where the handgun is to be shipped.

Paragraph (2)

Paragraph (2) of such subsection (l) provides that prior to shipment of the handgun to the purchaser, the dealer, or manufacturer shall forward to the appropriate local law enforcement or State official a description of the handgun (not including serial number) and a copy of the sworn statement by registered or certified mail. Also, the dealer must receive a return receipt evidencing delivery of the letter containing the description of the handgun and the copy of the sworn statement or a notice of refusal to accept the letter in accordance with the applicable regulations of the Post Office Department.

Paragraph (3)

Paragraph (3) of such subsection (l) would impose a 7-day waiting period following receipt of the notification of the local law enforcement officer's acceptance or refusal before the manufacturer or dealer could make delivery to the consignee.

In addition, subsection (l) provides (1) that the Governor of any State may designate any official in his State to receive the notification to local law enforcement officials required by this subsection and that the Secretary shall publish such designation in the Federal Register; and (2) that the Governor of any State may request that the Secretary discontinue the required notification to local law enforcement officials in his State or any part thereof and upon publication in the Federal Register, the request shall be in effect for 5 years, unless withdrawn by the Governor and so published in the Federal Register.

Subsection (m)

Subsection (m) as added by section 902 of amendment is a new provision prohibiting licensees under the act from selling a handgun to an unlicensed individual who is a resident of a State, other than that in which the manufacturer's or dealer's place of business is located without compliance with the provisions of subsection (l) above. The subsection is intended to deal with the serious problem of individuals going across State lines to procure firearms which they could not lawfully obtain or possess in their own State and without the knowledge of their local authorities. The hearings before the committee have demonstrated the ease with which residents of a particular State, which has laws regulating the purchase of firearms, can circumvent such laws by procuring a firearm in a neighboring jurisdiction which has no such controls on the purchase of firearms. The hearings have also shown that this is a means by which criminal and lawless elements obtain firearms.

This provision allows such handgun purchases to be made, but only after compliance with the detailed procedures set forth in subsection (l) above.

Subsection (n)

Subsection (n) of section 902 of amendment is a new provision that would make it unlawful for any person, in purchasing or otherwise obtaining or attempting to purchase or otherwise obtain a firearm from a licensed manufacturer or licensed dealer under this act, knowingly to make any written or oral false statement or to knowingly supply any false or spurious information or identification intended or calculated to deceive such licensee with respect to such person's identity, age, address, or criminal record (if any), or with respect to any other material fact pertinent to the lawfulness of a sale or other disposition of a firearm by a licensed manufacturer or licensed dealer.

Subsection (o)

Subsection (o) of section 902 as contained in amendment is a new provision that would make it unlawful for any person to bring into or receive in the State where he resides a firearm purchased or otherwise obtained outside that State if it is unlawful for him to purchase or possess such firearm in the State (or political subdivision thereof) where he resides.

The intent of this provision is to assist the States and their political subdivisions in the enforcement of applicable firearms control laws and ordinances by imposing Federal felony sanctions upon those who utilize channels of interstate or foreign commerce to circumvent or evade these laws and ordinances.

Section 903

Section 903 of amendment would restate and revise section 3 of the Federal Firearms Act (15 U.S.C. 903). All references to ammunition would be stricken along with references to territories and possessions.

Subsection (a) of the existing law would be revised and the fee schedules for manufacturers, dealers, and pawnbrokers set forth in separate paragraphs. The fees for manufacturers and dealers would be increased. The fee for pawnbroker dealers is new. Subsection (b) of the existing law would be revised and four new requirements for obtaining a Federal license established. The applicant must be at least 21 years of age, must not be prohibited from transporting firearms under the provisions of the act, and must not have made false statements or misrepresented material facts in connection with his application. The applicant must not have willfully violated any provisions of the act. Subsection (c) of amendment is a new provision intended to substitute for section 3(c) of the existing law. Subsection (d) is a restatement of the recordkeeping requirement of existing law with minor changes.

Subsection (a)

Subsection (a) of amendment is intended to make it clear that no person shall engage in business as a manufacturer of firearms, or as a dealer in firearms until he has filed an application with, and received a license to do so from the Secretary. In order to regulate effectively interstate and foreign commerce in firearms it is necessary that all persons engaging in these businesses be licensed. Similar provisions were upheld in *Hanf* v. *United States* (235 F. 2d 710, cert. den. 352 U.S. 880), as reasonably necessary to effective control of interstate and foreign commerce under comparable conditions.

Subsection (a) also provides that the application for a license shall be in such form and contain such information as the Secretary of the Treasury shall by regulation prescribe. It is the intent of this provision to authorize the Secretary to require the submission of information reasonably relevant to the determination as to whether the applicant is entitled to a license under the standards prescribed in subsection (b). Since the Secretary has the responsibility for determining whether the license should be issued, he must necessarily have the authority to require the submission by the applicant of information relevant to his determination as to the applicant's eligibility. Authority to prescribe the forms of the license application has been exercised by the Secretary since the Federal Firearms Act was enacted in 1938.

Subsection (a) also increases license fees presently contained in section 3(a) of the Federal Firearms Act and adds a new fee for pawnbrokers. The annual fee for manufacturers (including importers) would be doubled from $25 to $50. Fees for dealers (including gunsmiths) would be increased from $1 to $10, except that a one-time fee of $25 would be levied for the first renewal date following the effective date of the bill or for the first year the dealer is engaged in business. This additional charge would help to defray the costs of the investigation necessary to determine if the applicant has met the licensing requirements contained in section 3(b) of the amendment.

A separate license with a higher license fee is also provided for pawnbroker dealers. A "pawnbroker" is defined in paragraph (8) of section 1 of the amendment. It is noted that under the National Firearms Act (26 U.S.C. ch. 53) pawnbroker dealers are charged a higher rate of occupational tax than other dealers.

Since all references to ammunition would be removed from the act by the amendment, the substantial number of persons who deal only in ammunition will not be required to obtain a license under the act. Thus, ammunition reloaders and ammunition dealers will not be affected by the amendment.

Subsection (b)

Subsection (b) establishes four conditions under which no licenses shall be issued by the Secretary of the Treasury or his designee. An application for a license shall be denied if the applicant is "under 21 years of age," if he is "prohibited by the provisions of the act from transporting, shipping, selling, or receiving firearms in interstate or foreign commerce," or if he has willfully violated any provisions of the act or regulations issued thereunder. This requirement would include failure of a licensee to keep proper records as might reasonably be required by the Secretary. Also, an application could be disapproved if the applicant has "willfully failed to disclose any material information required, or made any false statement as to any material fact, in connection with his application."

Subsection (c)

Subsection (c) as contained in the amendment replaces the provisions of existing law contained in section 3(c) of the act (15 U.S.C. 903(c)) and reflects the construction of existing law as contained in current regulations (26 CFR, pt. 177).

The requirement of existing law, concerning the posting of a bond by a licensee convicted of a violation of the act in order to continue operations pending final disposition of the case on appeal, serves no useful purpose, and has been omitted. Further, the provisions of this subsection have been revised to simplify administration. Since the licensee is required to reapply each year for a license, the information on the application relating to his indictment and/or conviction will be adequate. Also, the license itself can, as at present, contain a warning that the licensee cannot continue operations once his conviction has become final (other than as provided in section 10 of the existing law).

As under existing law and regulations, a new license will not be issued to a person under indictment for, or who has been convicted of, an offense punishable by imprisonment for a term exceeding 1 year. However, a licensed manufacturer or licensed dealer may continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license), during the term of such indictment and until any conviction pursuant to the indictment becomes final, whereupon he shall be subject to all provisions of this act, and operations pursuant to such license shall be discontinued. If a bona fide application for relief is filed under section 10 of the act, operations may continue until such application is acted upon.

Subsection (d)

Subsection (d) would restate and revise section 3(d) of the Federal Firearms Act (15 U.S.C. 903(d)). References to ammunition would be removed from the existing law. The word "permanent" would be stricken from the recordkeeping requirement of the subsection, since the Secretary of Treasury is given specific authority to prescribe regulations for the implementation of this requirement. The length of time for which the records should be kept and maintained by licensees under the provisions of the act and other administrative details would be left to the discretion of the Secretary. Thus, the word "permanent" becomes meaningless. It is anticipated that any regulations issued under that authority granted by this subsection would be reasonable and in accordance with good commercial practice and custom.

Section 904

Section 904 of amendment would restate section 4 of the Federal Firearms Act (15 U.S.C. 904), strike the references to ammunition and to territories, possessions, and the District of Columbia, and renumber and revise several provisions of the section for clarity.

Subsection (a)

Subsection 904(a) of amendment would restate portions of section 4 of the Federal Firearms Act (15 U.S.C. 904) and make several modifications thereof. Ammunition would be removed as elsewhere in the bill. The words "territory, or possession, or the District of Columbia," would be stricken consistent with their deletion in other sections of the bill. Other revisions would be made by renumbering and rephrasing provisions of the section for clarity without changing the meaning of existing law.

Subsection (b)

Subsection 904(b) of amendment would restate the remainder of section 4 of the Federal Firearms Act (15 U.S.C. 904) and would make certain modifications. All references to ammunition would be deleted. The Secretary of "Defense or his designee" would be substituted for the Secretary of "War". The words "receipt or" would be added to the last sentence of the section to clarify the provision contained therein and other technical revisions made for the same purpose without altering the meaning of existing law.

Section 905

Section 905 of the amendment would restate section 5 of the Federal Firearms Act, add an element of reasonable cause to the provision which makes it unlawful for an applicant for a license or exemption to make a false statement in connection with the application, increase the maximum penalties provided for in the act from $2,000 to $10,000 and from 2 years to 10 years, provide for parole of sentenced offenders as the board of parole shall determine, remove the reference to ammunition contained in subsection (b), and update the reference to the Internal Revenue Code.

Subsection (a)

Subsection (a) of section 905 of the amendment would restate the existing law (15 U.S.C. 905(a)) and make several changes. The words "or having reasonable cause to know" would be added to the provision which sets forth the unlawful act of making a false statement in connection with an application for a license or an exemption under the provision of the Federal Firearms Act.

The maximum penalty provisions for violation of the Federal Firearms Act would be increased from $5,000 to $10,000 and 2 years to 10 years to serve as a further deterrence to potential violators of the act. It is anticipated that this change will have the effect of increasing compliance with the act's provisions.

All sentenced violators are made eligible for parole "as the board of parole shall determine." Thus, the opportunity will be available to keep hardened criminals away from the law-abiding community for a substantial period of time, but at the same time provide flexibility to correctional officials so that they may work with those who show significant potential for rehabilitation.

Subsection (b)

Subsection (b) of section 905 of the amendment would restate subsection (b) of section 5 of the existing law (15 U.S.C. 905(b)) and make minor changes. The reference to ammunition would be deleted. The reference to the Internal Revenue Code would be changed to reflect the recodification of the code which was accomplished in 1954.

Section 906

Section 906 of the amendment would amend the Federal Firearms Act by adding a new section 11 which would provide that nothing contained in the act shall be construed as "modifying or affecting the requirements" of the provisions of the Mutual Security Act of 1954 which deal with "the manufacture, exportation, and importation of arms, ammunition, and implements of war."

Section 414 of that act gives authority to the President to control the export and import of arms, ammunition, implements of war, and technical data related thereto. It also requires all persons engaging in these transactions to register with the U.S. Government, pay registration fees, and secure import licenses for all such materials imported into this country.

Section 907

Section 907 of the amendment would establish the date at which time the amendments and changes made by the amendment become effective. The effective date would be "the first day of the sixth month beginning after the date of enactment" of the amendments. It is felt that this period of time will be sufficient for the promulgation and dissemination of any regulations necessary to implement the amendments to the act and would afford ample opportunity for comment of persons who would be affected by the regulations.

Section 908

Section 908 of the amendment would set forth a short title for the amendment, "Federal Firearms Amendments of 1968."

PART B—NATIONAL ACT AMENDMENTS

Part B of Amendment —— incorporates the provisions of S. 1854, a bill introduced by Senator Hruska and others to add the so-called destructive devices to the regulatory framework of the National Firearms Act of 1934.

Under Part B, the scope of the National Firearms Act (which now covers gangster-type weapons such as machineguns, sawed-off shotguns, and deceptive weapons such as flashlight guns, fountain pen guns, etc.) would be broadened to include destructive devices such as explosive or incendiary (1) bombs, (2) grenades, (3) rockets, (4) missiles, or (5) similar weapons, as well as large caliber weapons such as mortars, cannons, bazookas, etc. This would mean that such weapons would be subject to all provisions of the act and that persons engaging in business as importers, manufacturers, and dealers in such weapons would be required to register and pay special (occupational) tax. Also, the taxes applicable in respect of the making and transfer of weapons such as machineguns would be applicable with respect to the making and transfer of such destructive devices. Also, it would be unlawful for a person to possess a destructive device of this character unless such device was registered with the Secretary of the Treasury.

In addition, the bill contains certain additional strengthening and clarifying amendments to the National Firearms Act.

Section 911

This section would amend section 5848 of the Internal Revenue Code of 1954 which is the section of the National Firearms Act containing the definition of the weapons subject to the act (chapter 53 of the Internal Revenue Code is cited as the National Firearms Act).

Paragraph (a)

Paragraph (a) of section 911 would amend paragraph (1) of section 5848 of the Internal Revenue Code of 1954 to include destructive devices within the term "firearms," as used in the National Firearms Act. The effect of this is to make the provisions of the act applicable to a "destructive device" as that term is defined in paragraph (c) of section 1 of the amendment.

Paragraph (b)

Paragraph (b) of section 1 would amend paragraph (2) of section 5848 of the Internal Revenue Code of 1954 (which is the definition of "machinegun" contained in the National Firearms Act) to include any weapons "which can readily be restored to shoot" automatically or semiautomatically, more than one shot, without manual reloading, by a single function of the trigger.

"Readily restored to shoot" is intended to mean that only a simple mechanical operation is required to restore a weapon to a capacity of fully automatic fire. It is not intended to cover deactivated weapons that have had chambers closed and barrels securely welded.

The definition of machinegun would be further amended to include "the frame or receiver" of a machinegun.

The definition of machinegun is further amended to include "any combination of parts designed and intended for use in converting a weapon, other than a machinegun, into a machinegun." For example, so-called conversion kits are now made and sold for the purpose of converting certain rifles so that they will fire automatically or semiautomatically more than one shot, without manual reloading, by a single function of the trigger (i.e., converting such rifles into machineguns). However, under existing law, there is no effective way to control the manufacture and transfer of such kits. This change is designed to correct this situation by bringing such kits which will convert a weapon, other than a machinegun, into a machinegun.

Paragraph (c)

Paragraph (c) of section 911 provides for the renumbering of pargaraphs (3) through (11) as paragraphs (4) through (12), respectively, of section 5848 of the Internal Revenue Code of 1954, and for the insertion after paragraph (2) of such section of the code of 1954, and for the insertion after paragraph (2) of such section of the code of a new paragraph (3). The new paragraph (3) would insert a definition of the term "destructive device."

The definition of the term "destructive device" contained in paragraph (3) of section 5848 of the Internal Revenue Code of 1954, as contained in the bill is a new provision. It would bring under the coverage of the National Firearms Act any explosive or incendiary bomb, grenade, rockets having a propellant charge of more than four ounces, missiles, mines or similar devices.

The qualification on rockets is intended to exclude from coverage of the Act model rockets designed, built and launched under the auspices of the National Associtaion of Rocketry.

Devices which are not designed or redesigned or used or intended for use as a weapon would not be included, but coverage would be extended to large caliber weapons such as bazookas, mortars, cannons and the like.

The parenthetical exception contained in this definition is drafted in the same manner as the exceptions contained in title 26 U.S.C. section 5179(a) (relating to registration of stills) and section 5205(a)(2) (relating to stamps on containers of distilled spirits). Therefore, the decisions of the courts (*Queen* v *United States*, 77 F. 2d 780; cert. den 295 U.S. 755; and *Scherr* v. *United States*, 305 U.S. 251) to the effect that the Government is not required to allege or prove the matter contained in an exception would be applicable. Establishment by a person that he came within the exception would be a matter of affirmative defense. Thus, an explosive device shown to the designed and intended for lawful use in construction or for other industrial purposes would be excepted. However, if the device were designed or used or intended for use as a weapon, it would be subject to the provisions of the act.

A provision has been made in this definition that the Secretary may exclude from the definition any device which he finds is not likely to be used as a weapon. Examples of devices which may be excluded from his definition are devices such as Very pistols and other signalling devices and line-throwing appliances (required for commercial vessels by U.S. Coast Guard regulations) which may have been made from converted firearms. This provision also makes it possible to deal with any other comparable situation which may arise, such as old cannon or field pieces which are primarily of historical significance and with respect to which there is no reasonable likelihood that they will be used as weapons.

Paragraph (d)

Paragraph (d) of section 911 would amend paragraph (4) (as renumbered) of section 5848 of the Internal Revenue Code of 1954 by striking out the period at the end thereof and inserting the words ", and any such weapon which can readily be restored to firing condition." This represents a clarification of law and is consistent with the administrative construction of existing law.

Paragraph (e)

Paragraph (e) of section 1 would amend paragraph (5) (as renumbered) of section 5848 of the Internal Revenue Code of 1954. This paragraph contains the definition of the term "shotgun" and the change is identical with the change made with respect to the definition of "rifle" referred to in paragraph (d) above.

Section 912

The exemptions from payment of the "occupational" taxes provided in Section 5801 of the Internal Revenue Code of 1954 are extended to include importers, manufacturers, and dealers, all of whose business is conducted with, or on behalf of, the United States, or any of its departments, establishments or agencies.

Section 913

Paragraph (a) of section 913 would amend subsection (a) of section 5821 of the Internal Revenue Code of 1954 by increasing the number of application forms that must be completed to transfer a firearm under the Act from two to three. In addition, the revised paragraph (a) would require that the identification in an application to purchase a firearm under the Act be expanded to include the applicant's age. These are technical and conforming changes brought about by the changes in subsections (b) and (c) of section 913 below.

Paragraph (a) of section 913 would also amend subsection (b) of section 5814 of the Internal Revenue Code of 1954 by striking out "a copy" in the first sentence and inserting in lieu thereof "one copy", and by adding before the period language which would provide that at the same time a person forwards a copy of the order form regarding transfer of a firearm to the Secretary or his delegate, as required by subsection (b) of section 5814, he shall forward a copy of the order form to the principal law enforcement officer of the locality wherein he resides. This is intended as an additional requirement and not as a substitute for existing procedures regarding verification of the identity of the applicant.

Paragraph (b) of section 913 would amend subsection (e) of section 5821 of the Internal Revenue Code of 1954 by adding at the end thereof a new sentence providing that at the same time a person making the declaration in respect of making a firearm forwards the declaration to the Secretary or his delegate, he shall forward a copy thereof to the principal law enforcement officer of the locality wherein he resides. This provision is intended to be in addition to any other existing procedures, and not as a substitute for the procedures requiring verification of the identity of the person making the declaration.

Paragraph (c) of section 913 would amend section 5843 of the Internal Revenue Code of 1954 (which relates to the identification of firearms) by inserting at the end thereof a new sentence. This provision is intended to provide for the identification of a firearm (possessed by a person other than a manufacturer or importer) which does not bear the proper identification.

Section 914

Subsection (a) of Section 914 of the amendment would repeal the second sentence of section 5841 of the Internal Revenue Code. The first sentence of section 5841 imposes a registration requirement on all persons possessing firearms subject to the National Firearms Act. The second sentence is interpretative and by exempting from the registration requirement of that section persons possessing firearms held pursuant to lawful transfer, importation, or making, recognizes that such possession has been effectively registered by virtue of the approved transaction involved. It is felt that the striking of this qualifying sentence would eliminate a constitutional challenge of self-incrimination raised in certain criminal cases where an offense under this section was charged.

Although it is felt that the second sentence of section 5841 does not void the universality of the registration requirement, its elimination should make it more apparent that the provision contemplates registration by every person possessing a firearm coming within the purview of the Act.

The regulations could provide that the documents filed for a lawful transfer, making, or importation include the information required by the first sentence of section 5841. Thus, such a transferee, maker, or importer

could comply with section 5841 at the time of the transaction by which he lawfully obtained the firearm.

Subsection (b) of section 914 would amend section 5841 of the Internal Revenue Code of 1954 by adding at the end a new provision that no person required to register under the provisions of the chapter shall be prosecuted or subjected to any penalty on account of any information contained or disclosed in compliance with the chapter. The information required or disclosed shall not be used in evidence in any criminal proceeding in any court.

This provision was added to conform with the decision of the Supreme Court in the Haynes case.

Should any information disclosed or given pursuant to chapter 53 of the Internal Revenue Code of 1954 be false or a material misrepresentation of fact, no exemption from prosecution would be granted by subsection (b) of section 914 for any violation of the provisions of section 1001 of title 18 of the United States Code. Section 1001 deals with the making of false, fictitious or fraudulent statements or representations and contains maximum penalty provisions of not more than $10,000 and five years, or both.

Section 915

Section 915 of the bill would add a new section 5850 to the Internal Revenue Code providing that nothing in the Code should be construed as modifying or affecting any provision of the Federal Firearms Act, section 414 of the Mutual Security Act or section 1715 of title 18 of the United States Code.

This provision would not exclude from coverage any firearms within the definitions of chapter 53 of the Internal Revenue Code of 1954 which would also be included within the definition of "firearm" in section 1 of the Federal Firearms Act (52 Stat. 1250).

Section 916

Section 916 of the amendment would add two new sections to Chapter 53 of the Internal Revenue Code of 1954 respecting receipt and sale of National Firearms Act firearms.

New section 5856 would make it unlawful for any person to transport or receive in his state of residence a firearm purchased or otherwise obtained by him outside of his state of residence if it would be unlawful for him to purchase or possess such firearm in the State or political subdivision where he resides. It is intended that no person would be able to circumvent applicable state law or local ordinance by utilizing the channels of interstate commerce.

New section 5857 would prohibit any importer, manufacturer or dealer subject to the National Firearms Act from selling any National Act firearm to persons under 21 with knowledge or reasonable cause to believe that such person is under 21.

There is no reason why persons of immature years should be allowed to purchase automatic weapons, heavy field artillery and other National Firearms Act weapons.

S. 1854 as introduced by Senator Hruska prohibited possession of National Act weapons in the situations described in the two new sections, but these provisions were modified to reflect the comments of the Department of Treasury in a letter to the Chairman of the Senate Judiciary Committee dated July 6, 1967.

Section 917

Section 917 of the amendment would restate existing law (section 5861 of the Internal Revenue Code of 1954) and make two changes. First, the maximum penalty provisions for violation of Chapter 53 of the Internal Revenue Code would be increased from the present maximums of $2,000 fine and imprisonment for not more than 5 years, or both to a fine of $10,000 or more and imprisonment of not more than 10 years, or both.

All sentenced violators are made eligible for parole "as the board of parole shall determine." Thus, the opportunity will be available to keep hardened criminals away from the law-abiding community for a substantial period of time, but at the same time provide flexibility to correctional officials so that they may work with those who show significant potential for rehabilitation.

Section 918

Section 918 is a miscellany of comforming and technical changes.

Section 919

Section 919 of the amendment provides for an effective date six months after the date of enactment. In addition any person required to register a firearm under the provisions of section 5841 by reason of the amendments to section 5848 contained in section 911 of this part shall have an additional 90 days from the effective date of this part to register such firearm.

The amendment (No. 708) was ordered to be printed in the RECORD, as follows:

On page 80, beginning with line 15, strike out through line 4 on page 107 and insert in lieu thereof the following:

"TITLE IV—FIREARMS AMENDMENTS

"PART A—FEDERAL FIREARMS ACT AMENDMENTS

"SEC. 901. The first section of the Federal Firearms Act is amended to read:

" 'That as used in this Act—

" '(1) The term "person" includes an individual, partnership, association, or corporation.

" '(2) The term "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

" '(3) The term "interstate or foreign commerce" means commerce between any State and any place outside thereof; or between points within the same State, but through any place outside thereof; or within any possession or the District of Columbia.

" '(4) The term "firearm", except when the context otherwise requires, means any weapon, manufactured after the year 1898, by whatsoever name known, which will, or is designed to, or which may be readily converted to, expel a projectile or projectiles by the action of an explosive or the frame or receiver of any such weapon.

" '(5) The term "handgun" means any pistol or revolver originally designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition, or any other firearm originally designed to be fired by the use of a single hand.

" '(6) The term "manufacturer" means any person engaged in the business of manufacturing or importing firearms for purposes of sale or distribution. The term "licensed manufacturer" means any such person licensed under the provisions of this Act.

" '(7) The term "dealer" means any person engaged in the business of selling firearms at wholesale or retail, or any person engaged in the business of repairing such firearms or of manufacturing or fitting barrels, stocks, or trigger mechanisms to firearms, or any person who is a pawnbroker. The term "licensed dealer" means any dealer who is licensed under the provisions of this Act.

" '(8) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm as security for the repayment of money loaned thereon.

" '(9) The term "Secretary" means the Secretary of the Treasury or his designee.

" '(10) The term "indictment" includes an indictment or any information in any court of the United States or in any court of any State under which a crime of violence may be prosecuted.

" '(11) The term "fugitive from justice" means any person who has fled from any State to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

" '(12) The term "published ordinance" means a published law of any political subdivision of a State which the Secretary of the Treasury determines to be relevant to the enforcement of this Act and which is contained on a list compiled by the Secretary of the Treasury which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this Act.'

"SEC. 902. Section 2 of the Federal Firearms Act is amended to read:

" '(a) It shall be unlawful for any manufacturer or dealer, except a manufacturer or dealer having a license issued under the provisions of this Act, to transport, ship, or receive any firearm in interstate or foreign commerce.

" '(b) It shall be unlawful for any person to receive any firearm transported or shipped in interstate or foreign commerce in violation of subsection (a) of this section, knowing or having reasonable cause to believe such firearm to have been transported or shipped in violation of said subsection.

" '(c) It shall be unlawful for any licensed manufacturer or licensed dealer to ship or transport, or cause to be shipped or transported, any firearm in interstate or foreign commerce, to any person in any State where the receipt or possession by such person of such firearm would be in violation of any statute of such State or of any published ordinance applicable in the locality in which such person resides unless the licensed manufacturer or licensed dealer establishes that he was unable to ascertain with reasonable effort that such receipt or possession would be in violation of such State law or such ordinance.

" '(d) It shall be unlawful for any person to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm to any person knowing or having reasonable cause to believe that such person is under indictment for or has been convicted in any court of the United States or in any court of any State of a crime punishable by imprisonment for a term exceeding one year or is a fugitive from justice.

" '(e) It shall be unlawful for any person who is under indictment for or who has been convicted of a crime punishable by imprisonment for a term exceeding one year or who is a fugitive from justice to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm.

" '(f) It shall be unlawful for any person who is under indictment for or who has been convicted of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to receive any firearm which has been shipped or transported in interstate or foreign commerce.

" '(g) It shall be unlawful for any person to transport or ship or cause to be transported or shipped in interstate or foreign commerce any stolen firearm, knowing or having reasonable cause to believe, such firearm to have been stolen.

" '(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any firearm or to pledge or accept as security for a loan any firearms moving in or which is a part of interstate or foreign commerce, and which while so moving or constituting such part has been stolen, knowing, or having reasonable cause to believe, such firearm to have been stolen.

" '(i) It shall be unlawful for any person to transport, ship, or knowingly receive in interstate or foreign commerce any firearm from which the manufacturer's serial number has been removed, obliterated, or altered.

"'(j) It shall be unlawful for any manufacturer or dealer knowingly to deliver, or cause to be delivered, to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed manufacturers or licensed dealers, any package or other container in which there is any handgun without written notice to the carrier that such handgun is being transported or shipped.

"'(k) It shall be unlawful for any common or contract carrier to deliver, or cause to be delivered, in interstate or foreign commerce any handgun to any person with knowledge or with reasonable cause to believe that such person is under twenty-one years of age or any firearm to any person with knowledge or with reasonable cause to believe that such person is under eighteen years of age.

"'(l) It shall be unlawful for any licensed manufacturer or licensed dealer to ship any handgun in interstate or foreign commerce to any person other than another licensed manufacturer or licensed dealer unless:

"'(1) such person has submitted to such manufacturer or dealer a sworn statement in the following form: "Subject to penalties provided by law, I swear that I am 21 years or more of age; that I am not prohibited by the Federal Firearms Act from receiving a handgun in interstate or foreign commerce; and that my receipt of this handgun will not be in violation of any statute of the State and published ordinance applicable to the locality in which I reside. Further, the true title, name, and address of the principal law enforcement officer of the locality to which the handgun will be shipped are _____. Signature _____ Date _____", and containing blank spaces for the attachment of a true copy of any permit or other information required pursuant to such statute or published ordinance.

"'(2) such manufacturer or dealer has, prior to the shipment of such handgun, forwarded by registered or certified mail (return receipt requested) to (A) the local law enforcement officer named in the sworn statement, or (B) the official designated by the Governor of the State concerned under this subsection, a description of the handgun to be shipped (including the manufacturer, the caliber, the model, and type of such handgun, but not including serial number identification), and one copy of the sworn statement, and has received a return receipt evidencing delivery of such letter, or such letter has been returned to such manufacturer or dealer due to the refusal of the named law enforcement officer or designated official to accept such letter in accordance with United States Post Office Department regulations; and

"'(3) such manufacturer or dealer has delayed shipment for a period of at least seven days following receipt of the notification of the local law enforcement officer's or designated official's acceptance or refusal of such letter.

A copy of the sworn statement and a copy of the notification to the local law enforcement officer or designated official along with evidence of receipt or rejection of that notification shall be retained by the licensee as a part of the records required to be kept under section 3(d). For purposes of paragraph (2)(B), the Governor of any State may designate any official in his State to receive such notification for such State or any part thereof in lieu of the notification required by paragraph 2(A) and shall notify the Secretary of the name, title, and business address of such official and the Secretary shall publish in the Federal Register the name, title, and address of such official. Upon such publication, notification to the local law enforcement officers required under paragraph (2)(A) of this subsection will not be required for a period of five years from the date of such publication unless the request is withdrawn by the Governor of such State and such withdrawal is published in the Federal Register.

"'(m) It shall be unlawful for any licensed manufacturer or licensed dealer to sell or deliver for sale any handgun to any person other than another licensed manufacturer or licensed dealer who is not a resident of the State in which such manufacturer's or dealer's place of business is located and in which the sale or delivery for sale is made, unless such manufacturer or dealer has, prior to sale, or delivery for sale of the handgun, complied with the provisions of subsection (1) of this section.

"'(n) It shall be unlawful for any person in connection with the acquisition or attempted acquisition of a firearm from a licensed manufacturer or licensed dealer to—

"'(1) knowingly make any false or fictitious statement, written or oral; or

"'(2) knowingly furnish or exhibit any false, fictitious, or misrepresented identification with the intention to deceive such manufacturer or dealer with respect to any fact material to the lawfulness of the sale or other disposition of a firearm by a licensed manufacturer or licensed dealer under the provisions of this section.

"'(o) It shall be unlawful for any person to transport or receive in the State where he resides a firearm purchased or otherwise obtained by him outside the State where he resides if it would be unlawful for him to purchase or possess such firearm in the State (or political subdivision thereof) where he resides.'

"SEC. 903. Section 3 of the Federal Firearms Act is amended to read:

"'SEC. 3. (a) Any manufacturer or dealer desiring a license to transport, ship, or receive firearms in interstate or foreign commerce shall file an application for such license with the Secretary, in such form and containing such information as the Secretary shall by regulation prescribe. Each such applicant shall be required to pay a fee for obtaining such license as follows:

"'(1) If a manufacturer of firearms, a fee of $50 per annum;

"'(2) If a dealer (other than a pawnbroker) in firearms, a fee of $10 per annum, except that for the first renewal following the effective date of the Federal Firearms Amendments of 1968 or for the first year he is engaged in business as a dealer such dealer will pay a fee of $25;

"'(3) If a pawnbroker, a fee of $50 per annum.

"'(b) Upon filing by a qualified applicant of a proper application and the payment of the prescribed fee, the Secretary shall issue to such applicant the license applied for, which shall, subject to the provisions of this Act, entitle the licensee to transport, ship, sell, and receive firearms in interstate or foreign commerce during the period stated in the license. No license shall be issued pursuant to this Act—

"'(1) to any applicant who is under twenty-one years of age;

"'(2) to any applicant, if the applicant (including, in the case of a corporation, partnership, or association, any individual who, directly or indirectly, has the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited by the provisions of this Act from transporting, shipping, selling, or receiving firearms in interstate or foreign commerce;

"'(3) to any applicant who has willfully violated any of the provisions of this Act or regulations issued thereunder; or

"'(4) to any applicant who has willfully failed to disclose any material information required, or made any false statement as to any material fact, in connection with his application.

"'(c) The provisions of section 2 (d), (e), and (f) of this Act shall not apply in the case of a licensed manufacturer or licensed dealer who is under indictment for a crime punishable by imprisonment for a term exceeding one year: *Provided*, That such manufacturer or dealer gives notice to the Secretary by registered or certified mail of his indictment within thirty days of the date of the indictment. A licensed manufacturer or licensed dealer who has given notice of his indictment to the Secretary, as provided in this subsection, may continue operation pursuant to his existing license during the term of such indictment, and until any conviction pursuant to the indictment becomes final, whereupon he shall be fully subject to all provisions of this Act, and operations pursuant to such license shall be discontinued.

"'(d) Each licensed manufacturer and licensed dealer shall maintain such records of production, importation, notification, shipment, sale, and other disposal of firearms as the Secretary may by regulation prescribe.'

"SEC. 904. Section 4 of the Federal Firearms Act is amended to read:

"'SEC. 4. (a) The provisions of this Act shall not apply with respect—

"'(1) to the transportation, shipment, receipt, or importation of any firearms sold or shipped to, or issued for the use of (A) the United States or any department, independent establishment, or agency thereof; (B) any State or any department, independent establishment, agency, or any political subdivision thereof; (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof; (D) any bank, common or contract carrier, express company, or armored-truck company organized and operating in good faith for the transportation of money and valuables, which is granted an exemption by the Secretary; or (E) any research laboratory designated as such by the Secretary; or

"'(2) to the transportation, shipment, or receipt of antique or unserviceable firearms possessed and held as a curio or museum piece.

"'(b) Nothing contained in this Act shall be construed to prevent shipments of firearms to institutions, organizations, or persons to whom firearms may be lawfully delivered by the Secretary of Defense or his designee, nor to prevent the receipt or transportation of such firearms by their lawful possessors while they are engaged in military training or in competitions.'

"SEC. 905. Section 5 of the Federal Firearms Act is amended to read:

"'SEC. 5. (a) Any person violating any of the provisions of this Act or any rules and regulations promulgated hereunder, or who makes any statement in applying for the license or exemption provided for in this Act, knowing or having reasonable cause to know such statement to be false, shall, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than ten years, or both, and shall become eligible for parole as the Board of Parole shall determine.

"'(b) Any firearm involved in any violation of the provisions of this Act or any rules or regulations promulgated thereunder shall be subject to seizure and forfeiture, and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code shall, so far as applicable, extend to seizures and forfeitures incurred under the provisions of this Act.'

"SEC. 906. The Federal Firearms Act is amended by adding at the end thereof the following new section:

"'SEC. 11. Nothing in this Act shall be construed as modifying or affecting any provision of—

"'(1) the National Firearms Act (chapter 53 of Internal Revenue Code of 1954); or

"'(2) section 414 of the Mutual Security Act of 1954, as amended (section 1934 of

title 22 of the United States Code (relating to munitions control)); or

"'(3) section 1715 of title 18 of the United States Code (relating to nonmailable firearms).'

"SEC. 907. The amendments made by this part shall become effective on the first day of the sixth month beginning after the date of enactment of this part.

"SEC. 908. This part may be cited as the 'Federal Firearms Amendments of 1968'.

"PART B—NATIONAL FIREARMS ACT AMENDMENTS

"SEC. 911. (a) Paragraph (1) of section 5848 of the Internal Revenue Code of 1954 is amended by inserting after 'or a machinegun,' the words 'or a destructive device,'.

"(b) Paragraph (2) of section 5848 of the Internal Revenue Code of 1954 as amended by inserting after the words 'or is designed to shoot,' the words 'or which can readily be restored to shoot,' and by striking out the period at the end thereof and inserting after the word 'trigger' the words ', and shall include (A) the frame or receiver of any such weapon, and (B) any combination of parts designed and intended for use in converting a weapon other than a machinegun, into a machinegun'.

"(c) Section 5848 of the Internal Revenue Code of 1954 is amended by renumbering paragraphs (3), (4), (5), (6), (7), (8), (9), (10), and (11), as paragraphs (4), (5), (6), (7), (8), (9), 10), (11), and (12), respectively, and by inserting after paragraph (2) a new paragraph (3) as follows:

"'(3) The term "destructive device" means (A) any explosive or incendiary (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile, (v) mine, or (vi) similar device; (B) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive, the barrel or barrels of which have a bore of more than 0.78 inches in diameter; or (C) any combination of parts designed and intended for use in converting any device into a destructive device. The term "destructive device" shall not include (i) any device which is not designed or redesigned or used or intended for use as a weapon, (ii) any device, although originally designed as a weapon, which is redesigned for use or is used as a signaling, pyrotechnic line throwing, safety, or similar device, (iii) any shotgun or rifle, (iv) any firearm designed for use with black powder regardless of when manufactured, (v) surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10 of the United States Code, (iv) any device which the Secretary finds is used exclusively by the United States or any department or agency thereof, or (vii) any other device which the Secretary finds is not likely to be used as a weapon.'

"(d) Paragraph (4) of section 5848 of the Internal Revenue Code of 1954 (as renumbered) is amended by striking out the period at the end thereof and inserting the words ', and any such weapon which can readily be restored to firing condition.'

"(e) Paragraph (5) of section 5848 of the Internal Revenue Code of 1954 (as renumbered) is amended by striking out the period at the end thereof and inserting the words ', and any such weapon which can readily be restored to firing condition.'

"SEC. 912. Section 5803 of the Internal Revenue Code of 1954 is amended to read as follows:

"'SEC. 5803. EXEMPTIONS.

"'The tax imposed by section 5801 shall not apply to any importer, manufacturer, or dealer all of whose business as an importer, manufacturer, or dealer is conducted with, or on behalf of, the United States or any department, independent establishment, or agency thereof. The Secretary or his delegate may relieve any such importer, manufacturer, or dealer from compliance with any provision of this chapter with respect to the conducting of such business.'

"SEC. 913. (a) Section 5814 of the Internal Revenue Code of 1954 is amended by—

"(1) striking out the word 'duplicate' in the first sentence of subsection (a) and inserting in lieu thereof 'triplicate';

"(2) inserting before the period in the second sentence of subsection (a) thereof the following: 'and the age of such applicant'; and

"(3) striking out 'a copy' in the first sentence of subsection (b), inserting in lieu thereof 'one copy', and adding before the period in such sentence the following: 'and one copy to the principal law enforcement officer of the locality wherein he resides'.

"(b) Subsection (e) of section 5821 of the Internal Revenue Code of 1954 is amended by—

"(1) inserting before the period in the last sentence thereof the following: 'and the age of such applicant'; and

"(2) adding at the end thereof the following new sentence: 'At the same time that the person making the declaration forwards the declaration to the Secretary or his delegate, he shall forward a copy thereof to the principal law enforcement officer of the locality wherein he resides.'

"(c) Section 5843 of the Internal Revenue Code of 1954 is amended by inserting at the end thereof the following sentence: 'If a firearm (possessed by a person other than an importer or manufacturer) does not bear the identification required under this section, the possessor thereof shall identify the firearm with such number and other identification marks as may be designated by the Secretary or his delegate, in a manner approved by the Secretary or his delegate.'

"SEC. 914. (a) The second sentence of section 5841 of the Internal Revenue Code of 1954 is hereby repealed.

"(b) Section 5841 of the Internal Revenue Code of 1954 is further amended by adding at the end thereof the following: 'No person required to register under the provisions of this chapter shall be prosecuted or subjected to any penalty for or on account of any matter or information contained in any declaration or other statement required pursuant to the provisions of this chapter nor shall such information or matter be used as evidence in any criminal proceeding against him in any court; provided that no person shall be exempt under the provisions of this section from prosecution for any violation of the provisions of section 1001 of title 18 of the United States Code.'

"SEC. 915. (a) Subchapter B of chapter 53 of the Internal Revenue Code of 1954 is amended by adding at the end thereof a new section 5850 as follows:

"'Sec. 5850. Applicability of Other Laws.

"'Nothing in this chapter shall be construed as modifying or affecting any provision of—

"'(1) the Federal Firearms Act, as amended (15 U.S.C. 901–909); or

"'(2) section 414 of the Mutual Security Act of 1954, as amended (section 1934 of title 22 of the United States Code (relating to munitions control)); or

"'(3) section 1715 of title 18 of the United States Code (relating to nonmailable firearms).'

"(b) The table of sections in subchapter B of chapter 53 of the Internal Revenue Code of 1954 is amended by adding at the end thereof:

"'Sec. 5850. Applicability of other laws.'

"SEC. 916. (a) Subchapter C of chapter 53 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sections:

"'Sec. 5866. Unlawful Receipt in Violation of State Law.

"'It shall be unlawful for any person to transport or receive in the State where he resides a firearm purchased or otherwise obtained by him outside the State where he resides if it would be unlawful for him to purchase or possess such firearms in the State (or political subdivision thereof) where he resides.

"'Sec. 5857. Unlawful Sale to a Person Under 21 Years of Age.

"'It shall be unlawful for any importer, manufacturer, or dealer, subject to the special tax imposed under section 5801 to sell any firearm to any person with knowledge or with reasonable cause to believe that such person is under twenty-one years of age.'

"(b) The table of sections in subchapter C of chapter 53 of the Internal Revenue Code of 1954 is amended by adding at the end thereof:

"'Sec. 5856. Unlawful receipt in violation State law.

"'Sec. 5857. Unlawful sale to a person under 21 years of age.'

"SEC. 917. Section 5861 of the Internal Revenue Code is amended to read as follows:

"'SEC. 5861. Penalties.

"'Any person who violates or fails to comply with any of the requirements of this chapter shall, upon conviction, be fined not more than $10,000, or imprisoned for not more than ten years, or both, and shall become eligible for parole as the Board of Parole shall determine.'.

"SEC. 918. (a) The proviso in paragraph (3) of subsection (a) of section 5801 of the Internal Revenue Code of 1954 is amended by striking out the words 'under section 5848(5)' and inserting in lieu thereof the words 'under sections 5848(6)'.

"(b) The proviso in subsection (a) of section 5811 of the Internal Revenue Code of 1954 is amended by striking out the words 'under section 5848(5)' and inserting in lieu thereof the words 'under section 5848(6)'.

"(c) Subsection (d) of section 5685 of the Internal Revenue Code is amended to read as follows:

"'(d) DEFINITION OF MACHINE GUN.—As used in this section the term "machine gun" has the same meaning assigned to it in section 5848(2).'

"SEC. 919. (a) This part shall take effect on the first day of the sixth month following the month in which it is enacted.

"(b) Notwithstanding the provisions of subsection (a), any person required to register a firearm under the provisions of section 5841 of the Internal Revenue Code of 1954 by reason of the amendments to section 5848 of such Code contained in section 911 of this part, shall have ninety days from the effective date of this Act to register such firearm, and no liability (criminal or otherwise) shall be incurred in respect to failure to so register under such section prior to the expiration of such ninety days."

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished junior Senator from Tennessee [Mr. BAKER] may proceed for an additional 5 minutes.

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

THREAT TO TAX-EXEMPT STATUS OF STATE AND LOCAL BONDS

Mr. BAKER. Mr. President, suddenly during the past few weeks the Senate has been presented with at least five major proposals which would either repeal outright or encourage the waiver of the longstanding immunity of State and local government activities from Federal taxation.

One proposal would terminate the exemption of State and local governments from the Federal excise tax on domestic air travel. Another would eliminate the Federal income tax exemption on industrial development bonds.

Most important are three administration bills which were introduced within the space of 1 week in mid-March. These proceed upon the theory that it is preferable to remove the exemption from the Federal income tax for holders of bonds issued by State and local governments if the Federal Government will guarantee the worth of the bonds and will subsidize State and local governments for the difference between the interest these governments would have to pay on taxable bonds and the lower interest rate paid on tax-exempt bonds.

These five bills, taken together, could have the most urgent and serious effects upon the financial integrity and autonomy of State and local governments. In particular, wholesale elimination of the tax-exempt status of State and local bonds in exchange for Federal guarantees and interest subsidies would be the most effective centralizing force introduced into our federal system since the enactment of the Federal income tax in 1913.

Despite the enormity of this package of proposals, representatives of State and local governments have not been adequately consulted on any of the measures.

Yet, piece by piece, the package is working its way through Congress.

H.R. 16241, which would repeal the exemption of State and local governments from the Federal excise tax on domestic air travel, was devised by the House Ways and Means Committee, reported on March 27, and sped through the House on April 4 under a rule permitting no amendments from the floor.

On March 6, the Treasury Department announced that it was reconsidering its policy of exempting, under section 103 of the Internal Revenue Code, the interest paid on municipal bonds issued to finance the purchase and/or construction of a facility to be leased by a private corporation. On March 28, the Senate reversed itself and overruled its Finance Committee by adopting the amendment of the Senator from Connecticut [Mr. RIBICOFF] to end the tax-exempt status of these so-called industrial development bonds. Since the Ribicoff amendment was offered on the floor of the Senate and was not considered by the House, the matter is now under consideration by a Senate-House conference.

Action has been taken only on one of the three guarantee subsidy bills. This is the Water Quality Improvement Act of 1968 (S. 3206) introduced in the Senate on March 14 by the distinguished Senator from Maine [Mr. MUSKIE] and on March 12 in the House (H.R. 15906, 15907). Hearings on the measure have already begun by the Senate Public Works Subcommittee on Air and Water Pollution and the House Committee on Public Works.

The Muskie bill would permit the Federal Government to contract to pay for, rather than actually pay for, its share of constructing sewage treatment plants. Under the contract, the Federal Government would pay annually to the public bodies the principal and interest payments representing the Federal share of the bonds sold by public agencies to finance sewage plant construction. Interest on these bonds issued by State and local governments would be taxable, but the Federal Government would guarantee the State and local share of the bonds issued for the treatment facility.

Another administration bill, introduced in the Senate on March 14 (S. 3165) and in the House on April 8 (H.R. 16514) repeals the tax exemption for municipal bonds which are used by rural communities to obtain loans from private lenders for the building of water and sewer systems.

The Secretary of Agriculture, in a letter March 11 to the President of the Senate, suggests that if the bill is enacted, the Department will begin to use authority which it already has, in effect, to pay local communities an interest subsidy for the difference between what it costs to sell taxable bonds for this purpose and what it would have cost to sell tax-exempt bonds.

Under this proposal, communities would apply to the Federal Government for loans to build water and sewer systems. The Secretary would make the loans at a rate he determines is the same as the community would have had to pay on tax-exempt bonds sold to private lenders. The Federal Government then would sell the communities' obligations to private lenders. Interest on these bonds would be taxable to the private lenders and the Federal Government would absorb the higher interest rate that would have to be paid on the taxable bonds. The Federal Government also will insure the loans in an attempt to make the bonds more marketable and decrease the size of the interest differential.

On March 14, the distinguished Senator from Wisconsin [Mr. PROXMIRE] introduced S. 3170, the most sweeping of all these proposals. This bill would encourage State and local governments to waive tax exemption on all their bonds sold to finance public projects. As a reward for those governments who do make the waiver, the Federal Government will, first, guarantee these bond issues against default, and, second, pay to the issuing body a 33-percent interest subsidy which should cover the increased cost to the issuer of selling taxable rather than nontaxable bonds.

The major support for the principle of replacing tax-exempt bonds with a system of Federal guarantees and interest subsidies seems to come from two quarters. The first is the Federal Treasury. Although the first Federal Income Tax Act in 1913 specifically recognized the immunity of interest income from securities issued by State and local governments, virtually every Secretary of the Treasury since its passage has tried to remove the exemption feature. The present Secretary seems to be particularly aggressive and effective in this respect. The desire of the Treasury is not surprising for the amounts in controversy are not piddling. The Bureau of the Budget estimated this year that State and local governments annually save between $1 and $2 billion on interest payments because of the tax-exempt feature of their bonds. The Bureau estimates also that the value of this deduction in terms of tax savings to individuals—which is not necessarily the same as the approximate loss to the Federal Treasury—is $4.7 billion.

The second source of support for this principle typically comes from the centralists, those who either advocate the continued transfer of decisionmaking from localities to the Central Government or those who, while concerned about the ill effect of centralism, are not so especially concerned that they rate it very high on the lists of priorities when other considerations come into play. The bait is also quite strong here. Bond financing is the only orderly way that States and cities can launch bold and innovative public projects completely on their own. And there are so many restrictions on the approximately $17 billion in Federal grant-in-aid money that is available that the recipient government may not be able to get grant help for what it, in its own opinion, thinks it must do. The centralists are quite correct that replacing the tax-exempt feature of bonds by means of Federal guarantees and subsidies will for the first time, put Federal strings on State and local capital financing.

My response ranges from serious questioning to outright rejection of these proposals. To begin with, the Treasury has not yet convinced me that the Constitution permits it to tax the securities issued for public purposes by State and local governments. Any legislation which attempts outright to repeal the tax exemption on State and local bonds assumes that Congress may, without constitutional amendment, tax the interest on a State and local bond based on the purpose of the issuance of such bond. This would at minimum raise the whole constitutional question of the power of Congress to penalize or reward the States by taxation or exemption, depending on whether the National Government approves or disapproves of the purposes of the bond issue. My assumption has always been that the reservation of powers to the States contained in the Federal Constitution's 10th amendment would preclude an assumption that the Central Government has the power to tax the States and their political subdivisions.

In addition, I seriously question the contention that removal of the tax exemption will produce more Federal revenues than is gained by the States and municipalities in reduced interest costs. Senator PROXMIRE and Secretary of Agriculture Freeman, arguing in support of their respective bills, even say that the Federal Treasury will gain by removing the exemption even if it guarantees all municipal bond issues and pays an interest subsidy on the difference between the cost of States and localities of selling taxable bonds and that of tax-exempt bonds.

Yet I had assumed that removal of the exemption would not necessarily produce more Federal revenues than it costs States and localities in higher interest

payments. The revenue gain might be more than, equal to, or less than the rise in interest costs, depending on the ultimate distribution of the State-local securities. A study recently submitted to the Air and Water Pollution Subcommittee of the Committee on Public Works has suggested that there would be decreased rather than increased Federal revenues if the tax-exempt status of State and local bonds were replaced with a system of guaranteed-subsidized taxable bonds.

Even if one were to acknowledge the validity of the constitutional and economic arguments of the Treasury, there still remains what is for me the critical policy question: What effect would replacing the tax-exempt bond with the guaranteed-subsidized taxable bond have upon the autonomy and financial integrity of State and local governments?

I believe that the very clear answer is that there would be disastrous effects if Congress has the statutory power to tax State and local bonds, it has inevitably the power to control State and municipal financing. Any State or local official familiar with the administration of the more than 400 Federal grants-in-aid knows that Federal guarantees and subsidies mean Federal strings, and that Federal strings mean national, not local, decisions and national, not local, control.

Indeed, the Ribicoff amendment which would eliminate industrial development bonds substantiates this point well. By listing purposes for which municipal bonds can still be issued tax-exempt, the amendment establishes a centrally determined honor roll of "good" local governmental purposes. With the use of guaranteed-subsidized taxable bonds, such a practice could become prevalent in the huge State and local capital financing market.

Another area into which the Federal Government would have to inject itself under the guarantee subsidy approach is the credit rating business. Senator PROXMIRE has estimated that of the 94,000 municipal bonds issued during the last 15 years, 74,000 were not rated. Should the Federal Government guarantee and subsidize taxable bonds for all the 74,000 unrated issues? If not, why not? And on what basis will the Government pick and choose?

In summary, then, I am opposed to the attempt in H.R. 16241 to repeal the exemption of State and local governments from the Federal excise tax on domestic air travel because I am not willing to acknowledge the power of the Central Government to tax the activities of States and their political subdivisions.

While I share the concern for the abuses and indiscriminate uses of industrial revenue bonds, I strongly oppose a total denial of this exemption to obligations which clearly and deeply affect the public interest.

I should not like to be misunderstood in my remarks about the three measures which contain one form or another of the guarantee subsidy approach. Many of the bills also contain intriguing proposals which, with modification, could strengthen the financial means of States and cities without impairing their autonomy. For example, Senator MUSKIE's imaginative proposal in S. 3260 that would permit the Federal Government to contract to pay for, rather than actually paying for, its share of the fight against polluted water deserves careful and serious attention. I object to the requirement of waiver of the tax-exempt status of the bonds by participating States and cities, and I object to Federal guarantees for the State/local share of the bonds. Apart from that, the proposal has great merit in that it would permit this country to move steadily forward in its urgent effort to make its waters clean at a time when the Central Government is in deep fiscal crisis.

I also share Senator PROXMIRE's concern that many smaller communities are arbitrarily denied access to regional or national capital markets because investors are unfamiliar with the credit rating of the municipality. Undoubtedly many of the 74,000 municipal bond issues which were unrated during the past 15 years deserved rating. Therefore, I am intrigued with the Senator's proposal for a national municipal data bank which could maintain financial statistics on American municipalities who choose to use the service. The data would be available to private investors and Federal agencies offering credit assistance programs. The cost of the bank could be borne by the participating communities.

State and local governments will issue about $150 billion in bonds between now and 1975 in order to build essential public facilities such as roads, schools, and hospitals. Many of these bonds will be used to put private capital to work to eliminate ghetto or rural poverty. Every effort should be made to see that smaller communities, which often need capital financing the most, have every reasonable opportunity to have access to the important capital markets.

So you see, in most of these proposals there are new ideas of substantial merit and of substantial value in the task of moving forward to solve the problems of America, but in no one of the proposals, I submit, must the tax-exempt bonding authority of State and local governments be offered up as a sacrifice. Much good can be salvaged from these and similar proposals, and I propose to try to do it. But there is no essential link between the destruction of local autonomy and progress in eliminating water pollution, strengthening municipal credit, and improving other areas. I think it is essential that we separate the good from the bad in these series of five measures which, taken together, constitute a concerted effort to destroy local fiscal autonomy.

Every State, county, and city official should be aware that these proposals concede the power of the Central Government to tax States and cities, that the power to tax is one of the effective forms of regulation, and that certainly no more powerful instrument for centralism of government could be devised.

I, for one, will continue to strongly resist any effort to tax the interest on securities issued for public purposes by State and local governments. I am among those who believe that the centralizing trends which have been running in America ever since the industrial revolution have gone quite far enough. I prefer to be a "pragmatic decentralist," who believes that our Nation needs a new direction in federalism that will encourage the placing of more power and responsibility with the people at local levels than with administratively appointed officials in Washington.

I hope that State and local officials everywhere will study these measures carefully and make certain they receive careful attention in Congress. Because of the seriousness of the dominant theory which runs through these five bills I have discussed today, I am requesting that the Senate Intergovernmental Relations Subcommittee, of which I am a member, conduct hearings on the question whether to replace the tax-exempt status of State and local bonds with a system of federally guaranteed and subsidized taxable bonds.

Mr. PROXMIRE. Mr. President, the distinguished junior Senator from Tennessee [Mr. BAKER], in the course of his speech on municipal financing, enunciated some criticism of a bill I have introduced.

My bill would end the present loophole in the law which enables people to invest in municipal bonds and escape Federal income taxes. I point out that today a man with $10 million to invest can put it in municipal bonds and receive $500,000 per year or $10,000 a week and pay nothing in taxes on that investment, not 1 cent. My bill would tend to reduce this, but it would benefit, I repeat benefit the municipalities.

The second part of my proposal is that it would be strictly permissive. The municipality would not be required to go the non-tax-exempt route. It would still be free to issue tax-exempt bonds if it could benefit in doing so, but if it were to do so, it would not be free to enjoy the various benefits set up in my proposal.

I compliment the distinguished Senator from Tennessee for the excellent and constructive statement he has made concerning the financing problems of State and local governments.

I certainly share his concern that our State and local governments are able to borrow funds for vital public necessities without the direct intervention and control of the Federal Government.

As I have said, a bill I introduced several weeks ago (S. 3170) was aimed at reducing the cost of borrowing to our State and local governments. The basic feature of the bill would be to provide a Federal guarantee and an interest-rate subsidy for those local communities who waived the tax-exempt status of their bonds. It should be emphasized, however, that this waiver would be strictly voluntary on the part of the State or municipality. If, for any reason, the State or local government chooses not to waive its tax-exempt status, it would, of course, be entirely free to continue to issue tax-exempt bonds.

The basic aim of my proposal is not to whittle away against the constitutional principle of tax exemption for State and local securities. The aim is not

to substitute Federal control for local control.

On the contrary, the purpose of my proposal is to make it easier for hard-pressed municipalities to borrow for their essential needs. According to hearings held before the Joint Economic Committee on the financing problems of several municipalities, in the next decade we will see unprecedented increases in State and local bond issues. The growing competition for funds from all sections of the economy makes it increasingly difficult for cities, and particularly our smaller towns, to borrow on reasonable terms.

My proposal would substantially increase the revenue for the Treasury—by several hundred million dollars a year—in the future on the basis of the present trend in the increase in municipal and State bonds. It would increase Federal revenue. It would also reduce the cost to the municipalities. Those who would probably suffer are those who now enjoy a tremendous free ride by virtue of being able to invest in municipal bonds with a very profitable yield of close to 5 percent, and pay no Federal income tax.

I am hopeful that my proposal will lead to lower borrowing costs for cities so that they can provide our citizens with the necessary hospitals, schools, and other public facilities needed for a growing population.

I certainly share the concern of the distinguished and able Senator from Tennessee that this proposal not result in Federal domination and control. I would be more than happy to work with him and other Members of the Senate and all other interested groups to insure that State and local governments preserve control over their financing.

THE "PUEBLO"

Mr. YOUNG of Ohio. Mr. President, American citizens have every reason to be disturbed and concerned over the fact that more than a quarter of a year has elapsed since the intelligence collecting, or spy ship, *Pueblo*, was boarded in international waters off North Korea and then towed into the port of Wonsan and the officers and crew of 82 made prisoners. This has been a humiliation for all Americans.

The truth is that in the entire history of the Republic, no warship of the U.S. Navy was ever captured by an enemy, except in combat and with guns blazing. This, in fact, is still the history and tradition of our Republic. The *Pueblo* was a Central Intelligence Agency and Joint Chiefs of Staff operation. In truth and fact this incident takes its place along with the Bay of Pigs invasion and U-2 incident as one more CIA blunder. True, a few officers and members of the crew were U.S. Navy personnel, but the majority were technicians, CIA operatives and scientists skilled and experienced in breaking codes and in knowledge of highly sophisticated secret apparatus. Their mission off the North Korean coast was ill timed to say the least. There was no sense nor urgency in this reckless act of surveillance at this time.

Now after 3 months time, and following propaganda showered upon Members of Congress allegedly even including letters apparently from many of those 82 Americans captured, we seem no closer to accomplishing the release of these men or the restoration of the *Pueblo* to the United States.

This is too important and too serious a matter to be left to a general and some colonels at Panmunjom.

In my judgment, our President and the Congress must do something dramatic and without delay to secure the release of the 82 Americans seized on the *Pueblo*. Whether we obtain the release of the *Pueblo* or have it towed out to international waters and then sunk is of little importance. To return to the United States the officers and crew is of the utmost importance. We must go all out to accomplish this. Furthermore, what is wrong with a great and powerful nation such as the United States of America stating through its President by messages to heads of state of Asiatic nations, including the Soviet Union, and also France and the United Kingdom that—

> It was an inexcusable mistake that our intelligence collecting ship, the *Pueblo*, was sent on a mission off the North Korean coast late last year and we regret that such a mission was undertaken and we specifically express our regret and apologize to the Democratic Republic of North Korea that our vessel intruded within 12 miles of the shoreline of North Korea when it evidently left international waters and floated for a short time within the coastal waters of North Korea, and give assurance that no such affront will be permitted by any of our vessels in the future.

I urge that the President appoint an extraordinary mission of five American civilians offering to send them to Panmunjon on the border of the demilitarized zone between North Korea and South Korea to displace altogether the present group of Army officers to manifest and demonstrate our hope that this entire controversy will be resolved without further delay. To attest to the importance of this mission, I suggest that the representatives of the United States should be Arthur Goldberg, Senators MIKE MANSFIELD, THRUSTON MORTON, and J. WILLIAM FULBRIGHT, and Mayor John Lindsay, all with full authority to represent the President of the United States and all of the citizens of this Nation.

Americans know the *Pueblo* was on an intelligence collecting or spy mission off the waters of North Korea. They now realize this was just another blunder of the CIA comparable to the Bay of Pigs incident, sending this ship to engage in surveillance 13 to 15 miles off the coast of North Korea at a time when we are on the defensive and gravely involved in Vietnam and suffering huge losses in men, airplanes, and helicopters. They know that the *Pueblo* could have performed its mission by drifting silently 15 or 20 miles off the North Korean coast and well out into international waters. However, all of us know, despite the instructions, there was a lapse of some 10 days admitted by the then Defense Secretary, Robert S. McNamara, during which, he said that we Americans "cannot say beyond a shadow of a doubt that no time during its voyage it entered North Korean waters." The then Defense Secretary stated:

> There was a period of radio silence appropriate to its mission from the period of roughly January 10 to January 21.

We lack knowledge during that period as to whether this ship intruded within the coastal waters of North Korea. We shall never know until the crew and skipper are released. It is readily understandable that our ship could have drifted or been carried by the current a few miles within the territorial waters of North Korea.

In that area there are a few small North Korean islands, very small hilltops in the ocean. No doubt they would be considered a part of North Korea and intruding within 12 miles of any little island would constitute a violation of North Korean territory. The Soviet Union has "trawlers" so-called, which are intelligence-collecting ships off our coast and throughout the world, and their spy ships outnumber ours. In their missions, as in our missions, it would destroy the effectiveness of the mission were warships to escort the Soviet trawler or one of their vessels of the *Pueblo* class, and also it would be unthinkable and destructive of the intelligence-collecting mission to have air cover.

Those Americans who have been urging us to invade Wonsan Harbor with our warships with their guns blazing and with our airpower must be necrophilists, or lovers of death. North Korea has a nonaggression pact or treaty with the Soviet Union. Their officials would immediately invoke performance of its treaty obligation by the Russians by reason of aggression by "Yankee imperialists." Also, North Korea has a first-class army and air force of some 500 planes, at least 70 of which are Mig-21's being equal to many of our planes. In addition to this fact, the United States is the most powerful nation in the world from a military and economic standpoint. Economically and militarily, North Korea is a small underdeveloped nation and of minor importance in the world.

Such rantings do not serve the best interests of the Nation. The restraint which President Johnson has shown since the *Pueblo* was captured has established a wise and prudent course to follow. Every effort must be made to resolve the present impasse peaceably by diplomatic conferences. What matters most is saving lives, not saving face. I strongly urge that the President without delay give consideration to the appointment of a top level mission to secure the release of the 82 Americans now held prisoner in North Korea.

THE MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

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

Mr. BYRD of West Virginia. Mr. President, an aspect of the so-called poor people's march on Washington that has not been much discussed is the unjustifiable additional burden it will throw on

many already overtaxed municipal facilities of our Nation's Capital and surrounding metropolitan area.

Budgetary costs, when considered in connection with human needs, may not seem to many people to be of any consideration, or at least not of much consideration, but they necessarily must be of great consideration in view of the recent very costly riots that were staged in the Nation's Capital and in view of the already difficult normal revenue needs which confront the Nation's Capital, entirely aside from the riots, and, additionally, because of the continuing costs arising from a number of arsons which have occurred since the riots.

It is my belief that the conferences which will be held today and tomorrow and possibly on Wednesday by the Reverend Ralph Abernathy, who heads the Southern Christian Leadership Conference, and other conferences which may be planned with Government officials in connection with the so-called poor people's campaign can achieve more in an effective and positive way than any prolonged march and demonstration could possibly hope to achieve.

I have heretofore urged that attempts be made by Federal authorities to seek an injunction to prevent the march and the demonstration.

I certainly find no fault with the conferences being held by the group that is already in Washington. These conferences could be productive of some good, for the Federal Government has an obligation to do everything that it can do to help the poor people of this country improve their lot in life. I favor everything that can feasibly and practically be done by the Federal Government to effectively combat poverty.

I call attention, as I did last week on the Senate floor, to the fact that the Federal Government is already spending huge sums of money, running into the billions of dollars, for programs which are calculated to improve the lot of poverty-stricken families throughout America. Many of these programs have produced good results, and have proved to be effective and wise programs.

On the other hand, there are costly programs which have not proved their effectiveness, which have not been properly administered or run, and which are not only costly but also wasteful, to some extent at least.

In my judgment, much remains to be done to improve these presently ongoing programs to the point that they might be more efficiently run and might more effectively reach the poor, for whose benefit they were originally intended.

So there is a great question in my mind as to whether or not the Federal Government would be wise in taking steps at this point to initiate vast, new, costly Federal programs—even if it could afford them—when at present we have many costly programs underway, and at a time when we need to emphasize and concentrate upon the improvement of the already existing programs.

My opinion is that the march that has been planned will not bring about the improvements that are being sought, whatever those improvements are, whatever the programs are—they remain largely unclear, if we are to judge by press reports—and that instead of helping the poor, attitudes may harden against the demonstrators because of problems that will be created by their converging upon the city of Washington. The proposed demonstration is highly impractical, and in my judgment it constitutes the wrong way to go about helping the Nation's poor.

The subcommittee of which I am the chairman has a direct responsibility for providing appropriations for the operation of the District of Columbia agencies and departments, and the various programs that are administered by those departments and agencies. I am concerned regarding, among other things, the greatly expanded costs which will be added to the District of Columbia budget—wasteful additions which cannot do the poor from distant places any good, but which may well penalize the poor who already live in the city of Washington.

It is impossible to estimate what the costs to the city of Washington and adjoining counties and to the Federal Government will be; but, as chairman of the Senate Appropriations Subcommittee on the District of Columbia, I have been in conference with such departments of the District government as the Health Department, the Welfare Department, the Metropolitan Police Department, and the Fire Department. All of these departmental officials foresee extra expenses and possibly very thorny problems as a result of the announced camp-in if it is carried out as planned.

One of the gravest problems, and one of the costliest, could occur in the area of public health. Sewerage and water facilities are lacking in many of the places that have been suggested for the tent city. Refrigeration of food during the hot summer months can be a problem, and the lack of refrigeration could bring on an outbreak of gastro-intestinal diseases. Communicable diseases will be an especially difficult problem to deal with, since many persons recruited from substandard economic areas may be carriers of disease, and all, or most or at least many, of these persons may have to be immunized. An outbreak of typhoid or dysentery, or even such killer diseases as spinal meningitis—all of which are spread and flourish under such primitive conditions as are envisioned—not only could seriously endanger the health of the poor people who are brought here, but the health of citizens of the metropolitan area as well.

Local hospitals already have heavy cost burdens, and they care for many indigent patients. I call attention to the fact that during the present fiscal year, of the patients in the District of Columbia General Hospital, 94 percent are indigent; and it might be worthy of Dr. Abernathy's attention that at least 80 percent of these are Negroes. The cost to the District of Columbia of indigent patients will be close to $24 million in fiscal year 1968.

It will be difficult to provide the medical care that may be needed by demonstrators recruited from other parts of the country, which care is highly costly, in view of constantly rising hospital and medical care expenses.

Taken all together, the public aspects of dealing with hundreds or thousands of poor people—and I am talking about hundreds or thousands of additional incoming poor people—providing adequate water for drinking, cooking, and bathing; providing adequate sewerage facilities, providing refrigeration; providing immunization against communicable diseases; and providing hospitalization, as all these may be required, will place an additional heavy financial burden on the already overburdened metropolitan health facilities.

Furthermore, many of the people who are expected to come to the Nation's Capital are already on welfare, and their welfare status in the District of Columbia is still a matter of conjecture and question in many ways. Present welfare regulations may make these incoming persons ineligible for various types of assistance. This is an unsure area, and the Welfare Department at the present time is attempting to secure some guidance from the Corporation Counsel in interpreting the welfare regulations, particularly in light of some of the recent court rulings, to determine whether or not the poor people who come into the city from other parts of the country as a part of the march and demonstration will be able to qualify for various types of assistance while here.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. BYRD of West Virginia. In any event, it is presumed that the District government may be called upon to find some way to take care of some of these people. If this does occur, it would throw a very heavy strain on available sources, to the possible detriment of present welfare recipients in the city.

The care of infants and children, many of whom it is said will be brought here, will also pose a problem of unknown dimensions for the Department of Welfare—and, of course, at additional cost. The Department of Welfare already is taking care of a heavy caseload of poor.

I am afraid that some well-intentioned people and groups have endorsed the so-called poor people's campaign without fully considering many of the facts and problems that will be involved. Doing away with poverty in the United States would be a splendid thing for everyone, if, indeed, it were possible. But what is planned here may well compound rather than relieve the problems of the poor, especially the poor in the Nation's Capital. So, I would urge that the leaders of the demonstration make the wise decision to call off the march and demonstration.

I also urge that the top officials of this administration make every effort to dissuade the leaders of the proposed march from continuing with their plans. As I have indicated, I have urged previously that the Justice Department at least put forth the effort to seek an injunction to stop the leaders of the march from proceeding with their plans. Thus far, there is no evidence that this will be under-

taken. But it is not too late for the leaders of the administration to apply every ounce of persuasion that they are capable of bringing to bear upon the leaders of the march and demonstration, to urge them to drop their plans and call off the march, and that to do otherwise will not really be in the best interests of the poor people and that it can compound the problems of this city and other cities through which the march will travel and thus create nationwide resentment toward the leaders of the march.

If Mr. Abernathy persists, it certainly is going to place an additional burden upon the already overtaxed and undermanned Metropolitan Police Department. It can inconvenience the citizenry of this community and of the metropolitan area. It certainly will have an adverse impact upon the revenues of this city, by virtue of the effect it already is having and will continue to have upon visiting tourists and conventions to the city.

It will constitute an additional heavy burden upon the taxpayer, not only in the city, but the taxpayers throughout the country as well, in that they will have to pick up the bill for the extra health and welfare and police protection costs.

I have not even mentioned the inherent potential for explosive violence that the demonstration contains, and I will not labor the point at this time; for many responsible persons in and out of the Government—among them concerned and thoughtful members of the Negro race—have expressed their concern.

Mr. President, it is now all too well known that the black power revolutionaries and others who would take advantage of every opportunity offered stand ready, as they always stand ready, to loot, burn, and destroy at the slightest provocation. This city has suffered greatly. Riots most hurt the poor in many ways.

An affluent country has an obligation to do all it can to help the poor out of poverty. That is the way it must be done.

But this ill-conceived march carries the potential for doing more harm than good, and it can be very injurious to the Nation's Capital.

Moreover, our Government, by failing to take action to prevent this march and the planned demonstrations from occurring, will encourage new marches and new demonstrations in the future, the ever-increasing financial burdens to be borne by the harassed and suffering taxpayer, Mr. John D. Citizen, and a dangerous precedent for marches on the Nation's Capital—with the District of Columbia and Federal Governments acting virtually as silent partners by shouldering inordinate cost burdens—will have been established.

And, even more important, the immediate and longrun impact upon law and order and citizen respect for government will have suffered incalculably.

Mr. President, I ask unanimous consent to have printed in the RECORD sundry newspaper articles which have a bearing on the proposed march, and make reference to the costly riots which have recently been visited upon this city.

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

[From the Washington Post, Apr. 28, 1968]

NEGRO SURGEON BLASTS POOR PEOPLE'S MARCH

(By Jim Hoagland)

The head of one of the Nation's largest Negro self-help organizations castigated the Poor People's Campaign yesterday and proposed as an alternative a ten-year economic development program for black businesses.

Challenging the Campaign's leader, the Rev. Ralph Abernathy, to debate him "in the ghettos across the Nation," Dr. Thomas W. Matthew said the Campaign's demands for more welfare and a guaranteed income would "perpetuate slavery."

Dr. Matthew, a New York neurosurgeon, is president of National Economic Growth and Reconstruction Organization (NEGRO), which operates 15 enterprises across the country, including a general hospital in New York and a bus line in the Watts section of Los Angeles.

"The time has come for black Americans to face reality," Dr. Matthew, a Negro, told about 50 former officers of the national Junior Chamber of Commerce meeting here. "The pie in the sky promises of the Poor People's March must be exchanged for bread on the table today."

ASKS END TO RIOTING

Calling for a moratorium on demonstrations and riots, he said the riots "have gotten the point across . . . White Americans have begun to understand the problems and ask how they can help."

He dubbed the Poor People's effort "operation overkill" and likened it to an inexperienced nurse who wakes up a sleeping patient "to give him a knockout pill."

Dr. Matthew also said he would begin a "Nitty Gritty School of Economics" on Washington street corners to teach basic facts of finance to ghetto dwellers and to compete with the Poor People's Campaign.

"Our grandparents had a guaranteed annual income. They called it slavery. A guaranteed income would make blacks more dependent. We should know better," he said.

Estimating that the Campaign may involve $500,000 in expenses, Dr. Matthew said that that much money invested in his organization "could supply 20,000 permanent jobs for the hard-core unemployable."

LOAN PROGRAM CITED

He said he would propose to Congress a plan that would provide 100-year loans from the Federal Government at 2 per cent interest, 20-year loans from private industry at 4 per cent and five-year loans from foreign investors at 6 per cent. All loans would be guaranteed by the Government.

Dr. Matthew also called on the Government to commit 2 per cent of all its contracts with private industry to NEGRO, his group, which would underbid the lowest private bid on the contract.

NEGRO, which was begun about 11 years ago, is supported by the earnings of its 15 industries and the sale of bonds in denominations from a quarter to $10,000. It has about 700 full-time employes, 20 per cent of whom are white.

The organization also runs industrial clinics that train unskilled workers for its industries. Dr. Matthew, emphasizing that NEGRO has refused grants from the Government or foundations said that about 80 per cent of NEGRO's workers had previously been on relief on one form or another.

[From the Washington Evening Star. Mar. 29, 1968]

KING AIDES STICK TO DISTRICT OF COLUMBIA CAMPAIGN, WILL REVIEW PLANS

(By Charles Conconi)

MEMPHIS, TENN.—Top aides of the Rev. Dr. Martin Luther King Jr. said today that despite yesterday's violence here there are no plans to cancel the Poor People's campaign in Washington in April and May.

All agreed, however, that the strategy of the march, which is expected to bring several thousand persons to the District, will have to be reassessed and revised.

The Rev. Ralph D. Abernathy, a vice president of the Southern Christian Leadership Conference and one of King's chief aides, said that King's previously scheduled appearance this Sunday at the Washington Cathedral still was a possibility. His planned trip to the District today was canceled yesterday, as was a tour through Virginia tomorrow.

(In Washington, the Rev. Walter E. Fauntroy, head of the SCLC there and vice chairman of the City Council, said he was disturbed over the Memphis situation but was emphatic in saying the Washington campaign will not be called off.

WON'T HAPPEN HERE

(Fauntroy said he was anxious to get to the bottom of the Memphis events "because we're all determined that kind of thing won't happen here. I want to know what happened, so it won't happen on the Poor People's Campaign."

(Fauntroy acknowledged the big question now is whether extremists would take over the demonstrations in Washington and turn them into a riot, and said the matter will be of primary concern in SCLC conferences in Atlanta later today.

("I can almost promise you that won't happen here," he stressed. He said, "We will be ready. But that's what we will have to take up over the next few days.)

The embarrassed and distraught King, leader of the Southern Christian Leadership Conference, spent most of yesterday in seclusion in his motel room after violence broke out during the march he was leading.

HAD NO THOUGHT

"King had had no thought that anything like this would happen," his aide, Bernard Lee, explained.

Standing in the open doorway of King's hotel suite, Lee said that King "was greatly disturbed. It's the first time he has ever been in one (demonsration) that has turned to violence."

It was 8:30 p.m. and Lee said King could see no one because he was sleeping. Inside the room, Abernathy was sitting on the couch, the television was blaring and three cans of cola were on the coffee table.

The SCLC leaders had flown in yesterday to give support to the Memphis sanitation workers' strike, he explained. They had planned to leave for Atlanta later in the day and then make their Washington tour today.

MORE ON OUR TOES

Today's meeting in Atlanta SCLC headquarters was called to evaluate plans for the planned Washington demonstrations which are scheduled to begin April 22.

"This incident has put us even more on our toes in terms of some of the possibilities for the Washington campaign," Lee said.

One thing SCLC will probably do, Lee explained, is to train more march marshals for the demonstration and to give them a more intensified training in the techniques of keeping order.

SCLC had planned to use 1,000 marshals during the Washington demonstrations which are scheduled to begin with a core of 3,000 poor people and build as the campaign progresses.

Lee said he believes that probably "2,000 marshals will be a good safety valve."

Over the last couple of weeks, however, SCLC leadership across the country has been questioned about the lack of workshops on non-violence and training programs for the marshals. Lee confirmed that only one workshop, last weekend in Philadelphia, has been held so far to train marshals for the Washington demonstrations.

With his silver gray and black tie pulled loose from the open collar of his blue shirt,

Lee admitted he knew there was fear that King's demonstration in Washington could breed violence.

YESTERDAY DIFFERENT

Over the last month, King and his top aides have been traveling around the country maintaining that SCLC advocates nonviolence only and that "there has never been a riot at a King-led demonstration . . . at least on the part of the marchers." But yesterday was different, and Lee acknowledged that.

Lee complained that the march yesterday was not SCLC-planned or organized and was without marshals or the "absolute control" that SCLC enforces. "Things were not done in the fashion SCLC is accustomed to doing," he said.

[From the Washington Post, Mar. 30, 1968]

DISTRICT MARCH IS STILL SET DESPITE RIOT; STRIKERS IN MEMPHIS PROTEST PEACEFULLY—MISTAKES WON'T RECUR HERE, KING AIDE SAYS

(By Willard Clopton, Jr., and Robert C. Maynard)

Top aides to the Rev. Dr. Martin Luther King Jr. said here yesterday that the Poor People's Campaign will begin in Washington as scheduled next month despite the violence that erupted during a King-led march Thursday in Memphis.

"It is absolutely inconceivable that we would stop now," said the Rev. Walter E. Fauntroy, Dr. King's local representative. "The issues are far too important."

The Rev. Andrew Young, executive vice president of Dr. King's Southern Christian Leadership Conference, said that mistakes made by both demonstrators and police caused the Memphis rioting, but he said he believed the same mistakes can and will be avoided here.

The Memphis disturbance brought new demands in Congress that the Poor People's Campaign be called off. But Dr. King, speaking in Memphis said the mass "camp-in" will begin as planned on April 22.

He said he could give no assurance that there would be no violence here, but said, "I can guarantee our own demonstrations will be nonviolent." It was stressed that Dr. King merely lent his presence to the Memphis demonstration and that neither he nor SCLC had any part in planning it.

Mr. Young said an investigation of the Memphis outburst had disclosed that:

The rock-throwing and window-breaking that touched off the violence was done by a group of 20 to 30 youths of high-school age called the "Invaders."

The youths had acted to embarrass the demonstration leaders, who had failed to give the young people a part in planning the protest.

The SCLC had neglected to take its usual precaution of posting a large number of marshals to guard against violence.

The Memphis police, instead of going after the window-breakers, had instead moved at once against the great mass of nonviolent demonstrators.

Mr. Young acknowledged the errors by the demonstrators but said the chief mistake was made by the police, whom he described as "ignorant and racist."

His belief in a peaceful Washington campaign rests, he said, on his confidence in SCLC's careful planning and his respect for District Public Safety Director Patrick V. Murphy, whom he called "an intelligent law-enforcement officer—and you don't have that in Memphis."

Among members of Congress who questioned whether the Campaign should take place was Sen. Edward W. Brooke (R-Mass.), the Senate's only Negro member.

Dr. King faces "a difficult task" in keeping the Campaign nonviolent, Brooke said, adding: "Under the present inflammable conditions . . . one little spark—some irresponsible kid—could set it off."

He said civil rights leaders should avoid "exciting and inciting people while we're making progress." noting as an example of progress the Senate's recent passage of a civil rights bill with Federal open-housing provisions.

Sen. Robert C. Byrd (D-W. Va.) called King a "self-seeking rabble-rouser" whose actions "undoubtedly encouraged" the Memphis flareup. He said the Justice Department should seek a court order to block any march led by Dr. King. (Mr. Young called this "a Fascist proposal" and said Congress has no right to deny the poor their right to free assembly.)

Sen. John Stennis (D-Miss.) said experience has shown that it is best to "stop marchers at the city limits." He suggested that Dr. King lead only a small delegation of the poor to Capitol Hill to "symbolically present their case."

Rep. Joel T. Broyhill (R-Va.) said there can be no effective control of a large group of demonstrators and suggested that National Guardsmen prevent any large assembly that threatens trouble. Dr. King, he said, is incapable of guaranteeing a peaceful march here, and he can be sure Congress will not legislate under threats from an unruly looting mob."

At the same time, the Campaign drew new expressions of support from Washington's religious community and an optimistic statement by Mayor Walter E. Washington.

Priests of the Catholic Archdiocese of Washington, joined by Archbishop Patrick Cardinal O'Boyle, gathered at St. Patrick's Academy, 924 G st. nw., yesterday to hear Mr. Young discuss plans for the Campaign.

In a later statement, the priests endorsed the Campaign's "legitimate goals" and its "nonviolent approach" and expressed their desire to respond to "the human needs" involved.

In addition, a spokesman for the Council of Churches of Greater Washington renewed that group's pledge of support for the Campaign, in spite of the "unfortunate" events in Memphis.

Mayor Washington said he believed the city's new job-training and summer recreation programs "are an alternative to throwing rocks" and that he did not expect any violence here this summer. He added that Safety Director Murphy "is making definite plans . . . to protect not only our own citizens but . . . 16 million visitors."

One step by the Metropolitan Police Department was to send Deputy Chief Raymond Pyles, head of special operations, and Capt. Theodore Zanders of the Civil Disturbance Unit, to Memphis, where they observed actions by the police and National Guard units.

In an appearance yesterday before the Joint Strategy and Action Committee, an interracial ministerial group, Mr. Young raised the possibility that the campaigners might camp on the Mall.

"If we do and the Park Department feels it will hurt the grass, Congress will just have to appropriate money for more grass, since they won't appropriate money for housing poor people," he said.

He, Mr. Young, said the initial force of 3000 demonstrators, expected here by May 3, will consist of 15 groups of 200, originating in nine U.S. cities and six rural areas. Each group of 200 will be monitored by at least 20 trained marshals, he said.

He identified the nine cities as Chicago, Detroit, Cleveland, Pittsburgh, Boston, New York, Newark, Philadelphia, and Baltimore, and said the rural areas were in Mississippi, Louisiana, Georgia, North and South Carolina and Virginia.

Mr. Young said Dr. King and a small delegation will arrive April 22 to petition Congress for action to relieve the condition of the Nation's poor. Since it is doubtful that Congress will respond to the demands, he said, the delegation members expect to return home and issue a call to their supporters for the trip to Washington.

The demonstrators will then close in on Washington by whatever means of travel is available, picking up marchers as they go.

While Mr. Young spoke with assurance of a nonviolent Campaign, another clergyman had his doubts.

The Rev. Albert B. Cleage Jr. of the Central United Church of Christ, a Detroit religious black nationalist, told the press here he doubted that Dr. King could "maintain a nonviolent demonstration in Washington for half a day."

Asserting that the United States is in for a long period of racial violence, Mr. Cleage predicted that the King march would turn violent because these are explosive times.

"Either a cop will do something foolish or somebody will," Mr. Cleage said.

The Memphis violence left the King organization badly shaken. In a remark to a reporter, one key aide said:

"We were thrown for a 30-yard loss."

[From the Washington Post, Apr. 9, 1968]

BYRD WANTS TROOPS TO STAY: POLICE-AID PACTS SUGGESTED

(By Elsie Carper)

Congress reacted yesterday to the weekend riots in Washington with a call for Federal troops to remain in the city, a demand that looters be punished and praise for the city's policemen and firemen.

The Senate also passed and sent to the House a bill that would permit the city to enter into agreements with nearby Maryland and Virginia jurisdictions for the exchange of police in emergencies such as occurred over the weekend. A similar arrangement already in existence allowed suburban fire departments to come into the city during the height of the riots.

"Sen. Robert C. Byrd (D-W. Va.), chairman of the Appropriations Committee's Subcommittee on the District, asked for Federal troops to stay in the city 'indefinitely.'

" 'If Washington is to be subjected to a summer campaign of demonstration, as has long been planned," Byrd said, 'the presence of Federal troops will be reassuring.' "

ARREST POWERS PLANNED

In a speech in the Senate, Byrd said that during the three days of arson and looting he had been in constant touch with Mayor Walter E. Washington, the Justice Department and the White House urging that the military be used not as just a show of force but to make arrests.

"I stated that business establishments should have the utmost protection available and that only a firm attitude on the part of the military and the police department, using whatever force was necessary in order to make and maintain arrests, would discourage and convince the rioters that they were pursuing great risks in continuing to loot and destroy," he said.

CURFEW "EFFECTIVE"

Byrd also said that he was informed by the White House that the curfew on Saturday was moved up from 6 p.m., to 4 p.m., because "there was a kind of intra-anger growing among many of the colored people because some of their own houses were being destroyed by rioters, and that the burning of stores and other business places would mean a loss of jobs. . . . There was some fear that this restiveness could develop into some real trouble among the Negroes themselves."

The Senator said that he toured the riot-torn areas in the early hours of Sunday morning and found the "curfew was very effective."

Statements by other Congressmen indicated that a number of them had made personal inspections during the period in which parts of the city were on fire.

"I hope the troublemakers, looters and

other lawbreakers will not be given a mere tap on the wrists and turned loose, but will be dealt with severely," Byrd said.

He added that "most citizens, Negro and white, were sickened" by the assassination of the Rev. Dr. Martin King Jr. But the "carnival spirit" of the looting "had no logical connection whatsoever with Dr. King's death."

Sen. Wayne Morse (D–Ore.), chairman of the Senate District Subcommittee on Public Safety, praised the Police Department for keeping violence in check and the death toll down by "treating human beings with restraint."

SHINING EXAMPLE

"The speed in which looters were arrested and brought before the police courts is a shining example of the efforts of the Metropolitan Police Department and the judicial system in the District to deal with such problems," Morse said.

"I only hope and pray that we can learn from these last several days that rioting and looting is senseless and that, when it does occur, it must be dealt with firmly and in such a way that bloodshed is kept at a minimum. The D.C. policemen, firemen and the Federal troops have given us this example."

Senate District Committee Chairman Alan Bible (D-Nev.), who said that he, too, had toured the riot area, commended Mayor Washington, special assistant Cyrus R. Vance and other officials "for the outstanding job they have done in the most difficult time this city has endured in many, many years."

TROUBLE CAME QUICKLY

"I hope that those who feel that certain aspects of the problem could have been handled differently, will understand and recognize that efforts to cope with it began immediately and that every resource of the District was brought to bear without delay," Bible said.

Rep. Charles McC. Mathias (R-Md.), a member of the House District Committee, said he had spent a number of hours Friday and Saturday in the riot-torn areas. Firemen, he said, repeatedly risked their lives, and police acted with bravery and restraint in the capture of desperate and violent armed men."

Two other members of the House District Committee Rep. Thomas N. Abernethy (D.-Miss.) and Basil L. Whitener (D-N.C.) blamed the coddling of lawbreakers for the weekend of trouble.

Rep. Roy A. Taylor (D-N.C.) said it appeared that "the police made little effort to stop looters or recover merchandise that was being carried out, and permitted felonies of violence to be committed in their presence without so much as firing a warning shot, thereby making a carnival out of the riot and mockery out of law enforcement."

LOOTING CONDONED

Another riot area visitor, Sen. Strom Thurmond (R-S.C.) said that criminals have used the assassination of Dr. King as an excuse to take the law into their own hands. "Unfortunately, the looting and burning was apparently condoned by large numbers of the populace in which it occurred," he said.

Rep. William Jennings Bryan Dorn (D-S.C.) said he was shocked that some of the participants in the rioting were Federal employees and introduced legislation that would prohibit anyone convicted of civil disobedience from working for the Federal Government for three years.

"If we are not safe in our own homes and in our businesses and if our property cannot be protected, we are in a state of anarchy," Dorn said.

Sen. Thomas J. Dodd (D-Conn.), who visited the riot area Thursday night said the violence was a result of the "uncivilized approach this country takes to the sale and possession of firearms. Unless Congress acts to regulate guns, Dodd said that the weekend of riots "is a sample of what is to come."

[From the Washington Post, Apr. 26, 1968]

COST OF RIOT TO CITY MAY TOP $5 MILLION

(By Peter Milius)

Washington's riot cost the city government between $5 and $6 million in overtime, extra services and lost tax revenue, Deputy Mayor Thomas W. Fletcher estimated yesterday.

Fletcher, who disclosed the figure during a House District Committee hearing on the city's $38 million fiscal 1969 revenue bill, emphasized that the riot estimates are preliminary. "That's the very worst it could be," he said.

The 90-minute hearing switched from the subject of revenue to the riot several times. At its end, Chairman John L. McMillan (D-S.C.) told Mayor Walter E. Washington that he hoped the Committee could come up with a money measure that will meet the city's needs.

At the same time, he cautioned that the Committee may make some changes in the tax and Federal payment package that the city has proposed. He did not elaborate.

Fletcher said the city's current estimate is that the riot will cost it $1.7 million in tax revenue this fiscal year, and about $1 million in the fiscal year beginning July 1.

About $1 million of this will probably be in lost sales and excise taxes, he said, due to commercial disruption. Most of the rest will be in reduced property taxes, as a result of fire and other damage.

The riot's more direct cost, in overtime and extra services, will run about $3 million, he said later. The government has not yet figured out how to make up this cost.

McMillan and Rep. B. F. Sisk (D-Calif.) both raised the issue of police restraint during the riot. When outnumbered in the early hours of the disturbance, police sometimes let looters get away rather than risk gunplay, possible bloodshed and escalation of the disorder.

The Chairman, noting that the revenue bill would raise city income, general sales and other minor taxes, noted that it is hard to explain to businessmen "paying more taxes and not getting protection."

Sisk recalled that the Committee questioned Public Safety Director Patrick V. Murphy at some length at a February hearing, and got assurances that the city was prepared for a disturbance.

Some people "felt let down" after the riot, Sisk said. "He (Murphy) didn't live up to his billing."

Sisk also raised the possibility that next month's Poor People's Campaign could bring further loss of business and tax revenue. "It seems to me we could find ourselves substantially short," he said.

The Mayor acknowledged that "the matter of stabilizing not just business but our whole community is not an easy one," but suggested that the city is recovering.

Both McMillan and Sisk tempered their remarks with praise for the Mayor. The Chairman said he was "sure no man has worried more or tried harder to correct (the dislocations of the last few weeks) than Mayor Washington."

Kenneth C. Back, acting director of the Department of General Administration, told the Committee that the revenue bill would "bring District tax rates and burdens more into line with those in the nearby Maryland and Virginia jurisdictions," but would not "unduly burden District residents nor seriously jeopardize the competitive position of the District."

According to tables Back provided, an average family of four with its own home and car and an annual income of $10,000 pays $664 a year in city income, real estate, sales and automobile taxes now.

It would pay $732—$68 more—under the fiscal 1969 revenue proposal. The same family would pay $800 in Arlington, $825 in Alexandria, $827 in Falls Church, $840 in Prince George's County, $844 in Fairfax County, $858 in Montgomery County and $893 in Fairfax County, according to the tables.

The Mayor said the revenue bill is "by far the single most important legislative request by the new District government. Without a substantial revenue increase, our municipal services . . . will be crippled."

The city needs the extra money to balance and forestall cuts in its pending budget, on which House hearings have already begun.

Rep. Thomas G. Abernethy (D.-Miss.) suggested as a partial alternative to the city tax proposals a commuter tax, but only on those District government employes (about 40 per cent) who live outside the city.

McMillan said there will be a further revenue hearing, but set no date.

[From the Washington Evening Star, Apr. 26, 1968]

ABERNATHY EXPOUNDS ON POOR MARCH

(By Charles Conconi)

The Rev. Ralph D. Abernathy came to Washington yesterday to drum up support for the Poor People's Campaign he will lead here, and found time to march in front of the White House with children from Mississippi.

Abernathy, a close friend and successor to the slain Dr. Martin Luther King, Jr., met for more than two hours with 17 representatives of international unions at AFL–CIO headquarters and predicted the cooperation between labor and the civil rights movement would continue.

Jack Conway, executive director of the Industrial Union Department, who called for the meeting with Abernathy, the president of the Southern Christian Leadership Conference, said labor was sympathetic with SCLC's goals, but would not elaborate on what labor might do to help the Poor People's Campaign, which begins here Monday.

At a press conference after the meeting, attended by Bayard Rustin, executive director of the A. Phillip Randolph Institute; the Rev. Walter E. Fauntroy, D.C. Council vice-chairman and local SCLC aide; and top SCLC aides the Rev. Andrew Young, Bernard Lafayette and Bernard Lee, Abernathy said he wasn't concerned about violence when the demonstrators come to Washington.

"Trouble came before we got here . . . trouble has been in many cities in America," he argued, "and no force is more powerful than people who are peacefully petitioning Congress."

Abernathy would not guarantee that there wouldn't be any violence when the estimated 5,000 demonstrators come to Washington to set up a "shanty town," but declared, "at the moment any demonstration becomes violent, it will be called off."

After the meeting, Abernathy went to the sidewalk in front of the White House to join a picket line of preschool children from Mississippi who have been demonstrating there since April 15 for the Head Start program.

The puzzled children, nearly crushed by the newsmen and sight-seers, dutifully bunched around the civil rights leader and hugged and kissed him as he said: "God bless you . . . give me some sugar."

With the television cameras running, the sad-faced little man with watery eyes who will lead one of the most ambitious demonstrations ever planned, told the group of children: "We are going to see to it you get Head Start in Mississippi."

He said the little black children of Mississippi came to Washington to get a simple program—Head Start—and will return without achieving the goal.

That is why, he continued, SCLC must

bring black people, Mexicans, Indians, Puerto Ricans and Appalachian whites to petition Congress to "end racism and to do something about unemployment and underemployment and jobs and income."

The children, led by representatives of the National Committee for the Children of Mississippi, sang in answer: "We want our Head Start—we want it now."

Abernathy then said: "I am going to leave you right now, but I am coming back Monday." He fitted a protest sign over his head that read, "If we cut one child, who loses?" and took one turn on the picket line.

Abernathy then went to the Urban Coalition headquarters and met briefly with former Cabinet officer John W. Gardner, the president of the organization, and would say only that Gardner promised to help.

Rustin, a close friend of the late Dr. King who had helped organize SCLC and the 1963 March on Washington, refused to say if he would help organize the Poor People's Campaign. He had previously been skeptical of the drive.

It also has been learned that official Washington is becoming increasingly concerned as the campaign nears.

One decision yet to be reached is whether the government will permit the demonstrators to build what they call the "New City of Hope" on park land in the city.

PARK USE BACKED

Last night, the local chapter of the Americans for Democratic Actions voted unanimously to support the use of public park land for the campaign.

Meanwhile, delegates representing 170 Lutheran congregations in Virginia went on record yesterday as favoring a tour by Washington governmental leaders of the nation's poverty areas in place of the Poor Peoples' Campaign.

The 149th annual convention of the Virginia Synod, Lutheran Church in America, meeting in Resurrection Lutheran Church, Arlington, endorsed "in principle" a "moral equivalent march" as an alternative which would impress the human aspects of poverty upon the national conscience, and eliminate logistical and financial problems involved in the campaign.

Earlier, during the three-day convention, the delegates expressed "concern for the need of meaningful jobs with adequate income and of adequate and good medical and dental care for the poor" and voted $500 to support persons working with campaign participants, but stopped short of endorsing the goals or program of the Southern Christian Leadership Conference itself.

Congressional pressure reportedly is heavy on both the Justice and Interior Departments that the demonstrators be prohibited from using public land.

Other reports from knowledgeble sources say no decision has been reached as to what to do when the demonstrators attempt to build their town.

The town that will house the thousands of poor expected from all sections of the nation will be built it is reported, with or without the permission of the government. Some SCLC leaders expect this to be a major confrontation and hope many demonstrators will be jailed.

AGAINST "BENDING"

Rep. Roy A. Taylor, D–N.C., chairman of the House National Parks and Recreation Committee, sent a telegram to Interior Secretary Stewart Udall demanding he reject special applications for camping on park lands where camping is not permitted.

Similar voices of opposition came from Rep. Basil L. Whitener, D–N.C. and Rep. Robert H. Michel, R–Ill.

Sen. Russell B. Long, D-La., said he would call for the censure or expulsion of any member who advocated "bending the knee" to demands of the Poor People's Campaign.

"When that bunch of marchers comes here, they can just burn the whole place down, and we can just move the capital to some place where they enforce the law," he asserted.

Sen. Daniel B. Brewster, D–Md., urged that federal troops be stationed here during the campaign.

Abernathy and about 100 leaders and representatives of the poor will spend Monday through Wednesday meeting with the House Ways and Means and Education and Labor Committees and the Senate Labor and Welfare Committee.

They also plan to talk with heads of the Departments of Labor; Housing and Urban Development, Health, Education and Welfare; State; Commerce and Agriculture. Some of the demonstrators will try to meet with Senators from their home states.

The major demonstrations in Washington are not expected to begin until Abernathy returns from memorial services for King where he was murdered in Memphis. Most demonstrators will begin arriving May 12.

[From the Washington Post, Apr. 28, 1968]

CASES SWAMP DISTRICT OF COLUMBIA JUDGES

(By William Shumann)

Day after day, hour after hour, the hearings continue.

They are preliminary hearings for the hundreds of persons accused of looting and other charges in Washington's riot.

Each day, about nine judges plow their way through the riot cases, almost as if by rote. Usually, there is but one witness—a police officer—against each defendant. So far, about 250 suspects have been held by General Sessions Court judges for grand jury action, on the word of the police.

And but four defendants thus far have waived a preliminary hearing.

So far only 25 persons have gone through a preliminary hearing and had the felony charges against them dismissed by a judge. In addition, charges have been reduced or dropped in about another 250 cases.

In all, 925 persons were charged with felonies here. Of the total 7470 arrested, 4049 were charged with curfew violations.

Lawyers seek preliminary hearings so that they can try to find out just how strong the case against their client is and to find out what they'll have to rebut when the case finally gets to trial.

Typically, the testimony at the hearings goes like his:

Prosecutor (to policeman): "Officer, will you describe the circumstances of this arrest?"

The policeman will say he was patrolling at such and such a place, at such a time and, for instance, saw five men in a liquor store, the five ran away and he caught one.

Prosecutor: "Do you see the man you arrested in the courtroom?"

Policeman: "Yes, I do."

Prosecutor: "Will you point him out."

(The policeman points to the defendant.)

Prosecutor: "Let the record reflect that the witness identified the defendant."

The defense lawyers are not putting their clients on the stand (with only one exception), so as to keep the Government from cross-examining them.

In about 40 cases, defense lawyers have staged lineups right in the courtroom. They have brought several persons besides the defendant with them, and have lined them up on the far wall of the courtroom, or on the spectator benches, or right at the defense table. In one such case, a police officer mistakenly identified as the defendant a court clerk—a cousin of the defendant—instead of the man charged. The Assistant U.S. Attorney immediately dropped charges against the defendant.

Many of the defendants are being represented by about 400 "uptown" lawyers, lawyers who usually handle civil cases and cases before U.S. agencies.

Their appearance differs markedly from that of many of General Sessions' regular practicing lawyers. The uptowners are spiffily dressed, carry briefcases and are mostly white.

Their unfamiliarity with criminal proceedings and, in particular, with Washington's lower courts has led to unusual briefing sessions.

One session for about 250 of them was held in General Sessions' courtroom 15, where the Legal Aid Agency and Charles Work, principal assistant Federal prosecutor at the court, explained procedures.

Work told them that "plea bargaining"—the process by which a defendant pleads guilty to lesser charges and has his original, stiff charge dropped—would depend on how District Court grand juries reacted to the first riot cases they heard.

Legal Aid Agency representatives told the lawyers how to conduct preliminary hearings, why to keep their client off the witness stand, and so forth.

In practice, the lawyers have been bargaining, trying to reduce charges. The formal looting charge, second-degree burglary, is a felony, and the statutory minimum sentence is two years in jail. Lesser misdemeanor charges carry a maximum of a year in jail and/or a fine of $1000.

The court has been emphasizing the more serious felony charges so far, and has not yet compiled complete statistics on the 4049 cases of curfew violation.

It does know that 249 of the violators have posted $25 collateral and forfeited, 45 cases were dropped by the corporation counsel's office, and 106 defendants have not appeared for trial dates. The corporation counsels are trying to determine whether to proceed on 104 of those 106 cases, and bench arrest warrants have been issued for two defendants.

The court has not yet compiled records on the remaining persons arrested for violations.

The caseload is hard to handle in the already overburdened court. At the beginning of the riot, many defendants were "lost" in the system.

Even when trials began, mixups were evident.

On the first preliminary hearing day, April 9, prosecutors had to dismiss charges against two defendants when the police could not find the goods they said the defendants stole. Prosecutors say they expect to lose more cases because of similar problems.

[From the Washington Post, Apr. 28, 1968]

LEADERS PROMISE TO AVOID VIOLENCE ON POOR MARCH

(By Williard Clopton, Jr.)

Organizers of the Poor People's Compaign, set to begin Monday, said yesterday they are doing all they can to prevent the massive protest from turning violent.

At the same time, the Nation's top law-enforcement official said the Government "will have whatever is needed" to put down any disturbance that might erupt.

A spokesman for the Campaign said yesterday that a majority of the thousands of protesters scheduled to begin arriving here May 21 "will have had some training in nonviolence."

He also said that enough marshals are being trained to monitor the demonstrations so there will be at least one marshal for every 10 participants.

Among the marshals' duties, it was explained, will be to act as a "buffer" between police and protesters and if necessary, to keep "outside troublemakers" from influencing the demonstrations. Those taking part in the Campaign will wear special plastic wristbands to distinguish them from outsiders.

U.S. Attorney General Ramsey Clark said at a press conference yesterday that any trouble that might arise from the protest

would be dealt with by a proper balance of firmness and restraint.

Experience in coping with civil disorders, he said, has shown that "excessive force will cause escalation and permissiveness will cause escalation."

Although Clark said the Government will be prepared to deal with any violence, he did not indicate that he was expecting any.

The strongest expressions of apprehension have come from several southern Senators, who said the demonstrations could spark rioting or other lawlessness.

Officials of the Campaign have stressed that it is to their advantage to maintain order, so America does not lose sight of its primary goal—to aid the Nation's poor.

The Rev. Ralph Abernathy, who succeeded the Rev. Dr. Martin Luther King, Jr., as head of the Southern Christian Leadership Conference, will open the Campaign Monday when he and about 100 supporters will begin two and a half days of calling on key members of Congress and Federal officials.

They will present a list of demands that is expected to include more jobs, housing, health care and a minimum income for those living in poverty.

Mr. Abernethy, who was on a speaking tour in the South yesterday, is expected to arrive here late today. He will meet then with 100 persons, who will include leaders of a number of national organizations.

He is to speak Monday night at John Wesley AME Zion Church, 1615 14th st. nw., during a rally to muster local support for the Campaign.

The Rev. Bernard Lafayette, an aide to Mr. Abernathy and the national coordinator for the Campaign, arrived here Thursday and met yesterday with a steering committee of about 40 persons, including representatives of the various geographical regions to be represented during the mass protest.

As many as 10,000 protesters will begin arriving here May 12 from all parts of the country. Most will be poor Negroes, but there are to be delegations of American Indians, Puerto Ricans and Appalachian whites.

The visitors will lobby and demonstrate for passage of new poverty legislation and are expected to remain at least until Memorial Day, when a huge one-day rally—perhaps equal in size to the 1963 March on Washington—is to be called.

Plans are for the "camp-in" participants to make their way to Washington by varied means of transportation, including buses, "freedom trains" and even mule-drawn wagon.

[From the Washington Evening Star, Apr. 27, 1968]

RIOT CASES TOTAL 1,669, DISTRICT COURT REVEALS

(By Donald Hirzel)

There were 1,669 riot-connected cases submitted to the District Court of General Sessions for processing from April 5 through 10, according to the first court-released tabulation, issued yesterday.

In addition, there were 4,049 charges of curfew violation made by police during the riots.

The 1,669 cases involved 1,488 defendants. Of the 1,669 cases, 925 involved felony charges and 744 involved misdemeanors. As of Wednesday the court had disposed of 501 felony cases. In 241 cases, the felony counts were dropped, and in many cases replaced with misdemeanor charges. And 24 cases were dismissed by the court.

There were 234 cases held for grand jury action. Of this number only four defendants did not demand and receive preliminary hearings.

There were 424 felony defendants awaiting preliminary hearings as of the middle of this week.

Of the misdemeanor cases, 305 had been disposed of by the middle of the week. Of this number, 224 were dropped by the government; 6 were dismissed for want of prosecution; one defendant was found not guilty; 23 were found guilty and 51 cases were undetermined as to their status.

Chief Judge Harold H. Greene said the status of 70 cases is undetermined because of errors made at various stages of proceedings as the majority of the cases poured into the courts on the weekend of April 6–7.

At midweek, there were 439 misdemeanor cases remaining, of which 229 were pending trials by the court and 210 were awaiting jury trials.

Of the 4,049 curfew cases, 249 defendants have forfeited collateral; charges were dropped in 45 cases and 106 were past due, meaning the defendants did not post collateral or appear in court on trial dates. However, only two warrants have been issued for the arrest of persons failing to show up for trial.

Greene said statistics on bonds are still not complete but it has been determined that 471 defendants were released on personal bond; 236 on cash bonds, and that, as of yesterday, 86 persons were still in the D.C. Jail because they could not post bond.

[From the New York Times, Apr. 29, 1968]

HEADS OF POOR PEOPLE'S MARCH TO PUT DEMANDS TO THE CABINET

WASHINGTON, April 28.—Leaders of the Southern Christian Leadership Conference announced today plans for meetings during the next three days with members of President Johnson's Cabinet and key Congressional leaders to present demands for "justice for the poor of America."

The round of visits to Government offices, beginning early tomorrow morning, will be the initial phase of the Poor People's March on Washington, originated by the late Rev. Dr. Martin Luther King Jr.

The Rev. Ralph D. Abernathy, Dr. King's successor as president of the leadership conference, will lead a delegation of about 100 persons in the conferences with eight of the 12 Cabinet members and a number of Congressional leaders.

Included in the delegation are representatives of Appalachian whites, Puerto Ricans, Mexican-Americans, and Indians, as well as Negroes, who comprise the majority.

DEMANDS TO BE STATED

Mr. Lafayette said that a group would demand action on programs for jobs and housing and a guaranteed annual income for the poor.

Asked whether he thought there was a realistic chance of Congress' approving such a program in its present budget-cutting temper, Mr. Lafayette said: "We realize it's going to be a struggle, but if these demands are rebuffed thousands of other poor people will march on the capital from all parts of the country and we will stay in Washington until our demands are met."

At another point he said that the demonstrators would be "appealing above the heads of Congress to the people of the country." He said that 15 different caravans of poor marchers will leave for Washington from various parts of the country in early May.

[From the Washington Post, Apr. 28, 1968]

MARCH TURNED INTO "LAB" BY VISITING STUDENT GROUP

A visiting professor is nothing rare on the academic scene. A visiting class is.

Thirty-three students from the University of California at Berkeley have made the Nation's Capital their classroom for the spring.

Here for the Poor People's Campaign, they stuff envelopes, type stencils and make themselves otherwise useful around the Campaign offices at 1401 U st. nw.

It is no scholastic joyride, however.

The 33 are enrolled in a special course—Social Analysis 133: The Politics of Race Relations—taught by Dr. Carl Werthman, an assistant professor of sociology who has stayed behind at Berkeley.

Each student is pursuing an independent research program of his own design. Each must hand in a lengthy term paper when he returns home at the end of the academic quarter in June. Each one who passes will earn 15 credits toward his graduation.

The course resulted from a decision by the University administration that students can occasionally initiate courses provided basic scholastic requirements are met.

Social Analysis 133 originated last December, when the Rev. Dr. Martin Luther King, Jr. announced that he would lead a mass "camp-in" in Washington this spring in order to dramatize the need to Congress to aid the poor.

When Edward T. Anderson, a senior majoring in sociology at Berkeley, heard about it, he and several other students prepared a prospectus for the course and submitted it to the school officials. It aroused relatively little opposition and was approved. The students, all volunteers, arrived in Washington about two weeks ago.

"As a black college student, I regard the experience as an on-the-spot education in contemporary political affairs," Anderson says. "We are, I think, witnessing either the life or death of the democratic process."

Jan Cohen, 20, a senior in criminology, confided that the course is chiefly an excuse for her to be here for the Campaign.

She said she used to think the Southern Christian Leadership Conference was "an ethereal policymaking group," but is finding its leaders both tough and practical.

Trina Grillo, 19, a social science major, said she welcomed the trip because "I have often felt that education wasn't always to the point.

"I mean, here we live in a country where there are riots, cities are burning down and Congress isn't doing anything." Being part of the Campaign she said, provides insights she doesn't get from her textbooks.

Peter Kalnay, 21, an English major, sees the Campaign as "a chance for a peaceful revolution in this country."

"We're at a point in history where several big things are coming to a head at once—the war, the presidency, the race problem. It's a really exciting moment to be here," he said.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, before morning business is concluded, I have been requested by the junior Senator from Louisiana [Mr. LONG] to suggest the absence of a quorum and to ask that it be a live quorum.

Mr. President, I suggest the absence of a quorum. I ask attachés to notify Senators that it will be a live quorum.

The PRESIDING OFFICER (Mr. PEARSON in the chair). The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 120 Leg.]

Aiken	Holland	Pearson
Anderson	Hruska	Randolph
Bartlett	Inouye	Russell
Bennett	Jackson	Scott
Byrd, Va.	Jordan, N.C.	Sparkman
Byrd, W. Va.	Jordan, Idaho	Symington
Case	Long, La.	Talmadge
Church	Mansfield	Thurmond
Clark	McClellan	Williams, N.J.
Eastland	McGovern	Williams, Del.
Ellender	McIntyre	Yarborough
Ervin	Metcalf	Young, N. Dak.
Fong	Morse	Young, Ohio
Hill	Morton	

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Utah [Mr. MOSS] are absent on official business.

I also announce that the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Virginia [Mr. SPONG], and the Senator from South Carolina [Mr. HOLLINGS] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Delaware [Mr. BOGGS] is absent to attend the funeral of a friend.

The Senator from Colorado [Mr. ALLOTT], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. MUNDT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be instructed to request the presence of absent Senators.

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

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Baker	Griffin	Murphy
Bayh	Hansen	Nelson
Bible	Hartke	Pell
Brewster	Hayden	Percy
Brooke	Hickenlooper	Prouty
Burdick	Lausche	Proxmire
Carlson	Magnuson	Smathers
Cooper	McGee	Smith
Dirksen	Miller	Stennis
Dodd	Mondale	Tydings
Fulbright	Monroney	

The PRESIDING OFFICER. A quorum is present.

Is there further morning business?

PERSONAL PRIVILEGE

Mr. LONG of Louisiana. Mr. President, I should like to ask that someone in the cloakroom notify the junior Senator from Illinois [Mr. PERCY] that the junior Senator from Louisiana is speaking with reference to a matter that involves the Senator, and the latter perhaps would like to know about it. I do not plan to reflect on the Senator. As a matter of personal privilege, I would like to advocate law and order, and get straight with the Senator any disagreement we might have, or perhaps our agreement.

The Senator from Lousiana was alerted to the fact that there was an Associated Press story which declared "Percy-Long Clash Grows Over March." Mr. President, I was not aware that I had any clash with the junior Senator from Illinois. I just thought that he was doing his job and I was doing my job, and that no one was the worse off one way or the other.

Mr. STENNIS. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. LONG of Louisiana. I have always had a high regard for the Senator from Illinois. May I say, Mr. President, that the first day I met him, long before he became a Member of this body, I regarded him as a likable, personable, dignified gentleman, well regarded by those who know him; and I did not know that we had any bones to quarrel over one way or the other. I was not aware that there was some sort of Percy-Long clash going on. It came as a complete surprise to me to be informed of a story by the Associated Press, out of Washington, which declared "Percy-Long Clash Grows Over March." I did not know that there was any clash at all.

The story continues:

WASHINGTON (AP).—

It does not say who the reporter is. I am sure it is some fellow who was working overtime to meet a deadline, to generate a story and to find something about which to create interest, even if there is nothing about which to argue.

"When the Poor People's campaign reaches Washington, its representatives should be received by Congress with the same regard given lobbyists," Senator Charles Percy (R. Ill.) said Sunday.

Mr. President, my impression is that that is what the junior Senator from Louisiana said on Thursday. I have the RECORD before me. This is what I said:

If demonstrators wish to obey the law, more power to them. God bless them. If they want to express their opinion and explain what they have in mind, propose to do it peacefully, and feel that to demonstrate is the only way they can express themselves, they can do that in order to explain what their problem is. More power to them. I shall be glad to consider what they have in mind.

That is what I said. I did not suggest that the views of Reverend Abernathy or his group should not be considered. As a matter of fact, I commenced my speech on that occasion by putting into the RECORD Reverend Abernathy's wire, in which he requested to meet with me. I said that I would fly back especially to be here and meet with him and hear whatever he wants to say. And I am here. He is not around at the moment. He is busy elsewhere, but I am here, and I will be available to him tomorrow, if Reverend Abernathy wants to discuss matters.

It came as a complete surprise to me that anyone gained the impression that I had said anything else.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG of Louisiana. I ask unanimous consent that I may proceed without regard to the 3-minute time limitation.

Mr. MANSFIELD. Mr. President, I would hope that the Senator would put a time limitation on his remarks.

Mr. LONG of Louisiana. I ask unanimous consent that I may proceed for an additional 15 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. The news item continues:

Percy said Senator Russell B. Long (D. La.)—

"D" means "Democrat"—

cannot hope to make good his threat to seek censure for any Senator who advocates "bending the knee" to Negro leaders of a drive for legislation to aid the poor.

Let us see what I said, Mr. President. What I said is contained in the RECORD on page 10615:

Mr. President, let me make clear that so far as I am concerned, the Reverend Abernathy can come on up here, Stokely Carmichael can come on up here, and if our good judge in Louisiana can find it in his heart to let one of my constituents, Rap Brown, out of jail, he also can come up with them and they can make all the mischief they want—all the mischief the Federal Government in Washington, D.C., will permit them.

And, if any Senator comes before the Senate and asks us to bend the knee to protect law violators, then we should consider censure, or consider expelling him from the Senate, rather than let the Government of the United States be run by law violators.

So what the Senator from Louisiana was saying, in effect, was that so long as these people want to behave themselves, fine; I am happy to hear them. And if they want to hold a parade, I may go to see the parade. Or if they want to hold a meeting, I will either go to it or turn on the TV and hear what they have to say. And if they want to appear before the committee, the Committee on Finance deals with many laws regarding social security, public welfare ,and similar subjects. If they would like a hearing, I would be delighted to arrange a hearing for them. Reverend Abernathy has never asked to be heard before the Committee on Finance, to the knowledge of the chairman; but if he wants to be heard, I would be glad to hold a hearing, if he will conduct himself as a gentleman, which I have always thought him to be. I hope he would not repeat the performance of certain welfare mothers and a Mr. Wiley, who formed that organization, to demand ever and ever greater welfare benefits. When those people finished testifying, they refused to leave the room. We had other people who desired to testify, and we could not hear them because those people pulled a sit-down strike on the Committee on Finance. Eventually, we managed to enforce the law and clear the place and get back to business. But I believe that kind of conduct would be unbecoming Rever-

end Abernathy and his group, and I do not believe they would do it.

Mr. PERCY. Mr. President, will the Senator yield for 2 minutes?

Mr. LONG of Louisiana. I will yield for a brief statement or a question, because my time is limited.

Mr. PERCY. I ask the Senator to yield because he is referring to my comment of yesterday. I should like to explain exactly what I had in mind when I made the comment.

I was asked on "Issues and Answers," an ABC program, what my reaction would be to the poor people's march coming to Washington. I said that I had thought very carefully about this matter; that I had decided that anyone who wanted to come to Washington to talk to their Representatives in Congress had a right to do so. I have wired the Reverend Abernathy and the Reverend Jesse Jackson, in Chicago, that not only would I be happy to meet with them, with all the people who came from Chicago and from Illinois, but would also do my best to make arrangements with other Senators so that they might present their cases.

I was then asked if I concurred with the statement of the Senator from Louisiana when he said he would call for the censure of any of his colleagues who "bent a knee" to any of the marchers. I said at that time that I felt that all of us on occasion have a right to "blow our stacks" or whatever it may be, but I certainly would not consider—and I do not know what is meant by "bending a knee"—that any act of censure could ever be leveled against a colleague or a Member of this august body for listening to those representations made by the poor.

I felt that if we could spend our time, as many of us do, listening to lobbyists who come here and present views, that we should not only listen to those persons representing 30 million poor people, but also that it is our duty to go to the ghettos and slums ourselves and see the despicable conditions allowed to be created in this country. I said that I welcomed the chance to speak with these people and that I thought my colleagues would also.

I cannot imagine the Senator from Louisiana, who has a record of befriending the poor and the unfortunate, as I have seen him during my career in the Senate, taking any other position. Anything other than that would have been a misimpression given by his implication that he himself would not listen to their point of view; and also I felt he would not favor censure of any Member of this body for taking such action as he might see fit following a discussion of these matters, but that he would encourage all of us to do as he has done with respect to listening to those who have a point of view in respect to those people who have less than $3,300 a year, which is certainly subsistence living.

I hope that this colloquy explains to those who might be listening that we have no difference of viewpoint; that maybe an expression was used by the Senator that now he can amplify and explain to indicate that we are on the same wavelength.

(At this point, the Acting President pro tempore assumed the chair.)

Mr. LONG of Louisiana. Mr. President, I was not aware of the fact that there was any Percy-Long clash. When I read the statement it was news to me.

I wish to say this to the press. I do not condemn them; I commend them. They are expected to find news, and if they cannot find news they think of something, if need be, to create interest so that one can have something to talk about and something of interest to read in the newspapers.

Therefore, when the junior Senator from Louisiana expressed himself in favor of law and order, he read in the press the next day that an irate LONG said this and said that. With whom would I be irate? The only other Senator in the Chamber was the distinguished Senator from West Virginia [Mr. BYRD], and he agreed with me. [Laughter.] I was more or less making my position clear for the RECORD.

I wanted to make clear that I have indicated—and the distinguished Senator from Illinois was so charitable to say it—that I always wanted to do whatever I could to provide for the less needy and the poor, be they children, the aged, or the sick, unemployed or whatever their problem may be.

Now and then in this body, inasmuch as we do not have an amplifying system, it is a good idea to raise one's voice and talk loud enough for people to hear.

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

Mr. LONG of Louisiana. I yield.

Mr. MURPHY. I wonder what the Senator's reaction would be to the suggestion that we install television cameras here so that people who are so inclined could see and hear what is going on and find out whether or not the Senator was irate and whether or not the Senator from Louisiana and the Senator from Illinois did or did not have a disagreement?

Mr. LONG of Louisiana. That would be fine with the Senator from Louisiana. I am agreeable to almost anything. I am not angry about anything or anyone now and I was not angry with anyone on Thursday last.

From time to time newspaper reporters find that they must juice up the story a little and put in some sex appeal.

Newspaper accounts sometimes say that the Senator from Louisiana "got red in the face." Look at me. I am red in the face now, I am almost always red in the face. It is my privilege to go home from time to time, and I sit around my small swimming pool in Louisiana on a Sunday afternoon. It is not that I got red in the face when I took the floor. I came here red in the face after the weekend; and I am not angry with anyone.

The Senator was trying to make clear that he believes in law and order. One must sometimes consider proposing a declaration to some of our able newspaper reporters who juice up the story, to make the point that people should do whatever the law says.

The article continues:

"All of us blow our tops," Percy said. "I would say Senator Long has on occasion blown his top." Percy said "talking to the demonstrators would be no different than talking to any voter. He's (Long) done it with representatives of the oil industry. Why not the poor people?

The point of the matter is that the junior Senator from Illinois [Mr. PERCY] did not hear my remarks; he judged them by an inaccurate account. So far as I can see, we really do not have a lot of difference except with regard to our differing views about apprehending fleeing felons.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire article to which I have referred entitled "Percy-Long Clash Grows Over March."

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

PERCY-LONG CLASH GROWS OVER MARCH

WASHINGTON (AP).—"When the Poor People's campaign reaches Washington, its representatives should be received by Congress with the same regard given lobbyists," Senator Charles Percy (R. Ill.) said Sunday. Percy said Senator Russell B. Long (D. La.) cannot hope to make good his threat to seek censure for any Senator who advocates "bending the knee" to Negro leaders of a drive for legislation to aid the poor. The leaders will start calling on Members of Congress Monday.

"All of us blow our tops," Percy said. "I would say Senator Long has on occasion blown his top." Percy said talking to the demonstrators would be no different than talking to any voter. He's (Long) done it with representatives of the oil industry. Why not the poor people?" Percy offered to try to arrange meetings between appropriate members of the Senate and the campaigners to try to reason with their demands on Congress.

"Unless Congress opens an ear to the marchers," he added, "there will be cause and potential for violence in the demonstration."

"The government," he said, "can no longer sit back and watch the country burn down."

Percy described as extremely unfortunate Chicago Mayor Richard Daley's statement that looters and arsonists should be shot. "I think he regrets it," said Percy, adding that the bullets were excusable only if a minimum force failed to stop such action.

Mr. LONG of Louisiana. Mr. President, I talk with poor people all the time, and I talk to them more than I talk to representatives of the oil industry, because the poor people are so much more numerous. This Senator will talk to anyone, whether he is from California, Louisiana, Texas, or New York. All that a person has to do is go to the Doorkeeper who sits outside this Chamber and send in a card. If I am not too busy at the time, I will go out. I have even had discussions with some people who have criminal records as long as your arm; but if they wish to talk to me, I am willing to talk to them, especially if they are from Louisiana.

It is merely my view that we are going to have to obey the law and we must agree that law and order must prevail as a first and foremost consideration if this Government is to survive.

Every Senator, when he enters this body, takes an oath of office to uphold and defend the Constitution of the United States and the laws of this country. In my opinion, if a man sees people burning down this Capitol Building, destroying the Nation's Capital, violat-

ing the laws, with no regard to safety and the rights of others, he is not fulfilling his oath to uphold the Constitution and the laws of the United States when that person permits the lawlessness to continue.

If he permits his Government to be blackmailed by law violators and into passing laws, not because they are right—and I believe that laws to help the poor would be right if they were well conceived—and not because they have logic and are just, but because someone is intimidating or threatening someone, he is not upholding his oath to uphold the Constitution. That would be true if he were willfully permitting violation of the law to go along and even encouraging that sort of thing by passing laws to reward the law violators. Mr. President, this has nothing to do with race. A Negro has every bit as much right to have his home protected as a white person has.

I regret to say and it is with some sorrow that I mention what is happening in Louisiana now. It is completely new to our State. However, some people are calling upon Negro citizens and white citizens to either hang on their homes a black flag or a piece of black crepe, as a sign of mourning for the late Martin Luther King, and if they do not do so, they are threatened that their houses will be burned down. I am told that a few homes have actually been burned, mainly homes of Negro residents, because they did not heed the warning.

Some good people very close to me had such threats made upon them. Whoever is doing that is badly misguided. If they are threatening to burn down a person's home because he does not hang out a black flag or a piece of black crepe, there is a criminal element present.

This Senator always felt that mourning should be sincere and that it should come from the heart. If I attend a funeral or wear a black armband of mourning, it is an indication that I am mourning the loss of someone I admire and love. It is the thought of the Senator from Louisiana that that should be something one does because he finds it very much in his heart to express his feelings on the subject.

Mr. President, I am a second-generation welfare advocate. My father was in that business ahead of me, advocating help for the poor and doing something about it. Today's so-called poverty people are Johnny-come-lately's, because I was advocating, speaking for, and trying to help the poor long before I ever heard of any of those people, and my father was doing something ahead of me. We were controversial for that very reason. I still want to do anything that can be done to help the less fortunate.

The point I make today is that law and order must prevail because that is for the good of everyone and is to the advantage of everyone. It never occurred to me that it would ever be controversial for anyone to suggest that when someone has committed a felony he should not be arrested, that when a policeman seeks to arrest such a felon, if he cannot make an arrest in any other way, rather than let such a person escape, he should shoot him.

Let us understand one another, that from my point of view what I am saying is no basis at all for a new controversy. It has always been that way. When a policeman thinks a felony has been committed, it is his duty to try to apprehend that felon, and if he orders the felon to halt, and the man does not, then he is dutybound to shoot him.

I have asked the FBI to provide me with a list of the procedures they use when they try to apprehend the 10 most wanted criminals in America. The man who murdered Martin Luther King, Jr., is at the top of that list.

I understand that when they seek out one of those 10 most wanted criminals, they surround the place where he is hiding with as many as 100 FBI agents and then someone with a bullhorn says, "This place is surrounded." Then he states the name. Then he says, "Come out with your hands up." When that person comes out, if he so much as makes a move toward one of his pockets, or breaks to run, the FBI agents all start shooting at the same time. They take no chances on having any innocent, law-abiding citizen or law-enforcement officer injured or killed trying to apprehend murderers or someone who has committed one of the many heinous crimes which can be committed against society in this country. That is as it has always been. We are not proposing to shoot someone if he is just walking on the grass, or stealing apples from a grocery store, or anything like that. We are talking about the escape of felons.

Some time ago, I read about the horrible crime in one of our great American cities where someone had murdered eight nurses and if he had had his way, would have killed nine.

If a policeman had seen that man leaving the scene of his crime, had reason to believe that he was a murderer, and had told that man to stop and the murderer had not stopped, he would be under the burden of shooting him and stopping him with a pistol bullet, or in some other way, because it would have been up to him to have apprehended that felon. Perhaps he could not be certain that the man was a murderer, but if the officer had good reason to think that a serious crime had been committed, would have been dutybound to have acted in that way.

Mr. President, I ask unanimous consent to have printed in the RECORD an article printed in yesterday's Sunday Star, written by James J. Kilpatrick, entitled "Daley's Unexpected 'Burst of Unerring Wisdom'."

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

DALEY'S UNEXPECTED "BURST OF UNERRING WISDOM"

(By James J. Kilpatrick)

DETROIT, MICH.—Two weeks ago, Chicago's Mayor Daley looked into his heart of hearts, and gave voice to the terrible truth he saw there. Arsonists, he said, are murderers; police who catch them in the act should shoot to kill.

It is not often that politicians commit truth in the first degree; this is a grievous offense for a man in public life, and for his candor Mayor Daley has suffered grievous abuse. The liberal bleeding-hearts, have long ago lost Bull Connor and wearied of George Wallace, seized upon His Honor with howls of exultant fury. They pummeled him so brutally that the Mayor cried uncle, apologized for his statement, and crept back to the caves of circumlocution.

Well, he was on the right track the first time. What Mayor Daley was saying, in his burst of unerring wisdom, is that persons charged with enforcement of law must use force to deter its willful violation. When one is faced with a hot-eyed tiger, run amok and poised to spring, it is useless to mew kitty-kitty. Either we free our cities of the peril of firebug beasts of prey, or we live enslaved to fear. Appeasement will get us nowhere.

In his recommendation for use of deadly force, Mayor Daley was not speaking of mere arrests for disorderly conduct. He was not talking of the rioter who acts from passionate impulse or from mob contagion. He was speaking of the arsonist, whose premeditated acts embrace the bottle, the gasoline, the fuse. Such a person is not bent on vengeance; his purpose is not even to steal; his object is blind destruction, and he is indifferent to the death or loss he may inflict on others.

Here in Detroit, one is told, Mayor Daley's bold statement was greeted with rousing applause, by white and black alike. Detroit is sick of riots, sick of looting, sick of burning. In shops, hotel lobbies, barber shops, men talk freely of a reversion to vigilante law. A middle-aged Negro porter is profanely sold on the Daley approach. His own lodgings were burned out a year ago; now his sister, a laundry worker, is out of work as a result of the latest destruction. He is bitter toward the arsonists. "They're not my brothers," he says. "They're not anybody's brothers."

Mayor Daley's critics say that shooting begets shooting; if police use deadly force, it is said, rioters will respond in kind. Lives will be lost. Passions will be further inflamed and race tensions made worse. As a consequence, property damage might be even greater—but the critics are not much concerned with property damage. After all, goes the refrain, human rights are worth more than property rights.

This line of reasoning fails to convince. The frightful events of Palm Sunday weekend make it evident that the United States must grapple with an intolerable situation here at home. Nothing like it has happened in our history. This is insurrection; it is a form of guerrilla warfare. In war, men die. It is the awful sacrifice society must pay for its own preservation. If arsonists do not wish to risk being killed, they can dispel the risk in an instant: They can stop being arsonists. It seems little enough to ask. Just don't burn the building.

And if the talk is to be of conflicting "rights," we ought to keep it firmly in mind that property rights are the oldest of all human rights. The right of a man to peaceful possession of his property antedates all other civil rights. Governments are instituted among men to keep these rights secure. It is a topsy-turvy kind of madness to suggest that law-abiding men should submit to arsonists and looters.

Granted, "deadly force" alone will not suffice. The root causes of this insurrection will not yield to gunfire. Everyone knows that. A massive task of reconciliation and reconstruction awaits us. But the restoration of public order comes first. Not until we put an end to "burn, baby, burn," will it be possible to succeed in "build, brothers, build."

Mr. LONG of Louisiana. Mr. President, Mr. Kilpatrick's expressions in the article are, in my judgment, substantially correct, and I believe that they serve to illuminate this problem.

AMERICA KEEPS FAITH WITH ASIA

Mr. McGEE. Mr. President, during his recent visit to Hawaii, President John-

son met with President Park, of South Korea, and spoke briefly at the Korean consulate in Honolulu. President Johnson first reviewed the history of America's relationships with the nations of Asia. Then, looking into the future, he said:

I deeply believe that my successor—whoever he may be—will act in ways that will reflect America's abiding interest in Asia's freedom and in Asia's security.

I am sure that this statement, and the rest of the President's remarks, helped erase any doubts that may have existed about the role that America sees for itself in the future development of Asia. This role is not an isolationist role, and it is not a paternalistic role.

As President Johnson said:

We wish to see Asia—like Europe—take an increasing responsibility for shaping its own destiny. And we intend and we mean to help it do so.

The President's remarks are extremely significant, coming as they do at this critical juncture in our dealings with Asia. Accordingly, I 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 OF THE PRESIDENT AT THE KOREAN CONSULATE, HONOLULU, HAWAII, APRIL 17, 1968

Mr. Consul, General Kim, President Park, Ladies and Gentlemen:

I am delighted to be able to join President Park on this occasion, not only because I share his pleasure in this meeting, but because this occasion tells us so much of our past and our future. Today we had a most pleasant and productive discussion.

When I say us, I mean all the peoples of the Pacific—who are determined to live as independent nations and free human beings.

You Americans here tonight of Korean descent know that this State has demonstrated to the rest of our Union—and to the entire world, for that matter—that America's concern for human dignity reaches out across the Pacific as well as across the Atlantic.

Our ties across the Pacific go back a long way—at least a century and a quarter, to the time when we became involved in China and then a little later in Japan. But it is only in the past 27 years that we have learned that the destiny of the United States is—once and for all—bound up with the fate of the peoples of Asia and the Pacific.

Until the end of the Second World War, we in America gave little thought to the history and the problems of our neighbors in Korea.

Then, suddenly, we found ourselves caught up—as we have with many other peoples—in Korea's emergence from colonialism to independence.

Through no fault of their own, the people of Korea have had to bear more suffering and challenge than any other nation emerging from colonialism—with the possible exception of the people of Vietnam.

Together we have seen through a terrible war and a period of uncertainty and confusion. Together we have had the privilege of sharing in the adventure of a new nation moving forward in a miracle of progress.

These ties—these memories—are important. They are as much a part of our history as they are of Korea's.

But, equally important is the fact that this new nation and this free South Korea of whom President Park is the spokesman—and a very able one—is now helping to build a new structure of cooperation in Asia.

As we face now in Vietnam—hopefully—a movement from war to peace, I wish to tell all of you, my fellow citizens—and you, my dear friend, President Park—what I deeply believe.

I deeply believe that this nation will continue to play its part in helping to protect and to develop the new Asia.

I deeply believe that my successor—whoever he may be—will act in ways that will reflect America's abiding interest in Asia's freedom and in Asia's security.

The commitments of America in Europe and Asia—all made by Congresses and Presidents before my Administration—are colorblind. They run with the security of the nation and with our basic human values. They will remain firm in the years ahead.

Because we know that peace among our neighbors of Asia is just as important to America as peace among our neighbors in Europe. Dignity, independence and freedom are universal aspirations of men—East and West, North and South.

The days are long gone when Americans could say that Asians are not our kind of people. People who love peace and freedom—whatever their color or their religion or their national origin—are our kind of people. The fight against racism and bigotry knows no international dateline.

We wish to see Asia—like Europe—take an increasing responsibility for shaping its own destiny. And we intend and we mean to help it do so.

We look—eagerly, even impatiently—to the day when the real battle of Asia can be joined with all of our resources:

The struggle against poverty and hunger, illiteracy and disease;

To increase the supply of food and to assist those who are trying to plan the size of families;

To exploit to the hilt the fantastic possibilities for developing the Mekong Valley, and all the other great conservation works of this continent.

In these works of peace the United States of America will take its fair share along with the other responsible nations of the industrial world.

And in their benefits—all the nations of Southeast Asia should participate—not just our present allies—but North Vietnam and all human beings in that great region who long for freedom and dignity and liberty.

America will remain the friend and the ally and the partner of Europe.

But America will also remain the friend, the ally, and the partner of free men in Asia.

This is my faith. This is my belief. This is my judgment.

I came here tonight to salute that great and gallant leader of the Korean people whose friends of Korean descent have gathered here, to say that we applaud your leadership, we admire your progress, and we in America feel that we are not only an Atlantic Nation, but we are equally a Pacific Nation.

In this part of the world, almost two-thirds of all humanity live. If that (humanity) is what we are interested in—and that is all that really justifies our survival, a desire to better humanity—if that is what we are interested in, it is going to take at least more than half of our efforts, and we pledge to you sincerely tonight those efforts.

Good night and God bless you.

PRESIDENT JOHNSON ANNOUNCES ESTABLISHMENT OF URBAN INSTITUTE

Mr. WILLIAMS of New Jersey. Mr. President, last week, President Johnson announced the establishment of the Urban Institute, a private organization dedicated to work for solutions to the great problems facing the Nation's cities.

As described by the President, the Urban Institute will bridge the gap between researchers and decisionmakers, encourage an interdisciplinary approach to city problems, and take a long, broad view at the forces that determine what kind of cities we have. There is probably no greater domestic challenge we face than the challenge of our cities. The urgency of this challenge is highlighted by the President's comment:

I wish this Institute had been established a decade ago so that we could now be reaping its results.

I share the President's views in this regard and I look forward to the contribution that the Urban Institute will make in solving our urban problems.

We are hard at work on these problems now. I hope the institute will supplement our efforts.

For the benefit of my colleagues who are committed to a bright future for urban America, I ask unanimous consent that the remarks of President Johnson, as well as a descriptive paper on the Urban Institute, be inserted in the RECORD.

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

TEXT OF THE REMARKS OF THE PRESIDENT AT THE MEETING WITH THE BOARD OF TRUSTEES OF THE URBAN INSTITUTE, APRIL 26, 1968

I am happy to welcome you to the Cabinet Room.

This is an exciting day for the Nation and for me.

You have launched something America has needed and wanted for a long time. It is a new Urban Institute. It will promise to give us the power through knowledge to help solve the problem that weighs heavily on the hearts and minds of all of us—the problem of the American city and its people.

You will not lay a single brick or build a single house. But the work the Institute will do—the studies and the evaluations and the free and searching inquiries—will build the strongest foundation upon which we can renew our cities and transform the lives of people.

We know today only how much we do not know about the cities:

Data to inform our decisions is weak or missing.

Urban research is splintered and fragmented.

Relationships between jobs and housing and income and education are unclear.

The Urban Institute is an important response to this "knowledge gap." It will fill a real need by:

Bridging the gulf between the lonely scholar in search of truth and the decision-maker in search of progress through effective programs.

Bringing together all the disciplines needed—not only scientists and administrators, but economists, planners, and architects. And it will get them to work together—in cities, and on the problems of cities.

Taking a comprehensive view of urban life and seeking to understand the forces that produce decay as well as growth.

You know better than most that there are no overnight remedies to the problems that formed and hardened decades ago.

But we are moving—and you will help dispel the darkness that remains. Some day the light will shine. Of that I am sure. The work of this Institute can help speed the coming of that day.

As you begin your venture, let me offer these suggestions:

Your research must be of the highest quality but also of the greatest practicality.

Your staff must not only think hard about the city, but work amidst the presssure and conflicting forces of life in the city.

Your work must be to distinguish the long range from the temporary, the real from the illusory.

Above all, the Institute must operate in a climate of intellectual freedom and organizational independence. The search for truth must be uncompromising, unhindered by partisan coloration or blocked by conventional wisdom.

I wish this Institute had been established a decade ago so that we could now be reaping its results. But now you have begun it, and it will serve us in the years ahead. It is a sound investment in the future of our land.

The Institute was shaped and molded by good men like Kermit Gorden, McGeorge Bundy, Irwin Miller, Arjay Miller, Richard Neustadt, Cyrus Vance and Robert McNamara. They worked not as Democrats or Republicans—but as Americans.

I know the Institute will get off to a fast start because you have made a wise and excellent choice for its first President. Your selection of William Gorham, one of the ablest young men in public service during the last eight years, pleases me.

The Institute is now launched and christened, and I wish you good luck and Godspeed in your journey ahead.

PROSPECTUS FOR THE URBAN INSTITUTE

In his March 14, 1967 Message on Urban and Rural Poverty, President Johnson called for the establishment of a research institute to help find solutions to the problems and concerns of our cities.

In December, President Johnson asked seven distinguished citizens to draft a charter for the Institute, incorporte it as a private, non-profit corporation, select a Board of Trustees and recommend a president for the Institute. This panel of incorporators included J. Irwin Miller, Chairman of Cummins Engine Company who chaired the group; McGeorge Bundy, President of the Ford Foundation; Kermit Gordon, President of the Brookings Institution; Robert S. McNamara, formerly Secretary of Defense and now President of the International Bank for Reconstruction and Development; Arjay Miller, Vice Chairman, the Ford Motor Company; Richard E. Neustadt, Director of the Kennedy Institute of Politics, Harvard University; and Cyrus Vance, formerly Deputy Secretary of Defense and currently a New York attorney.

The incorporators have completed their work. The Institute was incorporated in Delaware on April 24th, and is ready to begin operation. They have elected a 15-member Board of Trustees, which held its first business meeting today, before visiting with President Johnson in the Cabinet Room. The Trustees have elected Mr. Arjay Miller, Vice Chairman of the Ford Motor Company, as Chairman of The Urban Institute, and Mr. William Gorham, former Assistant Secretary of HEW, as the Institute's first President and Chief Executive Officer. Mr. Gorham served with the RAND Corporation, and as Deputy Assistant Secretary of Defense. He brings to the Institute a demonstrated capacity for leadership and creativity in analyzing complex public problems.

THE CRISIS OF THE CITIES

Cities face two critical sets of problems. First, the problems resulting from growth itself. The rapid increase in concentration of people has brought air pollution, noise, water pollution, traffic congestion which deteriorate the quality of urban life.

But these problems are overshadowed by the more desperate human problems of the urban poor. As affluent and middle-income people have moved to the suburbs, the poor have crowded into center cities. Much of the central city population is poorly educated, miserably housed, inadequately served by health and recreational facilities, underemployed, alienated and without hope. High crime rates and rioting are symptoms of the bitterness and alienation of the urban poor.

As a Nation we must mobilize our best intellectual resources to attack the problems of the city, to evaluate the effectiveness of alternative courses of action and to develop workable solutions. The Urban Institute is being created to focus that effort on our highest priority social problem—the cities.

The Urban Institute will study the problems common to cities and the ways in which they can be solved; work with individual cities, studying their particular problems, developing strategies for action and providing technical assistance in carrying out such strategies; provide continuing independent evaluation of Federal, State, local and private programs aimed at meeting urban problems; provide a center of knowledge about city problems, action programs, experiments and effective solutions to city problems.

THOROUGH AND CONTINUING STUDIES OF URBAN PROBLEMS

Commissions and special task forces often help mobilize existing knowledge about particular problems, but go out of existence too soon to carry out in-depth studies.

The Urban Institute will have a permanent existence. It will be able to mobilize high-quality talent for thorough and continuing studies of the problems confronting cities—unemployment and underemployment, poor education, substandard housing, congestion and isolation of the urban ghetto. It will be able to study the interrelation of these problems and work out strategies for attacking them. It will be able to study the implications of alternative employment policies for housing and transportation or the impact of alternative housing policies on education needs.

ASSISTANCE TO PARTICULAR CITIES

The Institute will work in and with individual cities, bringing together a variety of talents to help them in solving their problems. It is expected that the Institute will establish cooperative centers in a number of cities where Institute staff can assist city officials in attacking local problems. This relationship should have a triple pay off: solutions for particular local problems (e.g., how to get maximum benefit from local school facilities in meeting the recreation and education needs of a whole neighborhood), development of experienced teams of analysts who will continue to assist city officials, and knowledge that can be applied fruitfully in other cities.

EVALUATION

In response to urban blight and human misery, the Nation has launched more than 60 Federal programs spending about $22 billion annually. Many of these programs are attempts to find and test new effective solutions to persistent problems. Learning from these programs requires mechanisms either within or outside government for measuring their effectiveness.

The Urban Institute will undertake evaluation of major programs—Federal, local and private. For example the Institute might assist the Federal Government and local model cities agencies in evaluating and comparing experiments in upgrading slum neighborhoods through the efforts of the residents themselves: What are the critical elements that contributed to success in one neighborhood and failure in another? How can we stimulate repetition of successful self-help experiments in other neighborhoods and other cities?

A CENTER OF KNOWLEDGE AND EXPERIENCE

Finally, The Urban Institute will assemble and make available knowledge about city problems, action programs, experiments, and urban studies of such problems. A number of promising centers for urban study have been established in recent years, many by universities or private charitable groups. There is mutual benefit to be gained by supplementing these individual efforts with a large national institute capable of pulling together the bits and pieces of research on urban problems being carried on throughout the country and relating them to policy formulation both at the Federal and local levels. For example, the Institute would synthesize from various local studies what we have learned about effective techniques for teaching underprivileged children in blighted city neighborhoods and make these findings available to all cities.

The Institute is not a substitute for action programs. Programs for better jobs, education, housing, and health are underway and must go forward. What the Institute can provide is a continuing independent resource for evaluating such programs so that public and private money can be translated more effectively into results. In the long run the Institute will provide a better basis for action programs through in-depth study of basic urban problems and research and evaluation of Federal, local, and private programs aimed at meeting the problems.

The Institute will provide (1) a unique *concentration* of high calibre professional talent—scientists, administrators, economists, city planners, operations analysts, architects, engineers—devoted to real and immediate decisions and actions; (2) a *continuity* of study which encourages progress by building on the results of previous analysts; and (3) a *detachment* from program responsibility which encourages objective analysis and study of existing government policy.

The new Institute will be supported by contracts and grants with several Federal Agencies, including the Department of Housing and Urban Development, Department of Health, Education, and Welfare, Department of Labor, Office of Economic Opportunity, Department of Transportation, and Department of Commerce. The level of support will be about $5 million for the first year, with growth expected to be $10–$15 million per year as the Institute develops. This will include support from private foundations. In addition, early in the life of the Institute, individual cities, and perhaps States as well, may contract for certain services or studies meeting the mutual needs of the Institute and the cities or States.

The headquarters of The Urban Institute will be in Washington; city Urban Institute centers staffed jointly by the Institute and local agencies will be established in a number of cities over the next several years.

Members of the Board of Trustees of the Institute were elected by the seven-member panel of Incorporators. They are: Arjay Miller, *Chairman;* Vice Chairman, The Ford Motor Company; William Gorham, *President* of The Urban Institute; William C. Friday, President, University of North Carolina; Eugene G. Fubini, Vice President, International Business Machines, Inc.; William H. Hastie, Judge, U.S. Court of Appeals for the 3rd Circuit; Edgar F. Kaiser, Chairman, Kaiser Industries, Inc.; Edward H. Levi, President, The University of Chicago; Bayless A. Manning, Dean, Stanford University School of Law; Stanley Marcus, President, Neiman-Marcus; Robert S. McNamara, President, The World Bank; J. Irwin Miller, Chairman, Cummins Engine Company, Inc.; Charles L. Schultze, Senior Fellow, The Brookings Institution; Leon H. Sullivan, Chairman, Opportunities Industrialization Center, Philadelphia; Cyrus R. Vance, Partner, Law firm of Simpson, Thacher and Bartlett, New York; Whitney M. Young, Jr., Executive Director, National Urban League.

IN PRAISE OF THE UNITED STATES

Mr. SYMINGTON. Mr. President, regardless of all current problems. domestic

as well as international, every American knows that we live in the finest country the world has ever known.

In that connection, I ask unanimous consent that a recent interesting and thought-provoking editorial from the St. Louis Globe Democrat, "In Praise of the United States," be inserted at this point in the RECORD.

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

IN PRAISE OF THE UNITED STATES

Who will say a good word for the United States of America?

We will—and we are sure that nearly all Americans will if they can get the microphone away from the professional hate mongers, the political opportunists and the "Let's All Kick America" crowd.

If one arrived in America from a foreign country and had to judge the worth of our nation by the outpourings of most of our national magazines, a good share of the television programs and the sensation-seeking segment of the press, he might conclude that we are headed straight for hell in a bucket.

As we see it, it is a matter of perspective. Too many newscasters and writers have lost theirs. They seem to get their "kicks" by puffing up the nation's faults to the exclusion of nearly everything else.

They give unlimited time and space in their columns and on the air waves to the hairy creeps and the hate peddlers until they are nauseatingly out of balance. They are sick, and they seem to want to get sicker.

What is all this about? There appears to be an undeclared national contest to see who can kick the United States the hardest.

If this is not so, why have certain television networks and publications given the Stokely Carmichaels, the Dr. Spocks and other far-out radicals such an inordinate amount of coverage?

It seems that every time Carmichael feels an urge for sedition or mayhem, someone shoves a microphone in his face or starts taking notes.

Have those gentlemen with a nose for garbage not been largely responsible for making these rap-America radicals national figures?

The venom against the United States fairly oozes from certain tv and newspaper personalities. These armchair generals nightly asked loaded questions of selected "experts" on the Vietnam war to support their demand that we get out even though they haven't the faintest idea how we could do so with honor or what might follow a precipitous pullout.

Most of such self-appointed experts on military and foreign affairs would be horrified if anyone in Washington had the bad judgment to follow their advice.

Small wonder the American people are confused about the war.

We also have political candidates who would sell out not only their own grandmother but the United States as well for a few votes.

They are so "hooked" on using our government as a punching bag, that they grin like idiots every time they are getting their "enjoys."

We realize the country is undergoing a national orgy of violence and crime, that its popularity abroad has reached an all-time low, and that it faces an awesome challenge in meeting the problems that seem to confront it on all sides.

But what good does it do to make the worst of it?

This is a time for cool heads to take over from the hotheads. It is an occasion for loyal Americans to stand against this sickening outpouring of venom, to make a special effort to point out some of the good things about America.

This is a time to take off our coats and go to work to solve our problems, rather than moan incessantly about them.

Instead of complaining helplessly about riots in the ghettos, find out what you can do to help the great majority of non-rioting, responsible Negroes, who must live in these rotten conditions, achieve a better life.

Try giving the President your support in his all-out search for peace in Vietnam—a peace with honor, not a cover for retreat.

We happen to be citizens of the nation that has done more than any other in the world for the cause of freedom and democracy.

Americans have an unmatched record for sacrifice on the battlefield, for generosity in giving their money and other resources to help other nations withstand aggression, to remain free.

Why worry when Boris Bolshevik from Outer Monrovia or Vulgarslavia screams anti-Americanism?

He knows and you know that were it not for the United States, President Charles de Gaulle of France might today be making his anti-American speeches in a Nazi prison and the Communist flag might well be flying over Greece and who knows where else in Europe?

Filipinos today might be speaking Japanese and Australians might be eating with chopsticks had not American men fought for freedom in World War II, as they fought in World War I, in Korea, and as they fight today in South Vietnam.

No wonder we feel patriotic and couldn't care less if some rum-dum should mumble something inane about "super patriotism."

To the United States of America we say, "long may you live." To the sour-mouthed calamity howlers, we say, "Nuts to you!"

VETERAN NEWSMAN LEAVES STATE BUREAU

Mr. MANSFIELD. Mr. President, each Senator and Representative maintains a very close contact with the press of his own State and district. I am sure we all have our favorites, and there are those who have made a very definite imprint on the affairs of our State. One of Montana's finest journalists has just announced that he will be leaving the profession.

On Sunday, April 21, Thomas E. Mooney wrote the last of his weekly columns entitled "The Statehouse Scene." Tom Mooney is one of the finest writers, political analysts, and responsible journalists in Montana now, and has been for many years.

Tom Mooney has been a newsman for some 33 years and knows Montana as a reporter and columnist. He knows the issues and the people. Politics has been his specialty and he is thoroughly acquainted with the individualistic, and variety of, politics that we have in Montana. Tom Mooney has been a good friend and a critic when he felt it appropriate. His broad knowledge and fairness have been outstanding trademarks of this man's career in the newspaper business. The readers of the Lee newspapers and the State in general will miss Tom Mooney. My only hope is that perhaps, at some future time, he will return to the Montana press.

Mr. President, I ask unanimous consent to have printed in the RECORD, Tom Mooney's last column, entitled "The Last One Is the Hardest," published in the Helena Independent Record of April 21, 1968.

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

THE LAST ONE IS THE HARDEST

(By Thomas E. Mooney)

This was the hardest Statehouse Scene of all to write. It is the last one.

Not egotistical enough to believe it will make any great difference to anyone other than the party of the first part, it still is a difficult thing to say goodby to friends and readers who have been so kind ever since the column was started back in 1962.

The Statehouse Scene actually was the brainchild of a canny veteran of Montana newspaperdom, Walter Nelson of the Montana Standard in Butte. At his suggestion, it was produced first in the form of an occasional continuation to the Standard from the Capitol. Gradually, it developed into a weekly feature of that newspaper's editorial page on Sundays.

As time went on, the format changed and somewhere along the way it was decided the column would make regular Sunday appearances in all the Lee Newspapers of Montana.

VARIED REACTION

In all honesty, it must be reported that reception on the part of the readers, particularly those close to the political situation in the state, has been varied.

Thankfully, the most frequent comment to the writer has been: "I read your stuff every Sunday. I don't always agree, but I read it."

I say "thankfully" because what could be worse than to turn out something on a weekly basis that was so vapid readers could not form opinions about it?

Comments such as that, and others, have come from members of both political parties, from those in state government who have been mentioned (or sometimes not mentioned) and, mostly of all, from the best supporters any newsman can have, the people who read his stuff.

SINCERE REPORT

There have been several goals in writing such a column. Efforts have been made to inform, to provide an opportunity to express opinion, occasionally to predict, but always to give the reader a sincere report on things that might be overlooked in the rush of daily news reporting.

Certainly there has been commentary. Perhaps not the deep, penetrating things turned out by some of the national columnists, for example; perhaps nothing of a great moment, but at least an honest effort to provide a newsman's view of statehouse happenings.

The word "statehouse" is used in the broadest sense—designed to encompass anything of timely interest to readers about politics, political parties, politicians and a variety of sidelights not only on state government but on Montana in its entirety.

PRIME CONCERN

Personalities, of course, have been of prime concern. Perhaps along the way, there have been some stepped-on toes. Maybe there has been too much enthusiasm about a particular person or cause. Occasionally there have been errors. Those the writer regrets the most. Never have they been written knowingly, nor has an effort ever been made to present the commentary in any but a sincere manner, except for an occasional lapse into what probably was pretty weak humor. Always an effort has been made to expound personal integrity.

Writing a column is enjoyable for a newsman. On rare occasions, when the material at hand doesn't seem to measure up to the quality level desired, it can be exasperating.

HOUR OF CHALLENGE

But times change. Comes the hour when challenge must be met and personal decisions made, a time when hindsight would be valuable but only foresight is available.

Such a time came during the past week.

Developments have been fully recorded by brethren of the news media—so this is the final Statehouse Scene. Perhaps some readers will miss it. They, and the editors whose counsel has been appreciated, are recipients of personal thanks. But the typewriter will not be stilled, just converted to another task.

GOVERNMENT MUST FIRST PUT A STOP TO "BURN, BABY, BURN" BEFORE IT CAN SUCCEED IN "BUILD, BROTHER, BUILD"

Mr. BYRD of West Virginia. Mr. President, recently in a statement in this Chamber I defended the remarks of Mayor Richard Daley, of Chicago, relative to the use of force in apprehending criminals. I said then that Mayor Daley was simply stating the law in ordering the police to shoot escaping felons in arson and looting cases during rioting if all other means of apprehending them proved of no avail.

Others, I am glad to say, have also taken the position that Mayor Daley was not enunciating some un-American concept in his efforts to prevent wanton destruction and insurrection by senseless mobs. It has been my observation that, when the criminal element is on notice that deadly force, if necessary, will be used to enforce the law, crime is much less likely to occur.

The opposite side of the coin is found in statements by various and sundry public officials that policemen will be "restrained" in dealing with arsonists and looters. Such statements can only serve as open invitations for those adults who would destroy the property and lives of innocent citizens. I regret to say that such encouragement has been given to the criminal element by the statements of some officials in high positions, if inadvertently, in the District of Columbia.

It is for this reason that I found the column in the Washington Evening Star by James J. Kilpatrick on April 28 of especial interest. Entitled "Daley's Unexpected 'Burst of Unerring Wisdom,'" it makes the point that the country is faced with nothing less an insurrection, and that the use of maximum force should not be withheld if necessary to meet such a threat.

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:

DALEY'S UNEXPECTED "BURST OF UNERRING WISDOM"

(By James J. Kilpatrick)

DETROIT, MICH.—Two weeks ago, Chicago's Mayor Daley looked into his heart of hearts, and gave voice to the terrible truth he saw there. Arsonists, he said, are murderers; police who catch them in the act should shoot to kill.

It is not often that politicians commit truth in the first degree; this is a grievous offense for a man in public life, and for his candor Mayor Daley has suffered grievous abuse. The liberal bleeding-hearts, having long ago lost Bull Conner and wearied of George Wallace, seized upon His Honor with howls of exultant fury. They pummeled him so brutally that the Mayor cried uncle, apologized for his statement, and crept back to the caves of circumlocution.

Well, he was on the right track for first time. What Mayor Daley was saying, in his burst of unerring wisdom, is that persons charged with enforcement of law must use force to deter its willful violation. When one is faced with a hot-eyed tiger, run amok and poised to spring, it is useless to mew kitty-kitty. Either we free our cities of the peril of firebug beasts of prey, or we live enslaved to fear. Appeasement will get us nowhere.

In his recommendation for use of deadly force, Mayor Daley was not speaking of mere arrests for disorderly conduct. He was not talking of the rioter who acts from passionate impulse or from mob contagion. He was speaking of the arsonist whose premeditated acts embrace the bottle, the gasoline, the fuse. Such a person is not bent on vengeance; his purpose is not even to steal; his object is blind destruction, and he is indifferent to the death or loss he may inflict on others.

Here in Detroit, one is told, Mayor Daley's bold statement was greeted with rousing applause, by white and black alike. Detroit is sick of riots, sick of looting, sick of burning. In shops, hotel lobbies, barber shops, men talk freely of a reversion to vigilante law. A middle-age Negro porter is profanely sold on the Daley approach. His own lodgings were burned out a year ago; now his sister, a laundry worker, is out of work as a result of the latest destruction. He is bitter toward the arsonists. "They're not my brothers," he says. "They're not anybody's brothers."

Mayor Daley's critics say that shooting begets shooting; if police use deadly force, it is said, rioters will respond in kind. Lives will be lost. Passions will be further inflamed and race tensions made worse. As a consequence, property damage might be even greater—but the critics are not much concerned with property damage. After all, goes the refrain, human rights are worth more than property rights.

This line of reasoning fails to convince. The frightful events of Palm Sunday weekend make it evident that the United States must grapple with an intolerable solution here at home. Nothing like it has happened in our history. This is insurrection; it is a form of guerrilla warfare. In war, men die. It is the awful sacrifice society must pay for its own preservation: If arsonists do not wish to risk being killed, they can dispel the risk in an instant: They can stop being arsonists. It seems little enough to ask. Just don't burn the building.

And if the talk is to be of conflicting "rights," we ought to keep it firmly in mind that property rights are the oldest of all human rights. The right of a man to peaceful possession of his property antedates all other civil rights. Governments are instituted among men to keep these rights secure. It is a topsy-turvy kind of madness to suggest that law-abiding men should submit to arsonists and looters.

Granted, "deadly force" alone will not suffice. The root causes of this insurrection will not yield to gunfire. Everyone knows that. A massive task of reconciliation and reconstruction awaits us. But the restoration of public order comes first. Not until we put an end to "burn, baby, burn," will it be possible to succeed in "build, brothers, build."

IS THE FOREIGN SERVICE LOSING ITS BEST YOUNG OFFICERS?

Mr. PELL. Mr. President, in spite, perhaps because, of several major structural changes in the last 20 years, there continues to exist a severe morale problem in the Foreign Office Service Corps of the State Department. The seriousness of the crisis is reflected in the steady stream of officers resigning from the Department. Charles W. Yost, an old and good friend who after once resigning from the corps, returned to a brilliant Foreign Service career, recently had an excellent letter on this subject printed in the Foreign Service Journal. His letter not only supports those who clearly see a need for reform in the administrative procedures in the Department, but it also clearly outlines a specific list on improvements to be implemented. In the hope that Mr. Yost's proposal will be widely read and acted upon, I ask unanimous consent that his letter be reprinted in the RECORD.

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

AMBASSADOR YOST ON THE FSO

I read with interest and concern the article "Is the Foreign Service Losing its Best Young Officers" in the February Journal, written by two young FSO's. Its conclusion—that the Service is indeed losing many of its best after only three or four years and that the primary reasons cited are "work lacked anticipated challenge" and "dissatisfaction with personnel system"—corresponds to my own experience with many promising young officers who either resigned or dispiritedly accommodated themselves to these frustrations.

I was particularly interested, first, because I once resigned from the Service for these very reasons (in 1933) and, second, because I have a son who is considering whether or not to enter the Service.

There is of course, no reason whatsoever, in this age when the United States conducts foreign relations of the greatest significance and diversity all over the world, why the work of its Foreign Service, even the most junior officers of that Service, should lack challenge. Nor is there any reason why its personnel system, complex as are the problems its confronts, should be, or should seem, bureaucratic, unresponsive and unimaginative. I reentered the Department and eventually the Service and thereafter enjoyed more than thirty years of highly satisfying and rewarding experience. I so inform my son and others asking my opinion. On the other hand, there has been and remains a great deal of truth in the criticisms quoted in the Journal article.

First, while it is desirable that young FSO's become acquainted to some degree with as many phases as possible of the work of embassies and consulates, and hence that they be rotated from one function to another, it is ridiculous and often fatal to keep ambitious, highly qualified and highly educated young men and women, who have chosen the Service as their career because of its political and economic opportunities, pinned down for any length of time to essentially clerical work in consular and administrative sections. I resigned because I was fed up with three years of this sort of work and saw no prospect of changing it soon. Many others have done likewise.

I shall not rehash here the arguments of the past 45 years in which the words "democracy" and "equality" have been misused to lump all the aspects of Foreign Service work together and to insist that those burning with a laudable zeal to help formulate and execute the foreign policy of the United States should spend years issuing visas, making up payrolls and running motor pools. All of these latter tasks have to be done but they do not need to be done by MA's and PhD's, or even by AB's. People qualified to do them and respected and compensated for doing them should be separately recruited, locally insofar as possible, at home when necessary.

In the second place, difficult as it is to operate an effective personnel system that embraces the globe, other governments and many great corporations do so. As far as the well-being and morale of junior officers is concerned, what is required are primarily three elements.

The first is the one we have already mentioned—access to interesting and important

work commensurate with the ability and training of the officer. This access should not be inhibited through work assignments either rigidly imposed by the Department or capriciously altered to suit the convenience of the post. The first fault can be corrected by giving the Chief of Mission reasonable discretion in shifting assignments, the second by frequent inspections during which junior officers are given a sympathetic hearing.

A second element is of course rapid promotion for those who demonstrate ability, initiative, energy and imagination. This will lead to sharp inequalities in promotion because people are unequally qualified, but it will also lead to attrition from the Service of the least qualified rather than of the best.

A third element of an effective personnel system for young officers far from home base is the consistent display of sympathy, understanding and support by their immediate superiors and responsible chiefs. The latter, plus the inspectors, must be the advocates and protectors of the former vis-à-vis "the system," and the system must be set up to take prompt account of their appeals to correct maladjustments, to settle grievances and to forestall discouragement.

It would be a very great tragedy if the Foreign Service, just when the country needs it most and when it offers in fact the most brilliant opportunities, should be eroded at the base through failure to take advantage of the zeal, ambition and expectations of its best qualified and best trained young officers.

CHARLES W. YOST.

NEW YORK.

COLLEGE CAMPUSES DISTURBANCES

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "They Have No Right," relating to college campus disturbances, and published in the Reformer of Saturday, April 27, 1968.

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

THEY HAVE NO RIGHT

The past week has seen a number of college campus disturbances in which the new breed of student has flexed his new muscles in one demand or another for change at the halls of ivy.

More often than not, the demands have been for more Negro scholarships, more curriculum aimed at understanding Negro heritage—or some sort of effort beneficial to the Negro.

It is no secret that this newspaper has championed the Negro's struggle for an equal position in American society; championed various modern urgings of the rebellious collegian, too. And we are proud of it.

But there is something manifestly wrong in the kind of campus unrest that finds collegians taking control of administration buildings at the nation's colleges and universities. There is something manifestly wrong with a minority of ired college students forcing suspension of classes.

Although it is the right of students as well as other citizens, protest has its reasonable limits.

Protest—and, in this case, the demands that have triggered protest—should not be allowed to replace the administration of higher education. College administrations run colleges and universities. Students do not. And they should not. That is not their function, nor their capability.

Furthermore, just as Freedom of Speech ends at the point where a fellow's fist meets another's face (or something like that, as someone once said), protest must end short of curtailing educational opportunity for those who want that opportunity and do not happen to agree with those who want to bring a grinding halt to learning for the sake of winning a cause.

Demonstrating college and university students with a cause on their shoulders have no right, whatsoever, it seems to this newspaper, to force a halt—temporary, though it may well be—in the educational endeavors of fellow youth who are not sympathetic and who have spent good money to better their minds and prepare themselves for life.

ECONOMIC IMPACT OF POLLUTION ABATEMENT

Mr. PROXMIRE. Mr. President, I just read two interesting reports from the Federal Committee concerning the economic impact of pollution abatement which should be of interest to all of us. The reports are entitled "Cost Sharing With Industry?" and "The Secondary Impact of Air Pollution Abatement." The committee which conducted these studies was created by Presidential mandate, and its Chairman is Dr. Jack W. Carlson, who is with the President's Council of Economic Advisers. The Committee has representation from most of our Federal agencies.

The reports bring out the following information:

First. The cost of water pollution abatement to industry is not likely to be high: only about one-fourth billion dollars annually or one-eighth of 1 percent of value-added by manufacturing companies each year. In contrast, labor costs alone went up by 5 percent, or 40 times as much, last year.

Second. The cost to abate air pollution—sulfur oxides and particulates—by 60 to 75 percent was estimated to be about three-fourths billion dollars per year. About $350 million of this could be a burden for industry and this amount would be only one-sixth of 1 percent of the value-added by manufacturing companies each year.

Third. Because average costs of abatement for industry are low, the reports recommend assistance only in the case of hardship, which the President has recommended in his own message on conservation and water management.

Fourth. The reports recommend against the use of tax credits or accelerated depreciation allowances above those already provided.

Fifth. Costs of abatement can double and even quadruple if abatement of all waste loads is pursued instead of just the abatement of harmful wastes. This is evidently true for both water and air.

I recommend a reading of these reports by Senators. They should enlarge our understanding of the best ways to manage environmental problems.

NEW TOOL FOR NEW TOWNS

Mr. HANSEN. Mr. President, the New York Times today contains a thoughtful editorial concerning legislation to be proposed to assist in the building of "New Towns."

The idea of new towns is being discussed often these days, both publicly and in private. Former President Eisenhower has recently written of the urgency for new town development as a realistic plan to eliminate the slums.

I am hopeful that Congress can move in the directions suggested by President Eisenhower and the New York Times. Readers of the RECORD should find the editorial both timely and challenging. I ask unanimous consent that it be printed in the RECORD.

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

NEW TOOL FOR NEW TOWNS

The movement to ease urban problems by developing new towns has won an influential convert in former President Eisenhower. In a Reader's Digest article, he calls such towns "the first essential" in any realistic plan to eliminate the slums.

Yet one of the outstanding international attempts at new town development, Reston, Va., went down the real estate drain last year when its founder, Robert E. Simon Jr., was licked by the economics of a system that has no place for this kind of farsighted environmental plan. When payment could not be met on the large capital loans required for the long-term design and comprehensive facilities that are the backbone of any genuine new town effort, the venture was taken over by its chief investor, Gulf Oil, which promptly set its sights on a more conventionally marketable product.

At no time in that critical initial stage when capital must be plowed in and profits are a long way off was Federal aid available. But now, spurred by a failure that this country can ill afford, Federal legislation is being planned to make this type of new town possible by vastly expanding the resources of private development. A major new financing device known as the "Federally guaranteed cash-flow debenture" would authorize Federally guaranteed bonds large enough to cover heavy preliminary costs and to insure repayment of interest charges on loans, a factor of particular importance during the early, generative period when "patient" money is needed.

To most city specialists the fate of the Reston experiment was the great American planning tragedy of the sixties. But an even greater tragedy lies in the answer that so many members of the building and financial community gave to the question: What went wrong? Variations of "This just proves that the Reston idea won't work" added up to a smug acceptance of the normal commercial subdivision, in spite of its proven inadequacies in land planning and community design, because it repeats acceptable profit formulas. This standardized building process relentlessly reinforces the country's racial and economic ills.

What really doesn't work is present practice. The evidence is overwhelming in both cities and suburbs. Although the proposed legislation is one real answer to new towns, it will not work either if they are not planned as open communities for a full range of low- to high-income housing. Thus conceived and built, they hold great promise for the beleaguered cities.

The Federal Government may yet be providing an essential economic tool and badly needed perspective for those who confuse the *status quo* with destiny. Success may yet come from the Reston defeat.

HUMAN RIGHTS NEED INTERNATIONAL LAW

Mr. PROXMIRE. Mr. President, United Nations Secretary General U Thant once said:

In the philosophy of the United Nations, respect for human rights is one of the main foundations for freedom, justice and peace in the world.

I too feel that human rights are so basic to world peace that it no longer is enough to state them as principles to be considered; now they are considered so essential that they must be implemented by means of international law.

It was Bruno V. Bitker, now a member of the President's Commission on the Observance of International Human Rights Year, who once told the Committee on Foreign Relations:

By its heritage and its ideals, because of its good will toward all mankind and its desire throughout the world, the United States has assumed international responsibilities. It now has the opportunity and the obligation to vigorously continue to advance the cause of human rights and fundamental freedoms everywhere on earth.

Bruno Bitker appeared before the committee at that time as Chairman of the Committee on Human Rights of the U.S. National Commission for UNESCO.

I hope Mr. Bitker's words will serve as an effective impetus for the worldwide battle for human rights and that they will help lead to the long-overdue ratification by the Senate of the Human Rights Conventions on Forced Labor, Freedom of Association, Political Rights of Women, and Genocide.

THE SAVANNAH, GA., COMMUNITY IMPROVEMENT PLAN, MONDAY, APRIL 29, 1968

Mr. TALMADGE. Mr. President, one of Georgia's most distinguished citizens and leading bankers, Mills B. Lane, Jr., has developed a noteworthy plan of community improvement for the city of Savannah, Ga.

The plan was formulated in conjunction with a number of Negroes in business and in professions in Savannah, as well as other citizens, in an extremely worthwhile effort to promote a spring "clean-up" in slum areas and similar sections of the city, with the active participation of the residents and homeowners involved.

It is especially commendable that Mr. Lane has particularly enlisted the assistance of students at the two State colleges in Savannah, as well as the high schools and churches in the involved areas. As Mr. Lane puts it:

This entire clean-up effort is being based on the premise that young people can and should work together, that many hands make light work and that the entire operation can be fun for everyone concerned. It is not paternalistic in its concept, but rather is based on joint participation on a voluntary basis of everyone in town, both Negro and white. The future of our country is in the hands of the youth of our land and from this joint exercise we hope that there will develop mutual understanding and trust, a sense of awareness of conditions and problems and from it, a desire to improve opportunity.

Also, in connection with this project, Mr. Lane, president of the Citizens and Southern National Bank, is establishing the Citizens and Southern Community Development Corporation into which the bank will put $1 million in capital to provide funds for homeowners and equity capital for new small businesses.

Also, a $5,000 award each will be made to the college, the high school, and the church which is judged to have done the best job in its assigned area, thereby developing a competitive spirit between the participants in the two main clean-up areas, one on the east side and the other on the west side of the city.

Mr. President, this is an outstanding example of how private businesses in local communities can provide leadership for local people in helping our less fortunate citizens help themselves. I can concur wholeheartedly with Mr. Lane that, if the Savannah plan is a success and if similar plans were adopted and carried out throughout the country, we could indeed change the face of America. This is the kind of community action that we need in cities and towns all across the Nation. This is the kind of community action that gets lasting and meaningful results, and in which people themselves can take great pride.

In my judgment, we have had far too much moaning and groaning about conditions in our cities and not enough positive action by business and civic leaders and the people who live there to do something about it. For example, if some of these people who are about to descend on Washington, D.C., and demonstrate and build shanties would go back to their communities and channel their energies through the business end of a hammer and broom and paint brush, a great deal more could be accomplished than by staging a sit down in front of the White House.

I ask unanimous consent to have printed in the RECORD a detailed explanation of the Savannah plan, I highly commend it to the attention of the Senate.

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

THE SAVANNAH PLAN

The Savannah Plan is designed as a practical demonstration to show that any community can, with no government assistance but on a do-it-yourself basis, revitalize its living and business environment.

BASIC ASSUMPTIONS

1. Two of the fundamental meanings of democracy are (a) government by reason, not by force (b) the most good for the most people.
2. Everyone wants to improve his standard of living.
3. The incentive method is the best way to accomplish things.
4. Government steps in to fill needs when business does not.

GENESIS OF THE SAVANNAH PLAN

Over the past year on Saturday and Sunday mornings I've cruised the slum areas of Savannah street by street, lane by lane. Streets are unpaved, backyards are filled with the rubble and accumulation of years of trash. This includes old rusted automobiles sitting on concrete blocks, obsolete refrigerators, stoves, washing machines, automobile tires. Trash and litter dominate the scene. Fences for the most part are make shift affairs, mostly made of leftover tin sheeting.

One morning last fall I met with a group of twenty business and professional Negroes, both men and women. I told them the story of my cruises of Savannah's slum areas, suggested that instead of us demanding this and that of government, we undertake jointly a master clean-up of the existing slum areas as a first step toward a do-it-yourself revitalization of living conditions. From this meeting and subsequent meetings has developed a plan for what we call "Spring Cleaning in Savannah," with a focal day being Sunday, May 19.

"Spring Cleaning in Savannah," as well as the extension of things that we will do after spring cleaning, are all being perfected around the three institutions that are most basic to our American Society—(1) the home (2) the church (3) the school.

The execution of the plan is designed to follow the well tried and successful community type of house to house, street by street, block by block organization.

PUTTING THE PLAN INTO OPERATION

Savannah has two state colleges, Savannah State College which is Negro, and Armstrong State College which is predominantly white, but integrated. The Presidents of these colleges were asked to serve as two of the general chairmen of the spring cleaning in Savannah undertaking.

Each college president has met with his student body, reviewed the background and detail of the plan, and enlisted students as volunteer workers.

Meantime, two areas of Savannah were laid out, one on the east side of town, one on the west side of town. A temporary office was opened in downtown Savannah and staffed by volunteer workers. In this office, full maps of each of Savannah's two areas were laid out showing each street, each lane, each house. These houses are then identified as either owner occupied or tenant occupied. Two separate teams were established for the east side of Savannah and the west side of Savannah. Each team is headed by a school principle in each area. The minister of a church, team chairmen are both Negroes and whites.

At the moment, the organization is progressing. In each area all teachers in all schools are to hold a meeting to receive a briefing on the plan and they, in turn, are to take one day for classroom meetings with all children to seek their individual participation in the clean-up program and, as well, to return home that evening to tell their story to the people at home, returning to school the next day with a participation card signed by parents. From these cards the Headquarters Office will check off all houses street by street.

The same process is to be repeated by a meeting of all clergymen in the area, in turn followed by one Sunday devoted in each church to describing the plan and again obtaining participation cards which will then be checked off, house by house, at Headquarters Office.

In the meantime, the volunteer students at the two colleges will be paired off in teams of two—one team member from Savannah State College, one team member from Armstrong College. Each is to be assigned one street. The assignment of the team is to call house by house, both on those who have already signed a participation card and those who have not signed a participation card, to enlist their cooperation.

From the residents on each street, the team is to select a street chairman. The next assignment is to take an inventory of the junk and trash to be hauled away.

While this is going on a presentation of "Cleaning up Savannah" is to be presented in a half-hour television program and at presentations to civic clubs. It will be the task, then of volunteers at the Headquarters Office to solicit all businessmen in Savannah who have automotive equipment, asking each to furnish one or more of his company's trucks for the May 19 clean-up day. Based on the street by street inventory of what has to be hauled away, trucks will be assigned to each street.

On Sunday morning, May 19, all of the trucks will line up with volunteer workers

aboard, each of whom will wear a special shirt as a uniform. The parade will go down the middle of the town with trucks turning to right or left to their assigned streets.

Arrangements have been made for a central dumping area for all trash except junked automobiles. With the cooperation of riverboats that have barges, junked automobiles will all be put on the barges to be towed out the Savannah River to a point offshore where they will be dumped to create an offshore fishing drop.

This entire clean-up effort is being based on the premise that young people can and should work together, that many hands make light work and that the entire operation can be fun for everyone concerned. It is not paternalistic in its concept, but rather is based on joint participation on a voluntary basis of everyone in town, both Negro and white. The future of our country is in the hands of the youth of our land and from this joint exercise we hope that there will develop mutual understanding and trust, a sense of awareness of conditions and problems and from it, a desire to improve opportunity.

In the cruising I've done of Savannah's back streets I've seen a great need for garbage disposal containers, better fencing. So, funds have been provided for the purchase of 5000 garbage cans and aluminum box containers for garbage cans and, as well, a considerable amount of aluminum fencing. As the house to house organization is underway, garbage cans and containers, plus fencing, will be offered to each house occupant for installation on a do-it-yourself basis and a pledge to clean up and stay cleaned up.

The Savannah Spring Cleaning Operation is designed as but a first step for a repeat of the same clean-up in all the other areas of Savannah and then the beginning of a short range and long range plan of the improvement of existing housing, new housing, job training and job opportunities.

The Citizens and Southern National Bank is establishing The Citizens and Southern Community Development Corporation into which it will put $1,000,000 in capital. The two essential operations of the Community Development Corporation are to provide funds for home ownership and equity capital for new small businesses.

In Savannah, as throughout the State of Georgia, less than 5% of the low income population own or are buying their own home. Because of low incomes, individuals have not been able to accumulate savings to make down payments on homes and hence, be able to obtain first mortgage money for home financing, and yet, the level of rents paid is sufficient for mortgage payments. It will be the plan of the Development Corporation to provide down payment money in the form of second mortgages so that first mortgage financing can be obtained. The Citizens and Southern National Bank itself has dedicated an initial $10,000,000 for long term first mortgage home financing for low income groups.

Two demonstration projects are being undertaken by the Development Corporation. The first is the purchase of some existing but reclaimable rundown slum area property. The purpose is to test the economics of renovation and then sale to individuals. The second experiment is the design and building of a brand new housing unit complete with all fixtures, equipment and furniture that can be sold and financed.

A firm belief of this long range plan is that home ownership can be a key to better family living, better citizenship and appreciation of the value of property.

In addition to perfecting plans that will stand up economically for home ownership, will be a modernization loan plan to property owners to improve existing properties.

Owners of existing low income housing have allowed property to deteriorate and claim that they cannot afford to spend the money necessary to improve the property because the rental returns would not justify it. We believe at the present time that low income housing landlords are being squeezed on the one hand by urban renewal and slum clearance, and on the other side by public housing. We hope that our plan for home ownership will add a third pressure in the form of competition that, in effect, will require low income housing landlords either to improve their properties to meet competition or see them go by the board.

Through the schools and the churches in both Savannah areas we expect to offer assistance in the improvement of existing recreation facilities and the addition of new ones.

On a do-it-yourself and participating basis we expect to start pilot day care units for small children, staffed by volunteer workers. The time when children were raised by grandmothers and greataunts is going by the board. It's important that young children not be left to roam the streets unattended, but be given some chance for organization and direction for it is in these early formative stages that character is developed. It's insufficient to attempt to tackle the juvenile problem at ages 16 to 17. It must be started earlier.

The beginning of the Savannah Plan and its future extensions are based on helping people help themselves. The difference in the perfection of this approach from others who express the same belief, is that those who have are going to make the first move as the Negro Mayor of St. Louis said on Meet the Press, "How can people pull themselves up by their boot straps if they don't have any boots?" In the concept of the Savannah Plan we're going to provide the boots. We're going to offer opportunity and hope and try and create an environment where there is mutual trust, understanding and respect; where the basis of human relations is built on the dignity of man, the Golden Rule and the concept that it's what a man is, not who he is that matters.

As an incentive to performance of the competing teams for the east side of Savannah and the west side of Savannah, we've told the Presidents of the two colleges that the one whose student body does the best work will receive a $5000 award to be used as the President of the college sees fit in any way for things needed at his college. A similar $5000 award will go to the principal of the school in each area to be used as he or she thinks best for all of the grade and high school areas in the area. A third award of $5000 will go to the churches in the area that does the best job of church participation. This plan was all laid out at one of the initial meetings and when we came to the end of the meeting we stuck our tongue in our cheeks and said that as in all competition, in the event of a tie, duplicate prizes will be awarded. My guess is we'll be making duplicate prizes.

We feel so strongly that the Savannah Plan can be a demonstration that could be repeated in every city in the country that a moving picture company has been employed to make a documentary colored movie that can be shown on a national television and elsewhere in a thirty-minute performance. The movie company is already at work, has shot considerable footage and believes firmly that the finished product will tell a stimulating story.

If the Savannah Plan is successful, both long range and short range, and is repeated throughout the country, we think that it can change the face of America. We think it can create an atmosphere of hope, encouragement and an attitude that can let us all return to the sheer joy of just being alive.

MILLS B. LANE, JR.

THE OUTLOOK FOR OIL SHALE

Mr. HANSEN. Mr. President, one of the most responsible and thoughtful experts in the field of mineral and fuels development is Russell J. Cameron, of Denver.

Last week Mr. Cameron delivered a paper, entitled "The Outlook for Oil Shale," before the American Association of Petroleum Geologists and the Society of Economic Paleontologists and Mineralogists, at their annual meeting in Oklahoma City.

He puts the controversial question of oil shale development in proper perspective. Because I believe his remarks would be of interest to readers of the RECORD, I ask unanimous consent that they be printed in the RECORD.

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

THE OUTLOOK FOR OIL SHALE

(By Russell J. Cameron)

Harry K. Savage, one of the oil shale pioneers, recently published a book entitled, *The Rock That Burns*. In his account of the early efforts to begin an oil shale industry Mr. Savage had this to say.

"In 1920 interest in oil shale was running high. The most competent petroleum authorities were pessimistic about future supplies of petroleum, the price of which had risen to $3.50 per barrel . . . There was a strong presumption that shale oil production was inevitable".

With Gulf cost crude oil by Capline to sell in Chicago for $3.60 per barrel, is this long delayed presumption finally to become fact?

Mr. Savage also wrote:

"From 1905 to 1920 there was bitter controversy over whether natural resources should be owned by the United States government and developed by governmental agencies or owned and developed by private enterprise".

So what has changed? One has the feeling that the present situation is a rerun of the past; different players, but the same plot; another era but the same problems.

In attempting to appraise the outlook for oil shale one is sobered by our lack of accomplishment in developing such a potentially important resource during the past 50 years. Yet proponents of shale oil have reasons for optimism. Despite the persistent problems that from decade to decade never seem to have solutions, an element that heretofore has been lacking, seems to be emerging. That element is desire; a desire to get past the peripheral issues and see where oil shale does fit in our energy equation.

For the short-term, oil shale still seems likely to continue to face problems that have long beset it. These problems however, are more of policy than of economics, more legal than technical, and some are more imaginary than real, but nonetheless, they are problems that must be solved before oil shale can become significant, and many must be solved before an industry can begin.

The long-term outlook has never been brighter. Perhaps the greatest deterrent to oil shale's development in the past has been the absence of a clearly defined need for its development. Now, modern society's unprecedented appetite for energy and oil's essential role in the energy supply, have made it apparent that large new sources of domestic oil must be developed. Most believe that oil shale will be one of these sources.

It will be my purpose today to recite some of oil shale's perplexing problems, to indicate possible solutions, then give you a pre-

view of the ultimate oil shale industry as I see it.

THE PROBLEMS

There are basic questions of national policy that are being debated with oil shale as a focus. Should private enterprise be assigned its traditional role in resource development, providing technology, capital, and management with government responsible for regulating the industry and maintaining a healthy atmosphere for the investment of private capital? Or should government undertake the development of an oil shale industry through a Comsat-type corporation, or a TVA, or an AEC, or some new concept of government enterprise? What mechanism for industrial development best fits this particular task? Is private enterprise defaulting? Will government initiative be required? Are incentives lacking to attract private investment?

Industry and government have been seesawing over these questions for twenty years. During World War II and immediately after, government began research to bring modern technology to the century-old production techniques for shale oil. Industry generally was apathetic and even hostile, and development lagged. Early in this decade industry began the initial steps to establish an oil shale industry but has encountered a negative and suspicious governmental attitude.

Boards, committees and task groups have been appointed to study and make recommendations. Report after report has been written but no enunciation of policy has resulted. The impasse is best illustrated by the findings of Secretary Udall's Oil Shale Advisory Board, a six-member panel of distinguished citizens that studied the oil shale policy problem for more than a year, then, in effect, submitted six minority reports to the Secretary.

Presently oil shale policy is being considered separately by the Energy Policy Staff recently set up in the President's Office of Science and Technology, by the Public Land Law Review Commission, an agency of the Congress, and a special interagency group within the Executive branch composed of representatives of the Department of the Interior, the Bureau of the Budget and the Council of Economic Advisors. And at least two bills have been introduced in the Congress on the subject.

When will the studies cease? When will some sort of policy decisions be made? By whom? Or will events force a course of action that will then be defined as policy?

Probably the basic cause of the difficulty in arriving at an oil shale policy is the role of government in the development of the resource. And the part of private enterprise. Is government to play its traditional role as overseer of a competitive industry and as a landlord supervising the wise utilization of a natural resource? Or as some suggest, will government be a participant, a shareholder, a financier, or even establish a state-owned enterprise? An implied distrust of industry and of competitive free enterprise by those influencing policy is a serious deterrent to the initiation of shale oil production.

Government domination of the development of this resource surely will be opposed, but industry has not effectively presented its case. Industry is somewhat like the herd of jackasses that formed a circle to protect themselves from attack by wolves. However, instead of putting their heads together and kicking hell out of the wolves they put their tails together and kicked hell out of each other. If the diverse elements that make up the petroleum industry do not put their heads together and take the initiative, there will be a government-dominated, if not government-operated oil shale industry.

It has been suggested that oil shale development be a partnership of government and industry. I personally do not feel that industry's role in the development of any resource should be merely that of a government contractor unless dictated by some aspect of national security, such as may be present with atomic energy. Even then each specific instance should be thoroughly examined. With oil shale I do not see this need.

Much has been said of the legal problems surrounding oil shale lands. They arise from the fundamental complexity of the customs, laws and regulations dealing with land and minerals that have evolved over the past 100 years. Laws that were designed to divest the Federal government of lands run head-on into policies that now seek to retain the land and its minerals. As one body of law replaced another, as mining claims gave way to mineral leases, inevitable conflicts developed. Constitutional questions have arisen over the inviolability of property and several Supreme Court decisions have become part of oil shale's legal fabric.

This is not the forum to delve exhaustively into the various remedies that might be possible for the resolution of disputes between the government and owners of unpatented mining claims, nor even to examine the equities of last year's proposed oil shale leasing regulation, one that industry considers unacceptable. However, one must question the wisdom of a course of action that has seen thirty-eight years pass since the withdrawal of oil shale lands for "examination, classification and evaluation", with the lands still withdrawn and so many questions still unresolved.

Now, other potentially valuable minerals have been discovered in quantity in the richest Colorado oil shale beds. Among these are nahcolite, a form of naturally occurring sodium bicarbonate and dawsonite, a carbonate of sodium that contains chemically combined aluminum. Are these substances leasible under the mineral leasing statutes or locatable under the mining laws? Are they a part of the oil shale thus leasible only as oil shale or should they be treated separately from a legal standpoint? How can a potential developer obtain lands that contain an ore with optimum values of sodium, aluminum and hydrocarbons, thus enhance the economics of an otherwise marginal, low-grade mineral? Today there is no way.

A year ago Interior Solicitor Barry mentioned the "legal underbrush" that surrounds oil shale. A few months later Secretary Udall described the situation as a "legal thicket". If this is recognition that legal problems are increasing faster than solutions, I can agree. While more effort and attention has been aimed at clearing oil shale's "legal jungle" it is far too little and maybe too late.

Perhaps a phenomenon of the emotionally-charged atmosphere that pervades the country today is the emergence of various Paul Revere groups that have begun noisy, if poorly-informed campaigns to arouse the public over the eminent theft of one of its birthrights—the $25,000 worth of shale that belongs to each citizen. While these possibly well-intentioned watchdogs of public welfare continue to shout loudly about the supposed value of this resource they fail to say that it may cost most of the $25,000 and entail considerable risk to realize any value whatsoever.

Joining the economists who can't seem to comprehend simple arithmetic are others who fear for the destruction of the landscape, the creation of new pollution hazards and especially the filling of dry arroyas with waste rock. Since I live in Colorado I share some of this concern and I am among those who demand and will continue to call for the strictest control of the industry from the standpoint of waste, pollution, and conservation. However, the hysteria and alarm expressed by those who insist that not a sagebrush plant be disturbed is wholly unwarranted and must be dispelled in the public mind.

The oil shale industry will be enlightened and responsible. The abuses that have characterized some industries in the past, mining especially, are not going to be tolerated. But industry must tell the public how it intends to dispose of spent shale, gaseous wastes, and potential water pollutants and do so in some detail. This effort should be underway now and cannot long be postponed.

The final problem area I will touch upon is that of technology. Little progress has been made in the demonstration of a viable means for shale oil production. The retorting processes conceived in the early postwar period 15 years ago or more, which showed promise then and which appear feasible now, still are untested on a full scale.

The concept of *in situ* production, heating the shale in place, is still no more than a concept. No practical method is known to exist nor is one likely to be ready for use in the near future—nuclear or otherwise.

We couldn't begin commercial shale oil production now without considerable technological risk even if all other barriers were removed and it may be 5 or even 10 years before an adequately demonstrated technology is available. In this unsettled, politically-sensitive world of ours a decade could be a critical period of time.

Fortunately some wheels are in motion to provide a technology that will enable private capital to finance the industry and entail no more than normal commercial risk. I hope there is time. If not, the almost inevitable result will be a government-financed and government-controlled industry, a prospect I do not relish.

To sum it up, oil shale has myriad problems for the near-term. To point the finger entirely at government would be unfair and incorrect. The petroleum industry must carry its share of the blame. Its error is one of neglect and omission—of neglecting to provide the energetic leadership it should in the development of a major petroleum resource. It is the error of the railroads in ignoring or opposing buses and airplanes—of forgetting they were not only in the railroad business but more basically were in the business of providing transportation.

I hope my optimism is justified that oil shale's current problems are superficial, largely self-created and will have little bearing on the future benefits the resource can provide. If this be the case let me undertake to sketch the silhouette of a fully developed industry.

THE FUTURE OIL SHALE INDUSTRY

It is entirely conceivable that oil shale will become a national and eventually an international source of petroleum products. This is contrary to a concept I have held for some time, that shale oil would be for the foreseeable future a regional source of oil. While the capital requirements alone will dictate a gradual build-up of productive capacity, the level of production can and should be several million barrels a day toward the end of this century.

Contrary to another concept I have taken for granted in the past most of the output will be from gigantic open-pits not underground mining of the high-grade seams. *In situ* production, if employed at all, will be limited.

Shale oil from 1,000,000 tons per day open-pit mines will be competitive with oil produced anywhere. Operators of open-pit copper mines presently break, load and haul rock for less than 20¢ per ton. Shale oil production costs of $1.00 per barrel are clearly in view for large surface mines operating on the 1000–2000 foot zone of Piceance Basin shale.

As much as 300 square miles of the Piceance Basin has thick beds of oil shale with in-place reserves of more than one bil-

lion barrels per square mile in ore yielding 25 gallons of oil per ton. From such a reserve we could produce at least 10 million barrels of shale oil per day for a hundred years with additional production from lower grade shales and thinner beds of rich shale. The current daily output of oil in the United States is about 10 million barrels.

The key to these new vistas for oil shale is the almost unnoticed breakthru in materials handling that has taken place in this past 20 years. Large efficient, fast-acting electric shovels and draglines, some with more than 200 cubic yards bucket capacity, are revolutionizing mining and earth moving. When the need develops a 500-yard shovel can be built.

Caterpillar-tracked crushers are in use that can follow the loading machine to reduce the rock to sizes that can be transported more efficiently. Two hundred thousand tons per day can be moved on a single high speed conveyor belt. Computer-operator unit-trains without anyone aboard that automatically load and unload can move bulk materials for mils per ton mile.

Systems using proven methods and equipment can be designed now for the mining, crushing, sizing and delivery of oil shale from large open-pits to processing plants at lower costs than we have ever dared predict. The cost of ore per barrel of oil should be less than half that estimated for underground mining of the high-grade Mahogany zone.

Open-pit mining will allow the closest possible approach to the recovery of all economic values from the resource. Low-cost mining allows a lower grade ore cut off point and little or no ore will be left in the mine. Zones containing recoverable quantities of other minerals can be segregated for separate processing. If recovery of all the associated minerals is not practical for lack of market or other reasons, the spent shale can be stored separately for processing at a later time.

The disposal of solid wastes from these gigantic mining operations—tailings, spent shale and overburden—probably will be the most serious question in the public mind. From an engineering standpoint the problem has several solutions but intensive study will be necessary to choose those that will be acceptable both in the short and the long-term. Fortunately a large area of arid low-valued land with minimal agricultural possibilities lies at a lower elevation near the thickest part of the Piceance Creek oil shale deposit. This area, essentially all of which is public domain, must be dedicated to waste disposal until mined-out areas can be used for this purpose. Experiments this last decade has shown that spent shale will support vegetation, thus filled-in areas ultimately can be converted to agricultural use.

Another problem is water—for the industry and its people. In the oil shale areas the Colorado River and its tributaries are almost the sole water supply and downstream demands are heavy. There is now water available for a sizeable industry, perhaps a few million barrels of oil per day. Water conservation measures can be used to extend the supply. Ultimately, however, the importation of water from other river basins will be essential not only for oil shale but for the growing needs of the arid southwestern part of the country. Plans already have been developed for transferring surplus water as far south as Texas, from the Missouri, the Columbia and even from rivers that flow into the Arctic Ocean. The same revolution in earthmoving that makes possible low-cost shale oil, makes these water projects feasible.

I return to two final problems, one technical, the other political. To make shale oil a significant factor in our petroleum supply when the need arises, we must accelerate our efforts to demonstrate a suitable retorting technology. To match our mining achievements cost-wise, we must have comparable large-scale high-efficiency retorts—at least 10,000 tons per day for a single unit. Most concepts of commercial retorts aim at this scale but the largest plant yet tested had only one-tenth this capacity. We see no insurmountable technological problems in buildings these super-retorts but reason suggests a progressive scale-up to maximize size—something that will take a period of years. It's past time we got on with the task.

The political question is how to make these prime oil shale lands available for development. Not only is the logical area for waste disposal in the public domain but practically all the oil shale lands suitable for large-scale, open-pit mining are held by the Federal government in a withdrawn status. No development such as has been described can take place without access to Federal lands.

It can thus be seen that the key to low-cost shale oil on a scale large enough to be of national significance is political. If private enterprise is to be the producer of this oil, industry's voice must be heard clearly and without equivocation both by our political leaders and by the public. And action will be more effective than words.

The stakes are too large for any further neglect, deferment or disinterest by the private sector. Should the public come to believe that industry will not or should not do the job, government will get the call. Or, as with synthetic rubber if some emergency should propel the government into shale oil production, industry may never regain its primary role.

PRESERVING THE COUNTRY AND THE DOLLAR

Mr. SYMINGTON. Mr. President, as my colleagues know, for many years I have expressed apprehension about the increasing problems incident to the value of the dollar.

In that connection, I ask unanimous consent that a constructive editorial from the Kansas City Star of Wednesday, April 24, "Preserving the Country and the Dollar," be inserted at this point in the RECORD.

I also ask unanimous consent that a column by Edwin L. Dale, Jr., in the New York Times of Sunday, April 28, entitled "We May Be Heading for a Crisis" be inserted at this point in the RECORD.

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

[From the Kansas City Star, Apr. 24, 1968]

PRESERVING THE COUNTRY AND THE DOLLAR

The word from Washington is that Senate-House conferees are moving toward some kind of agreement that would limit spending and make possible the income tax increase. We hope this is so. If the tax increase has any validity as a means to head off inflation, the sooner it comes, the better. It was first proposed before the 1966 election.

But there is other word from Washington that the whole situation is in a state of confusion; that Wilbur Mills (D-Ark.), chairman of the conference committee, and George H. Mahon (D-Tex.), chairman of the House appropriations committee, haven't been able to get together. Mills also is chairman of the House ways and means committee where the orginal House tax bill has been stalled since last fall.

The conferees now are considering an increase in the form of an amendment placed by the Senate on another tax bill. And the House, of course, is unlikely to look with favor on any revenue measure orginating in the Senate which, for all practical purposes, the income tax amendment did.

But behind the maneuvering and apparent confusion is a very serious debate on the government expenditures that would be reduced. The budget cuts are the key, and we doubt whether there can be any easy answer. And again, the cleavage between the House and the Senate is obvious. It was easy to see last week in the fuss over the additional 100 million dollars the Senate wants to put in the Head Start program and summer jobs for youth. The money was removed at the insistence of House members of a conference committee. The Senate rejected the compromise and instructed its conferees not to yield in further negotiations.

So the tax question and the agreement on expenditure cuts that must precede it are waiting on decisions as to what this country can afford to do in welfare, education, health, foreign aid, space, defense and agriculture. Or, perhaps more accurately, where this country can afford to make cuts.

Unless the dollar is preserved, nothing the United States hopes to do at home or abroad can be accomplished. But unless the United States is preserved, any discussion of the dollar becomes academic.

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

WE MAY BE HEADING FOR A CRISIS

(By Edwin L. Dale, Jr.)

WASHINGTON.—An optimistic central banker has been described as one who believes the situation is deteriorating somewhat less rapidly. William McChesney Martin Jr., the United States central banker par excellence, fits the description perfectly if one judges him from his periodic utterances that are scarcely known for their rosy view of the world.

The latest pronouncement from the chairman of the Federal Reserve Board is that the nation is "in the midst of the worst financial crisis we have had since 1931." Three years ago he found "disquieting similarities" between the then-existing situation and 1929, the year of the great stock market crash.

There is no doubt of Mr. Martin's sincerity, and there is equally no doubt that a large number of businessmen and bankers, and a growing number of members of Congress, share his sense of alarm about the nation's finances. What, then is the situation?

At the outset, it must be noted that the word "crisis", unfortunately, is imprecise.

As Mr. Martin himself made clear, there is no crisis of the "depression" type. There are jobs for nearly all who want them, business sales and profits are booming and the total production of goods and services is growing briskly.

INFLATION A SERIOUS PROBLEM

Some would say there is a crisis on the inflation front. Prices are now rising at the pace of 4 per cent a year, much faster than before 1965 and a little worse than the inflation rate of most other industrial nations. Wages, going up at a rate close to 6 per cent, are pushing prices higher.

But a 4 per cent inflation, while troublesome, does not in most minds warrant the term crisis. Brazil, Turkey, even Japan would be happy to settle for 4 per cent, as would dozens of other countries.

Close to what Mr. Martin had in mind is the nation's financial markets, and in particular interest rates. Because the mammoth deficit in the Federal Government budget has piled $20-billion of additional borrowing demand on top of an already heavy demand from business, home-buyers, consumers and state and local governments, interest rates have risen steeply in the last three years to levels not seen in some cases for a century.

And yet money can still be borrowed. There

is no crisis in the sense of a "freezing up" of the money markets and certainly not in the sense of bank failures. The economy could not otherwise be so prosperous. The Government has financed its deficit and most other borrowers have been able to find the funds they need, though whether this can continue with a second huge budget deficit is uncertain.

Finally, closer still to Mr. Martin's sense of alarm is the nation's balance of international payments and loss of gold. If the payments deficit is not greatly reduced or eliminated, at some point the dollar's international value will have to be reduced, with potentially disastrous consequences for the whole international monetary system, and hence world trade and investment.

TRADE DEFICIT INCURRED

The problem was pointed up last week when the Commerce Department reported that the surplus of merchandise exports over imports disappeared altogether in March as imports continued to boom and exports fell off, partly because of the 11-day New York dock strike.

Many observers believe that the balance-of-payments situation comes closest to warranting the word "crisis." But even here, the nation still has $10.7 billion of gold left despite the recent heavy losses, and the dollar for the time being is reasonably strong in the foreign exchange markets.

It may be that what Mr. Martin really meant to say was that the nation faces the greatest danger since 1931—danger of even more rapid inflation, danger of superboom turning into a bad recession with rising unemployment, danger of still higher interest rates with a sharp impact on homebuilding, danger of a further worsening of the balance of payments because of the overheated economy at home and its impact in sucking in more and more imports.

A great majority of financial observers agree with Mr. Martin that the dangers in the situation call for one key remedy: a reduction in the budget deficit through a tax increase and whatever expenditure reduction is possible. This would curb demand in the economy and thus lessen inflationary pressure, would reduce the need to borrow and hence ease interest rates and would improve confidence in the dollar abroad.

By most definitions, there is not actually a crisis now. But there could be one.

CASPER AND NATRONA, WYO., DEVELOPMENT ORGANIZATION

Mr. McGEE. Mr. President, I wish to express my appreciation and admiration for a type of grassroots program of community development which is exemplified by an effort in my home State bearing the very appropriate name of CAN DO. It stands for Casper and Natrona Development Organization.

More than 500 citizens of Casper and the county attended the first of the development organization's townhall meetings on April 2, despite the fact that there was a snowstorm that day. They brought with them almost as many concrete ideas for community development, formulated to meet the challenges of the future—challenges projected by an informative publication entitled "Decisions, 1968, a Guide to Tomorrow," which presented solid statistical information on the area's future growth.

The public's suggestions even now are being evaluated, Mr. President, and will be set up in an order of priorities to be considered at a second townhall meeting in the fall.

THE U.S. TRADE BALANCE

Mr. HARTKE. Mr. President, faced as we are with a worsening international balance-of-payments position, confronted with a gold crisis and its threat to the continued stability of the dollar, the United States has always been able to point to one bright spot in the gathering clouds of international monetary disaster—our traditional trade surplus.

And now, with figures in for March, America's surplus of exports over imports has disappeared. This is the first deficit in world trade we have suffered in 5 years, although the signs have been there for all to read. Our trade balance has been on a downward curve since mid-1967.

Certainly, the 11-day New York dock strike was a factor in inhibiting our exports although to a negligible degree of causation in the total picture, because the strike at this major port also curtailed those imports not diverted to nonstruck ports.

U.S. importation of foreign goods exceeded our shipments abroad during March by $157.7 million. This is the first month in which our exports have been exceeded by incoming goods since early in 1963.

Our Department of Commerce, following the administration policy line in seeking a tax increase, also blames the trade downturn on inflation.

The Wall Street Journal of April 26 provided this analysis, in part, as follows:

With exports plunging 11.5% from February while imports rose 0.4% the traditional trade surplus disappeared abruptly and a seasonally adjusted deficit of $157.7 million was reported by the Commerce Department.

The deficit was the first since the $101 million deficit of January 1963, when a widespread U.S. dock strike disrupted international trade. An 11-day strike of New York port workers was a factor in the latest deficit, too, but analysts estimate that it probably didn't account for more than about $60 million of the March deficit.

So most of the adverse "swing" of some $330 million from the surplus of $171.2 million in February was due to other factors, officials said. To attribute the setback primarily to the dock strike would be "whistling in the dark," one well-placed seer said, blaming it instead chiefly on failure so far of Congress to enact charge. The deficit "wasn't surprising," he said, "given our inability to provide a proper fiscal framework."

Broadly, Administration men say, the trade position is being impaired by inflation which makes foreign goods more in demand in the U.S. and which makes U.S. products relatively less competitive abroad. "If we had had the tax increase last fall," one said, "we wouldn't have had prices rising at a 4% annual rate" in the first quarter.

IMPORTS ROSE SHARPLY

At $2,454,700,000, U.S. exports in March were down from $2,773,100,000 in February and also below the $2,551,400,000 of a year before. But imports, at $2,612,400,000, were up from $2,601,900,000 in February and were substantially greater than the $2,202,900,000 of the like 1967 month; they were second only to the record $2,615,400,000 set in January, the department said.

The dock strike dealt a bigger blow to exports than to imports, analysts said, because some goods destined for export piled up in the New York port area. Often, though, ships bound for the U.S. with imports could be diverted to ports that weren't struck.

Other adverse factors, authorities said, doubtless included continuing delivery of imported copper that had been ordered before the long U.S. mine strike was settled in mid-March and substantial hedge-buying of foreign steel against a possible U.S. mill strike next summer. Imports of foreign cars have been especially heavy, some added, partly because of inventory-building that they expect will ease later.

The tariff cuts negotiated in last year's "Kennedy Round" may have played some part, too, others suggested. The U.S. put one-fifth of its agreed duty reduction into effect Jan. 1, providing some extra incentive for importing, while the European Common Market countries aren't slated until next June 30 to put their first cut into effect, amounting to two-fifths of the total due. So it's considered possible that some Europeans are postponing purchases of U.S. goods until after midyear when the duties won't add as much to their costs.

Note that this explanation quotes the Department of Commerce, "administration men," and "authorities." All of these sources, obviously, are committed to the principle that a tax increase is the only solution possible—even if additional taxes damage an already faltering economy by adding to, rather than subtracting from, the costs of producing U.S. goods.

I particularly take issue with the quotation attributed to an unnamed administration spokesman that if we had had the tax increase last fall we would not now have rising prices, which is the cost-push inflation Commerce is talking about. On the contrary, the additional cost factor would drive prices up.

While "administration men" seek to place the blame for our balance-of-payments difficulties on a welter of reasons, they are strangely silent on the trade-deficit position of our No. 1 industry, steel and steel mill products.

Steel is a leading example of how our country is losing its traditionally favorable balance of trade and how the administration is failing to take corrective action. As I have noted in the Senate on many occasions, there has been in the last decade a dramatic increase in steel imports concurrent with a significant drop in exports. During 1967 alone, the value of imports rose to $1.3 billion from the $1.2 billion level of 1966. The value of 1967 imports exceeded the value of exports by $877 million. When this figure is adjusted to exclude Government-financed exports and to include freight and insurance charges—normally included in the value of imports of most other nations—our steel trade deficit in 1967 amounted to $1.1 billion.

During the first quarter of 1968 steel imports continued to climb, reaching a record 3.4 million tons valued at $386 million. This was an increase of more than $100 million, compared with last year's first-quarter figures.

The continuing growth of steel imports has contributed significantly to the deficit we suddenly face in our balance of trade and has, of course, contributed concommitantly to our continuing and growing balance-of-payments deficit.

The steel trade balance did not suddenly get out of hand. The trend has

been there for all to see. It has been there for at least 7 years. What are administration officials saying about this now? A Commerce Department representative on April 25 said that the increased purchases of foreign steel, which began last September as a strike hedge, may add as much as $500 million to the U.S. balance-of-payments deficit, and the figure could be exceeded if imported steel buying fosters permanent switches in buying patterns from domestic to foreign steel production. Of course, this is exactly what happened following previous steel labor disputes. On March 8, in Chicago, I said the 1968 steel mill products trade deficit would be almost $400 million higher than in 1967. As it is turning out, I was conservative in my estimate.

Given the major problem the United States has today in maintaining its international monetary position, the steel trade deficit can properly be termed a national disaster.

We must take action in this most serious of all the import impacted industry sectors.

Among the actions we should take is the adoption of the moderate steel quota bill, S. 2537, which would help to shake up foreign industries and foreign governments, encouraging them to dismantle their special protection and incentive programs or to work out with the American Government and steel industry an equitable solution to the excess world capacity in steel, which lies at the heart of the problem.

LEGAL SCHOLARS CONDEMN TITLE II OF PROPOSED CRIME BILL, S. 917

Mr. TYDINGS. Mr. President, on April 19, I wrote to law schools across the country calling attention to the provisions of title II of the proposed omnibus crime control bill, S. 917, which will be pending before the Senate this week. Briefly stated, title II purports to overrule the Supreme Court's constitutional grounded decisions in the Miranda and Wade cases, overrules its decisions in the Mallory case, removes Supreme Court appellate jurisdiction over any State criminal conviction based on confession or eyewitness testimony, and abolishes Federal habeas corpus jurisdiction over all State criminal convictions.

In my letter to the law schools, I asked for their views regarding the wisdom and the constitutionality of the provisions of title II. To date, I have received response from 26 law schools, in all parts of the country. Those letters were signed by 108 legal scholars, including 11 law school deans. All of these letters express a unanimous opinion that title II should not be enacted into law.

The law schools from which I have heard are the following:

Boston College Law School, Brighton, Mass.

University of California School of Law at Davis, Calif.

University of California School of Law at Los Angeles, Calif.

California Western University School of Law, San Diego, Calif.

Chase College School of Law, Cincinnati, Ohio.

University of Chicago School of Law, Chicago, Ill.

University of Cincinnati College of Law, Cincinnati, Ohio.

Duke University School of Law, Durham, N.C.

Emory University School of Law, Atlanta, Ga.

Loyola University School of Law, Los Angeles, Calif.

University of Maine School of Law, Portland, Maine.

University of Maryland School of Law, Baltimore, Md.

University of Michigan School of Law, Ann Arbor, Mich.

University of Missouri School of Law, Columbia, Mo.

University of North Dakota School of Law, Grand Forks, N. Dak.

University of North Carolina, Chapel Hill, N.C.

Northeastern University School of Law, Boston, Mass.

University of Pennsylvania School of Law, Philadelphia, Pa.

University of South Dakota School of Law, Vermillion, S. Dak.

Southern University Law School, Baton Rouge, La.

Stanford University School of Law, Stanford, Calif.

University of Tennessee, Knoxville, Tenn.

University of Tulsa College of Law, Tulsa, Okla.

University of Virginia School of Law, Charlottesville, Va.

West Virginia University College of Law, Morgantown, W. Va.

Yale University School of Law, New Haven, Conn.

I strongly hope that the Senate will heed the views of these legal scholars and will strike title II from S. 917. So that these views can be brought to the attention of Senators, I ask unanimous consent that the complete text of the letters I have received be printed in the RECORD.

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

BOSTON COLLEGE LAW SCHOOL,
Brighton, Mass., April 25, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Dean Drinan has referred to me your letter of April 19 concerning the Judiciary Committee's amended Title II of S. 917.

I suggest that a balanced appraisal of the Supreme Court's decision in *Mallory* v. *United States*, 354 U.S. 449, must take into account the factual background of that case. The record shows that shortly after the crime was committed the police set out a dragnet and indiscriminately arrested a great many citizens on nothing more than suspicion or speculation. All these people were held in custody far beyond the time at which the legal mandate required that any accused be presented before a U.S. Commissioner. It was only after Mallory gave the confession the police wanted, that Mallory himself was brought before a magistrate and the others released. To me, these circumstances constitute the strongest sort of justification of the Court's action in adhering to the doctrine that it had announced fifteen years earlier in *McNabb* v. *U.S.*, 318 U.S. 332. A generation or two ago, there was a legal philosophy accepted by some eminent jurists with reference to the somewhat similar matter of the use of evidence obtained by unreasonable search and seizure. This philosophy was summed up in the well known phrase which objected to the proposition that "the criminal is to go free because the constable has blundered." Experience over the years has shown that all too frequently constables have done much more than simply "blunder." In the light of such experience there is now a pretty general consensus, first among State Courts, then capped into constitutional dimension by the Supreme Court (*Mapp* v. *Ohio*, 367 U.S. 643) that the only effective way of enforcing the rights of the people under the Fourth Amendment is to exclude from evidence at a trial material seized in violation of that Amendment. I suggest that similar considerations logically lead to the conclusion that the only effective method of enforcing existing legal limitations upon police rights of arrest and detention is to adopt a similar evidentiary rule of exclusion.

With reference to the provisions of the Committee amendment, which look to evasion of *Miranda* v. *Arizona*, 384 U.S. 436, and *U.S.* v. *Wade*, 388 U.S. 218, I would suggest that enactment of such provisions would be a gross abuse of the powers of Congress under Article III of the Constitution. I refuse to believe for one minute that when the Founding Fathers authorized the Congress to regulate and establish exceptions to the appellate jurisdiction of the Supreme Court it was ever conceived that this power would be used to prevent judicial action striking down violations of the Constitution itself. In my opinion, one of the most shameful episodes in United States history was the one, some one-hundred years ago, when the Congress rushed through a law snatching away from the Supreme Court its appellate jurisdiction in a case which seemed certain to bring about invalidation of the manifestly unconstitutional Reconstruction legislation. I would fervently hope that American history will never witness a repetition of this incident. I do recall, however, that at the height of a wave of hostility some ten years ago attempts were made to use the Congressional power to regulate the appellant jurisdiction of the court in order to make a dead letter of various constitutional doctrines announced by the Court which one senator or another found unacceptable. You may recall that it was probably only through the brilliant parliamentary leadership of the then Majority Leader of the Senate in combining all of the bills into a single package that the incipient revolt against the Supreme Court was defeated by a single vote.

With reference to the proposed abolition of Federal habeas corpus to review State convictions, I feel that this too would have a dangerous tendency to undermine the securities of individuals guaranteed by the Constitution. Our experience for many years in the administration of Federal habeas corpus in these cases has revealed abundantly that all too often State criminal procedures contain "springes" (*Davis* v. *Wechsler*, 263 U.S. 22, 24–25) which the Constitution forbids the States to bar enforcement of Federal rights. As you know, however, the pressure of business upon the Supreme Court is so great that it would be impossible to set aright denials of Federal rights from such sources by direct review through the writ certiorari. The only alternative remedy which the ingenuity of diligent and talented men has been able to devise is the present practice of collateral review in the Federal Courts. I strongly feel that until a better procedure, which would furnish protection of basic individual rights, can be devised we should retain what we have.

I earnestly hope that your efforts in opposition to this unfortunate Committee amendment will meet the success that it deserves.

Sincerely yours,

JOHN D. O'REILLY, Jr.,
Professor of Law.

UNIVERSITY OF CALIFORNIA, DAVIS,
Davis, Calif., April 25, 1968.

Hon. JOSEPH D. TYDINGS,
Senators' Building,
Washington, D.C.

DEAR SENATOR TYDINGS: I agree with you that it would be a great mistake for Congress to pass title II of the Omnibus Crime Control and Safe Streets bill.

The proposed § 3501 would propose to legalize some procedures which the Supreme Court has found to be in violation of the Constitution. Such a head-on collision between legislative and judicial authority is not a satisfactory way to solve this problem. In these days when we are all so concerned with maintenance of law and order in our cities, it is hardly an appropriate precedent for the Congress itself to act in defiance of the law laid down by the courts. I am inclined to think that there are things Congress might do in relationship to this problem which would not involve what is in effect, defiance of court rulings.

§ 3502 would also be a most unfortunate precedent. Whatever the basic constitutional limitations are, they should have reasonable uniformity of application within the United States. To allow each state to develop its jurisprudence regarding confessions without any form of unifying review would run counter to the traditional constitutional scheme. Whatever one's views on the Supreme Court cases dealing with confessions, I should think that one would regard it as a mistake to open this way of dealing with the problem. I hope we are not ready to start tearing down the Union by permitting the creation of local legal empires sheltered from the uniform application of Federal law. Similar comments to the above apply to § 3503. I cannot believe that Congress does not want any constitutional control upon the testimony of alleged eye witnesses, notoriously a most unreliable form of evidence in criminal proceedings. Here again, there is room for creative legislation setting legislative standards for the admission of such testimony. The Court itself has indicated that with such adequate standards, it would not feel the need to apply its requirement of having a lawyer at a line-up.

§ 2256 deals with a very difficult problem which has been struggled with by the Judicial Conference and Congress over the years. Again, it would seem that the meat-axe approach of cutting out all collateral review in the Federal courts is much too arbitrary a solution to the problem.

Sincerely yours,

EDWARD L. BARRETT, Jr.,
Dean, School of Law.

UNIVERSITY OF CALIFORNIA,
LOS ANGELES,
SCHOOL OF LAW,
Los Angeles, Calif., April 26, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: We are writing to you regarding Title II of the Safe Streets bill, S. 917, as recently reported out by the Senate Judiciary Committee. As we understand it, Title II would overrule the decisions in *Miranda* v. *Arizona* and *Westover* v. *United States* and make voluntariness the sole test of admissibility of a confession in the Federal courts. It would withdraw the jurisdiction of any Federal court to review state court determinations on the voluntariness issue. It would make eyewitness testimony always admissible in the Federal district courts, thus overruling the decision in *United States* v. *Wade*, and withdraw the jurisdiction of Federal appellate courts to review state or Federal trial court determinations admitting such testimony. It also would overrule the decision in *Mallory* v. *United States* holding that unnecessary delay in bringing an arrested person before a magistrate is a ground for excluding a confession obtained during the period of delay. Finally, it would effect a withdrawal of the power of the Federal courts to review state court convictions through *habeas corpus*.

As teachers of constitutional and criminal law, we are dismayed by this attempt to overturn, in wholesale fashion, recent decisions of the Supreme Court in the field of criminal procedure. In our judgment, Title II is bad as a matter of policy. It is worse as a matter of constitutional law.

In overruling *Miranda* and *Wade*, it represents an attempt to withdraw constitutional protections by statutes—a power that Congress clearly does not have under the Constitution.

In attempting to withdraw the jurisdiction of the Supreme Court to review state court decisions as to confessions and eyewitness testimony, it raises serious constitutional questions involving the limits of Congressional power under the Constitution. Although Congress has the power under Article III to determine the appellate jurisdiction of the Supreme Court, there is grave doubt that that Article empowers it selectively to withdraw the jurisdiction of the Court to review *particular* issues that arise in the context of a criminal case. If Congress could so use its power over the appellate jurisdiction of the Supreme Court there would be nothing to prevent the Congress from promulgating similar legislation every time the Supreme Court reached a decision with which it disagreed.

In abolishing Federal habeas corpus jurisdiction in state criminal cases, Title II also raises serious constitutional questions since Article I of the Constitution bars suspension of the "privilege of the Writ of Habeas Corpus" except in cases of rebellion or invasion.

Viewed as a whole, Title II makes substantial inroads on the traditional power of the Federal courts to determine constitutional issues in state criminal cases. As a matter of policy, we consider this undesirable. Historically the Federal courts have performed an important and useful function in reviewing state criminal convictions for constitutional error. Over the years, it has been amply demonstrated that state courts have not always effectively protected the constitutional rights of accused persons. Abolishing Federal court review would relegate important issues of constitutional dimension to the authority of 50 state court systems. It would thus make for inconsistency and undercut the basic protection of individual rights that our system of judicial review has traditionally provided.

In summary, we conclude that Title II of S. 917 represents bad law and poor policy. We vigorously oppose it and call upon you and your colleagues in the Senate to reject it.

Sincerely yours,

Norman Abrams, William Cohen, Kenneth Graham, Harold W. Horowitz, Kenneth Karst, Herbert Morris, Melville B. Nimmer, Monroe Price, Arthur Rosett, Lawrence Sager, Murray L. Schwartz,

Professors of Law.

UNIVERSITY OF CALIFORNIA,
LOS ANGELES,
SCHOOL OF LAW,
Los Angeles, Calif., April 26, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I have joined a letter to you, dated today, signed by some of my colleagues, concerning Title II of the Safe Streets bill, S. 917. The purpose of this letter is to elaborate on some of the points made in that letter, concerning the unconstitutionality and undesirability of Title II.

As a teacher of federal jurisdiction, as well as constitutional law, I am particularly concerned with the restriction of Supreme Court Jurisdiction, contained in proposed 18 U.S.C. § 3502, and the severe curtailment of habeas corpus jurisdiction in the proposed amendment to 28 U.S.C. § 2256.

The proposed reduction of Supreme Court and lower federal court jurisdiction in 18 U.S.C. § 3502 would, since the days immediately following the Civil War, be the first time that the jurisdiction of the Supreme Court has been curtailed because of disagreement with the merits of the Court's decisions. More important, it would mark the first time in our history that a jurisdictional statute has been used to control the merits of the future decisions of all federal courts. Because the serious policy implications of the use of Congress' control over the Court's jurisdiction to control the Court's decision of constitutional issues are so obvious, I will confine my discussion to the constitutional issues. *Ex Parte McCardle*, 74 U.S. 506 (1869), sustained the power of Congress to repeal the Court's recently granted power to review decisions of the circuit courts on habeas corpus. While the repeal frustrated the Court's review in the *McCardle* case itself, the *McCardle* case does not establish Congress' power to remove entirely narrow classes of cases arising under the Constitution from the Court's reviewing power. After *McCardle*, the Court continued to have jurisdiction to review denial of the writ of habeas corpus by petition for original writs of habeas corpus and certiorari. *Ex parte Yerger*, 75 U.S. 85 (1869). Moreover, nothing in the *McCardle* case justifies the power of Congress to deny jurisdiction to federal courts to determine discrete issues in cases where the courts continue to have jurisdiction over other federal issues in the case. Finally, and most significant, federal courts would continue to have jurisdiction to review and reverse state court decisions which hold that a confession should be *excluded* on federal grounds. The determination whether the federal court can review federal law issues concerning confessions in state cases depends entirely upon the decision on the merits in the state courts, and not upon the nature of the case or the issues involved. Even conceding the power of Congress to deny federal jurisdiction entirely over certain kinds of constitutional issues (a concession I have refuted above), it is settled that Congress can not use its power over jurisdiction to control the *outcome* of judicial decisions in cases where the courts are given jurisdiction. *United States* v. *Klein*, 80 U.S. 128 (1872). In short, 18 U.S.C. § 3502 would not be a constitutional exercise of Congress' power to control the jurisdiction of federal courts, but an unconstitutional attempt to control the merits of constitutional adjudication.

The proposed amendment to 28 U.S.C. § 2256 would be an unconstitutional suspension of the writ of habeas corpus. Moreover, its impact upon the process of federal review of state court conviction will be more serious than that of any other provision of Title II. Its effects would go far beyond cases of exclusion of confessions and the products of illegal search and seizures. The Supreme Court is not physically able to review on certiorari the merits of federal constitutional issues in the decisions in criminal cases in the fifty states. If denial of certiorari is equivalent to the denial of all federal court review, either the Supreme Court must undertake such review to the point that it will be unable to function in other classes of cases, or denial of the most basic federal constitutional rights of fair procedure will be without remedy in the federal courts. In the case of indigent prisoners, more and more

the extent of their right to fair procedure will depend on the adequacy of representation by court-appointed counsel if all further review is denied simply because counsel failed to raise issues which "could have been determined" at the trial. With the amended habeas corpus bill, those states which provide the lowest level of representation at the criminal trial will gain the largest immunity from further federal court review of the constitutionality of their procedures. It would be tragic if the amended habeas corpus bill should cripple the orderly development of minimum constitutional standards of fair procedure in criminal cases. That national tragedy might be dwarfed by the increased numbers of indigents imprisoned after trials which fail to meet the basic minimum of due process.

Sincerely,

WILLIAM COHEN,
Professor of Law.

UNIVERSITY OF CALIFORNIA,
LOS ANGELES SCHOOL OF LAW,
Los Angeles, Calif., April 26, 1968.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I recently joined with some of my colleagues in a letter dated April 26, 1968 addressed to you commenting on Title II of S. 917 as reported out by the Senate Judiciary Committee. I would like to take the opportunity to add some more particularized thoughts to the comments expressed in that letter.

The attempt to overrule the decision in *Miranda* v. *Arizona*, in addition to being of very dubious constitutionality, is unfortunate. It is probably based upon the misconception that *Miranda* somehow has hamstrung law enforcement efforts. Although there were outcries to this effect at the time of the decision, experience since has produced no substantial evidence that the *Miranda* doctrine has interferred significantly with effective law enforcement.

The warning and waiver rules formulated in *Miranda* are designed simply to protect against the potentiality for compulsion involved where a suspect is "thrust into an unfamiliar atmosphere and run through menacing police procedures," and to insure that statements obtained are "truly the product of free choice." If we have not abandoned our traditional concern about compelled or involuntary statements there can be no objection to taking reasonable steps to protect against the risk of such compulsion.

Similar grounds exist for rejecting the attempt to overrule the recent decision in *United States* v. *Wade*. There is no evidence that *Wade* has hampered law enforcement. Consistently with that decision, eyewitness testimony can still be used simply by providing an opportunity for counsel to be present at any lineups. Surely the potential for "improper suggestion" inherent in pretrial lineups justifies providing this minimal degree of protection to a suspect in a criminal case.

The attempt to overrule *Mallory* v. *United States* is also of doubtful merit. That case implemented Rule 5(a) of the Federal Rules of Criminal Procedure which prohibits unnecessary delay in bringing an arrested person before a magistrate. This bill would eliminate the one available sanction—the exclusion of statements made during the period of unnecessary delay—to encourage prompt presentation of the arrestee before a judicial officer. Unless we are prepared to abandon such promptness as a value in our criminal justice system, it behooves us to provide an effective sanction to insure that such delay does not occur.

In this connection, it is worth noting that state courts have also begun to express serious concern about such delay. In a recent case, *People* v. *Powell*, 59 Cal. Rptr. 817 (1967), the Supreme Court of California said:

"The principal purposes of the requirement of prompt arraignment are to prevent secret police interrogation, to place the issue of probable cause for the arrest before a judicial officer, to provide the defendant with full advice as to his rights and an opportunity to have counsel appointed, and to enable him to apply for bail or for habeas corpus when necessary . . . .

"In the case at bar the delay was used to 'extract' from these defendants not one but fourteen self-incriminating statements . . . .

". . . [W]e need not decide at this time whether the circumstances just described amounted to such prejudice as to render reversible the denial of defendants' constitutional and statutory rights to prompt arraignment. But we cannot condone such conduct by the police, and any repetition thereof will be closely scrutinized."

In conclusion, let me also add another word about the several attempts in this bill to withdraw the jurisdiction of the Supreme Court to review claims of error of constitutional dimension in the criminal process. Such attempts, if effective, would upset the existing delicate balance between our three coordinate branches of government. Historically, the Supreme Court has functioned both symbolically and in fact to protect individual liberty in our society. Legislation such as this would go far to undermine that role of the Court and, in my judgment, be a substantial step toward a type of society we abhor.

Sincerely,

NORMAN ABRAMS,
Professor of Law.

UNIVERSITY OF CALIFORNIA, LOS ANGELES, SCHOOL OF LAW,
Los Angeles, Calif., April 25, 1968.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I have already joined with a number of my colleagues in a letter to you, commenting on Title II of S. 917. I want to add some personal reflections.

I believe that the legislation is unconstitutional and that, apart from this, bad policy. It seems to me that legislators legitimately concerned with respect for law must exercise extraordinary care in avoiding the enactment of unconstitutional laws. It erodes the value of law for all when those specially responsible for its enactment are themselves prepared to go beyond the limits of law. This ties in with the *Miranda* decision. There is no evidence that law enforcement has been hampered by that decision but there is good reason to believe that the risk of police violation of constitutional rights has been diminished.

There is much talk these days of an increase in crime, of indifference to and disrespect for law. The decisions of the Supreme Court in the area of protecting the rights of individuals are, for me, among the most persuasive reasons for believing that our laws deserve respect. Nothing, at this time particularly, should be done to attack that institution in our society which is most closely linked in the minds of many with preservation of individual rights.

Yours sincerely,

HERBERT MORRIS,
Professor of Law and
Professor of Philosophy.

CALIFORNIA WESTERN UNIVERSITY,
San Diego, Calif., April 24, 1968.

Re. S. 917, omnibus crime control and safe streets bill.

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: Your letter of April 19 addressed to the Dean of this Law School has been referred to me for reply.

Time does not permit a detailed analysis of the constitutionality of Title II of the Crime Control bill. Nevertheless, it is apparent that the provisions thereof do raise serious constitutional questions.

Section 3501(b) sets forth certain factors to be considered by the trial judge in determining voluntariness of a confession. Even though the judge finds that one or more of these factors are missing he may nevertheless find the confession voluntary, and thus admissible. However, *Miranda* establishes that the Fifth Amendment privilege against self-incrimination requires that certain warnings be given the accused before his confession can be admitted against him.

If Congress can give a trial judge the power to admit a confession obtained in violation of the Fifth Amendment, then it is Congress, not the Supreme Court that is defining the Fifth Amendment. If Congress has the power to set the limits for the exercise of the Fifth Amendment, it would appear that it would also have the power to set the limits for the exercise of all other constitutional rights, restricting or enlarging them at will.

Since the decision in Marbury v. Madison, this power has resided with the Supreme Court, and it is inconceivable that the Supreme Court will (or should) change that at this late date in our history.

Insofar as Section 3502 is concerned, the extent to which the Congress can enlarge or restrict the exercise of appellate power of the Supreme Court has not been definitely determined. Nevertheless here again, history tells us that the Supreme Court is the final arbiter of constitutional questions, not Congress. If Congress can prevent the Court from reviewing the constitutionality of the admissibility of a confession, why can't Congress then restrict the review of other constitutional issues? For example, why could not Congress also then enact legislation preventing the Supreme Court from reviewing a State Supreme Court decision that the First Amendment had not been violated? Or any other Amendment?

When one asks the question that way, it is apparent that while the exact limits of the appellate jurisdiction of the Supreme Court have not been defined, our constitutional system requires that the Supreme Court be the final arbiter of constitutional issues, and that Congress not have the power to restrict the appellate review of constitutional adjudications made by State Supreme Courts.

From a purely public policy point of view, I think that just proposing this kind of legislation is very unwise. Because of the challenging times we live in today, we have great need to preserve our constitutional system, and for our people to understand and have confidence in it. This kind of legislation is designed to destroy the system, and destroy public confidence in it.

This does not mean that the Court is above criticism, but criticism ought to be constructive and intelligent and not destructive and emotional.

If ever there was a need for greater knowledge of the merit of our system, that need is here today. What we need is greater education of the people in the tremendous advantages of living under this system rather than an emotional attack upon the Court because we dislike its decisions. It would be far better for members of Congress to undertake to educate their constituents in the value of the system, rather than to tear it down.

Sincerely,

JAMES E. LEAHY,
Associate Professor.

CHASE COLLEGE,
SCHOOL OF LAW,
Cincinnati, Ohio, April 25, 1968.

Hon. JOSEPH D. TYDINGS,
Committee on the Judiciary,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I am in receipt of your recent letter of April 19, 1968, and a copy of Title II of S. 917. In reviewing the

proposed Title II, I was aghast at the proposals contained therein. In my opinion, Title II is patently contrary to the United States Constitution. It is an attempt to legislatively remove the safeguards of the Bill of Rights and the Fourteenth Amendment. The reviewability of judicial action is the bulkwark against infringement of individual rights in this great country of ours.

My greatest concern, however, is that these provisions were approved by a Committee of the Senate, containing many of its most distinguished and learned members. The future of this country is indeed dark, when our government leaders spearhead the assault upon the basic fundamental rights of the individual. True safeguards exist only if the worst element of society receives guarantees accorded to others.

I would urge that you, and your colleagues, make every effort to eliminate Title II.

Very truly yours,

C. NICHOLAS REVELOS,
Acting Dean.

THE UNIVERSITY OF CHICAGO CENTER FOR STUDIES IN CRIMINAL JUSTICE, THE LAW SCHOOL,
Chicago, Ill., April 22, 1968.

Hon. JOSEPH TYDINGS,
U.S. Senate, Washington, D.C.

DEAR SENATOR TYDINGS: I write to you about Title II of S. 917 as approved by the Senate Judiciary Committee. I do most earnestly hope that this legislation will not receive Congressional approval.

I am closely concerned with many of the problems of the prevention and treatment of crime in this country; but I am not a specialist in constitutional issues and therefore I shall not comment on the constitutionality of Title II or on the likely judicial consequences of its legislative acceptance. It is clear to me, however, that these provisions would make no contribution whatsoever to reducing crime or the fear of crime in this country. They would not improve our prevention or treatment methods. They would not, I believe, increase police crime clearance rates. They are the product of misplaced frustration, not relevant to the serious problems of crime and its effective control.

No responsible student of criminal law can look at the overcrowded dockets and routine processing of criminal cases in many State jurisdictions in this country without recognizing the need for some extra-State protection both of the rights of the accused and of the integrity of the system which confronts them.

The better police forces and virtually all policemen now face community anxieties about crime in the streets which often sound to them like cries for action—any action—prompt and forceful. They need the protections of clear rules. Title II would deny them this. Its passage at this time would undercut the more thoughtful voices within the police not only for lawful law enforcement but for effective law enforcement. This Act at this time would be seen by many police as a mandate for unlawfulness; there is little the country needs less, and many other policemen realize this.

These views are, of course, my own; I cannot speak for the Center for Studies in Criminal Justice but I know my views are widely shared by my colleagues.

Yours sincerely,

NORVAL MORRIS.

THE UNIVERSITY OF CHICAGO,
THE LAW SCHOOL,
Chicago, Ill., April 22, 1968.

Senator JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I as writing to express my concern over Title II of Senate Bill 917, as recently approved by the Senate Judiciary Committee. This Title takes a substantial step backward in the quest for civilized criminal procedure, and it is in several respects of quite doubtful constitutionality.

1. Section 2256, which would virtually abolish federal habeas corpus for persons convicted in state courts, would shift to the already burdened Supreme Court the entire task of overseeing the constitutionality of state criminal proceedings. Recent decisions demonstrate that the state courts are not always able or willing to protect the constitutional rights of the accused. The availability of habeas corpus in the federal district courts gives some assurance that meritorious claims will not get lost in the enormous volume of petitions to the Supreme Court, and the district courts are in a better position than is the Supreme Court to review the constitutionality of convictions because of their ability to conduct factual hearings. To make the state-court decision conclusive as to matters that were or even could have been determined is to subordinate the constitutional rights of citizens to considerations of procedural expediency. To require a man to serve an unconstitutional sentence because his lawyer bungled is not a choice worthy of a free society.

Moreover, section 2256 runs afoul of the provision in Article I, Section 9 of the Constitution forbidding suspension of habeas corpus. It is no defense that the proposal leaves habeas corpus intact as to persons in custody other than pursuant to a state-court judgment; as held in Eisentrager v. Forrestal, 174 F. 2d 961 (D.C. Cir. 1949), the Constitution forbids suspension of the privilege as to any class of persons. Nor is it material that the proposal purports not to eliminate habeas jurisdiction but only to make the state judgment conclusive; the Supreme Court has made clear that review of issues available in the state courts is necessary to the protection of federal rights on habeas corpus, see Fay v. Noia, 372 U.S. 391 (1963), and to forbid investigation of such issues would effectively suspend the privilege.

2. Section 3502 is an even more drastic proposal designed to eliminate altogether federal review of the validity of confessions utilized in state criminal proceedings. To abandon the long-established principle of Supreme Court review of the denial of federal rights in state courts would be to risk leaving those denials uncorrected and also to invite disuniformity among the States in the interpretation and application of the Constitution. The fact that illegal convictions today continue to reach the Supreme Court before being set aside attests to the present need to preserve the Supreme Court's power.

This section too presents serious constitutional difficulties. Although Congress has power under Article III to make "exceptions" to the Supreme Court's appellate jurisdiction, it has never been held that this power can be used to frustrate substantive constitutional rights. Ex parte McCardle, 7 Wall. 506 (1864), which upheld a limitation of the Supreme Court's jurisdiction by appeal, emphasized that other avenues to the Court remained open. Cf. Battaglia v. General Motors Corp., 169 F.2d 254 (2d Cir. 1948), and Eisentrager v. Forrestal, 174 F.2d 961 (D.C. Cir. 1949), both holding the analogous power of Congress to limit district-court jurisdiction subject to constitutional limitations. Judicial review of the constitutionality of the acts of government, a critical part of our system of checks and balances, would be a delusion if it could be defeated by the simple expedient of phrasing a statute in jurisdictional terms.

Section 3502 is subject to an additional constitutional infirmity, for it attempts to deprive the Supreme Court of power not over whole cases but over a single issue. Even if Congress were free to deprive the Court of jurisdiction altogether, it could scarcely order the Court to decide cases in disregard of the Constitution. Ever since Marbury v. Madison, 1 Cranch 137 (1803), it has been settled that the Supreme Court, when a judgment is properly brought before it, must obey the Constitution. The Court cannot therefore be directed to affirm convictions unconstitutionally obtained.

3. The provisions in proposed sections 3501 and 3502 permitting the admission of eyewitness testimony and of voluntary confessions are designed to overturn recent Supreme Court decisions recognizing the right of a suspect to prompt arraignment, to be informed of his rights, to the effective aid of counsel, and to effective cross-examination and confrontation of witnesses. Insofar as these decisions were based upon interpretation of the Constitution, the proposals are beyond the power of Congress; the federal courts cannot be told to violate the Constitution. The Miranda and Wade decisions explicitly invoked the Constitution; it seems most probable that the McNabb-Mallory rule requiring prompt arraignment, while based in those decisions upon the Court's supervisory power over lower federal courts, would be held to be required by the Constitution if the supervisory power were curtailed. As a matter of policy the Title II proposals are most unfortunate. They encourage delay in arraignment, which is an important safeguard against arbitrary incarceration. They encourage law-enforcement officers to take advantage of the ignorance of suspects. They increase the danger of convicting innocent persons on what Mr. Justice Frankfurter once called the untrustworthy testimony of strangers who caught a fleeting glimpse of the criminal. They suggest that the United States is not prepared to treat those accused of crime in a fair and civilized manner.

I urge that Title II be omitted from Senate Bill 917.

Yours very sincerely,

DAVID P. CURRIE,
Professor of Law.

COLLEGE OF LAW,
UNIVERSITY OF CINCINNATI,
Cincinnati, Ohio, April 23, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR TYDINGS: Yesterday I received a copy of your letter addressed to the Dean of our law school respecting Title II of S. 917. Before April 29th, I shall not have time to write a brief or to comment at any length. Under the circumstances, I shall simply state my conclusion. The enactment of Title II of S. 917 would be a giant step backward in a civilized society.

Sincerely yours,

WILBUR R. LESTER,
Rufus King Professor of Constitutional Law.

DUKE UNIVERSITY,
Durham, N.C., April 26, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR TYDINGS: We write for the purpose of urging the defeat of Title II of the so-called Omnibus Crime Control and Safe Streets bill. Title II contains a number of unfortunate amendments. One would deny lower federal courts jurisdiction to entertain collateral attacks on state court criminal judgments even where the constitutional rights of state defendants have been abridged thereby overruling *Townsend* v. *Sain* and *Fay* v. *Noia*. Another would deprive both the lower federal courts and the Supreme Court of the power to review the voluntariness of a confession admitted in a state criminal trial where the highest courts of a State has found the confession voluntary, regardless of

whether the State court flagrantly defied the Supreme Court's prior determinations of the appropriate standards required to be applied by the Fourteenth, Sixth and Fifth Amendments. Another provision would permit the introduction of a confession into evidence in a federal trial if the court determined that the confession was voluntary, even if the confession resulted from a custodial interrogation in which the defendant had not been informed of his privilege against self-incrimination and his right to assistance of counsel as required by the Fifth Amendment as interpreted by the Supreme Court in *Miranda* v. *Arizona*. The bill would also overturn the *McNabb-Mallory* doctrine which for twenty years has excluded the admission of confessions obtained during a period of unnecessary delay between arrest and presentment before a magistrate in federal trials. Another amendment apparently designed to overrule the Supreme Court's decision in the *Wade* and *Gilbert* cases, would not only permit the introduction of "eye witness" testimony under circumstances where a defendant has been denied the assistance of counsel at a lineup, in violation of the Sixth Amendment, but would go so far as to permit its admission in circumstances where the admission of such testimony would constitute a denial of due process of law, as in the case of testimony resulting from an unfairly staged lineup.

At this late date in our constitutional history it seems clear that the Supreme Court is the final arbiter of the meaning of the Constitution. This is the meaning of *Marbury* v. *Madison*. The Court has interpreted the Fifth Amendment in *Miranda* and the Sixth Amendment in *Wade*. It is not the function of the Congress, and beyond its power, to overrule these decisions. It is equally clear that it has no right to require a federal court to permit a conviction to rest on evidence obtained in violation of the Constitution. Furthermore the impartial studies now available (Yale, Georgetown, Pittsburgh) provide no basis for a belief that these decisions have had any substantial effect upon police effectiveness.

It is doubtful if the Congress has the authority to deny the Supreme Court the right to review a state court ruling admitting a confession obtained in violation of the Fifth or Fourteenth Amendments, after a state Supreme Court has opined that the confession is voluntary. The power to limit the appellate jurisdiction of the Supreme Court is asserted to find support in *Ex parte McCardle*, decided a century ago. It is doubtful if *McCardle* would be decided the same way today. Indeed its holding was limited two years later in *United States* v. *Klein*. In any case, even if it continues to have vitality, it may be distinguished. The bill in question poses grave problems of the equal protection of the laws which did not face the Court in *McCardle*. A single class of defendants in state prosecutions, those whose confessions have been found voluntary by the highest state courts, are alone deprived of the right to review by the Supreme Court of lower court rulings affecting their rights under the Constitution. It is extremely questionable if there is anything about this class of defendants which is sufficiently distinctive to merit subjecting its members to this type of overt discrimination.

In any case, the attempt to divest the Court of appellate jurisdiction in an area where Congress disagrees with its decisions poses a great threat to the balance of powers. The attempted exercise of such power by the Congress would set an unfortunate precedent which might ultimately imperil the judicial independence which has been the bulwark of freedom since the inception of the Republic.

The immediate result of divesting the court of jurisdiction to review rulings of "voluntariness" is clear. Two cases during the present term provide examples of the level of civilization in criminal procedure which would result from limiting the Supreme Court's jurisdiction as the bill proposes.

In *Beecher* v. *Alabama* a badly wounded negro confessed to the rape and murder of a white woman at gunpoint after Tennessee police had told him that they would kill him if he didn't tell the truth and fired a rifle next to his ear in order to emphasize the point. Five days later in a morphine stupor and intense pain the defendant signed written confessions prepared by Alabama investigators who had engaged in a 90 minute conversation with him after the defendant had been instructed to "cooperate" with them by the medical attendant in charge. The Alabama Supreme Court concluded that the confessions taken from him by the investigators were voluntary.

In *Brooks* v. *Florida* the defendant accused of rioting in a prison was confined with two other prisoners for 14 days in a cell 7 to 13 feet long and 6½ feet wide. The cell had no external window, no bed or other furnishings or facilities except a hole in the floor which served as a commode. Brooks was fed 12 ounces of "peas and carrots in a soup form" and eight ounces of water daily. The defendant's testimony that he was stripped naked before being thrown into the cell was not controverted. During his two weeks his only contact with the outside room was interviews with the prison's investigating office. On the 15th day of confinement under these conditions, the defendant was brought before the investigating officer and confessed. The Florida court upheld this conviction.

It is difficult to believe that the Senate could want state rulings of this kind to be upheld. But this would be the result of the bill reported to the floor of the Senate by the Judiciary Committee.

The denial of jurisdiction to lower federal courts in cases in which state criminal judgments are attacked on constitutional grounds is defended upon the basis of the Congressional power to limit the jurisdiction of the lower federal courts. The practical effect would be to suspend for state prisoners the federal writ of habeas corpus, the "Great Writ" which has protected the liberty of English-speaking persons for almost three hundred years. In addition, substantial problems of equal protection are implicit in a situation where the meaning of the Constitution depends on local option unless Supreme Court review can be obtained. Even if such a drastic step is constitutional, it seems clearly to be unwise. The large number of cases brought to the federal courts by state prisoners has resulted from two factors, the refusal or failure of some state courts to follow Supreme Court decisions, and the failure of most states to enact modern post-conviction remedies. The Supreme Court is not able to review all cases where there are substantial allegations of deprivation of Constitutional rights. To permit the continued confinement of state prisoners, whose convictions rest on evidence obtained in violation of the Constitution, or whose sentences violate Constitutional mandates, would make the Bill of Rights meaningless to substantial numbers of citizens accused of crime, and reduce the Supremacy clause to a meaningless rubric in the field of criminal procedure. It would also remove one of the principal incentives to the reform of state criminal procedure.

Over-turning the *McNabb-Mallory* rule is likewise unwise. During twenty years it has proved to be an effective device for discouraging arrests without probable cause, and implementing the privilege against self-incrimination, the right to counsel, and the right to bail. Furthermore, there is no evidence that it has, in the past or at the present, constituted any impediment to federal law enforcement outside of the District of Columbia.

Last year the Congress passed legislation over-turning the Mallory Rule in the District of Columbia, but requiring the safeguards constitutionally required by the *Miranda* decision which are absent from the present bill. The present effort to overturn *Mallory* can only be described as a symbolic gesture designed to set back the evolution of a criminal procedure which will protect the rights of the citizenry with no attendant benefits to law enforcement. The manner in which the bill seeks to achieve these objects again raises doubts concerning its constitutionality. The bill does not permit delays in order to interrogate. It requires the Court to admit evidence obtained during a period of unlawful delay. It may be doubted whether such an approach is consistent with the imperative of judicial independence and the integrity of the processes of justice which are implicit in Article III of the Constitution.

These comments are not intended to constitute a detailed presentation of all of the legal principles involved. We regret that we were not invited to present our views before the Judiciary Committee under circumstances where a scholarly study could have been prepared. This document has been prepared in the few days available to us after receipt of your letter in an effort to express sincere hope that the Senate will delete Title II from the bill when it reaches the floor.

Yours very truly,

A. KENNETH PYE,
Professor of Law [Criminal Procedure], Duke University.

WILLIAM W. VAN ALSTYNE,
Professor of Law [Constitutional Law] Duke University.

DANIEL H. POLLITT,
Professor of Law [Constitutional Law and Criminal Procedure], University of North Carolina.

FRANK R. STRONG,
Professor of Law [Constitutional Law] University of North Carolina.

EMORY UNIVERSITY,
SCHOOL OF LAW,
Atlanta, Ga., April 24, 1968.

Senator JOSEPH D. TYDINGS,
Committee on the Judiciary,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I appreciate very much your sending me a copy of Title II of S. 917 and calling attention to the effect of its provisions on recent decisions of the Supreme Court which have delineated for our society the outlines of "fair treatment" for persons suspected of crime.

It seems to me that once our society is presented, by an authoritative branch of government, with a higher standard of "fair treatment" than what has customarily been followed, another branch of government can hardly settle for less. The point is that new ideas have already come upon the current scene in this area of criminal procedures and Title II, even if passed, cannot obliterate these ideas; such legislation can only mark those who support it as being willing to settle for "unfair treatment"—and this in the face of our time-honored notion that a man is presumed innocent until proved guilty.

It is really strange legislation that deliberately sets our federal trial court judges against our federal appellate judges and our state courts against our federal courts when the situation today cries out for more unity.

Surely there must be a better way.

Sincerely yours,

BEN F. JOHNSON,
Dean.

LOYOLA UNIVERSITY,
SCHOOL OF LAW,
Los Angeles, Calif., April 25, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I have read with interest your letter of April 19, 1968, addressed to the Dean of this faculty.

Upon a reading of the enclosed proposed legislation, it occurred to me that the enactment of any such legislation could be one of the most serious legislative acts in recent history. I can imagine no good which could possibly arise out of any such legislation. I will not use your time unnecessarily by expanding upon the obvious constitutional, ethical, and psychological problems which can be created by such legislation. In my opinion, therefore, you are entitled to the most complete support for the position you have taken, and it is my sincerest hope that this portion of the Crime Bill will be deleted before its final enactment.

If I can be of any further service in this matter, I would be delighted to do anything which you request.

Sincerely yours,

GEORGE C. GARBESI,
Professor of Law.

NEWPORT BEACH, CALIF.,
April 26, 1968.

Hon. JOSEPH D. TYDINGS,
Senate Judiciary Committee,
Washington, D.C.:

Passage of Senate bill 917 would be fatal to judicial system. Please note my strong protest.

J. REX DIBBLE,
Professor of Law and Former Dean,
Loyola Law School.

UNIVERSITY OF MAINE,
SCHOOL OF LAW,
Portland, Maine, April 23, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR TYDINGS: I concur with you that the proposed Title II of the Omnibus Crime Control and Safe Streets bill contains provisions that would be most unwise. I am circulating your letter, with a copy of the bill, among the faculty of this law school with the suggestion that they write to you if they are so inclined.

Thank you for drawing the material to my attention.

Sincerely yours,

EDWARD S. GODFREY,
Dean.

UNIVERSITY OF MARYLAND,
SCHOOL OF LAW,
Baltimore, Md., April 23, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Title II of the proposed Crime Bill (S. 917) now before the United States Senate contains provisions on confessions and eyewitness testimony in criminal cases and on federal habeas corpus which are very unwise and of doubtful constitutionality.

Title II first provides that in a federal criminal prosecution a confession shall be admissible in evidence if it is voluntarily given. The states, on the other hand, are not required to adopt any particular test on the admissibility of confessions in criminal cases. However, Title II does attempt to withdraw from the jurisdiction of the federal courts the review of a ruling by a state court system that a confession is admissible into evidence as voluntarily made. This latter provision is an open invitation to the states to return to the old voluntariness test on the admissibility of confessions and an attempt to shield states which adopt such a course from federal court review of criminal convictions where such confessions are admitted into evidence. All these provisions are in direct conflict with the Supreme Court's landmark decision in *Miranda v. Arizona,* which discarded the old voluntariness test on the admissibility of confessions and held that additional safeguards must be developed to protect, in the setting of custodial interrogation, a suspect's constitutional privilege against self-incrimination. Any confessions obtained by the police in the absence of these safeguards were held inadmissible. The *Miranda* opinion required in the way of safeguards basically that the police warn the suspect that he has a right to remain silent and a right to the presence of an attorney, either retained or appointed. The *Miranda* opinion was nevertheless very clear in stating that federal and state governments were free to supplant these safeguards with other safeguards which they found more appropriate or workable so long as the latter safeguards were fully effective in protecting a suspect's privilege against self-incrimination. Title II does not do this. Rather, its provision on the admissibility of confessions are in direct conflict with the Supreme Court's *Miranda* decision, which found that the voluntariness test did not adequately protect the rights of the suspect. Title II therefore does not deal constructively with the problem of reconciling the suspect's privilege against self-incrimination with effective law enforcement; but rather provokes an unseemly and needless confrontation between Congress and the Supreme Court. In doing this the Title unwisely departs from the *Miranda* opinion's well-founded concern with protecting the dignity and integrity of a person suspected but not yet convicted of the commission of a crime.

The provisions of Title II on eye-witness testimony are open to similar objections. The testimony of an eye-witness to a crime that the defendant was the perpetrator has often proved to be unreliable. One of the chief causes of this unreliability is that the eye-witness often first identifies the defendant as the perpetrator in a line-up or other pre-trial confrontation where various suggestive influences may lead the eye-witness to pick out the defendant. To protect innocent defendants from faulty identification processes, the Supreme Court held in the recent case of *United States* v. *Wade* that the suspect had a constitutional right to counsel during such crucial pre-trial confrontations. A courtroom identification of the defendant is inadmissible if it is the product of a prior identification of the defendant at a pre-trial confrontation where the defendant neither had nor waived counsel. Once again the way remains open for Congress or the states to develop alternative means of protecting an accused from an erroneous identification. Title II does not adopt this constructive approach but enters into direct collision with the Supreme Court's *Wade* decision when it provides, in effect, that eye-witness testimony shall in all instances be admissible in state and federal criminal trials.

Title II also seeks to abolish the rule, established by the Supreme Court in *Mallory* v. *United States,* that any confession obtained by federal officers during an illegal detention is inadmissible in the federal courts. The *Mallory* rule does not derive from the Constitution but from the Supreme Court's exercise of its supervisory power over the administration of federal justice. Nevertheless, few individual rights are more precious than the right to be brought before a judicial officer within a reasonable time after an arrest for purposes of obtaining bail, a preliminary hearing, or information on one's rights. Congress should not encourage federal law enforcement officers to delay bringing an arrested person before a judge by telling the officers that no matter how long they delay the confession may still be admissible. The recently enacted District of Columbia Crime Bill permits the District police to detain a suspect for three hours prior to bringing him before a judge. Three hours should be ample time for the police, and any further delay should be considered in the majority of cases as unreasonable. Federal law enforcement officers should not be able to profit from such an unreasonable delay by obtaining a confession.

Perhaps the most regrettable provision in Title II is the attempt to withdraw from the federal courts the habeas corpus jurisdiction over state prisoners. This withdrawal of jurisdiction may amount to an unconstitutional suspension of the great writ of habeas corpus. In any case, this provision deprives state prisoners of a readily available federal forum in which to raise federal constitutional claims and leaves the determination of a state defendant's federal constitutional rights entirely to the state courts, subject only to discretionary review by the Supreme Court on the defendant's direct appeal from his conviction. Such a withdrawal of federal jurisdiction upsets the delicate balance of federal state relationships. As the Supreme Court indicated in its discussion of the federal habeas corpus jurisdiction in *Henry* v. *Mississippi,* the federal courts grant the state judiciary full opportunity to air and determine initially federal constitutional claims and only intervene on habeas corpus when federal constitutional rights have been denied. It appears most unwise to remove this federal check on the states' administration of criminal justice.

For the above reasons we as individuals urge you to do all in your power to secure the defeat of Title II on the Senate floor.

Very truly yours,

EDWARD A. TOMLINSON,
(Drafter of the letter),
BERNARD AUERBACH,
LEWIS D. ASPER,
EVERETT GOLDBERG,
LAURENCE M. KATZ,
SANFORD JAY ROSEN,
JAMES W. MCELHANEY,
GARRETT POWER,
Members of the Faculty.

UNIVERSITY OF MARYLAND,
SCHOOL OF LAW,
Baltimore, Md., April 23, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Thank you for your letter of April 19th alerting us to the dangers lurking in Title II of S. 917. Several members of the faculty are drafting a comprehensive letter dealing in specific terms with the objections that can and should be made to Title II. Their letter will reach you soon.

Meanwhile, let me just make two points:

1. Much of Title II seems to me to be destructive; it creates unnecessary and unseemly tension between the Congress (which may pass it) and the Supreme Court (which will be called upon to pass on its constitutionality).

2. Congress can take constructive action to clarify what law enforcement officials can do within the guidelines of current Supreme Court decisions, without diminishing the important rights that have been granted the accused. Such a legislative approach, I think, would have widespread support in the academic community as well as elsewhere.

Sincerely yours,

WILLIAM P. CUNNINGHAM,
Dean.

BALTIMORE, MD.,
April 24, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Thank you for bringing to my attention the crime bill currently before the Senate, Title II of which would amend chapter 223 of title 18 and chapter 153 of title 28 of the United States Code. In my judgment, it is a very bad approach to a difficult problem.

I share the apparent discontent of the bill's proponents with the exclusionary rules developed by the Supreme Court, in an attempt

to insure fairness in criminal proceedings. Such rules sometimes free the guilty to achieve their ends. I would like to see Congress and the States try to work out alternatives which would permit conviction of the guilty, such as, for example, administrative and training procedures within law enforcement agencies which would make police misconduct a rarity. Such approaches to the problem, not open to the courts to initiate, are open to legislative bodies. But I see nothing of such a constructive nature in this bill.

Unless alternatives can be developed, we must stay with the exclusionary rules if we are to seek fairness. The cases before the Supreme Court will continue to be difficult, and its decisions will sometimes seem to be wrong, but the Court must continue to review State practices and supervise federal practices, because history shows that without such action many law enforcement agencies and State courts will not adequately police themselves. The bill may be bad constitutionally as well as bad as a matter of policy; it is doubtful that the constitution permits this kind of limitation of the Supreme Court's jurisdiction in such an important area of civil liberties.

My colleagues, Professor John W. Ester and Assistant Professors Robert G. Fisher and Lawrence L. Kiefer, have authorized me to say that they agree with the views expressed in this letter.

Sincerely yours,

JOHN M. BRUMBAUGH,
Professor of Law, University of Maryland School of Law.

UNIVERSITY OF MARYLAND,
SCHOOL OF LAW,
Baltimore, Md., April 24, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Title II of the proposed Crime Bill presently before the Senate reflects a genuine feeling of concern that the Supreme Court is, in effect, penalizing the public by requiring the release of confessed criminals in its attempt to prevent law enforcement officials from violating the civil rights of indigent defendants in criminal proceedings.

In my opinion, however, the proposed bill bends too far the other way in eliminating Supreme Court review in the area of confessions. While somewhat similar restrictions have been imposed upon the appellate jurisdiction of the Supreme Court and have been held constitutional (*Ex parte* McCardle, 7 Wall. (74 U.S.) 506; see U.S. v. Klein, 13 Wall. (80 U.S.) 128, 1872), experience has shown that without Supreme Court review, state courts and agencies cannot be relied upon to assure fair police and trial practices. The proposed limitations upon the use of the writ of habeas corpus would be a body blow to civil liberties as would be the removal of the unifying force of Supreme Court review upon the disparate constitutional interpretations of the fifty states.

Congress and the states should, however, consider alternative approaches directed to the heart of the problem, namely, the conduct of law enforcement officials. Such officials might be made amenable to civil suits and perhaps governmental sanctions for unacceptable, clearly defined misconduct, such as coercing a defendant to confess or a delay of more than a few hours in bringing him before a magistrate. Radical revision of present training and administrative procedures of law enforcement officials could also accomplish much in this area. Until satisfactory alternatives are developed, it would be most unfortunate to remove the Supreme Court's jurisdiction over an area as vital as civil liberties.

Sincerely yours,

AARON M. SCHREIBER,
Associate Professor of Law.

UNIVERSITY OF MICHIGAN
LAW SCHOOL,
Ann Arbor, Mich., April 25, 1968.

Re the unconstitutionality of title II of S. 917.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: After wrestling for decades with the unruly, unsatisfactory "voluntariness" test for the admissibility of confessions—an elusive, measureless standard of psychological coercion developed by accretion on almost an ad hoc, case-by-case basis, a test so uncertain and unpredictable that it guided police conduct very little, if at all—the Supreme Court of the United States finally displaced it with a set of relatively firm, specific guidelines: "Custodial questioning" must be preceded by warning the suspect that "he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed." *Miranda* v. *United States*, 384 U.S. 436, 444 (1966).

We do not claim there is nothing to be said for a *constitutional amendment* modifying the Supreme Court's reading of the Fifth Amendment to prohibit police interrogators from compelling a defendant to be "a witness against himself" and the Court's interpretation of the Sixth Amendment to afford a person in the police station, as well as in the courtroom, "the assistance of counsel for his defence." We maintain only that there is nothing to be said for a bill which *pretends there are no constitutional principles at stake* but simultaneously flies in the face of this nation's constitutional traditions by seeking to insulate the bill from judicial review.

We realize that some members of Congress are unhappy about recent Supreme Court constitutional rulings in the police interrogation-confession area, but we submit this scarcely justifies an expression of unhappiness in the form of a statute which in one breath fails to recognize the existence of authoritative constitutional decisions squarely on point, but in the next breath manifests sufficient awareness of the bill's constitutional infirmity to seek to prevent the federal courts from performing their essential and traditional function of determining a statute's consistency with the federal constitution. To solemnly pass title II into law, in order to register unhappiness or wishful thinking, seems to be nothing less than a perversion of the legislative process.

In the thirty years since *Brown* v. *Mississippi*, 297 U.S. 278 (1936), the first fourteenth amendment due process confession case, the U.S. Supreme Court took an average of only one state confession case per year—and *two-thirds of these* were "death penalty" cases. See Prettyman, Jr., *Death and the Supreme Court* 297–98 (1961). But Section (e) of Title II purports to remove even this modest check on state courts by purporting to take away the U.S. Supreme Court's power to "disturb in any way" a state court's finding that an admission or confession was "voluntarily made".

It is well to remember that but for the intervention of the U.S. Supreme Court, the defendant in *Brown* v. *Mississippi* would have been convicted on the basis of a confession obtained after thirty-six hours of continuous interrogation by police "relays"; the defendant in *Malinski* v. *New York*, 324 U.S. 401 (1945) would have been convicted on the basis of a confession obtained from him only after he had been stripped of all his clothing for three hours; and the defendant in *Davis* v. *North Carolina*, 384 U.S. 737 (1966) would have been convicted on the basis of a confession taken from him only after he had been questioned an hour or two each day *for sixteen days*—during which time no one other than his police captors saw or spoke to him. All of these confessions—*according to the state courts*—were "voluntarily made."

In a few short days we shall celebrate "Law Day." On that day leaders of the Congress and the bench and bar will undoubtedly point with pride to our "accusatorial, adversary system," of which the right to counsel and the privilege against self-incrimination are dominant features. A vote for Title II is a vote to honor our ideals *only* on "Law Day" and other ceremonial occasions, but to forget them the rest of the year.

Sincerely yours,

Layman E. Allen, Olin L. Browder, Paul D. Carrington, Robert A. Choate, Alfred F. Conard, Luke K. Cooperrider, Whitmore Gray, Robert James Harris, Carl S. Hawkins, Jerold H. Israel, John H. Jackson, Michael S. Josephson, Douglas A. Kahn, Yale Kamisar, Paul G. Kauper, Thomas E. Kauper, Arthur R. Miller, William J. Pierce, Terrance Sandalow, Joseph L. Sax, Stanley Siegel, Russell A. Smith, Theodore J. St. Antoine, Richard V. Wellman, L. Hart Wright, Kenneth L. Yourd, Members of the Faculty.

UNIVERSITY OF MICHIGAN LAW SCHOOL,
Ann Arbor, Mich, April 25, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: This letter relates to Title II of the Omnibus Crime Control and Safe Streets bill (S. 917), recently reported by the Senate Judiciary Committee. Because I believe the provisions of Title II are founded on erroneous assumptions and constitute a serious threat to the American tradition of constitutional government, I feel obliged to state the basis for my views.

Having spent the larger part of my professional life in the study of criminal law and the administration of criminal justice in the United States. I am, of course, aware of the agitated concern engendered in some quarters by the decisions of the U.S. Supreme Court in cases like *Miranda* and *Mallory*. I shall not pause to argue the merits of these decisions; nor am I disposed to challenge the sincerity of those who have disagreed with the Court. I am convinced, however, that the Court's critics have unreasonably exaggerated the importance of these decisions in their efforts to explain the problems confronting American law enforcement today. The evidence overwhelmingly supports the view that the crime rate and the comparative ineffectiveness of law enforcement in this country have very little to do with judicially fashioned rules of evidence of the sort announced by the Supreme Court in *Miranda*, *Mallory*, *Wade*, and kindred decisions. In my judgment, the effort to make the Supreme Court the scapegoat for the failure of American law enforcement is wrong for the same reasons that the sale of patent-medicine cures for cancer are wrong: it is based on an erroneous diagnosis of the illness and is dangerous because it diverts attention from the real problems and creates false hopes in an ineffectual remedy.

But even more serious is the method Title II proposes. Stripping the Court of jurisdiction in certain types of cases because members of Congress happen to disagree with the Court's view of the constitutional commands is a step down a road that leads to fundamental alteration in the distribution of powers in the American system. Once a first step is taken along this path, it will be difficult to avoid other steps in the future. I regard Title II as fully as ominous an assault on the Supreme Court as the court-packing proposal of the 1930's. In some respects it may be a more insidious threat, for it is less forthright and candid, and its dangers less apparent to the public at large.

I strongly urge that Title II be deleted from the bill.

Sincerely yours,

FRANCIS A. ALLEN,
Dean.

UNIVERSITY OF MISSOURI,
SCHOOL OF LAW,
Columbia, Mo., April 24, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Your letter to Dean Joe E. Covington dated April 19, 1968, and concerning S. 917 has been referred to me for reply. Your letter requested a reply not later than April 29.

All of the undersigned members of this faculty are specially concerned with either Constitutional Law, Criminal Law or Evidence.

Due to the shortness in time, it is not possible for us to delineate the reasons for our views. It will have to suffice that, for reasons of unconstitutionality or undesirability, we are opposed to all of the provisions included in Title II of S. 917. Please add our names to the list of opponents of this proposed legislation.

Respectively,

WILLIAM P. MURPHY,
Professor of Law.
EDWARD H. HUNVALD, Jr.
Professor of Law.
T. E. LAUER,
Associate Professor of Law.
GRANT S. NELSON,
Assistant Professor of Law.
ELWOOD L. THOMAS,
Assistant Professor of Law.

UNIVERSITY OF NORTH DAKOTA,
SCHOOL OF LAW,
Grand Forks, N. Dak., April 23, 1968.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR TYDINGS: Thank you for your recent letter with its enclosure of S. 917. Since I teach our criminal procedure course, the Dean has forwarded the materials to me.

Not only do I regard the statute as being itself unlawful, to the extent that it attempts to correct a constitutional decision through ordinary legislation, but I further believe that it would reverse a very wholesome trend in recent Supreme Court decisions: toward removing justice from the list of marketable commodities, and encouraging economic and ethnic minorities to respect the law by demonstrating to them that the law respects them. It is decisions such as Miranda which provide the most effective corrective to "crime in the streets"; not bills such as S. 917, however deceptively labelled.

Thank you for your efforts to defeat this statute.

Very truly yours,

MARTIN B. MARGULIES,
Assistant Professor of Law.

NORTHEASTERN UNIVERSITY SCHOOL OF LAW,
Boston, Mass., April 22, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Enclosed is a statement concerning Title II of S. 917. You are free to use it in whatever way you wish.

I am in complete agreement with your view on this bill, and its progress to date reflects an unrealistic attitude on the part of the members of Congress.

Sincerely,

THOMAS J. O'TOOLE,
Dean.

STATEMENT OF DEAN THOMAS J. O'TOOLE, NORTHEASTERN UNIVERSITY SCHOOL OF LAW, CONCERNING TITLE II OF S. 917 (THE "OMNIBUS CRIME CONTROL BILL")

So far as it applies to state criminal trials, Title II appears to be constitutional in the light of existing precedents.

Its constitutionality depends, however, on a technicality. Under Article III of the United States Constitution, the appellate jurisdiction of all the federal courts and the original jurisdiction of the lower federal courts are subject to Congressional definitions. If Congress were to enact Title II, it would be saying to some persons convicted in state criminal trials: even if you have been unconstitutionally convicted, we are depriving you of any federal opportunity to have your rights vindicated. By withdrawing the rights to writ of habeas corpus, Congress would be sharply narrowing this most ancient and hallowed device by which Americans and their British forbears have protected their personal liberty against arbitrary government action.

Insofar as it applies to criminal trials in the federal courts, the proposed Title II is blatantly unconstitutional. The Mallory rule has never been placed on constitutional grounds, but Miranda and its ramifications are nothing more than an explicit development of the constitutional rights to fair trial and to representation by counsel. In nonlegal terms, these judicial rulings represent not simply a desire to avoid convicting the innocent, but also an attempt to secure recognition of the human dignity of all persons, even those who stand accused.

At this point in national history, when constructive and imaginative approaches to our urban problems are desperately needed, the enactment of Title II would be an angry and vindictive attempt to return criminal justice to a more barbaric stage. Worse than that, it would be a declaration by Congress of disaffection with our Bill of Rights and the independence of our federal judiciary.

UNIVERSITY OF PENNSYLVANIA,
THE LAW SCHOOL,
Philadelphia, Pa., April 24, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: We write to express our strong concern over the provisions of Title II of S. 917 (the "Safe Streets" bill), currently before the Senate.

Every one of the provisions of this Title presents a serious constitutional question. To the extent this means only that they may prove to be ineffective or invalid, that would not necessarily be sufficient reason to oppose passage. The bulk of these provisions, however sweep much too broadly, creating serious additional problems going to the core of our governmental system.

The provisions which would restrict the jurisdiction of the Supreme Court and of the inferior federal courts (especially with regard to habeas corpus) are particularly troublesome. By their terms, these provisions would cut federal jurisdiction back so far as virtually to eliminate federal review in nearly all state criminal cases—regardless of the number or kinds of federal issues which may have been involved. There is substantial question whether these provisions would actually be effective as written or whether they might be partially or entirely unconstitutional. To the extent they might operate, however, they would alter the nature of our system far beyond what is necessary or appropriate in the circumstances.

The provisions seeking to redistribute authority within the federal judicial structure are less troubling only in degree. They also present constitutional questions and also would, if effective, work serious dislocation in the over-all functioning of the system.

Of greatest importance, the provisions of Title II would pose the issues of constitutionality in a manner likely to produce a confrontation between the legislative and judicial branches of our Government from which the Nation can only suffer. No matter how the immediate questions might be resolved in the specific cases, the long-range effects of such a confrontation could be even more serious.

One does not have to agree with the pace or even the content of the decisions of the Supreme Court in the area of criminal procedure to conclude that the corrective measure proposed in Title II is too blunt an instrument which would cause unnecessary damage to our system as a whole.

Sincerely yours,

JEFFERSON B. FORDHAM,
Dean.
ANTHONY G. AMSTERDAM,
Professor of Law.
STEPHEN R. GOLDSTEIN,
Assistant Professor of Law.
A. LEO LEVIN,
PAUL J. MISHKIN,
CURTIS R. REITZ,
LOUIS B. SCHWARTZ,
BERNARD WOLFMAN,
Professors of Law.

SOUTHERN UNIVERSITY,
Baton Rouge, La., April 25, 1968.

Re S. 917 (omnibus crime control and safe street bill).

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SIR: In view of the immediacy of your need for a reply to your letter of April 19, 1968, the views expressed herein are not supported by research. There are, however, some fundamental constitutional principles that are involved in the proposed bill above referred to. Specifically, the Fourteenth Amendment protections of a "Due Process" would be seriously eroded should such a bill become law.

Further, to enact such a bill into law would set a dangerous precedent on the constitutionally fixed balance of power between the Executive, Judicial and Legislative branches of government. The historic function of the Supreme Court in maintaining order in meeting out justice under a single constitutional principle would be seriously imperiled and would be to permit as many different applications of law as there are State Supreme Courts. This to me would cause utter chaos in our system of administration of justice.

I trust that my views will aid in this type of bill which seems to be emotionally inspired rather than legally reasoned with justice as its aim.

Respectfully,

A. A. LENOIR.

THE UNIVERSITY OF SOUTH DAKOTA,
Vermillion, S. Dak., April 24, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Your letter of April 19th calling attention to the inclusion of Title II in the Omnibus Crime Control and Safe Streets bill, and to the one-vote approval by the Senate Judiciary Committee of the provisions of Title II, caused a great deal of consternation here in this Law School. I personally am appalled by the action of the Committee. This is true despite the fact that I have a great deal of sympathy for some of the goals which Title II is rather obviously attempting to attain. It is incomprehensible to me that the Judiciary Committee of the United States Senate should lend its support to an attempt to change drastically our system of adjudication of constitutional rights in order to overturn specific products of that system. It is even more incomprehensible that the Committee should attempt to take such action with no publicity and little or no attempt to explain to either the legal community or to the public in general the purposes or the implications of its action.

Since receiving your letter, I have made personal telephone calls to a number of the outstanding legal leaders in the state of

South Dakota. Not a single one of them was aware of the existence of Title II, and although quite a few of them were something less than antagonistic toward its purposes, without exception they were firmly opposed to the methods being used to fulfill those purposes.

The action of the Committee in this instance is completely illogical and ill considered. If the appellate system is under direct attack, the entire system should be studied and revised where necessary in a uniform logical manner. If, on the other hand, the attack is directed toward individual case results of this system rather than toward the system itself, the enactment of Title II, which jeopardizes our existing constitutional protection, borders on representative irresponsibility. Action of this sort should not be taken without full public discussion involving participation by the Bar, legal educators, and the legal community, as well as by all other segments of the interested public.

Please let me know if I can be of further assistance in your attempts to delete Title II from the Omnibus Crime Control and Safe Streets bill. I am forwarding copies of this letter to Senators McGovern and Mundt, and to the President of the South Dakota State Bar, together with my recommendation that they do everything within their power to prevent the enactment of Title II.

Sincerely yours,

JOHN D. SCARLETT, *Dean.*

THE UNIVERSITY OF TULSA,
COLLEGE OF LAW,
April 23, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate, Committee on the Judiciary, Washington, D.C.

DEAR SENATOR TYDINGS: Thank you for your letter and the copy of S. 917 "Omnibus Crime Control and Safe Streets Bill." Of course the Senate and House have the power to withdraw federal habeas corpus jurisdiction over all state criminal convictions, although I feel that this would be a most disastrous exercise of that power.

Miranda and *Wade* simply cannot constitutionally be overruled by legislative fiat. I sincerely hope that you are successful in having these provisions stricken from the bill.

Thank you again for furnishing me with these materials. If I can be of further assistance, please do not hesitate to contact me.

Sincerely yours,

BRUCE PETERSON, *Dean.*

STANFORD SCHOOL OF LAW,
Stanford, Calif., April 23, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I have just seen a copy of Title 2 of Senate 917 as approved by the Senate Judiciary Committee and wish to write you to protest against its possible enactment. First, though not most important, the constitutionality of at least two of its provisions is most dubious. I think that a reading of the Supreme Court decisions indicates that at least our present Supreme Court would be prepared to hold the overruling of the Miranda or the Wade decisions unconstitutional; and although the legislative overruling of the Mallory decisions is not so clearly unconstitutional, it would be without effect as a practical matter providing Miranda remained standing.

Secondly, the efforts to contact the jurisdiction of the United States Supreme Court and the general habeas corpus of jurisdiction though perhaps constitutional are all the more dangerous. The fact is that once it becomes popular to restrict the jurisdiction of the Supreme Court and the lower federal courts in the area of constitutional rights we are well on our way to removing the constitutional rights of the individual from judicial protection.

Finally and most important, entirely apart from any unconstitutionality, I would like to protest even more against the lack of wisdom of Title 2. The protections which Title 2 is meant to repeal are for the most part protections given to the poor and the dispossessed against a government which more and more they are feeling they have no share in. To abolish these protections, rather than decreasing crime, could only have the effect of increasing the alienation of large numbers of our minority group members, of playing into the hands of the extremists who tell them that the "establishment" is rigged against them and of increasing violence.

I hope that this bill can be defeated not only before it has any chance of becoming law but before widespread publicity can be given it. The very fact that Congress is considering such a bill at this time is a blot upon the legislative process.

Yours very truly,

JOHN KAPLAN,
Professor of Law.

THE UNIVERSITY OF TENNESSEE,
COLLEGE OF LAW,
Knoxville, Tenn., April 23, 1968.

Hon. JOSEPH T. TYDINGS,
U.S. Senate,
Judiciary Committee,
Washington, D.C.

DEAR SENATOR: We are pleased to write in support of your efforts to remove Title II from S. 917, the so-called Omnibus Crime Control and Safe Streets bill, purporting to repeal by statute the constitutionally grounded *Miranda* and *Wade* decisions, to overrule the *Mallory* decision, to remove the Supreme Court appellate jurisdiction to review state decisions admitting confession or eyewitness testimony in criminal cases, and to abolish federal habeas corpus in all state criminal convictions.

First and foremost, this proposal violates the basis of our constitutional system, which has rested, since Chief Justice Marshall, upon the view that the judiciary has the final determination as to what a constitutional provision means. The Court occupies a most advantageous position in this function, being removed from the political pressures and the emotions of a moment, the bias of a particular social or political segment of our country, and being the principal body which by custom is supposed to be impartial and judicial, and to weigh the welfare of the nation over the concerns of particular groups.

Second, experience demonstrates that the protection we can count on to preserve the new experiment of the founding of our nation, and the new ideal of government which was created, has most consistently been the United States Supreme Court.

Third, the decisions of the states have shown repeatedly that even the most fundamental and basic elements of due process are often disregarded.

Fourth, the decisions of the Court, debatable though a few have been, have, in the overwhelming majority, been consistent with the concepts of freedom for those who constitute a minority, whether the classification is based upon accusation of crime, color, race, religion, or political philosophies.

It is most disturbing to visualize a time when liberties will depend upon a particular state's interpretation of what the welfare of the nation requires, which will depend all too frequently upon the emotional and unwise preoccupations with some local bias or self interest. These are the dangers which the constitution sought to avoid. Without the jurisdiction of the Supreme Court, freedom will depend upon what state decides the question. There will be no uniformity. If the day ever comes when the Supreme Court has been effectively muzzled we will live in a different world. We will live in a nation that will have become more like the totalitarian governments of the Fascist and Communist world, which we purport to abhor, which we ought, we believe, to resist.

We hope that your efforts and those of others of like mind will succeed in arresting this tendency toward an era when freedom as we know it, will become a weakened, once adhered to, ideal.

We recognize the need to control crime more effectively and to make streets more safe. We think that this can be done in ways other than removing from our system its basic characteristic. Better trained and more efficient personnel in the law enforcement area, more effective regulation by and of the criminal law administration machinery, the removal of some of the most significant causes of the current crime picture all should be pursued much more thoroughly before the solutions are sought by the provisions of Title II.

We realize that liberty has its costs, but we believe that the destruction of liberty has a greater cost. We do not believe that we can afford the cost to our system of weakening the underpinning to freedom and liberty which the United States Supreme Court has provided.

Yours respectfully and sincerely,

HAROLD C. WARNER,
Dean.
JOSEP G. COOK,
Assistant Professor of Criminal Law.
DON F. PAINE,
Assistant Professor of Evidence.
ELVIN E. OVERTON,
Professor of Constitutional Law.
JACK D. JONES,
Associate Professor of Law.
DURWARD S. JONES,
Assistant Professor of Law.
FORREST W. LACEY,
Professor of Law.
JERRY J. PHILLIPS,
Assistant Professor of Law.
DIX W. NOEL,
Professor of Law.

UNIVERSITY OF VIRGINIA,
SCHOOL OF LAW,
Charlottesville, Va., April 23, 1968.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR TYDINGS: Your letter of the 19th only came to my attention today. The timing is somewhat unfortunate in view of the fact that you need replies before April 29 and the press of other matters on such short notice does not give me the opportunity to make the type of response which your letter deserves.

I would like in any event to give you what quantitative help I can by registering my firm opposition to Title II of S. 917. It is, in my opinion, riddled with Constitutional infirmities and is likely if it becomes law to be directly provocative of a confrontation between the Court and Congress such as we have never seen. Although those sections which purport to deprive the federal courts of jurisdiction to review state court judgments undoubtedly derive some support from decisions such as *Ex Parte McCardle*, I do not believe that the present Court would, or should, read Article III to give Congress the power to exempt from the federal system review of such fundamental matters. To do so would give the Congress the power to repeal the Bill of Rights through the back door and to make the Supremacy Clause meaningless verbiage.

Let me also add that I am one who has grave doubts about the wisdom and necessity of cases like *Miranda* and *Wade*, although more to their detail than to the principles for which they stand. But I do not believe that precipitate repeal—even if it

could be effective against Constitutional attack—is a wise course, if only for the reason that those who accomplish it will think that they've done something to solve "the crime problem" or "crime in the streets". What they will actually have accomplished, on the other hand, will have been a Constitutional crisis which has little bearing at all on a real solution to our problems.

I hope that you find this letter helpful, and that you are successful in your efforts to defeat this measure. I am only sorry that I could not devote more time to helping you make a case.

Sincerely,

PETER W. LOW,
Assistant Dean,
Associate Professor of Law.

WEST VIRGINIA UNIVERSITY,
THE COLLEGE OF LAW,
Morgantown, W. Va., April 24, 1968.

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: Dean Paul Selby, Jr., of our College has shown me your letter of April 19 calling to his attention Title II of S. 917 as it was reported by the Senate Judiciary Committee. I am shocked by the contents of Title II as it was reported by the Senate Committee and join you in a sincere concern over the grave consequences that could result from enactment of the Bill in this form. The Title as drafted would wipe out three decades of gradual improvement in the administration of criminal law as encouraged by Supreme Court decisions.

As the Bill is drafted even the original confessions case—*Brown* v. *Mississippi*—where the State Court blatently approved the admission of a confession extracted by an admitted brutal beating would lie beyond the power of Federal Courts to control. While some have fairly complained that the Supreme Court rulings in regard to confessions are overly stringent, this Bill responds out of proportion to that complaint. It throws out the baby with the bath. It strikes me that this is a major assault upon the dignity of the Federal Judicial System as a whole and I think it does not represent responsible legislation at all. I am shocked that Congress could consider going so far.

Additionally, grave Constitutional doubts are raised as to whether Congress can completely remove the availability of all Federal Courts to protect recognized Federal Constitutional rights. I urge you to work actively for the defeat of Title II. I am sending copies of this letter to Senators Randolph and Byrd urging them to take a similar position. This is a matter of utmost gravity in my estimation and represents a serious threat to the proper administration of criminal justice in the United States today.

Very truly yours,

WILLARD D. LORENSEN,
Professor of Law.

YALE UNIVERSITY,
LAW SCHOOL,
New Haven, Conn., April 26, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Many thanks for your letter of April 19, alerting me to the impending Senate debate on S. 917.

I am fully in agreement with your view that Title II of S. 917 should be stricken from the bill. Title II is, in my judgment, dangerous, retrograde legislation, which would, if enacted into law, strip American citizens of vital and hard-won procedural rights.

As I see it, Title II would, if adopted, have at least four calamitous sets of consequences:

(1) The new Section 3501 of Title 18 would strip federal criminal defendants—including those in the District of Columbia, where Congress has special responsibility to the citizens who cannot elect their own lawmakers—of the shields against official abuse written into law by the Supreme Court in *Mallory v. United States,* 354 U.S. 449; *Miranda v. Arizona,* 384 U.S. 436, and kindred decisions. Bearing in mind that *Miranda* was itself a declaration of the requirements of due process, there would seem grave doubt that a legislative overruling of *Miranda* is, at least as to federal defendants, constitutional. Nor is the constitutionality of the proposed section saved by the fact that the Court, in *Miranda,* invited legislative approaches to the problem of interrogation procedures the Court was there considering. Plainly enough, what the Court was soliciting was alternative safeguards of defendants' due process rights, not simple obliteration of the safeguards there formulated.

(2) The new Section 3502 of Title 18 would apparently deprive federal courts, including the Supreme Court, of authority to review the voluntariness of confessions admitted in evidence in state criminal trials. At one stroke this proposal would destroy one of America's firmest bulwarks against barbarous forms of law-enforcement.

Adoption of this section would mean repudiation of Chief Justice Hughes' historic decision in *Brown v. Mississippi,* 297 U.S. 798, reversing death sentences imposed on Negro defendants convicted on the basis of confessions elicited by systematic beating (a deputy sheriff who acknowledged whipping one of the defendants said he hadn't been unduly severe: "Not too much for a negro; not as much as I would have done were it left to me." 297 U.S. at 284).

The proposed legislation would undercut *Payne* v. *Arkansas,* 356 U.S. 560, in which Justice Whittaker summarized the relevant evidence as follows (356 U.S. at 567):

"The undisputed evidence in this case shows that petitioner, a mentally dull 19-year old youth, (1) was arrested without a warrant, (2) was denied a hearing before a magistrate at which he would have been advised of his right to remain silent and of his right to counsel, as required by Arkansas statutes, (3) was not advised of his right to remain silent or of his right to counsel, (4) was held incommunicado for three days, without counsel, advisor or friend, and though members of his family tried to see him they were turned away, and he was refused permission to make even one telephone call, (5) was denied food for long periods, and, finally, (6) was told by the chief of police "that there would be 30 or 40 people there in a few minutes that wanted to get him," which statement created such fear in petitioner as immediately produced the "confession." It seems obvious from the *totality* of this course of conduct, and particularly the culminating threat of mob violence, that the confession was coerced and did not constitute an "expression of free choice," and that its use before the jury, over petitioner's objection, deprived him of "that fundamental fairness essential to the very concept of justice," and, hence, denied him due process of law, guaranteed by the Fourteenth Amendment."

And the proposed legislation would likewise put beyond Supreme Court review a case like *Leyra* v. *Denno,* 347 U.S. 556, 561, where Justice Black observed:

"First, an already physically and emotionally exhausted suspect's ability to resist interrogation was broken to almost trance-like submission by use of the arts of a highly skilled psychiatrist. Then the confession petitioner began making to the psychiatrist was filled in and perfected by additional statements given in rapid succession to a police officer, a trusted friend, and two state prosecutors. We hold that use of confessions extracted in such a manner from a lone defendant unprotected by counsel is not consistent with due process of law as required by our Constitution."

In considering the impact of legislation which would remove the voluntariness of confessions in state criminal trials from federal scrutiny, you may feel, as I do, that the following facts about confession cases adjudicated in the Supreme Court in the quarter-century following *Brown* v. *Mississippi,* are relevant:

"In twenty-five years, from February 1936 (when *Brown* v. *Mississippi,* the path-breaking coerced-confession case, was decided), to June 1961, the Supreme Court set aside state court convictions on coerced-confession grounds on twenty-two occasions. Of the twenty-seven defendants involved in these cases, nineteen were Negroes and six were whites; the race of the other two is not disclosed by the record. Sixteen of the nineteen identifiable Negroes were tried in Southern courts. Only one of the six identifiable whites, and neither of the two racially unidentified defendants, was tried in a Southern court." (Pollak, The Constitution and the Supreme Court, vol. II, p. 198.)

(3) The full impact of proposed Section 3503 is hard to determine. But it apparently would, at a minimum, purport to insulate federal and state criminal convictions based on eye-witness testimony from federal judicial review even where, for example, such testimony was perjured. Of course, the introduction into evidence of perjured testimony, known by the prosecution to be false, was denominated a denial of due process of law as long ago as *Mooney* v. *Holohan,* 294 U.S. 103. To write into federal law the proposition that federal criminal convictions based on perjured testimony should be immune from appellate or collateral attack would seem a plain violation of the Fifth Amendment. To create a cognate immunity for state criminal convictions of this nature would seem to generate constitutional questions of comparable gravity.

(4) If the proposed new Section 2256 of Title 28 means what it appears intended to mean, it would virtually erase the cherished writ of federal habeas corpus as it applies to state prisons. Taken together with the preceding sections of title II, it would complete the work of making a large spectrum of vital federal claims, vainly asserted in state criminal courts, almost invulnerable to vindication by the federal judiciary. It seems not inappropriate to recall that federal habeas corpus for state prisoners chiefly derives from the Habeas Corpus Act of 1867, adopted to give some measure of reality to the new liberties contained in the Fourteenth Amendment, which had a few months earlier been submitted to the states for ratification. It would indeed be a grim irony if Congress were to celebrate the centennial of the Fourteenth Amendment by jettisoning the Great Writ.

Very sincerely,

LOUIS H. POLLAK.

P.S. In the body of this letter I have supposed that the proposals under discussion were intended to accomplish—and were so drafted as to be successful in accomplishing—very radical changes in the existing structure of federal judicial review of criminal convictions. But it is, of course, arguable that some of the proposals do not go as far as I have feared they may.

For example, the proposed new Sections 3502 and 3503 of Title 18 in terms deny to the Supreme Court and other Article III courts authority to "review [or to] reverse, vacate, modify, or disturb in any way, a ruling of any [state] trial court . . . admitting in evidence" a confession or so-called eye witness testimony. Normally, of course, the Supreme Court or other federal court does not, in passing upon a challenged state court conviction, "review, reverse, modify, or disturb" any particular evidentiary ruling except in the sense of determining whether authoriz-

ing the trier of fact to base a judgment of conviction on, *inter alia*, certain challenged evidence, worked a denial of due process. In short, the federal court acts on the totality of the state adjudication, of which a controversy with respect to the constitutionality of certain evidence may be a, or even the, key element. If the federal judicial scrutiny is by the Supreme Court on direct review, a disposition adverse to the state is a reversal of the *judgment of conviction*, not the evidentiary ruling. If the federal judicial scrutiny is by a district court on habeas corpus, a disposition adverse to the state is, ordinarily, not even an order vacating the judgment of conviction, but rather an order releasing the petitioner (notwithstanding the judgment of conviction; but, ordinarily, subject to the state's entitlement to reprosecute in a trial conforming with the mandate of due process).

Similarly, the proposed Section 2256 of Title 28 would deny to the Supreme Court or any other Article III court authority "to reverse, vacate, or modify any . . . judgment of a State court" following a verdict or plea of guilty, except on appeal or certiorari from the highest court of the state which has appellate jurisdiction to review the trial court. By placing the proposed section in the habeas corpus part of Title 28, the drafters presumably intended the proposed new section as a limitation on habeas corpus; and this is the sense in which, in the body of this letter, I have construed the proposal. However, as I have noted just above, a federal habeas court deciding adversely to the state does not ordinarily "reverse, vacate, or modify" the judgment pursuant to which the petitioner is detained; rather, the federal habeas corpus court ordinarily issues a (contingent) release order notwithstanding the (constitutionally defective) state court judgment of conviction. So, the question arises whether the provision as drafted actually accomplishes what I suppose to be the draconian curtailment of federal habeas corpus jurisdiction intended by the drafters. If the language does not accomplish this purpose, however, it is hard to assign operative effect to the quoted language, or to the preceding language purporting to assign "conclusive" effect to the state court judgment as to "all questions of law or fact which were determined, or which could have been determined" in the state trial court. (If the proposal works the drastic cutback on habeas corpus which I suppose was intended, very serious constitutional questions are presented—questions which are the more serious in proportion as the companion provisions of Title II curtail federal judicial scrutiny, by direct review on appeal or certiorari, of substantial claims of denial of due process of law.)

BILL BAGGS OF MIAMI NEWS CALLS PEACE TALK SITE DISPUTE "NIT-PICKING"

Mr. HARTKE. Mr. President, William Baggs is one of America's outstanding journalists and editor of the Miami News. He was in Hanoi at the time President Johnson proposed the opening of preliminary peace talks, and observed the "prompt" response of the Central Committee as the governing force in North Vietnam.

In his regular column in the Miami News, Mr. Baggs commented recently on the peace talks offer of President Johnson and our failure to implement it realistically with agreement on a meeting site. Our diplomats, he says, "have amused themselves in a minuet of pataphysics," as they have proposed sites known to be unacceptable to Hanoi and dismissed not only Pnompenh but Warsaw as well. Now, he says, "we are almost at the point of denying any prospect of a meeting by nit-picking over where to meet."

Mr. President, I ask unanimous consent that Mr. Baggs' column from the April 22 Miami News, entitled "L. B. J. May Blow Viet Peace Talk," may appear in the CONGRESSIONAL RECORD.

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

L. B. J. MAY BLOW VIET PEACE TALK

Lyndon Baines Johnson and his counsellors seem, more and more, to be expert mechanics in nit-picking.

In the late days of March and the early days of April, Mr. Johnson made what appeared to be a magnanimous gesture: the country was vigorously divided over the war in Vietnam; he would restrict bombing of the North Viet territory to the Demilitarized Zone and, putting a kind of Confederate Imprimatur on it, he announced he would not be a candidate for President.

Indeed, this appeared magnanimous for Lyndon Johnson. And the response from Hanoi, witnessed by this reporter who was in the city at the time, was prompt.

NORTH VIETNAMESE RESPONDED QUICKLY

In the first five days of April, the Central Committee which governs North Vietnam, met and responded to the President with two papers. The first of these papers, on April 3, Hanoi time, said that a representative of North Vietnam would meet with a representative of the U.S. Within 12 hours, Mr. Johnson responded that a representative of the United States would meet with the diplomat from North Vietnam. What hasn't been reported to date is that the North Vietnamese government, on April 5, sent a specific proposal for a meeting.

Since then, our diplomats have amused themselves in a minuet of pataphysics. The North Viets suggested we meet in Pnom Penh. This is a lazy French colonial city stuck away down in Cambodia, near the Mekong River, and a reluctance by Mr. Johnson to meet there is understandable. We do not recognize Cambodia and Cambodia does not recognize us. Communications could be difficult. Our affairs in Cambodia are handled by the Australian Ambassador, and it is known that communications between Washington and the Embassy of Australia in Pnom Penh have been less than efficient.

However, then the North Viets suggested Warsaw. Last week, many persons in the Department of State thought Warsaw was a perfectly acceptable site. It is a very bugged town. But the diplomats could arrange private conversations in Warsaw. Heck, our own diplomats have been meeting with the Chinese there for years in relative privacy.

STATE DEPARTMENT MEN OVERRULED

Somewhere between the State Department and the White House, the idea of meeting in Warsaw was overruled, and this was strange. Warsaw is at least as foreign to the North Viets as it is to the United States. Warsaw is "western country." And the Asians are suspicious of the round-eyes of our western civilization. Why we rejected Warsaw remains a mystery to a number of people who think that there is some sincerity in the announced willingness of the North Viets to come to the conference table.

Meanwhile, our remarkable Secretary of State, Dean Rusk, has proposed sites which presumably the Secretary of State would know are not acceptable in the circumstances. For instance, the North Viets are not about to meet in New Delhi for a simple reason. India and China are very hostile to one another, and the territory of North Vietnam lives in the large and grotesque shadow of China.

The suggestion by Mr. Rusk that the two parties meet in Laos, to be crude, verges on the idiotic. The North Vietnamese very well know that our country uses Laos as a base for military action against the North Vietnam military.

Of course, there are men in our State Department who very well wish to see this questionable war ended. But in a very confusing method of decision-making, these men are cut off at the knees every time a prospect is hoisted.

Mr. Johnson or his anonymous counsellors or Mr. Rusk or someone up there in the beehive of our diplomacy has been fuzzing up this entire event.

The simple facts are that Mr. Johnson made a gesture and this reporter was in Hanoi at the time and was privy to the response of the North Viets. Their position was clear enough. If Mr. Johnson wanted to talk, they were willing.

But now, it seems, we are almost at the point of denying any prospect of a meeting by nit-picking over where to meet. It is interesting that our government has not proposed the City of Paris, where both countries maintain diplomatic missions.

Moreover, the danger inherent in all of this diplomatic nonsense is that a failure to agree on a meeting place could not only blow the prospect of talks, but also could lead to a much more intense conflict in Southeast Asia.

DR. HOWLETT SUPPORTS THE GUN BILL

Mr. DODD. Mr. President, yesterday at All Souls Unitarian Church in Washington, its distinguished minister, the Reverend Duncan Howlett, preached a sermon of exceptional eloquence and cogency, urging the enactment of the gun control legislation that comes before the Senate this week.

I would particularly invite the attention of Senators to the following brief excerpt from Dr. Howlett's remarks:

Perhaps through the efforts of the National Rifle Association, perhaps through the astonishing success of their campaign of misrepresentation, we shall reach a new level of sophistication in this country regarding mail to Congress. Knowing the results of the public opinion polls, and knowing that the deluge of antigun control mail is based upon misrepresentation, cannot our Senators, or most of them, now ignore it and vote their wisdom and conscience on this matter?

All we have here is a paper tiger. Will not the whole campaign collapse when it becomes clear to the gun owners, as it surely will, that all their fears are groundless? Would a Senator who voted for control be turned out of office if, despite the new legislation, the hunters found they could still go hunting, with no more red tape than at present; if the gun collectors found they could still collect guns with no more difficulty than they have now, and if targetmen and others found they could continue their sport with the same freedom from restrictions they now enjoy?

If our Senators will vote their convictions on this issue, I believe we shall have taken another forward step in the operation of democratic government.

Mr. President, I ask unanimous consent to have printed in the RECORD the complete text of Dr. Howlett's sermon, entitled "Guns for the People."

I hope that Senators will find the time to give it the careful reading it merits.

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

GUNS FOR THE PEOPLE

(A Sermon by The Reverend Duncan Howlett, D.D., All Souls Church Unitarian, Washington, D.C., Sunday, April 28, 1968)

In a democracy the voice of the people rules and it does so to a greater degree than we ordinarily suppose. The reason is that in order to be elected, our leaders must reflect the thoughts and feelings of most of the people on most of the issues they care about. Yet our leaders often do not reflect our views. Often they vote contrary to the popular will.

There are many reasons why they do this. Sometimes they do it for conscience' sake. More often they do it because there isn't any popular will: people haven't made up their minds, or they are indifferent. But most often the people do not even know that a particular issue exists. Such ignorance among the voters may seem deplorable, but in a democracy it is inevitable. Even with the aid of the League of Women Voters and other similar groups, people, already busy with their own affairs, cannot play watchdog on all the bills that come—or fail to come—before the Senate, the House, their own state legislatures, the issues before their city councils, school boards, and all the civil and social organizations to which they belong as well.

That is why special interest lobbies are so effective. They operate in a political vacuum. The great majority of voters does not even know of their existence, much less what they are up to. Thus, on an issue where most people are ignorant, and totally inactive, a small, well-organized minority can convey the impression that theirs is the only point of view the voters have. And thus they influence their elected representatives out of all proportion to their number.

We have before us in the Senate right now a classic example of this kind of political pressure. For a generation a highly organized body of gun-lovers in this country have prevented the enactment of any effective legislation to control the distribution and possession of firearms among the American people. And through most of this time, most of the voters have been quite ignorant of the fact.

Whenever any bill for any kind of gun control has been about to come before the Senate, the National Rifle Association, the National Shooting and Sports Foundation, the gun magazines and others so inundate the Senate with letters and telegrams from their constituents, opposing any gun legislation, the Senators feel powerless to act. The number of high-minded Senators who privately believe in gun control, but who vote against such bills in committee so that the bills never reach the floor for debate, is quite beyond belief.

In saying this, I impugn the integrity of none of these men. Among them are some of the ablest, most forward-looking, and high-minded men in the Senate. They are sincerely trying to represent their constituents. Let me illustrate the point with a story.

Last summer (1967) Senator Hruska called for more hearings on the gun bill then before the Senate. Evidence of the pressure that had meanwhile been built up against it can be seen in the number of Western Senators who took a position against the bill. Among them was Senator Frank Church of Idaho. Already in trouble with his constituents because of his strong stand against the war in Vietnam, he had distributed hundreds of petitions asking for support for his stand against any kind of gun control. He brought the results to the hearings. His petitions bore forty-four thousand signatures endorsing his stand against any gun control legislation at all, and but five lonely letters supporting such legislation. Which way would *you* vote under that kind of mandate? His is an extreme case, to be sure, but many Senators reported similar results from the mails and telegraph.

How do the National Rifle Association, the National Shooting and Sports Foundation and gun and sporting magazines induce people by the thousands and in all parts of the country to write the letters they do? By a simple appeal to their prejudices and fears. The propaganda from these groups consistently misrepresents the bills submitted to Congress. "Don't let them take your arms away," the gun media cry, although no bill that is taken seriously makes any such proposal. "This is only the first step," they warn darkly. "In the end they will confiscate your guns, disarm you and leave you helpless . . ."

The wide discrepancy between the facts and the propaganda sent out by gun magazines and organizations has been thoroughly documented. I wish there were time to present some of it to you. The most recent and one of the most complete analyses is by Richard Harris in *The New Yorker* for April 20. It is a first-class job and is well worth your reading. Unfortunately, this morning we have no time for documentation. I can only ask you to accept what I say and refer you to the sources if you want to check them. The Senate Subcommittee on Juvenile Delinquency will provide you with all the data you need. Best of all, go to the library and read some of the back issues of *The American Rifleman, Guns and Ammo,* and other similar media. Read for yourself the kind of distorted material that appears there.

Let me cite you an example from my own files of the inflammatory character of some of this material. Last May at the General Assembly of the Unitarian Universalist Association I clipped the following from the *Denver Post*. It was a front-page headline story: "Armed Civilian Units Urged to Curb Mobs," the headline read: "Rifle Association Sends Appeal to 800,000." The article begins: "Washington—The National Rifle Association has urged its 800,000 members to form armed civilian posses to provide 'a potential community stabilizer' against urban rioting. The Association has told its membership that "the best police on earth, alone, cannot stem the kind of mob violence that has swept many American cities.' Nine of the 11 urban disorders cited in the May issue of the Association's magazine as 'mob action on a scale unprecedented in the modern United States' were clashes involving Negroes."

Obviously, a lobby that would make such an appeal to prejudice and fear is not to be defeated by arguments. Every argument they have made has long since been demolished. All their falsehoods and misrepresentations have long since been exposed. Yet they go on repeating both. Nothing is left but the foot-in-the-door, nose-under-the-tent argument: if you pass this legislation, it is the first step toward the disarming of the people and the ultimate confiscation of all guns.

Since this is the only argument the gun lobby has left, let us consider it for a moment. Notice that it is a prophecy, not a statement of fact. Thus the only way to meet it is with another prophecy. But let us ground ours not on guesswork and fear, but on current statistics we have no reason to think will change unless the conditions that cause them change.

Present statistics on murder with guns—short, long, foreign, domestic—of every variety show that we can expect next year over 7,000 murders by gunfire. We can also confidently expect 18,000 deaths by the accidental discharge of a gun. I was unable to get any statistics on the number of people who were shot but managed to live, yet who, as a result, are maimed for life.

High as this rate is, it is accelerating. Who, then, can even guess how far a gun control bill would reduce these figures? The evidence from European countries, where strict gun control laws have long been in effect, gives some indication. My figures are for 1963, the latest year for which I could get them. In that year the United States could boast 2.7 murders by gunfire per 100,000 of population. In that same year, Switzerland had .11 per 100,000, or 1/25th as many as the United States. Great Britain had 1/50th as many, and the Netherlands 1/90th as many murders by gunfire as the United States. And the National Rifle Association dares to say that gun control legislation wouldn't do any good!

These few somber statistics by no means complete the evidence that suggests how things might change if we could pass a gun control law in this country. As you are no doubt aware, Senator Dodd, for all that has been said against him, has to his credit the fact that for years he has led the fight in the Senate for a gun control bill. In the spring of 1963, the Subcommittee on Juvenile Delinquency, of which he is Chairman, conducted an injury into crime and public danger caused by cheap, easy-to-get mail order guns. His work that spring was as unavailing as it had been in previous years, but as we now know, it was fearsomely prophetic. That bill, or certainly its predecessor had it been passed, might have prevented the assassination of President John Kennedy.

Reflect for a moment. Suppose the gun control bill of 1961 had been passed rather than buried in Committee as it was. Then on March 13, 1963, when Lee Harvey Oswald clipped a coupon from the February issue of the *American Rifleman* magazine and sent it to Klein's Sporting Goods Company in Chicago under the fictitious name of A. Hidell, the police would have learned of the shipment, or Klein's would not have been able to send the gun to Oswald.

It is at this point more than at any other in the whole tragic chain of events that his crime might have been prevented; here, in a bill still languishing in committee at that time, a bill whose provisions were such as to have made the crime very unlikely, at least as Oswald committed it. This thought, that the assassination of President Kennedy might have been prevented by legislation already before the Congress, had it been enacted, catches one by the throat.

When all this was revealed following the assassination there was a flurry of excitement on gun control legislation. It was then that a great many people learned for the first time how great the problem was. It was true with me. I had been vaguely aware of the problem but ignorant as to its scope and cause. Like most people, I had not known of the earlier efforts to get gun control legislation through the Senate, and of the character of the opposition to this effort.

My first sermon on gun control came the Sunday following our memorial service to John Kennedy. As a result of it, I experienced for the first time some of the fanaticism that characterizes the anti-gun control people. But the letters I received following that sermon were mild compared with those that followed my second effort a year later, a criticism of the Warren Report for not including a gun control law among its recommendations. I get some pretty hot letters sometimes, but it is not often that they contain the vituperation that bag of mail brought.

Nevertheless, incredible as it now seems, the hearings on the gun control bill held in December 1963 and in January and March 1964 were of no effect. The gun lobby was so strong that with the memory of a young President's martyrdom still searing the mind of the world, no progress on gun control was made, none. And no progress has been made since that time either.

There are certain scenes in American history upon which we look back with indignation and shame and with astonishment that

such things could happen. The death by gunfire of a brilliant young President was such an event. The death of a great moral and spiritual leader, Martin Luther King, was also. But I would like to describe to you one more. It is not another murder, not another martyrdom, not another assassination, but it bears upon these things and it sickens my soul as I think about it.

A year ago the National Rifle Association assembled here in Washington 10,000 strong for their national convention. Senator Edward Kennedy asked permission to address the assembly in order to lay before them the reasons for the gun bill then before the Senate and to refute the false arguments so consistently repeated in the pages of their magazine. Permission to address the national assembly was refused on the ground that the meeting he asked to address had been cancelled. Kennedy was, however, granted permission to speak to a closed session of the 75-man Board of Directors.

There he attacked the Association for its position and cited the deaths that occur annually in the United States from guns, as well as the mounting demand of the American people for some kind of gun control. He pointed out the falsity of their propaganda and reminded them of its effectiveness. He reminded them of the need for the Senate bill. He reminded them too that it would in no way interfere with the sport involved in the use of guns.

But Edward Kennedy did not remind them that as he spoke, his own brother lay buried not two miles from where they were gathered, the victim of rifle fire a gun law might have prevented. He did not need to. Which of his hearers did not reflect upon that dreadful truth while he was speaking to them. In silence they heard him appeal to their patriotism, their sense of honor and charity. In silence they beheld the tragedy in the figure that stood tall and unsmiling before them. In silence they sensed the ache in his heart, an ache that will never leave him quite, or the American people either.

What they said to one another after he left, they alone know. The hardness of their hearts was indicated by the scant notice given his words in their NRA magazine, matched by the now scare material on pending gun legislation with which its pages were soon filled. And now we have another great stain upon ourselves as a people in the martyrdom of our great moral and spiritual leader Martin Luther King, again by gunfire, again by the use of a gun the purchase of which might have been prevented by laws that have languished so long in Senate Committees.

How many more leaders must die before we wake up? How many more of our citizens must be murdered and maimed, raped and robbed at gunpoint before we are ready to act? Maybe not much longer. Maybe the hour has struck. Maybe the stranglehold of the gun lobby on the American Congress has at last been broken.

Next Wednesday, last year's gun control bill will be brought to the floor of the Senate for debate. It comes as Title IV in the Administration's Safe Streets and Crime Control bill. It was made a part of the bill the day after the assassination of Dr. King. That this bill should now be up for debate is an historic event. Since 1938 no bill to control the distribution and ownership of firearms has ever reached the Senate floor. Many such bills have been introduced but they have all been killed in committee. The death of Dr. King is too high a price to pay for this legislation. But this breakthrough is his bequest to us. Then in his memory, as a man of peace, let us see it through to enactment.

The half truths, the distortions, the misrepresentations of a generation of gun makers and users at last have run their course. The arguments are all in and they have been shown to be empty. Their alleged facts have been shown to be untrue. The gun lobby cannot forever persuade letter-writers to denounce bills that have never yet been drafted. Their long-continuing pattern of distortion, misrepresentation and fear lies open and exposed at last. The shoddiness of what they have been doing can now be seen by anyone who cares to look. News stories and magazine articles on their work are steadily increasing in number. There has, as you know, been a stunning series of editorials favoring gun control in the *Washington Post* by Alan Barth. Public opinion polls show that 71–85% of the American people now favor some kind of gun control, depending upon the circumstances.

Perhaps through the efforts of the National Rifle Association, perhaps through the astonishing success of their campaign of misrepresentation, we shall reach a new level of sophistication in this country regarding mail to Congress. Knowing the results of the public opinion polls, and knowing that the deluge of anti-gun control mail is based upon misrepresentation, can not our Senators, or most of them, now ignore it and vote their wisdom and conscience on this matter?

All we have here is a paper tiger. Will not the whole campaign collapse when it becomes clear to the gun owners, as it surely will, that all their fears are groundless? Would a Senator who voted for control be turned out of office if, despite the new legislation, the hunters found they could still go hunting, with no more red tape than at present; if the gun collectors found they could still collect guns with no more difficulty than they have now, and if target-men and others found they could continue their sport with the same freedom from restrictions they now enjoy?

If our Senators will vote their convictions on this issue, I believe we shall have taken another forward step in the operation of democratic government. We shall have attained a new level of sophistication in assessing the meaning of letters to Congress. We have always known that it doesn't matter how much mail a Congressman gets: that may only be a measure of the effectiveness of a propaganda agency. What matters is *why* he gets it. If the propaganda that produces it is true, he had better beware. But if it is false or misleading, this can be shown. If it is based on prejudice and fear, this too can be shown. When it is, the mail campaign can safely be ignored. It is my contention that most of the Senators could do this with Title IV of the Safe Streets bill.

But we can't put the entire burden on the Senate. And we have no right to. The voice of the people must be heard. Someone must speak for the 70%, 85%, whatever the figure is—those of us who want gun control and who want it now. Let our voices be heard, your voice and mine. There is still time. Let the voice of the people say to our Senators that we want the gun control section kept in the Crime bill: we want it strengthened by amendment, if possible. If this is what *you* believe, now is the time to speak. Now is the time to make your voice heard.

We cannot remove from ourselves the stain that spreads over us from the long series of assassinations of American leaders who stood for righteousness and brotherhood, justice and mercy. We cannot remove from ourselves the stain of thousands of murders of ordinary folk by gunfire or the thousands of maimings of those who survive, or the thousands of assaults a gun made possible. None of this can we remove from the story that will be told of the America we have known.

But let us add to that dreadful tale a new chapter. Let it also be said of us that as we hung our heads in shame to think that all this was true, so we then stood forth and demanded that the control of guns begin here and that it begin now, before another national leader falls victim to evil men, and before more thousands of our citizens are gunned down. Let that be said to us. Despite the dreadful past, let that be our legacy to those who come after us.

God of justice, rouse us from our lethargy.
God of mercy, move us to act.

FREEING THE AIRWAYS FOR ELECTION DEBATES

Mr. HARTKE. Mr. President, there appeared in the Washington Post of April 24, 1968, a column by Roscoe Drummond in which he urges all presidential candidates to utilize television fully in their campaigns for the benefit of the voters. Mr. Drummond suggests that the candidates meet on a television program with nationwide coverage, or—better than that—Congress ought to enable the networks to give free time for the appearances of the candidates by acting upon legislation that is now before the Senate Commerce Committee.

I have introduced a bill (S. 2128) to repeal section 315 of the Communications Act of 1934. This would permit such debates and other appearances on television and radio by presidential candidates and substantial candidates for various offices.

Mr. President, I ask unanimous consent that this article entitled, "All Presidential Candidates Urged To Utilize Television," be printed in the CONGRESSIONAL RECORD.

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

ALL PRESIDENTIAL CANDIDATES URGED TO UTILIZE TELEVISION

There are strong reasons why the candidates for both presidential nominations ought to face each other on television.

It would be valuable for the voters to see Vice President Humphrey and Sens. Kennedy and McCarthy on the same nationwide program, each expounding his case—and the same for Nixon and Rockefeller. This is why:

1—It seems increasingly likely that the opinion polls will be more controlling at the conventions than the results of the primaries. The primaries only show how a candidate attracts the voters of his own party in a few states; the polls show how well he attracts all voters and thus tell more about his chances of winning the election.

2—If the polls are going to be as decisive as seems probable, then the whole Nation should be able to measure the candidates more effectively than is possible when they are campaigning most of the time in a few primary states.

3—The value of such joint television confrontations is not primarily to sharpen policy differences among the candidates. To the extent there are such differences, they should be known. The main value of viewing them together is to measure their personal fitness for office—their credibility, their trustworthiness, their ability to unite and reconcile a divided Nation.

The best—and the worst—of a political candidate comes out in joint debate and, since the polls reflect national opinion, the voters as a whole ought to have this additional means of judging the contenders.

There are two ways this could be done.

The nationwide TV panel shows—Meet the Press, Face the Nation, Issues and Answers—could invite the Democratic candidates to appear on the same program—and the Republican aspirants on another Sunday.

But better than that—or at least in addition to it—Congress ought to approve the measure which is now before the Senate

Commerce Committee to enable the networks to give free time for the joint appearances of the candidates. There is no reason why this shouldn't be as applicable to the pre-convention period as to the election campaign itself.

It seems to me that Kennedy, McCarthy and Humphrey ought to welcome the opportunity. It would be good for them because it would provide each with a maximum national audience which none would otherwise command. It would be good for the Nation's voters because it would give them the chance to see how well the candidates measure up beside each other rather than in isolated appearances.

Surely, if the polls are going to be as influential in the choice of nominees as now seems likely, then the voters in the great majority of states in which none of the candidates will be campaigning need to see them in action. There is no better way to see them and judge them than in joint TV appearances.

If he continues to be a non-candidate, perhaps Gov. Rockefeller might hesitate to appear with Nixon. I see more reasons why he should do so than not. He says he wants to expound his views to the Nation. He needs to repair the indifferent impression he made at the newspaper editors' meeting in Washington last week. Since he is willing to be drafted, he ought to be willing to be judged alongside the man who now most favored for the Republican nomination. I have no doubt that Nixon would accept and if there is a "new" Nixon—as there appeared to be in his virtuoso performance before the same editors—then a joint appearance with Rocky would make him increasingly visible.

Television has a special campaign value and it ought to be used imaginatively for the benefit of the voters.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15131) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McMillan, Mr. Whitener, Mr. Sisk, Mr. Fuqua, Mr. Nelsen, Mr. Harsha, and Mr. Broyhill of Virginia were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2434) for the relief of Nora Austin Hendrickson.

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business which the clerk will state.

The Bill Clerk. S. 1401, to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

The Senate resumed the consideration of the bill.

The ACTING PRESIDENT pro tempore. Who yields time.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to suggest the absence of a quorum, with the time to be equally charged to both sides.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. LONG of Louisiana. I object. Mr. President, I regret that I must object on controlled time.

The ACTING PRESIDENT pro tempore. Objection is heard. The clerk will continue the rollcall.

The rollcall was concluded, and the following Senators answered to their names:

[No. 121 Leg.]

Aiken	Hickenlooper	Murphy
Anderson	Hill	Nelson
Bible	Holland	Pearson
Byrd, W. Va.	Inouye	Pell
Church	Jackson	Prouty
Clark	Jordan, N.C.	Talmadge
Dirksen	Jordan, Idaho	Thurmond
Ellender	Long, La.	Tydings
Fulbright	Mansfield	Williams, Del.
Griffin	McGee	Yarborough
Hansen	Metcalf	Young, N. Dak.
Hartke	Morse	Young, Ohio

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Baker	Eastland	Monroney
Bartlett	Ervin	Morton
Bayh	Fong	Proxmire
Bennett	Hayden	Randolph
Brewster	Hruska	Russell
Brooke	Lausche	Scott
Burdick	Magnuson	Smathers
Byrd, Va.	McClellan	Smith
Carlson	McGovern	Sparkman
Case	McIntyre	Stennis
Cooper	Miller	Symington
Dodd	Mondale	Williams, N.J.

The PRESIDING OFFICER (Mr. Tydings in the chair). A quorum is present.

Who yields time?

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, I ask the indulgence of Senators so that I may state and clarify the issues presented by the pending bill, and explain how the amendment I have offered would affect the bill reported by the committee.

As Senators know, the bill would dedicate an additional $700 million to the land and water conservation fund over the next 5 years. This amount would be in addition to approximately $500 million which is already dedicated in the land and water conservation fund.

Mr. President, this sum of $500 million is provided for in the act that was passed in 1965 whereby the admission fees from all parks and recreation areas were put into a fund, as well as the unclaimed proceeds of Federal taxes on fuel that is used in pleasure boats, and those moneys derived by the General Services Administration from the sale of surplus Government land.

Mr. President, since the act of 1965 was placed on the statute books, about $100 million a year has been collected from those three sources and, of course, that amount is available for the expenditures for parks, for the purchase of park lands, and for grants to the States. These dedicated funds will continue to be available for park acquisition.

Under the committee bill $1.2 billion would be completely and totally dedicated to the acquisition of park lands through the land and water conservation fund over the next 5 years.

Under my amendment, the current dedication of $500 million would remain intact. It would not be affected. However, my amendment would prevent the automatic dedication of the additional $700 million and would provide, instead, for a straightforward authorization for the appropriation of this amount in accordance with the well-established and usual method of providing funds for valid Federal purposes.

I urge the Senate to adopt this approach. Now is not the time for the Government to reduce the amount of money which flows into the Treasury and which is available by appropriation to finance Federal programs already in existence.

Mr. LONG of Louisiana. Mr. President, will my colleague yield?

Mr. ELLENDER. I yield.

Mr. LONG of Louisiana. What concerns me about the proposal in the bill is that nowhere do I find a table showing the share of the money to be spent in each State. Can the Senator direct me to that part of the committee report, or to tesimony on the bill, which will show what each State hopes to get out of the $1.3 billion?

Mr. ELLENDER. The act of 1965 provides that two-fifths of the grant portion will be distributed equally among the 50 States, and that three-fifths will be distributed according to need. In other words, if one State needs more than another, it is left up to the Secretary of the Interior to make that decision under the act.

Mr. JACKSON. Mr. President, will the Senator from Louisiana yield there for a point of correction?

Mr. ELLENDER. I yield.

Mr. JACKSON. I think the Senator will find that the Appropriations Committee has the authority to give up to 60 percent to the States——

Mr. ELLENDER. The Senator means out of the 15 percent——

Mr. JACKSON. No. Out of the funds

available; 60/40—60 percent to the States and 40 percent to the Federal Government; 15 percent is for flexibility so that we can give—it is up to the committee——

Mr. ELLENDER. I was referring to the grant portion of the fund, that is the 60 percent which goes to the States. I was attempting to explain what the States receive.

Mr. JACKSON. I am sorry. I thought the Senator said that the States would get two-fifths or 40 percent—I believe that is in the record. I wanted to make it clear that the Federal portion is 40 percent and the——

Mr. ELLENDER. That is right. And the 60 percent——

Mr. JACKSON. Is for the States——

Mr. ELLENDER. To be distributed among the States.

Mr. JACKSON. Right. I misunderstood the Senator. I thought he said 40 percent to the States and 60 percent to the Federal Government.

Mr. LONG of Louisiana. The reason I ask this question is that when we bring up a legislative measure with the Finance Committee, on public welfare, and even when the Appropriations Committee reports, that committee, as well as the Finance Committee, will usually get up a chart to show what the share will be, and we can see whether it is a good program or not, see how much it will cost, and how much to put up. As the Senator knows, all this money is going into the Treasury now on receipts from the Outer Continental Shelf.

Mr. ELLENDER. And appropriated in the regular manner. That is, the Appropriations Committees of House and Senate recommend to their respective bodies how the funds should be distributed.

Mr. LONG of Louisiana. That is right.

Mr. ELLENDER. According to the request and justification made by each department of Government.

Mr. LONG of Louisiana. Would it not be fair to state that each State should be given a chart to show how much we get and how much the other folks get so that we would know what the share would be, and we would know where we stand.

Mr. ELLENDER. It would be rather difficult to do that at the moment, I would say to my colleague, because the fund varies. Sometimes collections will be $200 million per year, or $250 million. The formula is provided for in the act of 1965. As I said a while ago, two-fifths of the grant portion goes to the States equally and then the Secretary of the Interior has the right to take the rest of it and make it available to the States according to their needs.

Mr. LONG of Louisiana. Yes. But is there anywhere we can look to see how the money has been divided and anticipate how the $1.3 billion will be divided?

Mr. ELLENDER. I understand that under the present law, there has been distributed in the neighborhood of $300 million. I presume that the committee obtained the information to indicate how that amount was distributed among the States.

Mr. JACKSON. As the Senator knows——

Mr. ELLENDER. As I recall, about $200 million-plus was given to the States. I think that is the figure.

Mr. JACKSON. Mr. President, will the Senator from Louisiana yield to me to respond to him in my own time, and give me 1 minute to respond?

Mr. ELLENDER. I yield.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The Senator from Washington is recognized for 1 minute.

Mr. JACKSON. The CONGRESSIONAL RECORD will disclose that on the opening day of debate and discussion on the pending measure, S. 1401, I placed in the RECORD a complete breakdown of the expenditures, appropriations, and the amount made available to each State. That information is in the RECORD and is available, of course, to each Senator.

Mr. ELLENDER. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 5 minutes.

Mr. ELLENDER. From the collections made since the act of 1965 was put on the statute books, the amount collected was $289,239,336. In addition to that, Congress appropriated $53,650,087, for a grand total of $342 million, of which $214,314,808 was distributed among the States.

The rest of it was distributed as follows: National Park Service, $78 million plus. Forest Service, $48 million plus. The Bureau of Sport Fisheries and Wildlife, $2 million plus.

I invite attention to the fact that even though we have a dedication of all the funds to the purchase of land, yet Congress provided, in addition to that, $53 million plus. Under the amendment I am proposing, the $500 million which will be collected under the present law will not be affected at all. It will remain in the Treasury, to be distributed under the provisions of the 1965 law.

There is nothing to prevent House and Senate from appropriating more funds. The fact is, the amendment I am proposing would authorize an additional sum equal to $700 million to be appropriated over a period of 5 years in order to buy parks and parkland. That is not changed at all.

The only thing my amendment would do is elimination of earmarking revenues. That is about all it would do. I think it should be that way. As I pointed out last week, we have an enormous number of public works and reclamation projects to construct all over this country.

Last year, under a resolution passed by the Congress, over $66 million of funds were cut from the appropriation Congress made for the purpose of constructing public works.

I further pointed out that, with respect to every project constructed, where there is a dam involved to protect land for flood control or other purposes, recreation facilities are created at the site which are used by everybody in the locality. It seems to me that if we can continue that process, the people as a whole will have more accessible places for recreation than if this huge sum were to be used to buy large areas of land for park purposes.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. LONG of Louisiana. Is it not true that the Senate voted for a $6 billion cut in spending below the budget, and from that amount will be excluded the national defense? So does that not mean, then, that desirable works projects ought to be cut to the bone now, if Senate action prevails; that, in all probability, the Interstate Highway System, which is already 3 years behind, will be delayed further; that programs such as urban renewal have been cut to the bone and will be cut again; that programs to help the poor have been cut and will be cut again? Notwithstanding all that, in this proposed appropriation there is a dedication of funds in the latter years of $100 million more than the Budget would recommend.

Mr. ELLENDER. $200 million.

Mr. LONG of Louisiana. $200 million more than the Budget would recommend. All the revenues would be dedicated to that purpose, even though they would not know what the money would be spent for and though they could not get a Budget recommendation for it.

Mr. ELLENDER. In addition to the $6 billion cut that we voted a few weeks ago, we imposed on the taxpayers of the country a 10-percent surtax.

Mr. LONG of Louisiana. A 10-percent surtax; and we are still going to have a big deficit.

Mr. ELLENDER. That is correct.

The point I make is that we should not earmark funds being paid into the Treasury as is being proposed.

Under my amendment, the current dedication of $500 million would remain intact; it would not be affected. However, my amendment does prevent the automatic dedication of an additional $700 million, and provides, instead, for a straight forward authorization for the appropriation of this amount, in accordance with the well-established and usual method of providing funds for valid Federal purposes.

I urge the Senate to adopt this approach. Now is not the time for the Government to reduce the amount of money which flows into our Treasury, and is available, by appropriation, to finance Federal programs already in existence.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield myself 5 additional minutes.

Let me emphasize again to Senators that, as matters now stand, every penny of the revenues and income produced from the Outer Continental Shelf flows into the general fund of the Treasury, where it is available, by appropriation, for such purposes as the Congress and the President may determine. This is as it should be.

The committee bill would withdraw $700 million of this money from the general fund of the Treasury over a period of 5 years, place it in the land and water conservation fund, and require that it remain there, unexpended and unavailable for expenditure, unless the funds were spent to purchase additional parklands, or for similar purposes.

It strikes me, Mr. President, that this is no time for the Congress to reduce the amount of money which is already

available for the payment of general Government obligations, by freezing into any fund, or for any purpose, an amount of money approaching $700 million. The Senate, just a few weeks ago, voted to impose a 10-percent surtax on our people, in an effort to stem inflation, and perhaps bring our budget into some kind of balance. We have voted to extend certain excise taxes. We are confronted with the urgent necessity for reducing Federal expenditure. Yet, at this very moment, we are being asked to take some $700 million "out of commerce," so to speak, and freeze this amount for specific purposes, the purchase of parklands.

This does not make good fiscal sense, Mr. President; it is the very height of fiscal irresponsibility. Congress must maintain control over the budget process; we must keep our hands on the Government purse strings. The Congress, through its Committees on Appropriations, must keep inviolate its power to determine what priority should be given to what expenditures, and to control these priorities through the appropriations process. Congress should not delegate its responsibilities.

My amendment does just that, Mr. President; it authorizes the appropriation of the precise amount which the Committee on Interior and Insular Affairs has recommended, but it requires the proponents of programs so authorized to annually come to the Congress and make their case for appropriations. My amendment would treat the land and water conservation fund in just the same way as other Federal programs are treated. Why should the purchase of parklands be given an automatic priority, to the tune of $700 million—over and above the $500 million already dedicated to those purposes—while programs such as slum clearance, job training, flood control, navigation, and even our national defense must annually justify their needs and secure an appropriation from Congress on the basis of that justification?

To ask the question answers it, Mr. President; no such valid reason can be shown.

Let me remind Senators that unless my amendment is adopted, Congress will, in effect, be committed to appropriate some $1.2 billion over the next 5 years for the purchase of parklands, or see the money remain unused, unexpended, and unavailable for any other purpose.

On the other hand, should my amendment be adopted, the Secretary of the Interior would continue to be guaranteed some $500 million for parkland acquisition over the next 5 years, and, in addition, would have the right to request up to an additional $700 million by simply coming before the Committee on Appropriations and making his case for the need for such expenditures.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield myself 5 additional minutes.

Nothing could be fairer than this, Mr. President; it is the very same procedure which applies to almost every other Federal program, from flood control and navigation to the food stamp program. It is the procedure which enables the Congress to retain control over the purse strings.

Let me state again: My amendment would not, by any stretch of the imagination, injure the recreation program; the Secretary of the Interior would still have half a billion dollars over the next 5 years, dedicated to parkland acquisition. My amendment merely tells the Secretary that if he wants any part or all of the additional $700 million, he will have to request an appropriation, justify it before the Appropriations Committees of the Congress, and secure such additional amount, as he may justify, in the usual way.

In other words, Mr. President, Congress has exercised its own judgment, and the President has exercised his own judgment, as to where to put the moneys available. Let that priority be determined by the executive department as well as by the Congress, and on an annual basis. Priorities shift from one year to the next.

It is a simple matter of what comes first, Mr. President—it boils down to whether or not the Congress is to retain its right and duty to allocate the fiscal resources of our country among the various programs which wish to draw against those resources, or whether the Congress is to abdicate this responsibility in favor of an automatic dedication of scarce tax revenues.

It is just that simple, Mr. President; and while I support, and have always supported, the acquisition of additional necessary parkland for the use of our people, I can honestly see no reason why the acquisition of such parkland should enjoy an automatic priority, preference, and privilege on our already scarce Federal income. Particularly is this true with our national debt exceeding $350 billion, our people being asked to pay further taxes, and the need for other important Federal programs so pressing.

This is not a sound way to do business, Mr. President. No Senator here would earmark a specific part of his personal income for recreation or pleasure until he knew what his other obligations might be—food, clothing, shelter, and so forth. The same situation should prevail in the Congress. We must not earmark, dedicate, or freeze any further Federal revenues for the support of specific programs without being given an opportunity, through the appropriations process, to weigh those expenditures against all other requested expenditures.

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

Mr. ELLENDER. I yield.

Mr. HOLLAND. Is it not true that when the Continental Shelf Act was passed, Congress decided and determined not to earmark the fund even for such an appealing purpose as the support of schools?

Mr. ELLENDER. The Senator is correct. As I recall, the Senate agreed to an amendment for that purpose, but in conference it was knocked out.

Mr. HOLLAND. Then Congress decided, in its wisdom, that to leave it free in the general revenue fund was wise, from the standpoint of serving the best interests of the country?

Mr. ELLENDER. The Senator is correct.

Mr. HOLLAND. Will the Senator yield for a further question?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Is there any more reason to earmark this fund, or portions of it, for this specific purpose, than there would be to earmark the excise tax on telephone service or the excise tax on automobiles, or any other tax; and have we not steadfastly refused to earmark such funds, or any funds, for a specific purpose unless there was a direct connection between the source of the tax and the proposed expenditure?

Mr. ELLENDER. The Senator is correct. It would be in the same category. As I remarked a while ago, the $500 million which will be collected in the next 5 years from such sources as the park receipts, I can see that it would be well to use those funds to extend parks, beautify them, or improve their facilities. Even the funds from the sale of surplus land goes into the park fund.

Mr. HOLLAND. Did not the Senate decide, in passing on the Redwoods National Park, that it was a wise policy to exchange other public lands for lands that could be incorporated into that park?

Mr. ELLENDER. The Senator is correct.

Mr. HOLLAND. I thank the Senator. It seems to me that this proposal is extremely unwise, and that it departs from any precedent with which I have been familiar.

Mr. ELLENDER. I am thoroughly in accord with the Senator from Florida, and particularly oppose earmarking the funds at this time, when we have need for programs which in my opinion are much more important than the acquisition of more land for parks. If we had no parks at all, it would be different; but we have them scattered all over the country, and we have also, as I have stated, in every reclamation program and every flood control program undertaken, provided for recreation, even in our navigation projects we provide recreation sites.

I would rather support the park system that way, Mr. President, than to set aside these funds and buy huge acreages of land here and there, which may take a long time to develop.

My amendment would not harm the recreation program, Mr. President; it would merely prevent that program from enjoying a prededicated priority, and place it in precisely the same position as any other Federal program for which funds are requested.

Mr. President, I close by making a personal appeal to my friends in the Senate. I have been here for almost 32 years, and have devoted a great deal of my time and effort to trying to develop our land and water resources. I think we have done a very good job. Let us continue doing it as we have in the past. In my humble judgment, we should be able to continue that development in an orderly way, instead of requiring that all these funds be invested in park lands.

Mr. President, I have written each Senator requesting consideration and support for my amendment. I believe that

this letter is a clear statement of my position and I request unanimous consent that it be printed in the RECORD at this point.

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

DEAR SENATOR: Seldom have I personally sought to influence individual Senators to vote for or against a specific proposal pending before the Senate. Because of the far-reaching fiscal effects which S. 1401, if adopted in its present form, would have upon the budget in the next five years, I urge you to support my amendment to the bill.

The bill would earmark $700 million more to the already dedicated revenues estimated to be about $500 million during the next five years.

My amendment would merely eliminate the earmarking of revenues derived from the Outer Continental Shelf leases, and would provide in place thereof, a general authorization in the same amount, i.e., $700 million.

I am opposed to the further earmarking of funds for any purpose, especially at this time when the Congress is being called upon to drastically cut existing programs, and is being asked to impose higher taxes. If the $700 million which is now going into our Treasury is arbitrarily dedicated to create more parks, Congress may well be unable to provide adequate funds to implement programs already in operation within the Department of Health, Education and Welfare. Funds have already been cut which would normally go to the federally impacted areas. What will Senators be able to say to their constituents if school terms were shortened, or if vitally needed public works are deferred? I am sure that defense expenditures will not be materially cut.

I urge you to support my amendment which would authorize appropriations for new parks and playgrounds, but would not give them priorities over more basic human requirements.

Without my amendment, Congress will be in the ludicrous position of constructing new parks and playgrounds ahead of schools, adequate housing and other essential programs.

Sincerely,

ALLEN J. ELLENDER,
U.S. Senator.

Mr. ELLENDER. Mr. President, as I have stated, I hope the Senate will agree to my amendment.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. JACKSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Washington has 34 minutes remaining.

Mr. JACKSON. Mr. President, I yield 6 minutes to the junior Senator from Rhode Island [Mr. PELL].

Mr. PELL. Mr. President, for the past week, we have been debating what use should be made of the Federal Government's revenues from the mineral resources of the Outer Continental Shelf.

As one with a deep interest in the development of our country's oceanologic programs, I am in sympathy with the idea that it would be appropriate to devote a portion of these revenues to our oceanologic programs.

Indeed, when I introduced the Sea Grant College and Program Act in 1965, I proposed that the program be financed with earmarked funds from Continental Shelf revenues. I withdrew that financing proposal because the executive department at that time opposed earmarking of those revenues. Recently, Senator MAGNUSON proposed setting aside a portion of the Continental Shelf revenues for marine research and the sea-grant college program, and I was most pleased to endorse his proposal.

But as a Senator from a coastal State, I see no great conflict in also devoting a portion of these revenues to park and recreational development. In my own State of Rhode Island, a substantial portion of land and water conservation fund money is used for acquisition and preservation of the recreational resources of the sea.

I do think, however, that we should take cognizance here of a problem that in the long run may prove more troublesome than the question of the most appropriate use of these mineral lease revenues. I refer to the question of jurisdiction over ocean resources.

While we are debating here the proper use of ocean mineral wealth, the nations of the world are preparing to debate in the United Nations much the same question—who owns the resources of the sea and seabed, and to what use should this wealth be dedicated.

I have made the point before that existing international law on jurisdiction over the resources of the sea is inadequate. We do not have, for example, a satisfactory legal definition of the Continental Shelf from which we are drawing mineral wealth.

On March 5, I introduced a draft treaty on ocean space with the hope that it would stimulate discussion of these issues within our Government and serve as the framework for an international agreement to eliminate uncertainties over jurisdiction in ocean space.

I do not think there is any doubt, Mr. President, that the revenues we are speaking of today are drawn from Continental Shelf areas that clearly fall within the present jurisdiction of the United States. But this may not be true 2, 5, or 10 years hence as technological advances allow us to mine minerals in ever-deeper waters, ever farther from our shores.

Mr. President, in supporting proposals to earmark Outer Continental Shelf revenues, I do not mean to endorse the idea, advanced by some, that the United States or any nation in the world can unilaterally lay claim to the mineral wealth of the deep ocean floor. Where the Continental Shelf and national jurisdiction ends must be clearly defined by international agreement.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I have given a lot of thought to the merits of the bill, S. 1401, as reported by the Senate Interior Committee, and the merits of the amendment offered by the Senator from Louisiana.

It is my conclusion that the addition of Continental Shelf income to a fund to acquire land for recreation purposes runs afoul of two concerns that I have expressed over the years: First, that too much congressional responsibility is being turned over to administrative officials to use at their discretion without accountability to Congress or the public; and second, that the acquisition of private property for public use has strayed from the principle that public necessity must be proved before private property may be taken.

If there is need for the taking of private property for public use for recreation, why does not the Department of the Interior make its proposal, demonstrate the need, and then ask Congress for the authority and the funds to make the acquisition? Frankly, I think we are here to make those decisions. Article 4 of the Constitution states:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The Constitution also gives Congress the authority to lay and collect taxes for the general welfare.

Why do we keep insisting that these duties are so difficult that we cannot handle them, and must turn them over to someone in the executive agencies, as though people working for the Department of the Interior were better able to make the decisions than we are?

Advocates of this fund say that money authorized for acquisition of recreational land has not been appropriated in full. I may say that as author of education legislation that has authorized billions for the education of our young people, I can tell this body something about underfunding of authorized programs. And that is not the only underfunding of authorized programs.

I see no reason in the world why in these difficult fiscal times we should give this special treatment and advantage to so-called recreational funds.

I will also say that if this money collected from the resources of the Outer Continental Shelf to be earmarked for anything, it should be earmarked for education, poverty, or some of the other domestic crises that confront us in our cities, such as are dealt with in the model cities bill and others. Those projects are much more important at this time.

If the funds are going to be earmarked, I think it is a mistake to earmark them for anything other than the critical needs which exist at this time. That was the principle for which I labored when Congress dealt with the Outer Continental Shelf in 1953.

Of course, every time revenues from any source are put into a fund of some kind, the control of Congress over the uses of public money declines. We are already told that only $20 billion of our national budget is "controllable." The controllable parts are those that come out of general appropriations. Every segment of our economy, every interest group in our Nation, is staking out a claim, so to speak, on the Federal Treasury by trying to get funds earmarked that will remove it from the "controllable" category.

We have to stop this process if we are to remain a legislative body. We cannot continue to wall off the Congress from controlling the stream of Federal inflow and outflow. That is what measures of

this kind do. They wall off Congress from the decisionmaking process.

I have read the assurances given by the chairman of the committee that money "earmarked" in this fund will still have to be appropriated in the usual way. But why, then, this fund? The reason is to create an obligation on the part of Congress to use this source of income for recreation and nothing else.

I do not call into question the merits of acquiring private land for recreational purposes. But I do question giving advance authority to an agency of the Federal Government to decide what is desirable for this purpose and giving statutory promise of money to carry out its decision. Only a part of the funds in this bill would carry out acquisitions already authorized. Much more is for future unspecified acquisitions.

I have favored, supported, and even cosponsored measures like the Indiana Dunes bill. The case was clear, it seemed to me, that park area for public use was needed in the metropolitan area of Chicago and northern Indiana. Congress was called upon to make that decision.

I have supported similar acquisitions. I have also opposed, may I say, in my own State a seashore park, the so-called, Oregon Dunes bill, because there it was proposed to give blanket authority to the Secretary of the Interior to condemn property without showing that the criteria of public necessity was applicable to each parcel of land.

Mr. President, I am not going to waive these constitutional checks, which I think are waived to an undesirable degree in this bill.

It seems to me that the showing should be made that each parcel must be acquired under the law of public necessity applying to that parcel.

That was the time, may I say to the Senator from Florida that in one of the Florida cases a park was set up, but the requirement was that there had to be a showing of the need for each parcel of land before there could be a taking.

Even assuming that the great need for more park land is in the eastern part of the country, there are great stretches of nationally owned property in the Eastern States, that in my opinion, are underused and underdeveloped for recreational purposes.

I deduce from the presentation of this measure that the fund set up earlier from fees charged to users of Federal recreation areas that the income from that source has not been enough. The Senator from Utah says $25 million less has come in than was expected. At least there is some correlation between the earmarking of user fees and the acquisition of park land, as there is between the earmarking of highway taxes and the construction of highways. But I cannot see dipping into another, unrelated source of Federal income to guarantee the acquisition of more recreation property. One might ask why user charges already in effect have not been sufficient; and I would challenge the advocates of this section of the bill to show that existing public land in the Eastern States, not to mention the Western States, is being used to its full capacity for recreational purposes.

Mr. President, I shall vote for funds for recreational purposes when the showing can be made that a particular piece of land ought to be set aside for recreational purposes. But I am not going to vote for the bill in its present form because it gives what I think is undesired blanket authority and priority to one Federal activity over other more urgent activities that are also badly underfunded.

Mr. JACKSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Washington has 28 minutes remaining.

Mr. JACKSON. Mr. President, I shall speak very briefly.

In 1953, the 83d Congress endeavored to deal with the problem of submerged lands, inaccurately described as "tidelands."

In that Congress, we voted to give to the coastal States all of the submerged lands and the minerals in them seaward of mean low tide out to the 3-mile limit with respect to the Atlantic and Pacific coastal States. However, in the case of the States on the Gulf of Mexico, the seaward boundary was to be the boundary with which a State was admitted to the Union, or the boundary as established in its State constitution as approved by Congress.

That was point No. 1 with respect to the submerged lands.

The effect of this congressional enactment in 1953 was to give to the coastal States very valuable property which the Supreme Court had ruled, directly, on three different occasions that these States did not own. Rather the Supreme Court had ruled that the property belonged, in effect, to the entire 50 States, the Federal Government.

Mr. President, the second point with respect to submerged lands was the measure considered that year, 1953, that declared that the mineral resources in the lands seaward of State sea boundaries were under the exclusive control of the Federal Government. This was the Outer Continental Shelf Lands Act. The States were specifically barred from claiming rights under this act to any part of the revenues from operations on the outer shelf.

Mr. President, the real question at issue here is not the earmarking of funds for Land and Water Conservation Act purposes for a limited period, as the bill before us provides. It is whether in the long term the States that happen to abut the Outer Continental Shelf are to be given, in the future, certain special preferential rights to money that may be earned from the Outer Continental Shelf. This has been the real issue during this week of debate.

If this were not the case, there would not be this opposition. I must say that, coming as I do from a coastal State, it would be the most inequitable thing I could think of, after the action of Congress in 1953, not to make available on an equitable basis to all 50 States the proceeds from any operations respecting mineral operations in the Outer Continental Shelf. I feel very strongly, based on the position of Congress in 1953, that, whatever we do, the receipts from the minerals of the Outer Continental Shelf should be made available on an equitable basis to all 50 States.

ALL OF THE STATES SHOULD PARTICIPATE

I can understand that in the case of States adjoining this area, where there is a tremendous amount of revenue coming in, those States would want to obtain at some future time a preference on the funds that might be disbursed from the sale of leases and property on the Outer Continental Shelf. However, I cannot but feel that if this should be done, it would be most inequitable and unfair.

The question before the Senate at the moment is whether or not, on a reasonable basis, we are going to make available a small portion of these outer shelf revenues for a limited period for an established program in which all of the States participate and all benefit.

These outer shelf revenues currently have been running approximately $500 million a year or more. The bill proposes for the first 3 years to authorize appropriation from them of $100 million, or enough to bring the $100 million total to $200 million. We are currently making available approximately $100 million from sources provided in 1965. So for a 3-year period, total fund revenues would be $300 million. Under the bill as reported, for the last 2 years, total income to the fund would be $200 million additional, making a total of $700 million in additional revenues over a 5-year period.

I must say that if we are going to do anything about recreational opportunities, including seashore facilities and parks, if we are going to encourage the State to plan and build for these programs, then the new sources of income provided by S. 1401 are absolutely necessary.

QUESTION ONE OF EARMARKING FUNDS

As I understand the amendment of the senior Senator from Louisiana, it does not quarrel over the amount of money that should be made available. It deals solely with the question of whether or not these additional revenues, as proposed in S. 1401, should be earmarked funds. If we are going to encourage the States to bond themselves to appropriate money to match these funds, then there should be action on the part of Congress to give the States a secure basis for planning. When we set aside, when we dedicate the funds, it will encourage the States to put up the money. They can then bond themselves, as my State did, for a substantial period of time.

Obviously, in a given year, should we find it necessary to cut expenditures, Congress, under the pending measure and under the Land and Water Conservation Act, would retain authority not to appropriate money for fund purposes. Not a dime of the fund can be expended without an appropriation by Congress. Under present law, at the end of 2 years, if there is money in the earmarked funds that has not been utilized, it reverts into the general receipts of the Treasury.

ENCOURAGEMENT AND AID FOR THE STATES

Mr. President, what we really have been wrestling over during the period of time in connection with this matter is

how best to encourage the State to participate in this program and not leave it all to the Federal Government.

I believe that the approach of earmarking the funds, funds and proceeds from purely Federal lands outside the 50 States, is the sensible and the reasonable way to approach this problem.

Mr. President, I hope the amendment will be defeated. I believe that if passed it will discourage the States from participating in the land and water conservation program. It would have an adverse effect on the overall policy of Congress to encourage the States to participate with the Federal Government in making available additional recreational lands, park lands, seashore lands, and so forth.

The PRESIDING OFFICER. Who yields time?

Mr. JACKSON. Mr. President, I am ready to yield back the remainder of my time.

Mr. ELLENDER. Mr. President, I have only 1 minute remaining.

I am simply making a personal appeal to my friends of long standing in the Senate, to make it possible that these funds that now go into the Treasury continue to go there, and that these funds be appropriated in the same manner, for different programs, as we are now doing. I do not believe that any part of these funds should be earmarked for any special purpose.

There would be a good reason, but I am not advocating it, for some of these funds to be appropriated to control pollution in the Gulf of Mexico because of the presence of oil wells and gas wells which have been responsible for that pollution. But I am not asking for that. It will be done in the course of time, I presume.

I am very hopeful, Mr. President, that the amendment will be agreed to by the Senate.

The PRESIDING OFFICER. Does the Senator from Washington yield back the remainder of his time?

Mr. JACKSON. I am ready to yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. LONG of Louisiana. Has all time been yielded back?

Mr. JACKSON. I am prepared to yield back the remainder of my time.

Mr. ELLENDER. No time is left.

The PRESIDING OFFICER. The Senator from Louisiana has no time remaining.

Mr. JACKSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired. The question now is on the motion of the Senator from Delaware to recommit the bill. That motion is debatable.

Mr. LONG of Louisiana. 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. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum be rescinded.

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

WITHDRAWAL OF MOTION TO RECOMMIT

Mr. WILLIAMS of Delaware. Mr. President, I withdraw the motion to recommit the bill.

The PRESIDING OFFICER. The motion to recommit the bill is withdrawn.

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

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment as follows:

On page 2, line 23, after the date "June 30, 1971," strike out all down to and including date "1973" on line 25.

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

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, I request that the amendment be stated once more.

The PRESIDING OFFICER. The amendment will be stated again.

The legislative clerk read as follows:

On page 2, line 23, after the date "June 30, 1971," strike out all down to and including date "1973" on line 25.

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

Mr. WILLIAMS of Delaware. I yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending amendment occur at 4:45 p.m., and that the time be equally divided between the Senator from Delaware [Mr. WILLIAMS] and the chairman of the committee, the Senator from Washington [Mr. JACKSON].

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

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. Mr. President, under the existing law this program is funded with approximately $500 million over the next 5 years, or about $100 million per year. The program is funded in this manner: from the sale of surplus property under the Department of Interior about $45 to $60 million a year is derived; from the tax on motor vehicles, about $30 million; and from fees collected in the parks there is derived between $12 and $15 million. Under existing law these moneys would flow into the fund over the next 5 years. This is about $100 million per year.

The Director of the Bureau of the Budget requested that this allocation be doubled and instead of $500 million in the next 5 years the amount would be raised to $1 billion, or $200 million a year over the next 5 years.

The committee, in reporting the bill, went beyond that recommendation, and while they doubled the amount for the first 3 years and made the amount $200 million a year they tripled the amount in the last 2 years by raising the amount to $300 million a year, or a total of $1.2 billion.

Mr. President, the committee approach would provide $700 million over the existing law and $200 million over and above the amount requested by the Director of the Bureau of the Budget.

The pending amendment would strike from the bill the authorization for the last 2 years, which is $300 million a year. By agreeing to the amendment it would mean that there would be a reduction of $600 million in the amount authorized under the bill of $1.2 billion and it would reduce the amount of authority requested by the Director of the Bureau of the Budget by $400 million.

The proposal would not interfere with the program in the next 3 years but would leave it as proposed under the committee bill; namely, funded with $200 million a year.

Mr. President, I remind the Senate that less than a month ago we passed a bill authorizing an increase of taxes by 10 percent. Included as a part of that package was a provision that expenditures should be cut in fiscal year 1969 by at least $6 billion. There was an additional section which would direct the Director of the Bureau of the Budget to report back to the Congress within 30 days a plan whereby there would be a reduction in the requested budget authority in 1969 by a minimum of $10 billion. The $10 billion was supposed to be a reduction in the spending authority requested in the 1969 budget. This measure was passed with a vote of 53 to 31.

Here we have before us a bill which requests additional budget authority of $500 million; and the Senate committee went beyond that and instead added $700 million.

At some point somewhere along the line we will have to establish a series of priorities with respect to what we can afford and what we cannot afford. Certainly we have to start somewhere with programs which have much merit. I do not question for a moment that the bill before us, which deals with land and water conservation, is a meritorious bill and one which I favor. However, it is a question of how much money we can put into these programs. If we are going to reduce budget authority by $10 billion in fiscal 1969 we have to start somewhere and we must start with specific programs. The adoption of the pending amendment would mean a reduction of $400 million of the requested budget authority under the 1969 budget.

We are confronted with a deficit of $20 billion for fiscal 1968 and a deficit of $28 billion in fiscal 1969, or a total deficit of $48 billion in the 2 fiscal years; this does not include the extra $5.5 billion which the President has already requested as additional costs for acceleration of the war in Vietnam. Therefore, we are confronted with a deficit of about $53 billion for the next 2 years unless Congress and the administration, working togeth-

er, take some action to reduce spending and to raise taxes.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 3 minutes.

Mr. WILLIAMS of Delaware. I think it will take a combination of both expenditure reductions and a tax increase, and that is the reason I supported so strongly the Williams-Smathers bill. I do not think as Members of the Senate we can justify voting for a bill which would direct the Bureau of the Budget to submit to us a plan for reducing the budget authority in the next fiscal year 1969 by $10 billion and then at the same time approving in the Senate, by our votes, an increase in the $700 million over last year's expenditures, or an increase of $200 million over and beyond what even the Bureau of the Budget requested.

As I said before, we must establish a set of priorities. Certainly as meritorious as parks, golf courses, and recreational facilities may be, there may be other priorities which are equally or perhaps more meritorious.

As the Senator from Oregon pointed out, we have education, poverty programs, programs for the cities, and many other programs dealing with the health and welfare of the people which will be before us. If we are going to hold down spending, as we have indicated we want to hold it down, and roll back the budget authority by $10 billion we should at least make a start somewhere, and I think that this is an appropriate place to do so.

By adopting the pending amendment, we would not be interfering with the next 3 years' operation but would be dropping off the last 2 years. Who knows what our fiscal situation will be by the end of the next 3 years? It makes sense to postpone that consideration and not commit ourselves for 5 years down the road for an additional $700 million at this particular time. The very least step we can take on this bill would be to approve the pending amendment and reduce the spending authority in this bill by $600 million.

Mr. LONG of Louisiana. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. I could not agree more with the Senator. He knows that he was responsible for the amendment on the Senate floor that we voted on to cut spending by $6 billion below the budget. Now that resolution contained a directive to the Director of the Budget to undertake to cut authorizations by $10 billion. The Senator knows that in conference with the House on that bill, the House has been suggesting various language to us for discussion purposes which would indicate that there should be an even greater rescission of existing authorizations. Here is a dedication of funds, to which the Senator makes reference, which exceeds by $100 million a year what the Director of the Budget has asked for, when Congress is going to be asked to drastically cut it, in some instances right down to the bone, funds already justified and where we know precisely how much money has been justified. What the Senator is talking about is holding it down to the 3-year authorization, is he not?

Mr. WILLIAMS of Delaware. That is correct. At the end of the 3-year period we shall know more about the financial situation in this country. The Senator knows that in conference, working with the House, we have been more or less in disagreement for the past 3 or 4 weeks, and that Members of the House actually want this spending cut and the rescinding of obligational authority to be increased beyond what the Senate did. That seems to be the argument, that we did not go far enough even though we did approve the $10 billion reduction.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. WILLIAMS of Delaware. Certainly we should go that far. I cannot conceive of the Senate's passing this bill in its present form where we would be adding $700 million to the existing obligational authority and $200 million more than even the Director of the Budget has asked, particularly at a time when the Senate is telling the Director of the Budget, "You go down and establish some priorities and tell us where we can cut the $10 billion." The very least we can do is to show, in good faith, that we meant what we said, that we are really going to hold down the appropriations and the various authorizations.

I know that one of the arguments made is, "All right, this is an authorization, and Congress later does not have to appropriate it." I have heard that argument many times, but we all know that an authorization, once made, sooner or later becomes an obligation.

Mr. President, I reserve the remainder of my time.

Mr. JACKSON. Mr. President, I shall be brief. The original bill as introduced, S. 1401, provided among other things for the dedication of all the receipts from the Outer Continental Shelf over a 5-year period to assist the land and water conservation fund, as well as the Federal share of the revenues from Mineral Leasing Act and forest operations. Total income might have amounted to $2½ or $3 billion over the 5-year period.

I might mention by the way that the whole concept of setting up the land and water conservation fund had its genesis in the report of the Commission headed by Laurence Rockefeller; namely, the Outdoor Recreation Resources Review Commission, which was established by President Eisenhower, I believe, in 1958 or 1959.

The income to the fund has been below minimal needs, and so it was proposed to tap the Outer Continental Shelf. The proposal had strong support from the States and public spirited citizens concerned with outdoor recreation, including Laurance Rockefeller, who has given so much of his time and effort to the cause of conservation.

S. 1401 was introduced over a year ago. As chairman of the committee, I became convinced that there would have to be a substantial cutback on the earmarking initially proposed for the 5-year period. The administrative agencies recommended and urged such a cutback.

PROPOSED REVENUE CUT BACK

In the committee we discussed the question at length. We finally reduced the total from the $2.5 billion to $3 billion that would have been made available to $700 million in additional funds. That is the way it stands at the moment as now before the Senate.

The Senator's amendment would reduce the total of $700 million to $300 million, a $400 million cutback, as I understand it, in his amendment.

Mr. WILLIAMS of Delaware. $400 million below the budget figure; $600 million below the bill's figure.

Mr. JACKSON. That is right: $600 million below the bill because the last 2 years provide in the bill for $300 million a year, and the budget proposal was $200 million. So it would be a $600 million reduction bringing it down to the lower figure.

Mr. President, again I want to simply state that it is pretty hard to predict in advance what the budgetary situation will be in the last 2 years. We have tried to give some broad guidelines to the States, indicating what funds have been earmarked, putting them on notice, though, that the Appropriations Committees of the House and Senate will have to decide, on an annual basis, how much money will be available.

UNAPPROPRIATED MONEY REVERTS TO TREASURY

All the money will be in the Treasury. The fact that it is earmarked is a bookkeeping matter only. As I pointed out previously, at the end of the 2 years, if the money is not appropriated, it will revert to the general receipts of the Treasury. As far as the overall balance of income and outgo is concerned, the Federal Government would not be affected.

The key thing—and some of the most influential people in this field in the country have made this point—is that it will give essential guidance to the States and give them a chance to participate—on a relatively secure basis.

Heretofore the burden has been primarily in the hands of the Federal Government. When there is more money available, on an earmarked basis, to be matched by the States, the States are encouraged to participate more fully.

I think the bill now pending before the Senate is a reasonable and prudent proposal. The States are given broad guidelines and basis for long-range planning. Congress each year, during the next 5 years, will have an opportunity to determine how much shall be appropriated, depending on the fiscal situation.

Mr. President, I am prepared to yield back my time.

Mr. WILLIAMS of Delaware. Mr. President, I shall take only 2 minutes.

The Senator from Washington is cor-

rect. The committee did provide that the amount in the original bill would be increased by 600 percent. But the bill before us still provides for a little more than double the amount. I repeat, under the pending bill we are more than doubling an expenditure in a program at a time when both the Senate and the House are saying we must establish priorities and there must be reductions.

The argument that the money will be in the Treasury is correct, but when this money which belongs to the taxpayers is diverted it means additional taxes must be raised.

As I pointed out, we are spending at a rate of $2 billion a month more than we are taking in. That has been the average for 1968 and 1969. Something has to give somewhere. The administration thus far seems to want a tax increase, but the question is, Will it support a reduction in expenditures?

Here in this particular bill is an instance where Congress is being asked to double the expenditures for this program. The request is to double the expenditures for the next few years. It is a meritorious program, but do we have the money continually to double the expenditures for any program? Somewhere Congress and the administration are going to have to face up to this problem.

If we are not going to cut expenditures we should tell the American people that there will be no reduction in spending and no tax increase, but that we will go on our merry way and continue to pile up our debt, and as a result, pay huge interest and destroy the value of the American dollar. The spending by the Federal Government has already forced the interest rates to the highest they have been in the last 100 years. Recently, on a Government-guaranteed obligation the interest rate was 6.45 percent. The irony of it is that this bond issue was only offered in $5,000 bonds, so that the average little fellow will not be able to take any advantage of that high interest. He will get only 4.15 percent interest from buying E bonds.

I conclude by calling attention again to the fact that the Senate has gone on record that it wants the Director of the Budget to show us how we can reduce the spending authority in the fiscal 1969 budget by a minimum of $10 billion. Here is a place where we can, by not jeopardizing the program one iota, drop the budget authority $400 million and drop the spending authority under the bill by a total of $600 million, because it would eliminate the $200 million extra added by the committee.

Mr. JACKSON. Mr. President, a second look at the Senator's amendment leaves me with the impression—and I am sure he did not intend to do it—that the amendment will have the effect of knocking out all funds for the land and water conservation fund for the fiscal years 1972 and 1973. I wish to call that to the Senator's attention, because the amount of money we are talking about in the fund from all sources, including the sources provided in the 1964 act, is $300 million. When we use the figure $200 million for the first 3 years, we are talking about, roughly, $100 million from current sources and an additional $100 million from receipts from the Outer Continental Shelf. When we talk about fiscal year ending June 30, 1972, and June 30, 1973, of $300 million each, we are talking about $100 million out of existing sources; namely, receipts from unreclaimed motorboat fuel taxes, from admission and user fees, and from sales of surplus Federal real property——

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

Mr. JACKSON. I yield.

Mr. WILLIAMS of Delaware. The Senator has made a good point. I wish to correct my amendment. I want to change that to 3 fiscal years and change the date to 1971, rather than 1973. That was my intention.

Mr. President, I ask unanimous consent to modify my amendment to include that, on line 12, page 2, "five" be stricken out and "three" be inserted in lieu thereof, and, on the same line, to strike out "1973" and insert "1971." That carries out my intention.

The PRESIDING OFFICER. Without objection, the modifications are made.

Mr. WILLIAMS of Delaware. Mr. President, I yield back my time.

Mr. JACKSON. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Delaware. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Utah [Mr. MOSS] are absent on official business.

I also announce that the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Virginia [Mr. SPONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF] would each vote "nay."

On this vote, the Senator from South Carolina [Mr. HOLLINGS] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Utah would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Delaware [Mr. BOGGS] is absent to attend the funeral of a friend.

The Senator from Colorado [Mr. ALLOTT], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. MUNDT], the Senator from Illinois [Mr. PERCY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Tennessee [Mr. BAKER] is detained on official business.

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Delaware would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Illinois [Mr. PERCY] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Texas would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Oregon [Mr. HATFIELD]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Oregon would vote "nay."

The result was announced—yeas 39, nays 29, as follows:

[No. 122 Leg.]

YEAS—39

Aiken	Hickenlooper	Proxmire
Bartlett	Hill	Randolph
Bennett	Holland	Russell
Brooke	Hruska	Scott
Byrd, Va.	Jordan, N.C.	Smith
Byrd, W. Va.	Long, La.	Sparkman
Carlson	McClellan	Stennis
Cooper	Miller	Symington
Dirksen	Morse	Talmadge
Dodd	Morton	Thurmond
Ellender	Murphy	Williams, Del.
Ervin	Pearson	Yarborough
Fong	Prouty	Young, N. Dak.

NAYS—29

Anderson	Griffin	McIntyre
Bayh	Hansen	Metcalf
Bible	Hartke	Mondale
Brewster	Inouye	Monroney
Burdick	Jackson	Nelson
Case	Jordan, Idaho	Pell
Church	Magnuson	Tydings
Clark	Mansfield	Williams, N.J.
Eastland	McGee	Young, Ohio
Fulbright	McGovern	

NOT VOTING—32

Allott	Hart	Montoya
Baker	Hatfield	Moss
Boggs	Hayden	Mundt
Cannon	Hollings	Muskie
Cotton	Javits	Pastore
Curtis	Kennedy, Mass.	Percy
Dominick	Kennedy, N.Y.	Ribicoff
Fannin	Kuchel	Smathers
Gore	Lausche	Spong
Gruening	Long, Mo.	Tower
Harris	McCarthy	

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, if the distinguished senior Senator from Louisiana will yield for a moment, I suggest, now that we have taken this action, that to make the amendment of the Senator from Louisiana conform we strike out on line 9 on page 1 of his amendment, the last word on the line, "and", and the two lines on page 2.

Mr. ELLENDER. Mr. President, I was going to suggest that after the 1971, we put a period and strike the word "and" and the two lines on page 2 of the amendment.

The PRESIDING OFFICER. Is that a modification or an amendment?

Mr. ELLENDER. It is a modification of my amendment.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Louisiana. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the distinguished Senator from California [Mr. KUCHEL]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. INOUYE (when his name was called). On this vote I have a pair with the distinguished Senator from Connecticut [Mr. RIBICOFF]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Texas [Mr. TOWER]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Virginia [Mr. SPONG] are necessarily absent.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Utah [Mr. MOSS] are absent on official business.

On this vote, the Senator from South Carolina [Mr. HOLLINGS] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from South Carolina would vote "yea" and the Senator from Utah would vote "nay."

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Delaware [Mr. BOGGS] is absent to attend the funeral of a friend.

The Senator from Colorado [Mr. ALLOTT], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. MUNDT], the Senator from Illinois [Mr. PERCY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Tennessee [Mr. BAKER] is detained on official business.

If present and voting, the Senator from Oregon [Mr. HATFIELD], and the Senator from Illinois [Mr. PERCY] would each vote "nay."

The respective pair of the Senators from California [Mr. KUCHEL], and that of the Senator from Texas [Mr. TOWER] have been previously announced.

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from New York would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Arizona would vote "nay."

The result was announced—yeas 37, nays 29, as follows:

[No. 123 Leg.]

YEAS—37

Bartlett	Hickenlooper	Russell
Bayh	Hill	Smathers
Byrd, Va.	Holland	Smith
Byrd, W. Va.	Hruska	Sparkman
Carlson	Jordan, N.C.	Stennis
Cooper	Long, La.	Symington
Dodd	McClellan	Talmadge
Eastland	Miller	Thurmond
Ellender	Morse	Williams, Del.
Ervin	Morton	Yarborough
Fong	Murphy	Young, N. Dak.
Fulbright	Pearson	
Hartke	Randolph	

NAYS—29

Aiken	Griffin	Monroney
Anderson	Hansen	Nelson
Bennett	Jackson	Pell
Bible	Jordan, Idaho	Prouty
Brewster	Magnuson	Proxmire
Brooke	McGee	Scott
Burdick	McGovern	Tydings
Case	McIntyre	Williams, N.J.
Church	Metcalf	Young, Ohio
Clark	Mondale	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Dirksen, for.
Inouye, for.
Mansfield, against.

NOT VOTING—31

Allott	Hart	Montoya
Baker	Hatfield	Moss
Boggs	Hayden	Mundt
Cannon	Hollings	Muskie
Cotton	Javits	Pastore
Curtis	Kennedy, Mass.	Percy
Dominick	Kennedy, N.Y.	Ribicoff
Fannin	Kuchel	Spong
Gore	Lausche	Tower
Gruening	Long, Mo.	
Harris	McCarthy	

So Mr. ELLENDER's amendment was agreed to.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROGRAM—ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, there will be no further voting on the pending business this afternoon. I understand that perhaps more amendments will be offered tomorrow.

Therefore, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

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

Mr. MANSFIELD. Again, for the information of the Senate, there will be no further voting on the pending business today.

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

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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 previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, April 30, 1968, at 12 o'clock.

EXTENSIONS OF REMARKS

Effect of Interest-Discount Rate on Economic Justification of Water Resources Projects

HON. ALLEN J. ELLENDER

OF LOUISIANA

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. ELLENDER. Mr. President, on April 17, Mr. Kenneth J. Bousquet, a professional staff member of the Senate Committee on Appropriations, made an interesting and informative speech before the Southeast Basins Interagency Committee on the effect of interest-discount rate on economic justification of water resources projects. My association with Mr. Bousquet extends over many years, and I am pleased to recommend his speech to all who are interested in the development of our water resources. His treatment of the need for a more realistic evaluation of primary benefits and for the development of a technique for evaluating secondary benefits is a most helpful exposition of the problem.

I ask unanimous consent that Mr. Bousquet's remarks be printed in the Extensions of Remarks.

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

REMARKS OF KENNETH J. BOUSQUET, PROFESSIONAL STAFF, SENATE COMMITTEE ON APPROPRIATIONS, BEFORE THE SOUTHEAST BASINS INTERAGENCY COMMITTEE, ATLANTA, GA., APRIL 17, 1968

Mr. Chairman, and members of the Southeast Basins Inter-Agency Committee, I certainly appreciate the invitation of Mr. Morgan to discuss the proposed discount rate for use on water resources development projects. Frankly, my first impulse was to beg off until after the hearings had been completed and the appropriation bill had been enacted into law. However, a realization of the importance of a better understanding of the effect of the discount rate on the economic justification of water resource projects prompted me to accept the invitation.

Perhaps a little background information on the origin of the present procedure in determining the interest rate to be used in the economic evaluation of water resource projects would be helpful. The concept of an economic evaluation of water resource projects probably started with the Flood Control Act of June 22, 1936. In that Act, the Congress enunciated the policy that the Federal government should improve or participate in the improvement of navigable waters for flood control purposes if the benefits to whomsoever they may accrue are in excess of the estimated costs, and if the lives and social security of people are otherwise adversely affected.

As a result of this decision, the water resource agencies developed benefit-cost ratios to indicate the economic feasibility of proposed projects. The discount rate plays a central role in benefit-cost analysis since it provides a mechanism for comparing benefits which occur in future years with the current cost of the proposed project. For many years, the various government agencies engaged in water resource development used their own judgment as to the interest rate to be used for Federal and local investments in the evaluation of proposed projects.

During this period, the importance of the benefit-to-cost ratio was greatly overemphasized since there was almost complete disregard of the other criterion set forth in the 1936 Flood Control Act, namely the adverse effect of floods on the lives and social security of the people. Furthermore, there has been a failure on the part of many to recognize that the benefit-cost ratio does not assess other intangibles such as aesthetic improvements to a region. Each time I make this statement, an economist usually informs me that although the benefit-cost ratio does not consider these intangibles in a quantitative manner, such considerations should be handled by means of a qualitative discussion. Theoretically this argument is sound, but the facts of the matter are that our political process looks only at the magnitude of the benefit-cost ratio with little or no attention paid to the non-quantifiable considerations.

A more basic limitation of the benefit-cost ratio is that it measures only national efficiency gains of a project, i.e., the contribution a proposed project makes to an increase in the income of the nation. Equally important, however, is the regional impact of a water resource project. It might be in the national interest to transfer either existing or future economic activity from overly populated and congested urban areas to rural areas. Although a water resource project might be instrumental in initiating such a change, the conventional benefit-cost ratio does not include these transfers as benefits.

I am not suggesting that these transfers be included in the conventional benefit-cost ratio, but I do think that the Congress should be provided with such information, possibly in the form of a "regional" benefit-cost ratio. Furthermore, I believe it should be given stature comparable to that accorded to the conventional benefit-cost ratio. It will then be up to the political process to assess our national goals and accord the appropriate emphasis to either the national or regional benefit-cost ratio.

My point in making the above arguments is that we simply cannot divorce the pending change in the discount rate from a very restrictive interpretation of the benefits obtained from water resource investments. In other words, a very restrictive definition of benefits, coupled with an increasing discount rate, will lead to a reduction in the water resources program of the government.

In October of 1961, President Kennedy requested the Secretaries of Interior, of Agriculture, of Health, Education, and Welfare, and of the Army to review existing standards for the formulation and evaluation of water resources projects and to recommend any necessary changes. The policies, standards, and procedures developed by this Presidential Task Force for the evaluation of water resource projects were approved by the President on May 15, 1962 for application by the agencies of the Executive Branch in the formulation and review of plans for water and related resource projects.

That report defined the discount rate to be used in project analysis as follows: "The interest rate to be used in plan formulation and evaluation for discounting future benefits and computing costs, or otherwise converting benefits and costs to a common time basis shall be based upon the average rate of interest payable by the Treasury on interest-bearing marketable securities of the United States outstanding at the end of the fiscal year preceding such computation which, upon original issue, had term to maturity of fifteen years or more."

This method was generally accepted by the construction agencies and the water resource associations, except for criticism from representatives of railroads and their consulting economists, until the Joint Economic Committee held hearings last year on the Planning-Programing-Budgeting System. Shortly thereafter Senator Proxmire, the Chairman of the Joint Economic Committee, started attacking on the Floor of the Senate the formula and interest rate being used in the evaluation of water resource projects. He argued that the economic profession was unanimous that the interest rate should be somewhere between 10 and 15 percent. His argument was that since the government must borrow from the private sector, which would earn that amount, the real cost to the nation is the loss in the private sector.

While I do not have a Ph. D. in economics, I am not inhibited by some of the long-hair theories put forth by the academic profession. At this point let me throw in parenthetically that the academic economists are not always unanimous in their solutions to our current problems. For instance, the President's Council of Economic Advisers has recommended a tax increase. Other economists have taken the position that a tax increase at this point in our economy is exactly the wrong thing to do. With that off my chest, I would like to comment on the theory advanced for the use of the opportunity cost of money in evaluating water resource projects.

I have advocated the development of methods and techniques for more effective evaluation of the benefits of water resource projects. I have taken this position because I believe that water resource projects will produce sufficient benefits to justify their construction, using an interest rate which approximates the rate paid by the government on the money it borrows. However, if serious consideration is given to the opportunity cost of money, several other factors must be taken into account. The opportunity cost of money can be defined as a potential, but unrealized, rate of income that an investor has deliberately renounced by not making an investment in another alternative to the one in which he actually places his funds. The opportunity cost of money from the investor's point of view has certain inherent drawbacks, the most significant of which is the element of risk. When you discuss 10 and 15 percent return on your money, you include investment opportunities with a degree of risk.

Private capital prudently places a portion of its resources in the so-called guaranteed investments such as preferred stocks, bonds, mortgages and other similar investment opportunities yielding smaller but safer and more assured returns. Within the past few weeks, sales on the New York Stock Exchange set three new all-time highs, the latest occurred last week when 20,410,000 shares were sold on a single day. The money for the purchase of this stock certainly came from the private sector. I have had some small dealings in the stock market and, although I have done rather well—in fact, better than my mutual fund is doing—I am not realizing any 10 to 15 percent annual return on my investment.

If the risk were not proportional to the potential return capital could not be attracted from the private sector to stocks, bonds, mortgages, trusts and other similar investments providing substantially lower yields. In fact, if all private capital were reinvested in industrial plants which would themselves produce an annual return of 10 to 15 percent, the compound effect of such a policy would soon see such an over-production of plant capacity that the bankruptcy rate would approach the records set in the depression of the late twenties and early thirties.

Another important consideration, in weighing the merits of the opportunity rate of interest for government projects, is the social objectives to be achieved. The government is not in business to make money or compete with private industry. Government should undertake those activities which private industry cannot or will not undertake, and to promote those conditions and climates which are conducive to the economic development of the nation or region. Our efforts in Appalachia would be a case in point. Many other examples can be cited.

For instance, in order to encourage rural electrification, the Congress determined that R.E.A. loans shall be at two percent interest. In this case, no relationship exists between the actual rate of interest paid by the government on the money it borrows and the loans it makes to R.E.A.'s. Similarly, for reclamation projects, the cost allocated to the irrigators is repaid without interest over a period of 40 to 75 years, and represents a subsidy of 50 or more percent. The cost allocated to the irrigator is determined by his ability to pay rather than the value of the irrigation water, with the balance of the subsidy being paid from power revenues over a period of years. This has promoted the development of the West and has greatly increased the economic contribution of the West to the national account.

I am convinced, therefore, that the selection of an interest rate for a particular purpose involves social and other policy questions of such magnitude that they transcend mere economic considerations. Since water resource development projects involve to a great extent the preservation of our land and water resources for the benefit of future generations, a case could be made for a social time preference criterion for the determination of an interest rate which might then be between two and six percent. I believe that once we have determined the social and policy objectives the economists can probably give us a fairly accurate rate of interest to apply in order to accomplish those objectives. For instance, if, from a policy standpoint, it was determined that we should consider the social time preference criterion, which takes into account a desirability of postponing current consumption expenditures in favor of future capital investment, the economists might recommend the use of an interest rate even below the three and one-quarter percent which the Federal agencies are now using—possibly as low as the two percent established by law for the R.E.A. loans.

I believe the important point to consider here is that it is only in the public works field that an attempt is made to evaluate a project to determine if it should be built. In the past, for all other programs, the discussions have been based entirely on national objectives rather than on economic evaluations. While such national objectives are not absent from public works projects, they are generally ignored.

If we were to adopt an opportunity cost of capital criterion, the Federal agencies would design a vastly different project from what they are recommending today. The projects would, obviously, be much smaller and would not only fail to produce the overall benefits realized by the projects recommended today, but would in many cases forever preempt the full development of the rapidly dwindling number of good dam sites.

The adoption of the opportunity cost of capital for public works projects would be a very shortsighted approach, particularly when you consider the long physical life of the works constructed rather than the arbitrary economic life chosen for the computation of a benefit-to-cost ratio. The effect of high interest rates becomes more pronounced as the period of the physical life of a project lengthens. This would result in a lack of proper consideration of the welfare of future generations. It should be apparent that such a criterion would provide no assurance that the present consumers will make adequate provision for unborn generations.

Senator Ellender has often pointed out that the importance of protecting and preserving our land and water resources has been dramatically demonstrated to him during his travels through Europe and Asia. He cites, for example, the situation in old Persia where our history books tell us that 500 years before Christ the entire area of Persia was capable of sustaining the livelihood of 115 million people; and now it can adequately care for less than 14 million persons. The prosperity of the countries of the Old World today is directly proportional to the effort expended on projects to conserve soil and water.

The problem of an appropriate interest rate for the purpose of evaluating water resource projects became a matter of immediate and urgent concern in January of this year.

In his budget message to the Congress on January 29, 1968, the President stated, "The Water Resources Council is developing a more appropriate interest rate to be applied in formulating and evaluating water projects. The revised rate will be related to the average estimated current cost to the Treasury of long-term borrowing. It will be higher than the rate now in use for project evaluation. The new rate will be applied to future projects in order to assure the most effective use of Federal funds in the development of the Nation's water resources."

It is expected that the Water Resources Council will recommend an interest rate around 4½ to 4⅝ percent.

The formula now in use is based on the coupon rate of the interest-bearing marketable securities of the United States which, upon original issue, had terms to maturity of fifteen years or more. The coupon rate is the contracted rate of interest calculated on the face or maturity principal value of a bond. It is expected that the new formula will probably be based on the average five-year current cost to the Treasury of long-term borrowing and will be based on the yield rate to the investor. Assuming the original purchaser retains the bond to maturity, the yield rate to the investor is the percentage return calculated against the price at which he purchased the bond. For instance, a $100 bond bearing interest at 5 percent (coupon rate) is purchased for $98. In this case, the yield is greater than the five percent coupon rate, i.e. 5/98 or 5.1 percent. Thus, if the Treasury sells a bond for less than its maturity principal value, the yield to the investor, or cost to the Treasury, is higher than the coupon rate.

In the economic analysis of a water resource project, an increase in the interest rate has a double-barrelled effect on the benefit-to-cost ratio. First, the cost side is affected. As the interest rate goes up, the interest charge on the borrowed money increases and therefore the annual charge increases. This, however, is a relatively minor effect compared to what happens on the benefit side. In order to make a proper comparison of costs today with a series of benefits in the future, it is necessary to calculate the present worth of a series of future benefits.

The present value or worth is the dollar value today of a sum to be paid or received with interest (compounded) on a stated future date. For instance, the present worth of an investment of $1.00 at 3% one year hence would be .97087 ($1.00÷1.03=.97087), i.e., an investment of 97 cents today will grow to $1.00 in one year at 3%. Similarly, the present worth of $1.00 fifty years hence, using a 3% interest rate, is .2281; while the present worth of $1.00 fifty years hence, using an interest rate of 4½% would be .1107.

In computing flood control benefits, for example, the Corps prepares a damage curve based on estimated damages from floods of certain magnitudes and on their probability of occurrence. The sum of all the estimated damages over the assumed economic life of the project is then averaged and reduced to a present worth by use of an appropriate interest or discount rate.

The order of magnitude of the effect of increased discount rates can be shown for four projects which at 3% interest had a benefit-cost ratio of 1.5 to 1. For projects 1 to 2 (in the following table) the benefits are based on existing conditions with no provision for growth, and only the economic life of the project changes. For projects 3 and 4 a substantial portion of the benefits accrue in the later years of their project life, i.e., there is a mixture of existing and future benefits. For a specific discount rate, the more distant the benefits, the more they are discounted. Therefore, as the discount rate is increased, the benefit-cost ratios for projects 3 and 4 will show a more significant reduction than those for projects 1 and 2.

COMPARISON OF EFFECTS OF A DISCOUNT RATE INCREASE

Interest rate	Project 1	Project 2	Project 3	Project 4
	Existing development (no provision for growth)		Benefits divided between existing and future development	
	50-year life	100-year life	50-year life	100-year life
3	1.5	1.5	1.5	1.5
4	1.3	1.2	1.2	1.1
5	1.1	1.0	1.0	.8
6	1.0	.9	.9	.6

For the first project, the benefit-cost ratio is reduced from 1.5 to 1.1 when the interest rate is increased from 3% to 5%, and the third project having the same 50-year assumed economic life drops from 1.5 to 1.0 because of the discounting effect of the higher interest rates on the larger benefits in the later years of its economic life. Now, comparing the projects with an economic life of 100 years, in the case of the second project the benefit-cost ratio is reduced from 1.5 to 1.0 when the interest rate is increased from 3% to 5%; whereas, for project 4, an increase of 2% results in an unfavorable benefit-cost ratio. In this latter case (Project 4) an increase of 1%, from 3% to 4%, reduced the ratio from 1.5 to 1.1, resulting in a marginal project. This demonstrates very dramatically the sensitivity of the benefit-cost ratio to changes in the discount rate.

In recent years, relatively few projects recommended by the Corps for authorization have a benefit-cost ratio in excess of 1.5. The impact of the proposed higher interest rate in evaluating Corps projects therefore becomes readily apparent.

If we are to use a more realistic interest rate in economic analysis, we should also use a more realistic evaluation of benefits. The Corps has been notoriously conservative in evaluating primary benefits and has never attempted to evaluate secondary or social and expansion benefits. It must be recognized that the Corps is just as wrong when it under-estimates the benefits of a proposed project as it would be if it over-estimated the benefits.

The Honorable Elmer B. Staats, Comptroller General of the United States, in arguing for the use of a discount rate that approximates the full cost of money to the Federal government (around 7½ percent for long-term borrowings when adjustment is made for taxes foregone by the government)

made the assertion that except for water resources projects of the Corps of Engineers the Department of Defense uses an interest or discount rate of 10 percent. I am afraid that his advisers were not aware of the difference between a benefit-cost analysis for a public works project and the cost effectiveness studies of the military. For instance, when several weapons systems are under consideration, the development of a system of weapons is accepted as a national objective and the cost effectiveness analysis is used only to determine which of the systems under consideration will perform a given task in the least costly manner.

Mr. Staats, however, subsequently made the following significant statement:

"The real problem is in terms of how good are our estimates of what the benefits and costs are going to be for the future, and we are projecting ahead a good many years."

Senator Proxmire made a similar point when he stated, "I think the difficulties, however, are that the benefits may very well have been underestimated for water projects, in which case I think we should do a better job of estimating the indirect as well as the direct benefits. Then you are in a position to make your evaluation."

This is precisely the position the Senate Subcommittee on Public Works of the Committee on Appropriations has taken for a number of years. Both in the hearings and reports, the Committee has urged the Corps of Engineers to continue its efforts to devise methods and criteria for evaluating secondary benefits which Senate Document No. 97 recognizes as proper in the economic analyses.

During the hearings before the Joint Economic Committee, Senator Symington stated, "It would appear we get more benefit from water development than from some other aspects of the Federal budget." He then cited the following case:

"For example, in my state, we had a close question on a certain project when it came to cost-benefit ratio. As a result, we finally built a dam; and whereas nearly every rural county in Missouri has lost population and lost income, this particular group of counties, as a result of this dam, has had a tremendously increased economic gain, to the point where bank deposits are now over 300 percent more than they were a few years ago.

"This, of course, creates a much-needed additional tax base, not only for the State but for the Federal Government."

Senator Symington has put his finger on one of the real secondary benefits which the Corps does not take into account in its project evaluation, except in certain designated redevelopment areas where such benefits are required to justify a project.

During the appropriation hearings this year a number of examples of failure to include all benefits in the economic analysis were brought to light, and I am sure there were others that were not surfaced during those hearings.

In several cases, the justification sheets furnished to Congress by the Corps stated that the area to be protected was in an area that had been designated as a redevelopment area, but surprisingly no area redevelopment benefits were included in the list of project benefits and, consequently, were not considered in computing the benefit-cost ratio. In one case, the Division Engineer testified that area redevelopment benefits will be included in the benefit-cost analysis only if the project would otherwise lack over-all economic justification. In another case, the committee was informed that since area redevelopment benefits were not considered in the project document, they were not included in the computation of the benefit-cost ratio. In this particular case, the inclusion of area redevelopment benefits would have increased the ratio from 1.2 to 1.4.

In other cases it was noted that expenditures were contemplated for recreation facilities but no benefits were attributed to recreation. The committee was advised that the reason for this was that recreation was not an authorized project purpose. Certainly if the general provisions of the 1944 Flood Control Act provided authority for the expenditure of public funds for recreation, it provided the authority to evaluate the recreation benefits resulting from that expenditure.

In another case, the justification sheet stated that the navigation benefits did not include the movement of 600,000 tons of coal a year starting in 1968 and increasing to 1,000,000 tons by 1970. In this case, the committee was informed that the information on this movement was so recent that time did not permit the evaluation of these benefits.

I have often cited the example of the Green River project in Kentucky where the Corps used a figure of 2½ million tons a year to justify the project, and then some ten years after completion of the project the commerce actually exceeded 12 million tons a year.

Several other interesting insights into the Corps' analysis of its projects came to light during our recent hearings. The chairman asked the Corps about the amount of traffic that developed on the project Delaware River, Philadelphia to the Sea. At the time of authorization the project had a stated benefit-cost ratio of 1.9 to 1, based on estimated commerce of 12,700,000 tons. However, the average commerce for the last five years (1962–1966) was 18,900,000 tons, or nearly fifty percent greater than that assumed at the time of authorization.

In other cases, the procedures used to evaluate benefits are not predicated on a sound theoretical basis. For example, water quality benefits at the present time are computed on the basis of the least costly alternative with no attempt being made to measure the economic value to be realized from a cleaner river; similarly, water supply benefits are computed on the basis of the least costly alternative.

By equating benefits to the cost of the cheapest alternative method of providing the water we are saying that the benefit-cost ratio of the alternative means of obtaining the water is 1 to 1; whereas, perhaps the ratio would be 4 to 1 for the alternative means if we could establish what the actual primary and secondary losses for the area would be in the event of an actual water shortage. In such a case, the water supply benefits for the multiple purpose project would and should be four times the cost of the least costly alternative.

In the case of levee protection for flood control, the levee is built based on a project design flood of a certain magnitude but in the estimate of damages prevented they do not assume that the design flood will occur during the life of the project. It seems that if there is sufficient probability of a flood occurring to justify the design to protect against it, it is reasonable to assume that that flood would occur some time during the life of the project.

In connection with the difficulties of evaluating project benefits, I recall that after passage of the 1944 Flood Control Act which authorized the Corps of Engineers to construct, maintain, and operate public park and recreational facilities in reservoir areas under the control of the Department of the Army, no recreational benefits were included in the project evaluation because a technique had not been developed for measuring such benefits. They were admitted to be substantial and real but because the benefits were not included in the project evaluation the benefit-to-cost ratios were understated. After several years, it was decided that the benefits at least equaled the separable cost for the recreational facilities. It was not until recent years, after the establishment of the Bureau of Outdoor Recreation, that values were established for the various types of activities afforded by the water-oriented recreation facilities.

These are but a few of the examples where primary benefits were left on the table in computing the benefit-to-cost ratios. In addition, all of the secondary benefits were completely ignored. With increased pressure of other programs for the budget dollar we can no longer enjoy the luxury of understating the benefits of land and water resource projects. In my opinion, opposition to the use of a discount rate which is more nearly in line with the current cost of long-term borrowings of the Federal government would be a futile gesture. I expect that the Water Resources Council will devise a reasonable and proper interest rate for the evaluation of water resource projects which we can all accept as a reasonable approximation of the long-term Federal interest charge.

Although the President apparently intends the new interest rate to apply only to reports on new projects not yet submitted to the Congress, I do not see how we can live with a double standard. In fact, the Chairman of the Joint Economic Committee, a strong advocate for the use of a discount rate of at least 7½ percent, recently, in urging early action on the new interest rate for use in water resource projects, stated, "It might also be advisable to apply the higher rate to current or just started public works projects. If many of these projects showed negative present value, there would be a strong case for discontinuing them."

I am certain that you are all aware of the increased competition of the various programs for the limited controllable Federal expenditures that can be financed in any budget year. It should be apparent, therefore, that unless the Federal agencies engaged in water and land resources projects are now willing to make a more realistic evaluation of primary benefits and develop a technique for evaluating secondary benefits (the use of secondary benefits has been administration policy since May 1962), they will find themselves in the position of being able to recommend only a relatively small percentage of the projects that should be built now to protect and preserve for future generations the priceless land and water resources of this nation.

A Salute to John P. Saylor

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. ASPINALL. Mr. Speaker, with absolute assurance that I in no way suggest comparison with the philosophy, competence, sincerity, or voting record of any other of my colleagues, I should like to insert in the RECORD an editorial paying just tribute to one of our most respected and most popular Members of Congress, the distinguished gentleman from Pennsylvania [Mr. SAYLOR].

Except perhaps for the title and opening and closing paragraphs of "Not Enough Saylors," I am confident that none will take issue with the editor of the Punxsutawney Spirit in his enthusiastic salute to an outstanding Representative. JOHN P. SAYLOR has a long-standing reputation for hard work, dedication to duty, and straight-from-the-shoulder personality. You know where he stands at all times, and you know that you have a man of action and

a man of his word on your side when he stands beside you on any issue.

In presenting an exciting description of a man among us of great stature, the Punxsutawney Spirit exhibits an exciting spirit of its own. While we seldom hear of the little town—somewhere in the Pennsylvania mountainland—except on groundhog day, there is something in the name of the community—hard spelling and all—that has a special attraction. Like Grand Junction and Greeley and Big Horn and Beaufort.

Punxsutawney is no doubt a place where men are rugged men, who recognize—as do we in Washington—JOHN SAYLOR as a big man and a good one.

The editorial follows:

NOT ENOUGH SAYLORS

Trouble is, there aren't enough Saylors in the United States Congress.

And by Saylors we mean, specifically, Congressman John P. Saylor, of Johnstown, who is the representative of the 22nd Congressional District (Cambria, Indiana, Jefferson, Clarion and Armstrong Counties).

Congressman Saylor stands for everything that is genuinely American and he makes no bones about his position on anything that goes against the grain of anything American.

He is for economy in government, he is for a balanced budget and he fights for those things just as he fights against excessive give-aways of the taxpayer's dollar, the ever-creeping paralysis that is government bureaucracy and growing inflation that brings poverty to the nation's aged.

Recently, in demanding that the House of Representatives make substantial cuts in the huge federal budget, he said:

"The budget provides for ever-growing numbers to partake of assorted favors to be dispensed by an ever-growing bureaucracy with ever-growing authority."

John Saylor, who has solid, deep-rooted attitudes on Americanism, is worried about the course the nation is taking and is doing his utmost to nudge it back to a proper direction.

Trouble is, there aren't enough Saylors in the United States Congress.

Student Financial Aid

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MORSE. Mr. President, the April 1968 issue of the NEA Journal contains a short article entitled, "Student Financial Aid."

It is a very brief but most helpful discussion of planning that families might wish to do during the high school years so that they may prepare financially for the higher education of their children.

Because I feel that the article can be helpful to my colleagues, I ask unanimous consent that it be printed in the Extensions of Remarks.

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

STUDENT FINANCIAL AID

"The only way I could go to college would be to get a scholarship. My grades are OK, but they're not *that* good, so it looks like no college for me." This once familiar lament, unanswerable until a few years ago, is groundless today. Thanks to thousands of student aid programs, money problems need no longer bar any young American who can gain admittance to an accredited college. According to a survey done by the American Legion's Education and Scholarship Program, over two billion dollars is available annually to help needy students.

Sponsored by federal and state agencies, as well as by churches, industry, service clubs, fraternal organizations, and private individuals, student aid is available not only in the form of scholarships, which are still usually awarded on the basis of superior performance, but also as loans, work-study opportunities, or outright grants based on need.

The majority of the aid programs, including all those under the jurisdiction of the U.S. Office of Education, are not administered by their sponsors but by participating colleges. Most colleges place the responsibility for administering aid funds in the hands of a financial aid officer.

Leaders in the field of student financial aid agree that every student who requires monetary assistance needs to have that assistance planned and tailored to his individual circumstances. Financial aid officers, using expertise that one university president has described as combining "the skills of a social worker and an internal revenue agent," work out the individual programs.

Most assistance programs are planned to supplement what the student and his family can pay toward college expenses. Working from the family's confidential financial statement and the student's school and health records, the financial aid officer draws up a plan for each student who needs assistance. Often, this will be a package deal, which uses some combination of grant, job opportunity, and loan to fill the gap between what the family resources can contribute and the cost of a year at college.

Loans play an increasing role in student aid. Under Title IV, Part B of the Higher Education Act of 1965, the "Guaranteed Student Loan Program," undergraduate students at accredited institutions may borrow as much as $1,000 a year (graduate or professional students, up to $1,500) from a bank or other financial institution. If the adjusted annual income of a student's family is under $15,000, the government pays the interest while he is in college; repayment of principal and interest payments by the student begin when he finishes college, at which time the government pays about half the interest, and the student, the remainder. A student whose family's income is over $15,000 may borrow, too, but must pay 6 percent interest per year on the unpaid principal balance from the start.

"Borrow a fair share of what you need this first year," a financial aid officer may counsel a freshman. "After you've had a year on the campus and know your way around, you may feel that you can manage more hours on your job, but give all the time you can to the books this semester." In following years, the student will continue to get advice about what financial plan to follow.

The wise financial plan, however, is one that starts before college. Long before a student who will require help actually comes under the aegis of a college financial aid officer, he must start laying the groundwork for his own program. The high school has an obligation to help him do this and should have a program operating for this purpose, with a counselor or teacher in charge.

A youngster needs to start planning for his future as early as possible—the second year of high school is not too soon. At this stage, the high school can help by giving him opportunities to learn about various occupations. If the occupations that appeal to him require a college background, the school can help him plan his high school program to include prerequisites. A year after high school spent in making up subject matter requirements adds unnecessarily to the expense of a college education.

The second year is not too early for the high school to help the student realize the important role good grades—B's or better—play in college admission. He needs to know that many colleges which have extensive aid programs also have high admission requirements. He needs to be helped to develop good study habits. Since a student's non-academic record is often a factor in college admission, he needs to be encouraged to have hobbies and to participate in school and community activities.

During the junior year, the high school student starts to select the colleges to which he will apply. He studies catalogs to find which institutions offer the most in his chosen field, what his chances are of being admitted, and what the costs will be. At this point, he needs a counselor or teacher to help him decide which schools are feasible for him to aim for, taking into consideration his goals, his school records, and his financial resources.

The school needs to see that the student and his parents learn about the different kinds of aid and that the parents have a clear idea of what will be expected of them financially if their child goes to college.

During the junior year, students may take the Preliminary Scholastic Aptitude Test. When the results come in, youngsters need counseling as to what the test results indicate about their chances of being admitted to their favored colleges and/or about their chances of winning scholarships. A student who has performed outstandingly ought to learn that winning a scholarship usually doesn't mean having one's way paid through college—that need often determines the amount awarded as a scholarship, so that, even if he becomes a scholarship student, he and his family will still be expected to contribute as much as they are able to the cost of his education.

Even though a scholarship may not solve all of a student's financial problems, juniors who are honor students or who are talented in some special field should have access to information about competitive scholarships. The school should display or publish notices of examinations or contests, and counselors should stand ready to advise interested, qualified students about competing.

During the first half of the senior year, that final stretch for the college-bound when the students are applying for college admission and for financial aid, it's up to the students to fill out their own applications and to see that applications are accompanied by all necessary documents. It's up to the counselor, though, to answer all kinds of questions and to be sure that the students have filled out applications correctly, as well as to make available transcripts and other materials which the colleges may request.

Some useful references for guidance officers are: the *ACAC Handbook for College Admissions 1967–70*, published and sold by the Association of College Admissions Counselors, 801 Davis Street, Evanston, Illinois 60201; and, at nominal cost, *How the Office of Education Assists College Students and Colleges* (Catalog No. FS 5.255:55051, U.S. Government Printing Office, Washington, D.C. 30402) and *Need a Lift?* and *A Guide for Parents & Students*, available from your local American Legion post or auxiliary unit.

Congressman Hamilton Introduces Legislation To Ease Time Zone Dilemma in Indiana

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HAMILTON. Mr. Speaker, today I am introducing legislation aimed at easing the time zone dilemma in the State of Indiana.

The question of time zone boundaries has plagued Indiana for some 20 years. If you want to start a heated discussion on any Indiana courthouse square, ask what time arrangement would best suit the needs of commerce and the people of the State.

Indiana is roughly bisected by a time zone boundary line which was established by the Interstate Commerce Commission back in 1961. That boundary line put 43 eastern Indiana counties in the eastern standard time zone and 49 western counties in the central standard time zone.

Only in recent years has the State evolved from a hodgepodge of local times to a relatively uniform time pattern.

All but 12 of the Indiana counties in the northwest and southwest corners of the State have joined the eastern counties in the observance of year-round eastern standard time. Those 12 counties, tied to the business and industrial interests of adjoining communities across State lines, have observed central standard time in the winter months and central daylight time in the summer.

These local arrangements, perhaps the most satisfactory arrangement possible in Indiana, are threatened if the Uniform Time Act of 1966 is enforced.

Unfortunately, Indiana's own solution to the problem violates the Uniform Time Act of 1966. The enforcement of this act would require all of Indiana to go on daylight time automatically from the last Sunday in April to the last Sunday in October unless the Indiana General Assembly exempted the State, in which case, standard, or "slow" time would apply year round in the entire State. Because the Uniform Time Act disrupted Indiana's time pattern, I voted against it.

The Uniform Time Act does not authorize a State having more than one time zone within its boundaries to exempt one time zone area from daylight time while leaving daylight time applicable in other time zones.

Mr. Speaker, the legislation which I am introducing today would amend the Uniform Time Act to allow an option of daylight time in Indiana and other States divided by time zone boundaries. I introduce it only after extensive consultations with Department of Transportation officials, legislators in the Congress, and the Indiana General Assembly, and many conversations with Hoosiers.

The amendment I propose would allow Indiana, and the States which find themselves in the same predicament, to exempt one or more parts to allow these areas to continue the custom, convenience, and the continuity of the time balance which has been established. This would permit the 12 counties in southwest and northwest Indiana to remain on central standard time with daylight time in the summer while the rest of the State could observe eastern standard time the year round.

We should proceed to collect and analyze information from Indiana residents and businesses in order to arrive at the best arrangement possible for Indiana. By the time the Indiana General Assembly next meets, it could properly consider and vote upon the question of exempting the State from daylight time.

Address by Cartha DeLoach, Assistant to the Director, Federal Bureau of Investigation, Before Georgia Association of County Commissioners

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. TALMADGE. Mr. President, Cartha "Deke" DeLoach, Assistant to the Director of the Federal Bureau of Investigation, was in his native Georgia yesterday to address the annual convention of the Georgia Association of County Commissioners in Augusta.

In his many years of service to the FBI, Deke DeLoach has distinguished himself as a champion of law and order and sound law-enforcement practice. In his appearance before the Georgia County Commissioners, Mr. DeLoach delivered an eloquent and forceful address on the subject of law and order in the context of the present crime situation in America. I concur wholeheartedly in his statement that the business of upholding law and order is a "solemn duty" of every man, woman, and child in America.

His message was of particular interest to the Georgia Association of County Commissioners, because the association has recently developed and launched a program called Operation Bolster, which is designed to strengthen law and order and law enforcement by enlisting grassroots interest and support. J. Edgar Hoover, the Director of the FBI, has personally commended the Georgia County Commissioners on this program.

I bring Mr. DeLoach's address to the attention of the Senate, and 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:

THE HANDS OF FREEDOM

(Address of C. D. DeLoach, Assistant to the Director Federal Bureau of Investigation, before the Georgia Association of County Commissioners at Augusta, Ga., April 28, 1968)

It is a happy privilege for me to be here today to offer my enthusiastic, wholehearted support of your "Operation Bolster" program. Georgia law enforcement and American law enforcement have never before in history needed the backing and encouragement of the citizenry as desperately as they do today.

As a boy growing up in Georgia, I used to say that the only time my father ever got really angry with me was when he sent me out into a creek bottom with three rocks and I came back with only two rabbits. "Operation Bolster" will undoubtedly help Georgia law enforcement bring in the third rabbit—help them be even more efficient and effective. While we may never reach Utopia with *total* respect for law, we must never cease striving for that objective and never set our sights any lower, for we'll never score a touchdown if we only try to make it to the 50-yard line.

Professional law enforcement has made great progress in recent decades, but, at the same time, the problems and forces opposing law and order have grown and multiplied to grotesque proportions. And all thinking people realize that the internal peace and security of this country rest on effective law enforcement and cannot be achieved by hit-or-miss justice.

During the 1700's, an English legal scholar wrote that those upstart colonial Americans were a "race of convicts" who "ought to be content with anything we may allow them short of hanging."

Agreed that we will not accept hanging, with what are we going to be content? With our present more than three and one-half million serious crimes each year? With our present soaring crime rate averaging over a murder an hour and three burglaries a minute? With sneering disrespect for law as a way of life? With fear replacing freedom and license superseding liberty?

Surely not. Yet, these are facts of life on many streets of the country and in many segments of society today.

I am convinced that most Americans have the "guts" to squarely face these problems and take action on them, but how are these conditions often presented to the public?

Gentlemen, we are being told that *there are no criminals,* but only those who are not oriented to lawful endeavors.

We are told that *we do not have murderers and rapists,* only those who are less inclined to observe others' rights because of excessive personal and societal pressures.

We are told that *there are no cowards,* only those who feel obligations to country are subordinate to personal, subjective convictions.

We are told that *we do not have robbers and burglars,* only those who satisfy their desire for property without due regard to ownership.

In General McAuliffe's words, NUTS! Our first step toward fighting crime and assisting law enforcement must be to brush the smog from these dewey-eyed euphemisms and face reality.

Crimes are committed by active criminals—by robbers, murderers, burglars, thieves, and rapists. Crimes are committed by dedicated criminals against United States citizens, against living, breathing neighbors of yours, not against numbers or statistics or some nebulous name. And they are committed by arrogant criminals who mock the morality of law and don't give a tinker's dam about the rights of others.

This is not to say that I am unmindful of the rust in some parts of criminal justice machinery, or that I do not fully appreciate the necessity of action against those factors which are labeled the social causes of crime.

But the attack on crime must be launched on two fronts: one with long-range goals and one with short-range goals. The long-range programs should be concerned with eliminating ignorance, poverty, slum conditions, and the like. They should be aimed at eventually modernizing the physical surroundings of the populace and increasing the opportunities available to each citizen for his economic, intellectual, and spiritual well-being.

However, the other, shorter range attack must be successful and must take place now, or else we may well have no opportunity to work toward those ultimate goals because the structure supporting the launching pad for the short-range attack will have been destroyed.

The immediate objectives must include better equipment, training and pay for police. They must have the manpower and wherewithal to meet the criminal on a better than even footing. The FBI has, for many years, assisted in the training of local police offi-

cers throughout the country, and in 1967, alone, conducted 6,001 police schools to professionalize law enforcement, and during the same year disseminated 300,000 items of information to them to assist them in discharging their responsibilities to the citizens of their jurisdictions. Cooperation is vital but much remains to be done.

These objectives must include devising and implementing new procedures to make courts, judges and trials more efficient; to reduce the backlog of cases to be tried; and to render prompt, speedy justice without frivolous continuances once an arrest has been made.

Another immediate objective must be to take a close, hard look at the penal codes and statutes, and revise and update them where appropriate to give law enforcement the legal powers necessary to successfully battle crime. For example, in one state it is legally impossible for a police officer to secure a search warrant for a gun used as a murder weapon. In most, if not all, states, it is not possible for police officers to obtain a search warrant for items the courts call "mere" evidence, even though the United States Supreme Court says it is permissible for officers to do so.

And, perhaps the most important immediate objective must be to foster and establish a broader base of citizen support of law enforcement—citizens who will not only request, but *demand* respect for law; citizens who will insist that all crimes be promptly investigated, aid in the criminal's swift apprehension, and insure the guilty are fairly punished on a no-nonsense basis.

"But," as FBI Director J. Edgar Hoover wrote in his message to you on "Operation Bolster," "the success of any program, on any level of government, depends on the support it receives."

We need a new impatience with those who violate the law and a new insistence that the law be enforced impartially in all cases, whether the crime is murder, treason, or disturbing the peace.

An educator in one of the country's most respected law schools recently approvingly wrote that many law students are "saying that to break the law, with the attendant injustices of doing so, can be a legitimate means toward the end of a higher justice—social justice" and that "many students therefore conclude that most urban riots, with all their tragedies, are at least more forgivable than punishable."

Breaking the law is legitimate? It is a gross understatement for me to say that I do not agree with this infantile reasoning. In fact, my true feelings on this comment are probably slanderous and would constitute libel of his intelligence if printed. In Lincoln's words, "He reminds me of the man who murdered both his parents, and then, when sentence was about to be pronounced, pleaded for mercy on the grounds that he was an orphan."

In a free society ruled by supremacy of law, we can never permit policing by vigilante groups; we can never condone prosecuting by rabble rousers; we can never approve sentencing by the Stokely Carmichaels; and we must never recognize mob violence as the standard appellate procedure. The President of the American Bar Association defined it clearly:

"The rule of law means the use of law rather than violence to settle disputes, adjust conflicting claims, punish wrongs and redress grievances. The rule of law prohibits private, personal vengeance and imposes restraints on each of us, and by doing so, it maintains a state of order that makes progress—for the individual as well as society—possible."

I cannot imagine a judge in a courtroom allowing a demonstration interrupting orderly procedures to go unpunished for contempt of court and for contempt of the law. Yet, in streets across the land, individuals are openly in contempt of the law and the rights of others and are throwing confusion into the orderly processes of government, business, institutions, and private affairs. Is this what our forefathers meant by the right to petition and peaceable assembly?

Because the advocates of anarchy and the criminal practitioners of civil disobedience piously plead the "right of dissent" or a noble end, many are not firmly prosecuted.

Perhaps I am old-fashioned. I believe the laws of the states and the Nation should be obeyed. If they are not obeyed, the violators should be identified and apprehended, fairly prosecuted and firmly punished.

True, there *are* outdated laws. They should be changed by legislation.

There *are* injustices. They should be made known by *legitimate, lawful* dissent.

Improvements *are* needed. They should be brought about by casting ballots rather than Molotov cocktails.

We should remember that provocation is not dissent and demagoguery is not democracy.

Has civil disobedience made a significant contribution to the crime problem? I would answer, yes, definitely. I cannot cite statistics in this area, but logic confirmed by law enforcement's long experience says simply this: any creed or action which promotes disrespect for law and encourages disobedience to constituted authority produces law breakers.

Two days from now, on May 1st, we observe the annual Law Day, USA. The theme for 1968 is, "Only a lawful society can build a better society." There is not now and never has been a society that was *completely* lawful and *wholly* just. But Americans in the past have moved, at times slowly and painfully, toward those goals guided by a deep conviction in the supremacy of law. "Operation Bolster" is a giant step in that direction.

Law enforcement acting alone cannot guarantee a lawful society, nor can the Federal Government. In fact, the City of New York by itself has more policemen than the entire Federal Government has law enforcement officers.

Cooperation among agencies is essential, but without the active support of the citizens of the community, law enforcement's finest efforts will produce meager results. It is your help, your support, your action, along with that of the people of your counties, which can turn the tide in the battle against crime and lawlessness.

Each generation has little choice regarding the problems which reach a critical stage during their lifetime. But they do have a choice in the manner in which they face these problems—whether they meet the challenges honestly, realistically and practically.

I have always been impressed with the story of a group of brave French villagers following World War II. Theirs was a quiet and peaceful village prior to the war, and, as with so many of the towns which dotted the countryside, it was built around a small square or plaza. Other than a fountain which provided the village drinking and washing water, the only other permanent occupant of the plaza was a life-size statue of Jesus standing with outstretched arms.

The ravages and horrors of war came to this small village, and, as the battles raged in front of, through, and past the town, most of the buildings were destroyed by shelling and bombardment, and the statue of the standing Jesus suffered an almost direct hit.

After the war was past, the townspeople wearily, but with dogged determination, began putting their lives and property back in order, but their first project was reassembling the statue. They searched through all the rubble and debris in the plaza and were able to find all the pieces of the figure except two—the hands were missing and just could not be found. Nevertheless, with much effort and painstaking care, the available fragments were gently put back together. Today, the statue stands overlooking the plaza of that small French village, but the arms of Jesus end at the wrists. On the base of the statue is scrawled a simple handwritten message. . . . It reads, "I have no hands but yours."

The job of upholding law and order is not now and never has been the sole, separate responsibility of only the law enforcement profession. It is a solemn duty requiring the hands of every man, woman and child in America.

It requires facing the crime problem realistically; it requires immediate implementation of practical solutions; it requires prompt and fair prosecution of every violation of law; and it requires your full support of those charged with enforcing the law.

In the final analysis, law observance, prosecution and enforcement policies, even the state of the law and freedom itself, rest in the great, quiet power of the law-abiding citizens of this Nation.

Freedom has no hands but yours.

Results of Questionnaire to People of the Ninth District of Tennessee

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. KUYKENDALL. Mr. Speaker, the people of the Ninth District of Tennessee have done a fine job of participating in a poll on the vital issues of our times. We have just completed tabulating the answers to my questionnaire from some 13,000 citizens of the community I have the privilege to represent.

This widespread interest in the questionnaire is a fine example of government by the people. While we all recognize that as elected Representatives of the people, we must make the final decisions on how to vote on legislation coming before us, the use of the questionnaire and the interest of the people in answering it provides direct communication between the Representative and the people unmatched by any other means.

In answering the questionnaire, the people of the Ninth District of Tennessee have expressed themselves overwhelmingly in support of a cut in Federal spending. While reluctant to support a tax increase under any circumstances, many of them would do so if it is demonstrated that a real cut in spending will be made.

On the question of crime and riots, the people I represent believe strongly in the enforcement of law and order. They realize that there can be no solution to the many and complex problems which face us as a nation unless we begin with law and order.

The opinions of the people of the Ninth District on all of the eight questions put to them are contained in the complete report of the results as here presented:

RESULTS OF QUESTIONNAIRE TO RESIDENTS OF 9TH DISTRICT OF TENNESSEE—CONGRESSMAN DAN KUYKENDALL

[In percent]

	Yes	No	Undecided
1. Are you in favor of the 10-percent surcharge income tax if there is a corresponding cut in spending?	38.7	58.0	3.3
2. Would you favor the increase even without a cut in spending?	6.8	88.3	4.8
3. Do you believe social security funds are being properly handled by the Government?	19.6	69.8	10.5
4. Do you believe crime and riots are caused by inadequate laws and enforcement?	68.8	28.3	2.8
5. Do you believe the main cause is hopelessness in our cities because of inadequate opportunity, education, lack of welfare care?	18.3	75.6	6.0
6. Do you believe the President's conduct of the Vietnam war will bring an end to the fighting?	11.8	83.8	4.3
7. Do you believe our present defense policies will prevent the outbreak of hostilities in other areas?	7.66	86.66	5.66
8. Do you believe the Communist movement is responsible for the major part of the unrest in the world?	84.5	12.6	2.8

Career Service Awards

HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. JORDAN of Idaho. Mr. President, the Chief of the Forest Service, Edward P. Cliff, and the Director of the Atomic Energy Commission's Division of Reactor Development and Technology, Milton Shaw, dedicated public servants and close friends of mine, have recently been named as recipients of a truly impressive and meaningful award. The National Civil Service League each year honors 10 outstanding Federal employees with a Career Service Award of $1,000.

We all know how essential it is, if our Government is to function as it should, to have dedicated and skilled men at all levels of operation. Without them, ours would be little more than government in theory only.

I would like to express my heartfelt thanks for a job well done and congratulations to Ed Cliff, Milton Shaw, and the eight other men who comprise this year's "top 10" of the National Civil Service League and ask unanimous consent that the following editorial which appeared in the April 28, 1968, edition of the Washington Post be reprinted as Extensions of Remarks.

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

CAREER SERVICE AWARDS

Each year the National Civil Service League—admirable organization that was founded in 1881 to fight the spoils system of political appointments to public office—makes "Career Service Awards" of $1,000 to ten outstanding Federal servants. Those honored for 1968 are: Brent Ashabranner, the Peach Corps; Lewis M. Branscomb, the National Bureau of Standards; Edward P. Cliff, the Forest Service; Samuel M. Cohn, the Bureau of the Budget; J. William Doolittle, Department of the Air Force; James F. Kelly, Department of Health, Education and Welfare; Alexander D. Langmuir, U.S. Public Health Service; Ellsworth H. Morse, Jr., General Accounting Office; Milton Shaw, Atomic Energy Commission; and Arbon W. Stratton, Veterans Administration.

Without competent civil servants below the top echelon of every department—men and women who are seldom exposed to public attention—the Federal Government could not function. So we join the League in paying homage to the ten whose careers are dedicated to excellence in the Federal service.

Fire Ant War Continues

HON. SPEEDY O. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. LONG of Louisiana. Mr. Speaker, a few weeks ago I joined with the Louisiana Department of Agriculture and the president of the Southern Plant Board to urge an adequate appropriation for a national program to eradicate the imported fire ant before the Agriculture Appropriations Subcommittee of the House Appropriations Committee. We presented to the subcommittee commanding reasons for launching this war on the fire ant, which have been bolstered editorially by the highly respected New Orleans States-Item in an editorial published on April 23, 1968.

I believe this subject is important enough to provide this editorial for reprinting in the RECORD. Copy of the piece, entitled "Fire Ant War Continues," follows these remarks:

FIRE ANT WAR CONTINUES

For a dozen years, federal funds have been available on a matching basis for war on the imported fire ant, but the ant still has the upper hand.

Voracious as well as poisonous, the pest annually causes damage totaling $15 million in Louisiana and eight other Southern states, by federal reckoning.

Hopes for controlling and gradually eliminating the pest now center around a bait, mirex, spread by plane in a series of three applications. Experiments using this approach are expected to be finished by early 1970.

But if the ant itself doesn't provide enough of a problem, some congressmen outside the South do in assuming a purely provincial attitude. Since fire ants are not a direct Northern dilemma, Illinois' Rep. Robert H. Michael suggests that those afflicted in the South use a torch on ant hills.

This is perhaps as effective as telling a truck gardener to get rid of potato beetles by picking them off and stomping on them.

Any time a serious pest infests 120 million acres across nine states, it's a national problem. Fire ants can mean death for persons allergic to their poison and death for newborn calves, lambs and pigs.

They are decimating the quail population; their moundlike homes break agricultural equipment. Certain crops feel their scourge, and workers are reluctant to toil in infested areas.

The only reasonable way to fight fire ants is large-scale. Local campaigns are not effective in the long run because of reinfestation from adjoining areas.

High expectations are placed in new federal experimentation—and in national legislators who are nonprovincial in outlook.

Today's Challenge to University Extension

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MORSE. Mr. President, among the matters which will be considered by the Education Subcommittee in executive session in markup on S. 3098 will be amendments to the Higher Education Act of 1965, title I of which pertains to university extension and community service programs.

Because I feel the comments contained in a paper by D. Mack Easton, head of the extension service at the University of Colorado, entitled, "Today's Challenge to University Extension," can be helpful to Senators in coming to our judgments on the bill when it is reported, I ask unanimous consent that the paper, which was presented to the annual extension conference at Purdue University last October 18, be printed in the Extensions of Remarks.

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

TODAY'S CHALLENGE TO UNIVERSITY EXTENSION

(By D. Mack Easton, presented to the annual extension conference, Purdue University, October 18, 1967)

When I was a small boy, if a man had a business trip to the next town down the railroad, he generally took the train. In the summer, if the wind was in the wrong direction, he fought smoke, soot and cinders all the way. But if he wanted to go to the next town *not* down the railroad track, he took a horse. And he rode in a top-buggy, surrey, rubber tired runabout or cutter—depending on season, weather, and number of fellow passengers. The Model T Ford which shared space in our carriage shed with the cutter, surrey and buggy was for Sunday pleasure trips in warm weather only. If you *had* to get some place, you used a horse.

When I got old enough for week-end and vacation jobs, they were often on a farm. I cultivated Reed's Yellow Dent corn with a one-row cultivator behind a team that knew a lot more about plowing corn than I did. I tried my hand at shocking oats, and watched with envy as a man carefully shaped the straw stack, even though I sympathized with his discomfort from the chaff inevitably blown down his neck by the steam-driven threshing machine and its operator. I tried husking corn, with a hook which was much better than the hickory pin my grandfather had used. But I threw the ear against the bang-board of a Studebaker wagon which wasn't much different from my grandfather's. And in winter I took my date for a bobsled ride—maybe in the same wagon, with runners on the axles in place of wheels—and ate an oyster stew cooked on a cast-iron range fired with corn cobs and wood from the grove.

Today, I can get from Denver to New York City in less time than it took to go from my home town to the next town with a horse. (I should add, however, that at peak traffic times in New York City the buses are slower than the 1890 horse cars used to be.)

Today there isn't a thing about farming that hasn't changed—the buildings, the equipment, the crop rotation, the seed

strains, the planting, cultivating, harvesting, storing, marketing—even the size of the farm unit itself. And today, we feed our population—in spite of the population explosion—and we export surpluses, with fewer farmers than we had when my grandfather left his farm to help fight the Civil War.

You, and your predecessors, along with the men with the experiment stations, and the faculties of our Colleges of Agriculture, and farm equipment men, deserve most of the credit for this almost unbelievable change. But you also made possible changes you did not participate in. For you made our whole population growth over the last 100 years available for other occupations than farming. And this has made possible a society, and a world, that is completely without precedent—entirely different from anything history has ever known—incompletely understood, and fraught with problems which must be coped with or they will cause our downfall. Let us look at some of the changes.

Changes in industrial technology are a very important part of what the non-farmer accomplished. I think interchangeable parts start with the Browning rifle. The assembly line begins with the Model T Ford. Automatic and semiautomatic machinery appeared at different times in different industries, and enabled output-per-man to increase tremendously as he mastered the art of controlling more than one machine. I don't know where automation began, but the principle is simple. The end product, not the man, controls the process. I ran across it first in the automatic volume control used in radio—where, in one form, the current in an audio-frequency circuit controls the rate of amplification clear back in a radio-frequency circuit before the heterodyne occurs. Now it's used in textiles, in steel manufacturing, in teaching machines, in banking, in manufacturing engine blocks,—all over the place.

Now the computer has hit us—enabling a problem to be solved in seconds which could be solved by the old methods with not less than 100 years of work. It is being used for information retrieval, for all kinds of data processing including payrolls and inventory control. I recently saw a demonstration of equipment including a computer, a teletypewriter, etc., to which a high school student can talk by typewriter and receive almost all the counselling that a high school counsellor could give him. Incidentally, if the student misspells a word, the machine still understands it.

These changes in technology have been made possible by the knowledge explosion. We are told that in recent years knowledge has been doubling at least every decade. This means that more new knowledge was discovered in the 1950's than in all the previous history of man, and that twice as much new knowledge is being discovered in the 1960's as in the whole history of man previous to 1950. Why? We are told that ninety-five percent of all the scientists who have ever lived are alive today. And more of them are devoting full-time labor to research and development than ever before. (You see, the growing of food doesn't take as large a proportion of our people as it used to take.)

These changes are creating a dramatic change in the needs of the labor force. Jobs for unskilled laborers are disappearing. Jobs requiring seventeen or more years of schooling are vacant. Less than two years, at a briefing session for administrators of the State Technical Services Act, we were told that the number of unemployed and the number of job vacancies were almost equal. But the unemployed had obsolete job skills, job skills not needed by the economy to the extent that they were available, or no job skills at all; while the vacant positions required long years of schooling and professional training.

The need for labor of any kind is also being affected.

The revolution in farming made men available for other activities. The increased use of these men in research and development has led to the knowledge explosion, and to the technological advances which have now produced the cybernetic revolution—the combination of automation and computerization which substitutes control of the machine by the machine itself for control of the machine by man. This cybernetic revolution makes possible more and more production with fewer and fewer men. I do not have current information, but only a few years ago many of our industries had production capacity way beyond the production rate—not because there was no need for their full production, but because there was no buying power to match the need.

Moreover, the non-farmer has been heavily involved in another change which we call urbanization. As the proportion of farmers declines, the population of urban areas rises. Often the population of rural areas falls. Most counties in my state lost population between 1950 and 1960, when the state was growing fast. Much faster than the national average. But this is no simple phenomenon. There has been a rapid growth of cities. It gave rise to anticipation of an urban culture. Then the flight of the midle-class from cities to suburbs got attention, and now one hears talk of a developing suburban culture, and of growing urban blight.

With this change, the distinction between urban and rural may be breaking down. Consider, for instance, the growth of farming by moonlighters—men who, for the most part, grew up on farms, love farming, but now have urban employment and take care of the farm on evenings and week-ends. Or consider the growing employment of farm wives in cities and towns. It has been several years since I was told that one-fourth of the farm wives in Iowa were employed, at least part of the year, in cities and towns. Or consider the growth of what we call in the west the carpet-bag farmer—the farm owner who does not live on the farm or in a nearby town, but perhaps in another state, and may show up only at planting and harvesting time.

Technical change has even entered the home, where it is clearly related to changes in the role of the housewife and to the fact that housewives are entering the labor market in constantly increasing numbers—and preparing to do so as their children grow up in such numbers that some universities have developed special programs for them.

Or look at one dramatic sign of the results of urban in-migration, population explosion, and cybernetic revolution—the growing hopelessness of the one-fourth of our nation who constitute the poor, with the resultant growing alienation of these people from our society, and the symptoms of alienation such as rising crime rates and urban riots.

But change is not limited to the national scene.

The majority of nations in the United Nations did not even exist when the Charter was drafted.

The expectations of the people in these nations is rising with almost unbelievable rapidity.

And they, too, seem caught in some of the pathological effects of the cybernetic revolution. With the rising industrialization of the under-developed nations, unemployment is also rising.

But I believe Margaret Meade was right when she affirmed that the greatest change of all is the change in the rate of change.

Mendel presented his paper on the inheritance of dominant and recessive traits in 1865. For thirty years, no one paid any attention to it, though eventually it played its dramatic part in applied biology.

I think that the laser is less than eight years old. Yet in a conference scheduled for December 9th in southern California, its applications to biology, medicine, dentistry, data processing, photography, earth sciences, materials processing and holography are being discussed. In medicine, its use in the photo-coagulation technique of dealing with torn retinas in the eye is already several years old, as is its use in communications.

The discovery of alloys capable of carrying powerful electrical currents under the superconductivity conditions of temperatures approaching absolute zero is a still later discovery. There is a real possibility that it may be applied to the design of the new atom smasher to be built in Illinois, as a way of reducing its operating costs. It takes less power to keep a magnet near absolute zero in temperature than it does to operate it at normal temperatures.

The lag between discovery and technical application has never been so short, the rate of change has never been so fast, and the cost of change has never been so great in terms of mental illness, crime, suicide, personal obsolescence, and social pathologies.

Some of the problems are so serious as to threaten the continued existence of our society.

For instance, the growing competition within and between industries leads to cost cutting through automation and cybernation. This leads to disemployment.

Our coal industry is so efficient that we can deliver coal in Germany in competition with the coal in the Ruhr valley. Or at least we could just a few years ago. But the technological developments which made this possible resulted in a drop of employment in the coal industry of 50% in twelve years.

From 1947 to 1960 the output per man in the railroad industry rose 70%, but employment dropped almost 50%.

From 1941 and 1963, employment in mining never reached the level of 1940. I don't have data for years since 1963. Employment started to decline in transportation, public utilities and manufacturing in 1953.

Newly created jobs averaged 900,000 per year from 1947 to 1957, but only 500,000 per year from 1957 to 1962. Compare that with population growth.

When more and more production becomes possible with fewer and fewer men, the potential increase in gross national product has been divorced from the size of the labor force. Yet consuming power is still primarily a matter of earned incomes. And in 1960 we had 1,800,000 individuals—about 1/6 of all single persons—receiving *less* than $1,000 per year, and 7.3% of our families receiving less than $2,000 per year, from all sources combined. No wonder some economists have begun to talk about the need for a guaranteed income as a device to support effective demand!

Some observers of the industrialized nations of the world have reached the conclusion that on the whole we are the most affluent, with the greatest productive capacity, but also with the largest proportion of our people living in poverty. And the effect of the cybernetic revolution, under current conditions, is to increase that proportion who are condemned to poverty.

Most of the poor are white. But the proportion of Negroes who are poor, and the proportion of Hispanics who are poor, is so great that alienation is a dramatic phenomenon among Negroes and seems now to be beginning among Hispanics. In my state, the Hispanics are worse off than the Negroes.

Currently, the effects of many of these changes are masked by the demands of the war in Viet Nam. Ask yourselves what the effect would be if the war suddenly stopped, the forces in south-east Asia were demobilized, and the demand for war materials stopped.

Time allows only bits and pieces of the total picture. It must be clear, however, that we live in a society with the fastest rate of change ever known, with the knowledge necessary to abolish poverty and raise all men to higher standards of human dignity, but with some institutions based on past thinking from facts not true today, and hence in a situation both promising and threatening.

What has this to do with us?

Let's look at the concept of university extension. When labor leaders approached Cambridge University with a request for extension services in the 1870's, the most important decision made at Cambridge was that it should not limit itself to the role of educating youth, but should be an institution for the acquisition and dissemination of higher learning. The result was a program to make higher education available to persons who could not be regular students. Within a very short time, Oxford and London adopted the idea, and a little later it was imported into the United States.

The Americanization of the idea, however, occurred in this century. Essentially it was an expansion of the concept to include informational, teaching, consultative and research services.

The clientele was originally composed of individuals. Gradually, however, services were extended to municipalities, state governments, business and industrial corporations, and voluntary associations. Most recently, services have been experimented with which are designed for communities as such, in both their governmental and non-governmental aspects.

The Smith-Lever Act split university extension into two parts, one designed for the farmer and his family and one for everything else. Financially, the Smith-Lever side was favored, and it became possible to some extent to assume responsibility for discovering what knowledge was needed by rural families and for inventing ways to deliver it. On the General Extension side, however, it has typically been a problem to respond adequately to obvious demands, and the discovery of hidden needs has lagged. Today, this is not adequate. Today it is dangerous. Today, largely as a result of federal intervention, universities are being asked to discover the needs and invent ways to meet them.

For the greatest challenge which faces us today is how to get knowledge from where it exists to where it is needed fast enough.

That is a challenge we have never met, and seldom tried to meet except in agriculture and not too well there. If we had met it, say beginning in the 1930's or even the 1940's, there would have been no urban riots. Half the mentally retarded children born in the last few years would not be mentally retarded. The preventive measures were known, but not known by the right doctors. We would be well on our way to wiping out unemployment, illiteracy, and some more forms of illness. Even the international scene would look better. We would be doing more in the way of foreign aid, and the foreign aid would be doing more for our internal prosperity, and giving us time to think our way through the problems of adaptation to an economy of abundance.

Let me illustrate with some of the needs which challenge us to get knowledge from where it exists to where it is needed as fast as possible.

One is really fairly simple, but of great magnitude. We must adapt the labor force to current needs. The unskilled must become at least semi-skilled. The semi-skilled must become skilled. The skilled must be professionalized. And the professionals must be given assistance to avoid obsolescence. It is said that the half-life of an engineering education is ten years. Half of what the graduating engineer of last June knows will be obsolete by 1977. Half of what he will need to know in 1977 can't be taught yet because it hasn't been discovered. The same kind of problem exists in all professions, including ours. Perhaps no single event has so seriously made me aware of my own obsolescence as a briefing session at the headquarters of System Development Corporation recently, where I learned among other things of a program for raising the level of biology teaching in the elementary grades someplace in New York. The program of teaching the public-school biology teachers is handled by a medium consisting of computers, audio tapes, video tapes, and response-correcting circuits which makes it possible for a teacher to get his lesson as an individual at any time during the day convenient to him. I did not know that this group of components had ever been put together.

It has been estimated by someone at M.I.T. that a young man entering the labor force today will need to learn six different ways of earning a living if he is to be employed to age 65. This is one measure of the rapidity with which old jobs are disappearing and new jobs emerging. It is analogous to the problem in such professions as engineering, where a man becomes obsolete in ten years if he does not find some way to keep learning, as the laborer becomes obsolete if he does not learn new job skills.

Of course, the university cannot carry the whole burden of upgrading the labor force. Much must be done by technical schools and even teachers of adult basic education. Much must be done, and is being done, by industrial corporations. A few years ago, when we had 400 Martin employees in our courses, they had 1,200 in their own programs. But the university must train the staff for most of the other schools and for most of the teaching and training positions in corporations. And it must play the major role in post-graduate professional education. Almost all of the studying must be done under extension conditions, since most of the people needing our educational services are already playing an adult role in society.

A second need which challenges us is the need to integrate the culturally and economically deprived with the rest of our society. To fail may produce a break-down in our civilization.

But this is no simple problem.

The current attack on illiteracy and the attempt to give such people marketable job skills is good. One challenge to the universities is to produce the teachers who can teach reading and writing and arithmetic—and other subjects—to adults belonging to a wide variety of cultures and sub-cultures—various Indian cultures, at least two Hispanic groups, northern and southern Negroes and whites. Another challenge to the universities is to produce the vocational teachers. A third is to do the research necessary to make sure that the right vocational skills are taught. And a fourth is to see that the necessary public understanding is created so that the education of these people can go on at a sufficiently rapid pace.

Yet these steps are ameliorative, not therapeutic. They are aspirin for our headache, not antibiotics for the cause.

If you are going to cure the problem, you must begin with the child. The mental development of the child in the culturally deprived home starts to lag behind the mental development of children in homes like yours at eighteen months. Some students have decided that if adequate opportunity to develop is not available by the time the child is three, the possibility of his ever being able to do the kind of school work he ought to do is gone forever. Yet it was proved in Colorado thirty years ago that if you take the child from a poverty stricken Hispanic family when it is three, and give him adequate opportunity to learn, with perhaps some modification of his program in the first and second grades, he will go as far in the public schools and achieve as well as children from families like yours. I don't think it has ever been tried with Negroes, but there is plenty of reason for optimism about its success with Negroes and other culturally deprived persons.

We won't have equal opportunity for education until we get children equally ready for the school. But effective pre-school education is probably not possible unless you give attention to the parents—or at least, the mother.

So the challenge to the university is to produce pre-school teachers who can be effective with children of all kinds—Sioux Indians, Mexican and Puerto Rican Americans, the Anglo-whites in the culture of poverty—all of them. And to produce teachers who can teach parents that there *is* a chance for their children, if they get an education. And then teach them to want to know, and to learn, what they need to know about nutrition, and child development, and family life, in order to improve their children's chances. And develop the public understanding that is needed if the process is to go on.

When some children enter school with a vocabulary of sixty words—half of which may be profane or obscene—and the school program is built for children with an average vocabulary of 500 words, all that the culturally deprived child can be expected to learn is to be a failure, and equality of educational opportunity is a myth. The knowledge necessary to avoid this tragedy exists—we must get it to where it is needed.

The last illustration I want to use grows out of the community development process. Your experience with RAD and Project 7 has probably given you some experience with what I am talking about.

The educational problem is how to teach the right people how to identify community problems, to teach them to define, understand and analyze them, to teach them how to build plans to deal with them, to teach them how to build action structures capable of carrying out the plans, to teach them how to construct evaluative techniques and feedback processes which will enable the programs to be carried out and managed with maximum effectiveness and minimum undesirable side effects. To do this effectively, even at the level of the local community, potentially involves tapping every available field of knowedge and, if feed-back to the institution is effective, influencing the direction of research processes as well.

Let me give just one illustration of such a challenging community problem.

A few years ago I read a report indicating that the people with Spanish names constituted fifteen percent of Denver's population, but accounted for eighty-five percent of the juvenile delinquency.

If Denver is to deal adequately with this problem, its leaders must learn to understand it, must understand the danger to society and to themselves that it represents, and must develop a program with *at least* these components, maybe more:

1. Family life, child development, nutrition, health and motivational education for the parents.

2. Training teachers competent for an effective three-year or four-year pre-school educational program.

3. Giving supplementary education to all teachers to enable them to be effective with such children.

4. Giving supplementary education to the police, the welfare worker, the recreation staff and the clergy (at least) for the same purpose.

5. Making appropriate curricula available in the schools.

6. Developing the public understanding necessary to get community, governmental and philanthropic support for the program.

7. Providing the continuing evaluative feed-back necessary to improve the program's effectiveness and to manage it correctly.

All the knowledge necessary to accomplish this effectively exists. But is your institution organized to conduct the kind of comprehensive, coordinated program of higher adult education which is the critical factor in the whole process? Mine isn't!

This process must now be extended beyond the local community. The problems of the larger community—even to the nation and beyond—are such that we must learn to deal with them rationally, or the penalties will be terrible.

If we and our institutions accept the responsibility for finding where what knowledge is needed and inventing ways of getting that knowledge from where it exists to where it is needed, our institutions themselves must make many adaptations—in organization, staffing, procedures, fiscal policies and general outlook. If we and our institutions do not accept this responsibility, either of two results may occur: the university may be displaced by a new type of institution which will do the job, and the university will cease to be the apex of our educational system, or things will go from bad to worse until the promise of our present knowledge can never be realized.

And if we are to be effective in helping to meet the current challenge, we must quickly invent ways to prevent our own obsolescence. (Incidentally, if anything I have said today is new to you, you were at least to that extent obsolescent.)

I think two things must be invented if university extension is to be of maximum value in preserving and developing our society, if it is to succeed in getting knowledge from where it exists to where it is needed fast enough.

One is a method or mechanism and policy which will enable us to keep up with this changing world around us. Our programs must be based on the world as it is now, and as it is becoming, not on the world that used to exist, or the world that we think exists. We must not waste our resources on programs to help people deal with problems of the past, or to give them skills for which the demand is disappearing. We will never have enough resources at our command to be able to afford to waste them.

And the second invention we need is a method and a policy for keeping up with the technical revolution going on in teaching, learning, and the handling of information and knowledge. Only by knowing the field and making wise decisions can our programs achieve maximum effectiveness.

There is a half-century old story about a rural preacher who was unusually effective with his sermons. When asked the secret of his success, his reply was, "Well, first I tells 'em what I'm going to tell 'em. Then I tells it to 'em. Then I tells 'em what I's told 'em."

I didn't give you a very good preview—only a statement of my subject. So please forgive me if I take time to "tell you what I's told you."

You and your colleagues have done your original job so well that a farmer produces more food than ever before in history—so much more that all our population growth in the last hundred years is available for non-farming occupations. The non-farmers have produced a knowledge explosion, have reduced the lag between the discovery of knowledge and its use in technology, and have introduced the cybernetic revolution. This revolution involves technologies in which machines are controlled by machines, which divorces growth in the potential gross national product from growth of the labor force and leads to disemployment, thereby breaking the connection which used to exist between growth in productivity and growth in consumer demand. It also completely changes the patterns of competence which we need in our labor force, and gives rise to a rate of technological, economic, social and cultural changes never before seen in the world, and seeming still rising. Both the nature and the rate of change are giving rise to new problems and aggravating old ones. I gave you a few examples. Some will threaten the continued existence of our society if we do not deal with them effectively fast enough.

The critical factor in dealing with our problems effectively and fast enough is the problem of getting knowledge from where it exists to where it is needed fast enough. In this process, the universities must play the key role, in the form of university extension. University extension must assume the obligation of discovering what knowledge is needed where, and of inventing ways to meet the need for knowledge wherever it exists. I have indicated just a few of the needs.

To do this the universities themselves must re-think their mission, and so dedicate themselves to the task that they adapt themselves to it in terms of outlook, organization, policy and staffing. Currently they are, in varying degrees, obsolescent.

But so are we, as individuals, in varying degrees obsolescent. Hence the necessity of adequate provision for our own continuing education. Hence the need to invent ways to keep our knowledge of changes and trends in the world we live in up-to-date. And hence the need to invent ways to gain command of the new and developing technologies by which people can be given appropriate learning experiences and can secure the information and the comprehension they need.

This, then, is today's challenge to university extension: how to get knowledge from where it exists to the people who need it, including extension workers themselves, and how to do it fast enough.

Of course, if a full-scale nuclear war breaks out, all these problems may disappear. For the first time, man has the power to annihilate mankind. If he does so, there will be no men to have problems. And the reason will be that we did not get enough of the right knowledge to the right people soon enough.

Courageous Educator

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. DERWINSKI. Mr. Speaker, the most recent campus struck by student anarchy was Columbia University, one of our Nation's outstanding educational institutions.

This latest outbreak of radical leftist student activities was the subject of a very succinct editorial in the April 25 Chicago Tribune.

The editorial follows:

COURAGEOUS EDUCATOR

There were student sit-ins, lock-ins, and administration building occupations overnight in three eastern universities. Those at Boston university and at Trinity college, Hartford, Conn., were to enforce demands for more scholarship funds for Negro students. The president of Trinity bought off the demonstrators by promising $15,000 to match a student senate contribution. The president of Boston university was trying to negotiate an end to the occupation of the administration building.

At Columbia university an unruly crowd ransacked the offices of President Grayson Kirk and barricaded Dean Henry S. Coleman in his office after he curtly informed the mob, "I have no control over the demands you are making, but I have no intention of meeting any demands under a situation such as this." Dr. Coleman deserves credit for refusing to knuckle under to knuckleheads.

The Columbia fracas was organized by the far left Students for a Democratic Society, who were joined by outside Negro groups, protesting plans for a gymnasium in Morningside park on the contention it would be "racist" and deprive Negroes of recreation areas.

We have said often enough that universities are only buying themselves more trouble when they parley with dissident student groups, often motivated by the most frivolous pretexts. If students can't behave they should be tossed out of schools on their ears, and outsiders with no business on campus should be excluded by city and university police, using sufficient means to see that they stay out. Dean Coleman took a sensible and dignified course in refusing to treat for peace. His administration should support him all the way.

Utah's Geneva Steel Works Meets the Challenge of Foreign Competition

HON. WALLACE F. BENNETT

OF UTAH

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. BENNETT. Mr. President, with the increasing competition from foreign exporters of steel, it is good to know that some local companies are meeting the challenge with increased efficiency and output, thus helping to bolster the U.S. balance-of-payments position.

One such firm, Geneva Steel Works in Provo, Utah, has to compete with foreign steel shipped into west coast markets some 700 miles away from the Utah base.

Raymond W. Sundquist, enterprising general superintendent of the Geneva Works, explained in the March U.S. Steel News how his firm is meeting the challenge. I ask unanimous consent that the short question-and-answer type article be included in the Extensions of Remarks.

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

Question. What competitive challenges are the people at your particular plant up against?

Answer. Every employee here knows the answer to that question. The competitive challenge to Geneva is the kind that separates men from boys in a hurry, and not many here fall into the latter category.

For example, foreign producers last year shipped almost two million tons of steel-mill products into West Coast ports. That came right in the heart of markets that Geneva must serve with 75 per cent or more of our annual production.

Equally serious are the moves being made by domestic competitors to modernize or add to their existing facilities located within these markets.

Add to these problems Geneva's geographic handicap in rail distance to the West Coast (700 to 1,000 miles), and you'll know why we are called "The Errors Zero Steel-making Team."

We *have* to do it right the first time. There's no margin for mistakes.

Question. What is your plant doing about the problem?

Answer. Strictly speaking, of course, the *plant* isn't doing anything. The *people* of Geneva, including me, are doing a great deal.

On each of these fronts, our efforts line up with the economic fact of life that the Corporation objective, "to make and sell quality products competitively," and profitably, commits management and hourly employees at Geneva to compete as *one team* against everyone else who makes and sells the same products.

That means we stand on our own feet. It also means that every employee, who carries a necessary role in making steel at the lowest cost, highest quality, and best service to our customers, also shares the duty for superior performance to win.

Question. What are some of the things employees can do to help?

Answer. That's what Errors Zero is all about—a planned way to achieve top individual and team performance. But it's more than just a program. It takes personal acceptance of competitive responsibility.

The goal of our program of Errors Zero is "to insure a prosperous steel operation in Utah . . . by making steel at the lowest possible cost that places first in quality and service with our customers." This recognizes that the question of survival is inherent in the word competition.

The Geneva motto, "people make the difference," says that men, not machines, possess the qualities for survival—courage, ability to innovate, self-discipline, imagination, personal responsibility, the will for service to others. The heritage of Geneva employees is based on these ideals.

They add up to pride. And that's the difference that we mean.

So, the way for every employee to help is to face up to the challenge, renew his commitment to Errors Zero—and help prove it.

Question. What are some of the results so far?

Answer. To do justice to Geneva employees would take much more space. But I'll say this—progress so far amounts to solid evidence that cooperative action to win can make the difference for Geneva.

The Utah steelmaking team scored a key gain last June, when it was announced that we were expanding our product line by adding facilities for rolling wide-flange beams. This shows that others in our Corporation know that people, who get the most from tools, make the difference in profitable competition, despite economic disadvantages.

That confidence is important because we have other plans in the works for keeping Geneva's future in the ball park.

Whether or not these succeeed will largely depend on future improvements by the Geneva team in cost, quality, and service.

In short, we're off to a good start. But it's only a start.

The Lesson of Foreign Aid

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. MICHEL. Mr. Speaker, almost invariably in discussions of what can be done to aid the poor and disadvantaged in the United States, the suggestion is made that we should cut back or eliminate entirely our foreign aid programs and apply the money and similar programs to our own citizens who may be in need of help. Only yesterday such a suggestion was offered by Rev. Ralph Abernathy, of the Southern Christian Leadership Conference, in speaking to a group in Chicago.

An editorial from the April 24, 1968, edition of the Peoria Journal Star points out the glaring weaknesses in such an argument and I include the editorial at this point in the RECORD:

THE LESSON OF FOREIGN AID

(By C. L. Dancey)

While spending some time in Washington, D.C., again, I have again been struck by the changed doctrine in regard to "foreign air" and the lessons which we seem to have learned from so many and such costly past failures.

There seems to be no real difference of opinion, anymore, about where we failed, what we did wrong, and what the basic approach must be for "developing societies."

And, once again, I wonder why these same lessons are not studied and applied to "aid" projects at home. Must we make those same mistakes over again, where it hurts even worse, domestically?

For during the Kennedy administration, the very "liberals" who had cheered loudest for "foreign aid," and the Kennedy administrators confessed that applying the "Marshall Plan" technique in undeveloped non-modern societies was a staggering failure and a hopeless approach.

They said these grants of cash worked spectacularly in Germany, Great Britain, Japan, and such places, for they were put to very effective use in such places by a highly skilled, educated, and intact society in each case as an antidote to heavy physical material damage.

The social structures and the talents already existed, and they used direct aid very effectively to rebuild.

The same technique when extended to other areas of the world failed miserably, and sometimes visibly did more harm than good, because the "human resources" did not exist in the same effective proportions.

Such methods do not work when we are "building from scratch."

These sentiments are echoed in Washington, today, and are indeed the officially-adopted philosophy of the U.S. government.

Emphasis now is on self-help, and those kinds of assistance which stimulate and support local efforts—self-help.

The real task and the only effective way to build is not by direct projects but by "creating an environment conducive to development."

Today, the United States Government is going to socialist governments (and other types) in various parts of the world—notably and for specific example in Pakistan and India—and urging them very strongly against government programs for dispensing fertilizer, for example.

They are urging them, instead, to open the doors and make it attractive for private companies to get into the fertilizer business in those lands.

(Food production is a vital concern. Famine worries more people whose business is to look at the world as one globe and take the long view than does the bomb, and the bomb worries many more than the immediacy of the Vietnam war, for example.)

In the places where this is critical, our own officials say, bluntly, that the "bureaucracy" of any given country simply gives such things away but does not do an effective job for expanding their intelligent use.

A private company wants to sell fertilizer, and does a never-let-up zealous job of finding new customers. Thus, the spread of scientific farming, by experience, has been much more rapid and much more fruitful when private companies are pushing it than government "programs."

The need for larger production is desperate, and the most effective means is now urgently desired.

Thus, we are striving mightily to take development matters out of politics around the world, and get them into functional hands with all the drive that private profit produces.

An old-time liberal engaged in this program said to me, "the silly ideology of private capital being 'exploitive' is dying as these countries come of age, and realize from direct experience that it produces development, progress, material gains and advantages far, far greater than the 'cost.' The investors pay their way and then some. They give you more than your money's worth. And that kind of development is desperately needed."

In our own "home" politics and philosophy, from "War on Poverty" plans to cruder political power-grabbing, I wonder when we will "come of age," learn these same lessons, and apply them to our own advantage?

When will we re-discover what the "emerging nations" are discovering—that the "old" American notion that government's business is to "provide a climate conducive to growth" and then let man's varied entrepreneurship and ingenuity loose is so much more effective for development than bureaucracy?

When are the lessons learned at such cost and from so much direct experience in "Foreign Aid" going to seep through to other departments in Washington?

When are we going to apply the same "solution" to what is also just being admitted concerning a large number of our domestic "welfare" and "aid" programs—that they have failed miserably, and in some cases made things worse instead of better?

When are we going to face facts, and get realistic instead of "selling" political ideological frenzy?

The Actual Value of a Salary Today

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Mays Versus Ruth," published in the Richmond News-Leader of April 20, 1968.

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

MAYS VERSUS RUTH

In 1931, the New York Yankees paid Babe Ruth $80,000. This year Willie Mays will draw $125,000 from the San Francisco Giants, the same salary he got last year. Which of the two actually earned more? Mays, right?

Wrong. A New York professor of finance, Lawrence W. Ritter, points out that the Babe paid $11,500 in Federal income taxes on his $80,000 salary in 1931, leaving him a net salary of $68,500. Mays must pay $73,000 on his $125,000, giving him a net salary of $52,000.

Besides the increase in tax rates, Mays' salary also is worth less because of a loss in buying power. Prices now are 2.2 times higher than in 1931; Mays' $52,000 net salary will buy goods that $23,600 would have purchased in 1931. That makes his salary, in actual value, worth only one-third of Ruth's. To have a salary worth Ruth's $80,000, Mays would have to be paid $454,000, on which he would have to pay $303,300 in income taxes.

That would leave him a net salary of $150,700, which would have the same buying power as Ruth's net salary of $68,500.

From these figures, Mays might conclude that it just doesn't pay to get ahead any more. even when your talents and ability can put you in the $125,000-a-year class.

SBA Serves Hard-Working Small Businessmen

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HATHAWAY. Mr. Speaker, there is a well-known advertising jingle that declares a certain company serves the country from "Maine to California." This could well be the theme of the Small Business Administration, Mr. Speaker. During the administration of President Lyndon B. Johnson, SBA has provided more help than ever—the economic opportunity loan program, expanded training programs, lease guarantee, community economic development conferences, expanded business loan operations, assistance to small businessmen wishing to engage in foreign trade, and an expanded program for giving small business a fair share of defense procurement. The small businessman has benefitted immeasurably through this expansion under the able leadership of SBA Administrator Robert C. Moot.

In my congressional district of Aroostock County in the northern tip of Maine, SBA has been active in assisting hard-working small businessmen.

One prime example of this assistance comes to mind. Fort Kent, Maine, on the border with Canada, is potato country. Since potato farmers are often unable to find workers to assist them in the fields, they must employ every technical advance.

The Sylvain Brothers have been assisting the community by manufacturing seed cutters, rock pickers, conveyor systems, and other potato handling and farming equipment since 1952.

Albert and Aurel Sylvain operated their business from the cellar of Aurel's home and a built-on garage shop. The hard-working brothers earned a moderate living but business was growing and space became a major problem.

In 1965 an immediate participation loan for $30,000 was arranged by the Small Business Administration and the Northern Bank. The bank participated in 10 percent of the loan. Since the loan's approval, a new building has been constructed and new equipment purchased to speed the manufacturing process.

The Sylvain Brothers' sales for fiscal year 1967 reached $111,000, up from $38,000 in fiscal year 1965.

The brothers play an active role in their local chamber of commerce and other civic activities. They have employed five additional persons since obtaining bank/SBA assistance.

They are making their most important contribution, however, by supplying urgently needed tools to farmers of the small community. They are helping a farmer with 50 or a 100 acres improve his yield per acre, providing better service and higher quality to the average consumer.

The Small Business Administration serves people like the Sylvain Brothers who, in turn serve their community.

SBA is in the vanguard of Federal assistance programs to the small businessman across the nation. The agency assures him of a better life, whether his is an urban, rural, or small town setting.

I am sure, Mr. Speaker, this assistance will continue to prove most valuable for our society in the future.

The Quality of Inequality

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MORSE. Mr. President, the University of Chicago produces for public television a program entitled, "Round Table." It is a public service program that is conducted entirely without script and the views of the participants are those that they hold as individuals and do not necessarily represent the position of the university or the television station.

On a recent program Prof. Philip B. Kurland, who teaches law at the university; Prof. Julian H. Levi, a professor of urban studies at the institution; and Prof. Arthur Mann, a noted historian on the faculty, discussed the general subject, "The Quality of Inequality: Suburban and Urban Public Schools," under the chairmanship of Prof. Kenneth J. Northcott, who acted as the moderator of the group.

In this discussion the participants came to grips with a problem which has come up time and time again in testimony before the Education Subcommittee of the Senate Committee on Labor and Public Welfare in connection with legislative proposals. It is a problem which, in my judgment, will be discussed many times before a resolution through legislative action of the problem takes place, but the contribution made by the distinguished panel is of such value that I commend it to Senators and ask unanimous consent that the transcript of the program be printed in the Extensions of Remarks.

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

THE UNIVERSITY OF CHICAGO ROUNDTABLE: THE QUALITY OF INEQUALITY

NORTHCOTT. We will be discussing "The Quality of Inequality: Suburban and Urban Public Schools." The issues revolve around the vast inequities between the quality of education offered by suburban and urban public schools. The factors are economic, geographic, and, finally, political. The suburban city may be spending $1,200 per capita on each student per year, while the expenditure on a student of an inner-city school of that same city may only be $250. The question then arises whether suburban schools themselves are constitutional and what the implications of this discrepancy are.

All three of our panelists participated in a special conference dealing with these issues. The session was sponsored by The University of Chicago Center for Policy Study.

Philip, what do you think are the constitutional issues involved here?

KURLAND. I think a constitutional case can be made out, indeed, a constitutional case has been made out, for the fact that such wide disparity between the lowest and the highest per-student expenditure is a violation of the equal protection clause of the 14th Amendment. The case, in fact, rests on three legs, three series of precedents. The first is dependent on the school desegregation cases which establish a violation of the Constitution, if classification is based on race. In that opinion the Court also suggested the primacy of education as a role of local government. The second series of cases involve the reapportionment decisions in which, if you're reading them at their broadest, you have a proposition that classification by state action in terms of geography—with no other basis for the classification—is invalid. And the third series of cases is the criminal cases in which the Court has made sure that the defendants who could not afford certain amenities that are necessary to the appeals process were to be given them by the state or else their convictions would be upset as violations of the equal protection provision of the 14th Amendment. As I say, the case can be made out. I hope that the judicial avenue is not the road that is taken to resolve the problems that I see inherent in the capsule description you've given of the wide disparity between per-pupil expenditures in the inner-city and the suburbs.

LEVI. The fact is that the disparity is national and it is indeed wide. Take, for instance, four states: California, the high expenditure per classroom unit is $15,900-odd, the median expenditure $9,600, the low $3,600; Illinois, $18,600 high, $9,100 median, $2,800 low; New York, $24,700 high, $12,200 median, $3,500 low; Ohio, $14,900 high, $7,200 median, $3,000 low. There is, then, a really broad discrepancy. Moreover, the way this works out is that the districts where youngsters are most in need of educational assistance because the resources available to them are the least also are the places where the dollar expenditure is the least. Now, to say that an arrangement of this kind constitutes a *reasonable* classification, I find very hard to justify. Assuming that a court were to decide that the classification were unreasonable, then the alternative might be that the court in effect would say that until the state comes up with a reasonable classification system the position of any taxpayer in the state is that he's being asked to contribute to the payment of a scheme which is not legal and justified, something similar to what has happened in states where assessment arrangements have been knocked out. This is almost invariably followed by special action by the legislature and the governor. The point as I see it is this: Of course, money isn't everything; but when you come to put together an educational program, it certainly makes an enormous difference that where the need is the greatest, the resources are the least.

NORTHCOTT. Arthur, I'm just going to try and put this in a little perspective before we carry on with these points. You're an historian. Is this sort of inequality something new in our history, or is this something which you would say always existed?

MANN. I think it can be said that there's never been a time in American history when some schools were not unequal to other schools. Frankly, this extends so far back that I don't know where to start. But take the situation roughly 150 years ago. At that time, there were no public tax-supported schools that children could attend without paying tuition. There were private schools for children whose parents could afford to

pay tuition. Then there were no schools at all in some places, and in still other areas there were schools for poor children, which is to say charity or pauper schools. It was largely because of this condition that a movement was started to establish the public school system, beginning in the 1820's with each state having its own timetable, and completed roughly by 1920, a hundred years later. But even by 1920 the inequalities were gross—differences within a state because expenditures were in proportion to the local school rate; differences among the states, some states being wealthier than others; differences between public schools and private schools; and, I might add, differences within a single school. Unless one is to equate every teacher, I think we have to admit that some education is better than other education in the *same* school because of the quality of the teachers the youngster might happen to have.

NORTHCUTT. Now, Julian, you said that, "Of course, money isn't everything." Would you like to pick that up a little more?

LEVI. I was being a trifle facetious, because money is everything when you are discussing this kind of problem. The fact is that where the problems are most difficult—I would say to Arthur, for example, that the days when a strong back and a weak mind were credentials for employment are vastly diminished. Today, you have to have some skill with a pencil. The youngster who doesn't have skill with a pencil, who emerges functionally illiterate, it is perfectly clear, will never find satisfactory employment. Now the thing that bothers me is that if you assume that the job of public education is a state responsibility, then I wonder about a system of classification which, in effect, operates on the theory that those who have the most shall receive the most, that those who have the least and require the most in fact receive the least. This is the precise story of the inner-city school in this country today.

KURLAND. Julian, let me, if I may, suggest that we're really not concerned with equality. I don't think you're concerned with equality. You're concerned with the improvement of the schools that are receiving inadequate resources. So if we took your figures and moved both ends toward the middle, we might get equality, we might get improvement of the lower level schools, but we'd pay a fairly high price in the destruction of the few school systems of any decency that we may have. Is what you're suggesting that we use this equal protection device as a means of spanking the states into more responsible action on their part with regard to the children who are not receiving what is an absolute minimum toward success in life as it's lived in 20th century America?

LEVI. Well this, of course, would be part of the effect. The other effect, however, would be that the total state contribution overall would, I think, be increased. I would like to add this, on the note that money isn't everything: I think that it is true that beyond a level the dollars which go in above that in the advantaged neighborhood, where youngsters come from homes with culture and books and refinement and all the rest, these youngsters will do far better in a classroom which has a larger number of children in it and perhaps where the cost is somewhat less per child above that limit than the story in the central city school—35 youngsters, varying levels of difficulty, one teacher and that teacher (take the Chicago experience) almost inevitably a junior teacher, because if she had seniority she would be able to opt out.

KURLAND. But you're making a point that seems to me against the notion of equality. Because what you are conceding is that a smaller amount spent in the "better schools" will bring a higher return than a larger amount spent in the "poorer schools." So really what you're after is not an equalization but a turning over of this disparity, which you say would be a reasoned disparity on the grounds that the money is going where it was needed, rather than to those rich communities which tax themselves for the benefit of their own educational system.

LEVI. I agree with you, but let me ask you one question. That is, let's assume that these figures were reversed and the highest expenditure was going into the schools in the neighborhoods which most need it, the schools not as educational institutions alone but as instruments of public policy. Wouldn't you feel that a policy of classification, which gave emphasis to need, would be far more defensible than the current hodgepodge which we have?

KURLAND. Certainly.

MANN. First, I hope that I did not give the impression that I was defending the inequalities of the American past. The historian is often boxed into this position because of the nature of his job. But I was called upon by Kenneth to supply a certain kind of memory and the memory is not a pleasant memory in terms of inequalities.

KURLAND. Somehow we seem to have come out of that successfully in terms of the inequalities imposed on other minority groups. Because essentially what we're talking about, and I think we have to face it, is a problem of the movement of Negroes to the large American cities.

MANN. That's a good point, Phil. And the schools were terribly important in absorbing tens of millions of people. But, during the high point of immigration in the 1910's, for example, one finds a number of the big city schools passing compensatory legislation for the children living in the slums. I think this is what Julian is talking about: moving money, effort, thought and, behind all of it, compassionate understanding where it's needed. That, too, has been part of the history of the public schools. As to money, the original notion of the public school movement was that it was only through publicly-gathered money that you could set up a school system for all the children in the first instance.

NORTHCOTT. We are discussing a problem, I think, in this discrepancy between urban and suburban, which is something which is relatively new to our time. I think, Phil, that you said you hoped that it would not be the judicial path which was taken to solve these problems. What path do you think ought to be taken, assuming that we agree that there is a problem to be solved—and I think that we probably do?

KURLAND. Let me tell you why I don't think the judicial path is the appropriate one. I rely essentially on the history of the school desegregation cases and their ineffectiveness in accomplishing the specific problem which they purported to resolve. The newspaper story in the *New York Times* in January, their yearly educational review, reported that segregation in the American school system had not improved. That is, there's substantially no more integration now than in 1954. I would suggest that the reason for this is that the judiciary is handicapped in its capacity to compel action—unless you want to use it as I think Julian does as a blackjack, not to accomplish through the courts directly the purpose but a threat that "if this is not done sanctions will be imposed on you." But, the absence of a simple rule (and there can be no simple rule, I think, to the solution of education problems in the city), in the absence of a public support or acquiescence or willingness to accept the burdens that are imposed, you will not get enforcement of such a rule through the judiciary. And I don't think you're going to get acquiescence. Because despite all the good will in the world that Americans tend to express, when it comes time for their own children to be educated, they are prepared to sacrifice their ideals for their personal benefits, if you will.

NORTHCOTT. Julian, what do you feel about this?

LEVI. I think there is one difference. That is, the Court is most effective when it is dealing with property and when it is dealing with money. The problem of the desegregation situation was that until thhe enactment of the federal Civil Rights legislation coupled with federal programs of education, there wasn't any handle that could be gotten on this situation. If, on the other hand (perhaps this is a blackjack), the Court simply were to take the position, in the face of discrepancies of this type and lacking a reasonable basis of explaining how and why you do this, that the whole taxation system is invalid and you will please come back with another system which is going to reasonably reflect what the situation is and that will reasonably meet the requirements that the state itself has assumed of providing an adequate educational opportunity.

KURLAND. But Julian, suppose they come back then and say that the per-pupil expenditure in this state shall be $500 per pupil and the state is going to see to it that you get it. Let's assume that $500 per pupil is not adequate as a fund for decent education. That decision would certainly be in keeping with any judicial rule under the equal protection clause. The rich or the well-to-do or the upper middle class, however you want to define them, are still free, as our Constitution has been construed, to send their own children off to private school. So until you get them involved and willing to participate in this distribution of state funds, and the state's going to raise its own money under the proposal, you're not going to get adequate taxation, adequate funding, and the better-off people will still have the kind of education they want while the people in the city and rural slums, I assume, will still be getting a meaningless education.

LEVI. So, what price prejudice? What I mean by that is this. Let's assume that the state decides that all they're going to authorize anybody to spend for education, to use your example, is $500 a child. That's all the taxes we're going to permit to be assessed. Now, Mr. Well-to-do Man, you can, if you want to, contribute additional amounts to the support of your children's education, and these amounts, because they will not be represented by taxes, are not going to be deductible insofar as tax is concerned, that is, your own income tax. So that the price that you are paying with regard to your own position is that you are probably increasing the expenditures that you, yourself are spending in real money by the amount of the tax deduction for income tax which you otherwise could take.

KURLAND. Well, you can't take them now. But let me suggest to you that when this alternative was, in fact, put to the people in Washington, D.C., and when this alternative was put to the people in a certain university community that we know of, they were prepared to pay the taxes that the state assessed and still undertook to pay for the private education of their children. Now, it seems to me that you've got to get a lot more than a simple judicial decree. And what's more, a judicial decree is going to be an inflexible rule, whereas what it seems to me we need here is a whole series of experiments. We don't really know how to improve the education of the deprived at this moment.

MANN. I've been trying to follow my two lawyer friends here. But aren't there two issues involved here: Number one, how do you raise the money?

KURLAND. The Court can't do that.

MANN. Perhaps one might look upon the federal government as a source of money. That is, over recent decades, we have looked

to the federal government for welfare money. Think, for example, of the Education Act of 1965, which poured a lot of money into the slum schools. Now, in a profound sense, the problem of the slums in New York City is not the problem alone of the people of New York State. It's a national problem. The same is true for Chicago, Detroit, and elsewhere. In terms of precedent and also in terms of pure logic, we might look to the federal taxing power rather than to the state. Now there's a second problem in what to do with the money, and, I think, Phil, in faulting the Court in the case of 1954, you're faulting it because it asked for a performance on the part of the American people that they were unprepared to deliver.

KURLAND. I don't regard it as a fault of the Court. I regard it as a weakness of the Court. That is, I don't blame them. When the decision came down, I had high hopes for it. There was a belief that the American community had enough people of good will in it and that this decision would sort of perform a moral rearmament. It didn't. And it would be unfortunate to make the same mistake again, it seems to me, when our pressures should be on the state legislature, the state executive, the national legislature, because you don't need a rule of equal protection if we're going to get the money from the federal government to pour into the deprived areas of the states, the areas that Julian so well described as getting so small a share of the state funds that are made available.

MANN. But there is a fund of good will. I think things have not worked out for a variety of other reasons. One of the most important reasons is that, at this point, we simply don't know enough to cope with the massive problems that exist in the slums. Before we can go ahead with programs, we have to devise them. Before we can devise them, we have to think long and hard and do the necessary research and, more important than anything else, ask the right questions.

NORTHCOTT. There is this fund of good will that we talk about. As Phil said, on the other hand, it's fine that the good will exists, as long as it doesn't affect you in the first place. Now this seems to imply that you've really not go to reverse the process, but to upgrade the inner city schools.

LEVI. I have been ready to patent a law of social behavior that a man's ability to speak compassionately on matters of racial tolerance seems to increase in direct proportion to the distance of his place of residence from the site of the problem. I do not visualize that suburban school districts which, under the guise of operating public education, in fact are operating private schools for the convenience of that particular community, which as far as I'm concerned is fine. Let them do so, but not at the price which is presently exacted of this type of classification system. It seems to me that somebody must come up with something better than this. And perhaps all that the Court can do is to use even a nastier expression than a "blackjack," and that is to throw a monkey wrench into the works and say "Fine, this is not what is required, now . . ."

KURLAND. Julian, you'll be careful to see that the right people get hit by that monkey wrench.

NORTHCOTT. I'd like to ask another question. Julian, if you hit people at the point of self interest—this seems to me very important—what do you think the implications are, if this continues, for the inner city and for the city as a whole? This seems to me a point where you may be able to hit people at the point of enlightened self-interest.

LEVI. The problem is very simple. Let's put it this way. By 1980, most people will agree who've studied the problem, that of the 20 largest cities in the United States with the exception of Los Angeles, more than 51 per cent of the population will be Negro, which I do not regard as serious, but that population will have—45 per cent of them—incomes of $3,000 a year and less. That I regard as absolutely catastrophic. If this occurs, the whole thesis upon which we attempt to regulate social and political activity in this country disappears. We open up gulfs that we cannot possibly reach. And the thing I am convinced of more than anything else is that our educational failures are the ones which are going to put that income into the $3,000 and less per year.

KURLAND. I don't think Julian is going to get any disagreements on the proposition of the seriousness of the problem. And that's what concerns me about attempting to utilize the courts as an initial step to the resolution of the problem. We've got to educate the public, we've got to educate the legislatures, we've got to educate the executive. We cannot allow them, that is, the legislatures and the executive, to say "Let's find out what the constitutional rule is and that will be both our maximum and our minimum of effort," whatever they say.

MANN. I think the question of where the money comes from and what agency enforces the rule is a matter of means. The peril is great. But it is the peril of poverty.

NORTHCOTT. Thank you very much for joining us for The University of Chicago Round Table.

Tribute to Earle J. Wade

HON. WILLIAM L. DAWSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. DAWSON. Mr. Speaker, it is with a sad heart that I pay tribute today to Earle J. Wade, the late assistant staff director of the Committee on Government Operations. Outstanding in ability and unsurpassed in his dedication and loyalty to the commmittee and to the Congress, Earle Wade leaves behind him a record of solid achievement and a host of saddened friends. Our loss as a committee is as great as his passing at the age of 45 is to the members of his family and to those who knew and loved him.

Earle Wade came to Washington from his native State of North Carolina, where he had graduated from Campbell College. He furthered his academic training here at George Washington University. Before joining the committee staff, Earle served as an administrative assistant to the Board of Governors, Federal Reserve System, and as a member of the staff of Hon. Ertel Carlyle, Member of Congress from North Carolina.

A veteran of World War II, Earle saw 3 years service in the Army, 2½ years of which were spent in the South Pacific theater.

In 1955 Earle took his first committee position with our Executive and Legislative Reorganization Subcommittee, at the time that I was serving as the chairman of that subcommittee. Exceptional ability and dedicated service advanced him ultimately to his most recent position, that of assistant staff director of the full committee.

To each responsibility and to every person connected therewith he gave total and unremittingly loyalty. His fine mind and marvelous capacity for taking pains gave to all his work the mark of perfection. Illustrative of this are his compilations of the formerly annual, and now biennial, catalog of Federal property which the committee has issued under the title: "Federal Real and Personal Property Inventory Report." These reports focus constant attention on accurate and complete accounting for our Federal property assets to the great benefit of the public, of the Congress, and especially of the membership of the committee.

So numerous are Earle's virtues and achievements that when one reflects, as I do, on nearly 13 years of his devoted duty, each thought that springs to mind excites another of equal pertinence to a full portrait of this princely young man. Perhaps I can add one more and in a sense sum up from Emerson's essay on conduct of life:

> But all rests at last on that integrity which dwarfs talent and can spare it.

Borne up by integrity as it was, Earle's talent achieved value beyond price. We shall miss him always.

Human Rights in Pennsylvania

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. SCOTT. Mr. President, since the earliest days of our Nation's history, Pennsylvania has been in the forefront of the struggle for equal rights for all citizens. In 1780, the Pennsylvania General Assembly met and adopted the Nation's first law providing for the abolition of human slavery. That remarkable and inspiring document is described in a "Historical Sketch of Franklin County, Pa." written by I. H. McCauley, of Chambersburg, Pa., in 1876, and was recently brought to my attention by the Rev. Henry A. Riddle, of Chambersburg.

I ask unanimous consent that a short excerpt from the book be printed in the RECORD.

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

> To Pennsylvania belongs the last honor of the first one of the "United Colonies" to acknowledge before God and the nations of the world, the duties and obligations resting upon her to do justice to the colored people within her borders, by providing for their equality before the law as men; and by giving to them and their descendants the right to enjoy the inestimable privileges of life, liberty and happiness, for which the war of the revolution was then being waged with Great Britain.
>
> On the 5th of February, 1779, when General Joseph Reed was president of the Supreme Executive Council of our State, George Bryan, Esq., Vice President, and James M'Lene, Esq., a Councilor from the county of Cumberland, the Council called the attention of the General Assembly of the State to the subject of the abolition of slavery in Pennsylvania, in language so remarkable, because of its being so much in advance of the sentiments of the people of other sections of the land at that day, and so different from the views held even now by

a great many of our people, both north and south, that I feel constrained to give it here.

"We think," said they, "we are loudly called on to evince our gratitude in making our fellow-men joint heirs with us of the same inestimable blessings we now enjoy, under such restrictions and regulations as will not injure the community, and will imperceptibly enable them to relish and improve the station to which they will be advanced. Honored will that State be in the annals of mankind which shall first abolish this violation of the rights of mankind; and the memories of those will be held in grateful and everlasting remembrance who shall pass the law to restore and establish the rights of human nature in Pennsylvania."

On the first day of March, 1780, the representatives of the Keystone State of the Union, in General Assembly met, in the city of Philadelphia, close by the Congress of the United Colonies, then also in session there, passed Pennsylvania's act for the gradual abolition of human slavery. The struggle for national independence was then still undetermined. Continental currency had depreciated so much that one dollar of specie would purchase three thousand of currency. The British on the east, and the savages on the west, pressed hard upon the struggling patriots. The national government was without credit; the army and the navy were without the material needed to conduct the war to a successful ending; and all—army, navy, and people—were sadly straitened for the necessaries of life. And yet, Pennsylvania's representatives, undismayed by their surroundings, and unheedful what the representatives in Congress of the slave-holding States of the nation might think of their action, gave utterance to their views of slavery, and the conclusions they had come to about it, in language so beautiful and so forcible, that justice to their memory impels me to extract the Preamble to the law they then enacted, long though it be, as I am satisfied that the great majority of the people have never seen or read it.

I. "When," say they, "we contemplate our abhorrence of that condition, to which the arms and tyranny of Great Britain were exerted to reduce us; when we look back on the variety of dangers to which we have been exposed and how miraculously our wants, in many instances, have been supplied and our deliverance wrought, when even hope and human fortitude have become unequal to the conflict, we are unavoidably led to a serious and grateful sense of the manifold blessings which we have undeservedly received from the hand of that Being from whom every good and perfect gift cometh. Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others which hath been extended to us, and release from that state of thralldom, to which we ourselves were tyrannically doomed, and from which we have now every prospect of being delivered. It is not for us to enquire why, in the creation of mankind, the inhabitants of the several parts of the earth were distinguished by a difference in feature or complexion.

"It is sufficient to know that all are the work of an Almighty hand. We find in the distribution of the human species, that the most fertile, as well as the most barren parts of the earth are inhabited by men of complexions different from ours, and from each other; from whence we may reasonably, as well as religiously, infer, that He who placed them in their various situations hath extended equally His care and protection to all, and that it becometh not us to counteract His mercies. We esteem it a peculiar blessing granted to us, that we are enabled this day to add one more step to universal civilization by removing as much as possible the sorrows of those who have lived in undeserved bondage, and from which by the assumed authority of the kinds of Great Britain, no effectual, legal relief could be obtained. Weaned by a long course of experience, from the narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence toward men of all conditions and nations; and we conceive ourselves at this particular period extraordinarily called upon, by the blessings which we have received, to manifest the sincerity of our profession, and to give a substantial proof of our gratitude.

"II. And whereas, the condition of those persons, who have heretofore been denominated negro and mulatto slaves, has been attended with circumstances, which not only deprived them of the common blessings that they were by nature entitled to, but has cast them into the deepest afflictions, by an unnatural separation and sale of husband and wife from each other, and from their children, an injury, the greatness of which can only be conceived by supposing that we were in the same unhappy case. In justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them wherein they may rest their sorrows and their hopes; have no reasonable inducement to render their service to society, which they otherwise might, and also in grateful commemoration of our own happy deliverance from the state of unconditional submission to which we were doomed by the tyranny of Great Britain. Therefore be it enacted, etc."

Pfc. Norman H. Reeves Awarded Bronze Star

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HUNT. Mr. Speaker, in full recognition of the tragedies of war, we must also remember, with deepest pride and respect, those American men who are staking their lives for our freedom. We pay homage to all who dutifully accept this sacrifice, and especially to those who under the tortuous and extraordinary circumstances of battle are possessed of a quality of uncommon valor.

It is my personal privilege, Mr. Speaker, to pay tribute to such a young man, Pfc. Norman H. Reeves, who is the product of an outstanding background in law enforcement in my hometown of Pitman, N.J., and is now serving his country with distinction in Vietnam. On March 15, 1968, Private First Class Reeves was awarded the Bronze Star Medal for "exceptional courage and devotion to duty." The citation, in part, reads:

Pfc Reeves distinguished himself by heroism in connection with ground operations against an armed hostile force in the Republic of Vietnam on 6 Dec 1967 while assigned to Company A, 4th Battalion, 12th Infantry, 199th Light Infantry Brigade. On that date, two platoons of Company A became heavily engaged with a well entrenched Viet Cong battalion. Pfc Reeves, the platoon radio telephone operator, moved forward under intense automatic weapons fire and began relaying vital information to the company commander . . . Despite his wounds, Pfc Reeves repeatedly exposed himself to hostile fire while calmly and efficiently assisting the company commander coordinate and communicate with the various elements involved in the battle. Pfc Reeves' exceptional courage and devotion to duty were in keeping with the highest traditions of the military service and reflect great credit upon himself, the 199th Light Infantry Brigade and the United States Army.

By the grace of God, Mr. Speaker, Pfc. Norman H. Reeves will be returned to his family and loved ones to pursue a responsible and productive life in his chosen career with the full pride and knowledge that his contribution to freedom's cause has made it possible to survive.

The Legislative Picture for East-West Trade—Address by Senator Morse Before American Management Association

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MORSE. Mr. President, the role of the United States in world trade is of major concern to Congress. The entire area is one that demands constant, careful analysis and evaluation in the light of rapidly changing events.

Early in March, it was my pleasure to address the American Management Association, in New York City, on the subject of "The Legislative Picture for East-West Trade," and to offer some recommendations for joint action by Congress and the business community.

I ask unanimous consent that my remarks on that occasion be printed in the Extensions of Remarks.

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

THE LEGISLATIVE PICTURE FOR EAST-WEST TRADE

(Remarks of Senator WAYNE MORSE, before American Management Association, New York City, March 4, 1968)

I appreciate the invitation to speak before this top-flight group of American businessmen on "The Legislative Picture for East-West Trade."

It will be a pleasure to do so, and I would like to take advantage of the occasion to add some further comments on the general subject of trade policy, the Congress, and the business community.

It is my feeling that what is called for is a "new look" at all trade policy, including East-West Trade. I should make some explanation of the term "new look." I am not using it in the Madison Avenue sense of appearances, or how our decisions and actions should be portrayed for public consumption. What I have in mind is the active sense, meaning that the United States should be subjecting the potentials and problems of world trade a keen, rigorous, and professionally competent analysis.

About four years ago, in May 1964, the Commercial Councilor of the U.S.S.R. addressed a previous American Management Association session on East-West Trade. He reported that Russia had expanded its foreign trade 3½ times in seven years, raising its rank among trading nations from 116th place in 1938 to 5th place over the past 25 years. His expectation, however, was that the volume of foreign trade of the U.S.S.R. would grow approximately four-fold in the next 15 years. He cited his nation's membership in the International Wheat, Coffee, and Sugar

Agreements as evidence of its desire to increase its multilateral as well as bilateral trade relationships.

What was the American reaction to these initiatives? One example, was the 1963 agreement for the sale of wheat to Russia which was completed in two weeks in Canada, while the comparable agreement in the United States took two and a half months. Another was that a Japanese delegation came to Moscow and purchased a license for the continuous casing of steel in a month, after American firms had negotiated for about two years without reaching a decision. The Commercial Councilor concluded by saying there is "a generally favorable picture for the development of Soviet trade . . . with one exception . . . trade between the United States and the Soviet Union."

"To see ourselves as others see us" can be very helpful. As Robert Burns went on to say, "It would from many a blunder free us, and foolish notion."

In the years between that briefing session and this one it became clear to all that winds of change were blowing across Eastern Europe. Yugoslavia followed its decollectivization of agriculture in 1953 by a series of steps recognizing private enterprise in other segments of industry, and generally moving toward a market economy. This culminated in the 1965 reforms and their admission to the General Agreement of Tariffs and Trade in 1966. In the same year, Hungary announced notable shifts toward the goal of a quasi-market economy. In 1967 the Czechoslovak government proclaimed the most daring reforms of any Eastern European country, which could have the effect of re-integrating their economy with the world market. Czech trade is three times the Eastern European average; the adoption of these reforms could thus have a considerable impact on the standard of living of their population, which accounts for what we have been reading in the newspapers this past month. In 1965, the USSR itself adopted a set of economic reforms applying to their basic industrial commodities, which one of their principal authors, Professor Y. Liberman described as follows: [1]

"Increasing the independence of enterprises; appraising their work by the criterion of profitability; introducing payment productive assets; raising the material incentives for personnel in ratio to the enterprise performance, out of profits . . . and establishing economically based, as opposed to arbitrarily set, prices."

In 1966, according to Professor Liberman, 704 enterprises employing more than 10% of the Soviet labor force went under this system.

In each instance, these actions came after several years of discussion and debate. It will be several years more before the results can be appraised. We know already, however, that the public announcement of these policies represented a decisive victory of pragmatism over ideology. It is likely that this will be an era of severe testing for the reformers, and that they will encounter resistance from elements of their own administrative and policy-making organizations, which make the political as well as the economic risks of these ventures substantial. We fully realize that these are internal developments, which are best left to the nations involved to work out. Our Western and American policies have only marginal effects, but they undoubtedly do have some effects.

It is apparent that these changes provide historic opportunities for the West. Regardless of what we might think of the merits of their social and economic doctrines, and their ultimate political relationship with the West, we will certainly be condemned by history if we do not use whatever influence we possess to encourage these governments to move toward a system which exhibits a greater concern for the essential human needs of their people.

The nations of western Europe had been quicker to grasp these opportunities than have the United States. Between 1960 and 1966, their East-West trade nearly doubled. Exports from the West reached a figure of $8.5 billion in 1966 and imports from the East rose to $9.0 billion. This represents a yearly growth rate of 12%. Meanwhile, American exports to eastern countries fell from $193 million to $166 million, which is $3 million below the level of 1938.

In July of 1965, three years of discussion resulted in an agreement between the Russians and the Fiat Company to construct an $800 million plant in Russia, directly involved the U.S. as a supplier of approximately $50 million of machine tools.

Undoubtedly, many people in the U.S. began to feel that the fresh winds of eastern Europe could also be trade winds for us.

In the State of the Union message in 1965, President Johnson had said:

Your government, assisted by leaders of labor and business, is now exploring ways to increase peaceful trade with the countries of Eastern Europe and the Soviet Union."

In February of that year, he appointed a "Special Committee on U.S. Trade Relations with Eastern European Nations and the Soviet Union," under the chairmanship of J. Irwin Miller, Chairman of the Board of Commins Engine Company. This Committee reported to the White House on April 29, 1965, in part as follows:

"Properly conceived and wisely administered, a free trade with Eastern European nations and the Soviet Union would become a significant and useful device in the pursuit of our national security . . . and of world peace."

Assistant Secretary of State Solomon spoke before the Salesmanship Club of Dallas on October 21, 1965, and advocated expanding East-West Trade on the grounds that:

"The influence of (Western) trade and the contacts that have flowed from it . . . have had an impact on the internal liberalization of Yugoslavia."

The President's State of the Union message on January 12, 1966, recommended to the Congress that it assist the expanding trade between the U.S. and eastern Europe and the Soviet Union. Pursuant to the principle of supporting national independence, and "building bridges to Eastern Europe," the President said:

"I will ask the Congress for authority to remove the special tariff restrictions which are a barrier to increasing trade between East and West."

An "East-West Trade Relations Act" introduced in the Congress in May of 1966 was based on the Miller Committee recommendations. It was designed to grant the President discretionary authority to negotiate commercial agreements containing most favored nation treatment with individual communist nations, whenever he determined this was in the "national interest." [2] In September of 1966, President Johnson made the following statement:

"Since 1945, we have opposed communist efforts to bring about a communist-dominated world. We did so because our convictions and our interests demanded it; we shall continue to do so. But we have never sought war or the destruction of the Soviet Union; indeed, we have sought instead to increase our knowledge and our understanding of the Russian people, with whom we share a common feeling for life, a love of song and story, and a sense of the land's vast promises."

Congress did not act on the East-West Trade Relations bill, but Under Secretary of State Katzenbach, in an address before the National Association of Manufacturers on December 9, 1966, stated that: "We intend to press for (this bill) in the Congress."

Despite these declarations, the legislation was not re-introduced in the 90th Congress, and the Congress has not acted to liberalize the restrictions it controls, which could improve the prospects of trade with the East. It should also be noted that those discussions never extended to Asian communist nations.

In understanding this posture, it is useful to refer back to the Constitution. Article I, Section 8, as you know, gives Congress the power to regulate Commerce with foreign nations and among the several states. Under Article II, the President has power, by and with the advice and consent of the Senate, to make treaties, to appoint Ambassadors, and generally to conduct the foreign relations of the United States.

The formation of policy on East-West trade thus falls into an area of joint responsibility, calling for action by both the executive branch and the legislative branch.

The Congress is aware of the issues. As evidence of this let me quote the remarks of the Senator from Kansas (Mr. Carlson) on the Senate floor on August 31, 1967. Senator Carlson said:

Eastern European imports from the free world in 1965 were 5 times what they were in 1950. If our share of this market were equivalent to our share of the world market, our sales to that area would be about $5 billion annually, or 5 times the 1966 level. In 1965, we supplied only 2% of the free world exports to eastern Europe, while our total share of free world exports to all destinations was 16%. . . . In 1966, the U.S. exported over $90 million worth of wheat to Eastern Europe. Obviously, a tremendous potential market exists in the communist (nations) but we must carefully weigh the economic benefits from expanded East-West trade against the political considerations."

During the past 20 years, Congress has had many occasions to weigh these considerations. They have not been passive about the exercise of this power. Legislative enactments include:

The Export Control Act of 1949, as amended in 1965, prohibits exports of "Strategic goods."

The Mutual Defense Systems Control Act of 1961, or the "Battle Act," prohibits economic or financial aid to the USSR or any country "under its domination."

The Agricultural Trade Development and Assistance Act of 1964, or P.L. 480, authorizes sales of agricultural commodities, but only to "friendly countries."

There are other restrictions under the Mutual Security Act of 1954, the Foreign Assistance Act of 1961, and appropriations legislation relating to many government activities, including procurement of equipment under the National Defense Education Act.[3] By far the more serious limitation is the Trade Expansion Act of 1962, which forbids the extension of the Most Favored Nation treatment to any eastern European nation except Yugoslavia and Poland, which already possessed them at the time of the Act. This places goods from other Eastern countries under the tariff schedule of the Smoot-Hawley Act of 1930, which was the most protection level of this century.

Appropriations acts for the Export-Import Bank have served as vehicles for limiting the authority of agencies to finance, guaran-

[1] "The Soviet Economic Reform," *Foreign Affairs Magazine*, October, 1967, p. 53 & 55.

[2] "East-West Trade Relations Act of 1966," S. 3363, introduced by Sen. Magnuson on behalf of himself and Senators Mansfield and Javits. The companion bill, H.R. 15212, was introduced in the House by Rep. Keogh.

[3] See "The Battle Act Report, 1966; 19th Report to the Congress," Dept. of State, December 6, 1966, Chapter IV, "U.S. Restrictions on Trade and Financial Transactions with Communist Countries."

tee, or otherwise extend credit to any country except when the President determines that such actions would be in the "national interest."

Most recently, on February 21, 1968, the Senate approved the Conference Report on the legislation extending the life of the Export-Import Bank, containing amendments which are quite restrictive. The Senate accepted the House language, but explained that this was adequate to cover the Byrd amendment prohibiting Ex-Im financing to any nation engaged in armed conflict, or which is directly furnishing goods or supplies to a nation with which we are in armed conflict. The Mundt amendment would specifically prohibit the Bank from assisting in the construction of the Fiat automobile plant. In effect, therefore, the Bank will not be able to facilitate exports to any communist country, except Yugoslavia, for the duration of the Vietnamese conflict, and then can do so only after an affirmative determination by the President that such financing is in the "national interest."

It is apparent that there are a variety of ways in which Congress may act, either to encourage or discourage contacts and peaceful trade with eastern Europe.

The ways in which Congress has acted reflect a variety of definitions, of criteria, and of standards. There are overlapping and potentially conflicting statements of policy in the statutes, the proliferating regulations, and interpretive rulings by the Attorney General and others. A Subcommittee of the House Committee on Foreign Affairs is presently holding hearings designed to collect the law on this subject.

My prediction is that the House Committee will not have much praise for the quality of Congressional legislation in the field of East-West trade. Such a conclusion would be a compelling reason for the fresh look at trade policy under the criteria I have suggested.

The Chairman of the Senate Foreign Relations Committee, Senator Fulbright, has indicated his intention to share jurisdiction of any measure on East-West trade policy which the Senate may consider. This would allow the trade questions to be appraised against the broad background of foreign policy.

As a member of this Committee, I will support the Chairman in this resolve.

I believe that this discussion demonstrates that the United States, with its democratic institutions and the provisions of its Constitution as they are, must formulate its trade relations on the widest foundation of public understanding, acceptance and support. The work of a united executive branch over many years, many members of Congress, and many committees, can be undone by a single contrary legislative enactment. Accordingly, any improvement in trade relations between the United States and eastern Europe must be bound up in the basic commitment by the American people for better relations between our nations. This involves the whole question of how the elected members of Congress see the world and how successful they are in adjusting the policies of our nation to it.

The brief history of these relations could be helpful in gaining a proper perspective.

In 1931, prior to diplomatic recognition of the Soviet Union, the USSR accounted for about 40 percent of the United States machine tool exports.

After recognition, which the business community in this country generally favored, there was a modest growth in trade and investment; for instance, the Ford Motor Company building an automotive plant in Gorki. We found, however, that the Most Favored Nation treatment accorded Russia was offset by the State-training methods and its command form of economy.

Nevertheless, in the 1936–39 period, trade rose to $169 million, about 1.6% of U.S. merchandise exports.

During World War II, American exports to Russia jumped 24.3%, in support of our mutual war effort.

Following V-J Day, however, the Soviet leaders of that day chose to pursue a policy of territorial expansion by utilizing political, military and economic forces. Export controls were then invoked on strategic goods and were tightened as a result of the Berlin Blockade and the Korean military action. In the ensuing years, the U.S. was required to respond to threats to the peace in Iran, Greece, Berlin, Malaya, the Philippines, Korea and Cuba.

I believe this explains the attitude described by the Soviet Commercial Councilor which arose out of a deep skepticism about the motives of the Russian government of that time. This period also accounts for the weight and complexity of the procedures, attitudes and politics that inhibit the United States Congress in responding buoyantly to new opportunities for East-West trade.

As the Cold War simmered down, the involvement in Vietnam heated up. I believe that you are well aware that for the past half-dozen years, my views have not corresponded with those of the Executive Branch on this subject. It is clear, from the action on the Export-Import Bank bill, that the present situation is not contributing to the betterment of trade relations between the United States, the USSR, and Eastern Europe.

Senator Fulbright has said that, in the 90th Congress, East-West trade is another casualty of the Vietnamese war. I agree with him, and I feel it is regrettable.

Now, however, let us share a hopeful moment and look beyond Vietnam. The established doctrine in the United States, as expressed in the Miller report, is that there should be expanded peaceful trade between East and West.

This is only the most recent of a series of documents reflecting the knowledgeable attitudes in the business community on this issue. The most respected business organizations, such as the U.S. Chamber of Commerce, the National Association of Manufacturers, the Twentieth Century Fund, and the Committee on Economic Development have spoken. They have periodically expressed their support for eliminating unnecessary restrictions to East-West trade and expanding it consistent with our national interests.

The Policy Declaration of the United States Chamber of April 29, 1964, for instance, points out that at the White House Conference on Export Expansion in September of 1963, four of the eleven committees suggested that clarification of the policies of the Administration as to East-West trade would be most helpful. The Chamber's Policy Declarations advocating collective Western measures for peaceful trade with the East go back as far as 1953.

The May 1965 report of the Committee for Economic Development joined the cooperative efforts of research groups in the United States, Western Europe and Japan. It highlights the need for concerted action by all of the Western countries in setting the conditions for trade, with the advice of a committee of businessmen as an integral part of this process.

I regard the CED suggestions for a permanent Government-Industry Committee, attached to the OCED for housekeeping purposes, as a highly constructive suggestion. It would be a vehicle for the kind of incisive, professional, and continuing observation of the kind I have mentioned. The CED recommends several criteria for appraising new trade opportunities with the East. They point out, as other business groups do, that governments must agree upon the ground rules under which our businessmen will operate. Trade is a part of the overall political picture, which is constantly changing. We have an obvious interest in maintaining control of items of military and strategic value and avoiding a credit race. In setting these governmental guidelines, cooperation between all of the Western allies would be the keystone. As to specific trade opportunities that arise within the framework, this report recommends an application of realism, selectivity, flexibility, and cooperation. A permanent committee could provide expert assistance and an exchange of information among allies, and thus put the West in the best position to incorporate maximum concessions and legal safeguards into governmental agreements which permit trade to take place.

In my opinion, this report charts an appropriate course for the United States and other Western nations to follow. It also has been the doctrine among the American people that, with the Marxist economy and the 36 state trading organizations, trade will be an immensely complicated technical task, even if a political agreement is reached. The Twentieth Century Fund study of March, 1966, stated that:

"Commercial interests have had perhaps the least influence on the evolving debate. . . . because there has been very little (East-West) trade. . . . nor has there been any very good prospect for significant expansion of this trade."

This was ascribed to the fact that there appear to be "distinct limits, even theoretically, to what we might want to buy from them," as well as a lack of a history of reciprocal trade, a lack of complementary industries, as well as the policy and problems inherent in the dealings with a different economic system.

I am not entirely convinced by this kind of argument.

Examine for a moment the so-called Khrushchev shopping list included in the Chamber of Commerce 1964 policy statement. It contained plants and manufacturing equipment for the following: Synthetic and other textile fibers; plastics; fertilizers; construction materials; shoes; food; packaging materials; equipment; television and other consumer goods.

Our economy has shown remarkable success in meeting the basic human needs for food, housing and clothing. Ambassador Foy Kohler has said that the Soviets now lack even nylon stockings. We can only imagine how many or how few of the several thousand items that we take for granted in our supermarkets are commonly available to the Russian housewife.

The 1964 speech of the Soviet Commercial Council mentioned a poultry and egg industry which the Soviet Union would like to buy from abroad. In 1965 an automobile industry was added. In 1966, Under Secretary of State Katzenbach commented upon the amazement of spectators at a Bulgarian trade fair at which a U.S. firm was displaying a couple of dozen sets of specialized pliers. In Bulgaria, evidently, they try to do everything with one kind of pliers. Of course, this still leaves us with the problem of what eastern Europe has that we would like to buy.

Of course, there is gold, and there are strategic ores. Beyond this, Professor Harold Behrman of Harvard University, in an appraisal of East-West trade policy which appeared in the *Harvard Business Review*, pointed to the lack of knowledge and experience of most Russian businessmen as well as most American businessmen as to possibilities for trade. He suggested that there might be import-building missions from the United States. He cites the example of the Boston businessman who discovered a surplus of scientific testing equipment in a warehouse in the Soviet Union which was suitable for science experiments in American schools.

There would be wide latitude for trade

missions, fairs, and exhibits of all kinds. This takes us into the "invisible export" area of travel. Americans travel to the USSR presently exceeds Russian travel to this country by a ratio of 18 to 1. There is the whole field of educational and cultural exchange. These possibilities are virtually untapped.

In my opinion, it is very difficult to make a rational argument against expanded trade in these kinds of peaceful goods. They are far from the borderline of any possible assistance to military capability. It is hard for one to understand how anyone might feel that a nation of Yankee traders, with the most advanced business community in the world, would not strike a fair bargain in a trade agreement. Such a person would seem to suffer from an acute timidity which is not becoming to the citizens of the greatest economic power in the world. It seems to me that he would also suffer from a lack of logic, because if any imports are taken to add to the strength of an Eastern country, then by the same token, the payments in gold or exports (produced by resources diverted from other sources) would "weaken" these countries just as much.

It is also instructive to shine a brief light on FIAT negotiations. On May 30, 1966, Business Week magazine reported that an agreement was signed in Turin, Italy, by the Soviet auto industry minister and the President of the FIAT Corporation, calling for the manufacture of 600,000 units of the new FIAT 124, as modified for the Russian weather and roads . . . i.e., less window glass, tougher suspension, and a 1400-cubic centimeter engine instead of the standard 1200 c.c. engine. The article stated further:

"For the Soviets, it will mean quadrupling annual auto output from 200,000 to 800,000 by 1970, and a giant step toward a consumer economy . . . At the start of 1965, the USSR had less than 1 million passenger cars, one for every 235 persons, compared to one for every two persons in the United States . . . The Soviets' decision to commit nearly $1 billion of the foreign exchange to establish an auto industry does prove . . . that government emphasis on the consumer sector is going far beyond mere words, and experience suggested that the consumer—American, Italian, or Russian—becomes more eager for goods as his standard of living rises."

The CIA intelligence report published by the House Foreign Affairs Committee on the subject indicates how far the USSR has to travel in order to make up the automotive gap with the Western World. It is estimated that in Moscow there are 8 service stations and 8 garages, and in Leningrad an estimated 3 automobile service stations. The indications were that the Russians designed this program to satisfy the increasing demands of their governmental and managerial elite, who are interested in acquiring cars. The CIA estimated that by the early 1970s, perhaps half of the automobiles produced would be available for public purchase. Thus for the next decade, at least, an automobile for the average citizen was not in sight. But, it would have been a start. The Defense Department was willing to state that most of the machines to be purchased in the U.S. could be used solely for the production of a limited number of small and medium-sized cars. For instance, the heaviest iron casting to be produced would be an 85 pound cylinder-block. Other machines were engineered to produce parts of a particular dimension and specifications, which could not be readily used in heavier vehicles. Still other machines for stamping body panels, painting, and upholstery are peculiar to the automobile industry. Despite the case that was made in public for U.S. participation, the Congress recently voted to ban it in the Export-Import Bank act. Although the hot and cold wars are involved in this decision, the rejection of East-West trade, it seems to me, is also a symptom of the inability of this country to create a viable program of general trade expansion.

The New Year's Day message of the President marked the fourth time in seven years that the government announced a program for coping with the chronic deficit in the balance of payments. Such a program is of direct interest to my own state of Oregon, which is located astride the Columbia Valley, the second greatest river system in the country. Its seaboard and fertile land areas, as well as skilled people, offer a potential for production, transportation and trade that is just beginning to be developed.

An export expansion program is also vital to the nation's economic strength and I have been concerned, as all Americans should be, to see the steep decline in our merchandise export surplus over the past two years.

In 1965, we had a trade surplus of $6.7 billion. In 1966, this was reduced to $3.8 billion. Because of this trend, on February 1, 1967, I urged the Senate Small Business Committee, of which I am a member, to conduct an inquiry on the possibilities for developing exports of regional industries in different parts of the country over the next 10 years.

The first of these hearings was held in Portland, Oregon, in May of 1967, and further hearings were held in Mobile for the Gulf Coast, and in Milwaukee for the St. Lawrence Seaway in November and December. The fourth or South Atlantic hearing, will take place at Miami on March 14 and 15, with the final sessions here in the Port of New York on April 4 through 8.

The purpose was to identify the potentials and problems of our regional industries with export potential. We wish to see what we in the Senate can do to strengthen Federal, State, local and private organizations with programs that can be of ultimate assistance to our regional and small business communities.

It has been my belief, and the Committee's belief, that greater headway can be made on our balance of payments problems by liberating the energies of American business than by restricting them. For instance, if the export surplus in the last two years even equalled the 1965 surplus, there would have been no over-all balance of payments deficit in 1966, and only about a billion and a half deficit in 1967. If the surplus had expanded from the 1965 peak, instead of declining, we probably would have had no deficit at all for these years. In that event, there would have been no necessity to consider the restrictive proposals now before the Congress. We are looking forward to hearing from your East Coast witnesses about additional markets that could be developed for American industry. Following the final hearing in April, the Committee will file its report with the Senate and will seek legislative and other remedies which it feels will be appropriate and adequate to the challenges of world trade and its problems. We hope that our efforts will be able to have some influence on Congressional decisions on trade policy during this session.

From the evidence that we have already heard, there are serious questions about the adequacy of our past national export policies and programs. They seem to exhibit shortcomings in concept and organization, in promotional and marketing techniques, and in assuring tax and other non-tariff equality for American exporters. Perhaps most important, there seems to be a shortage of sustained leadership on all levels.

In summary, I would like to give you my thoughts about what the Congress and the business community should do about these shortcomings.

I think we should both be going full-speed ahead on sound programs of export expansion for small and medium as well as large business enterprises. But, I cannot, under the circumstances endorse a similar approach as to East-West trade. This would be too much to ask of individual businessmen or corporations during a period of conflict, when emotions are aroused. Businesses are profit-making organizations which are legally and morally responsible to their stockholders. In any judgment they are not obligated to assume a leadership role that would tend to impair their basic purposes.

Although Congress has declared itself in opposition to expanding East-West trade in the Export-Import Bank Act for the duration of the Vietnamese war, I hope that it will soon be possible for our national legislature to proceed with clarification of our East-West trade policies, and an affirmative policy of responding to the increasing opportunities for economic, social and political liberalization in the USSR and the Eastern European countries.

Though the business community may not now have a leading role as to East-West trade. I feel that it has a vital role in formulating our general trade policy this year and could even be doing more to lay a foundation for constructive East-West trade policy in the future. I would hope that businessmen and organizations will not only support but will advocate expansionary trade policies. I hope they will go on record as favoring measures that will allow the ranks of our export traders be widened by an adequate national program which will bring the consciousness of benefits of foreign trade as well as the techniques down to the level of trade associations, chambers of commerce, regional small businesses across this country.

If we do not broaden this base, I fear that the companies which are now enjoying international trade, as well as the country, will have a severe price to pay. Policies that are in the interests of the few will not be supported, in moments of stress, by the many. And if this is true in the United States, it is probably more valid abroad.

I, therefore, urge that the members of the American Management Association take a new look at Federal, State and local government and private institutions and to bring the natural interest of our business community to a focus on these issues this year. I urge you to evaluate the state of the competence that is in being, and that is being built in these issues of private and public policy. How capable are our existing institutions of reaching out to regional industries and small companies and trade associations? Do they enjoy the confidence of their regions as being truly representative of the long-term interests of all businesses in those areas? How capable are these bodies of helping new companies to enter and develop export markets? What is the quality of their staffs? How much research do they perform and what is the quality? What capacity do these organizations have to appraise national or international issues that may be before the President and the Congress? What willingness do these organizations have to issue declarations and press releases on subjects of vital concern to our trade and financial policy? For instance, it seems to me that businessmen and business organizations could have been uniquely helpful during the FIAT negotiation and debate by speaking out on the basis of their special knowledge of machine tools and the possibilities that they could be used for objectives other than those that were stated. If situations of this kind come up in the future, I hope that the business community will be ready and willing to make a contribution.

It seems to me that what we need is competence in foreign trade matters in every region of the country. We need people who are willing and able to take the new look based on new information and new conditions and are willing to say in public what they have seen. Ideally we should have cen-

ters of research analysis and opinion across the country—in every State and in many Congressional districts. At that point, we will begin to build a solid foundation for a general expansion of U.S. trade, and a base which will support bridges to Eastern Europe as the circumstances permit. Business, with its special capabilities, should have a prominent role in developing these capabilities, and in backing up the judgments in the face of the opposition, unpopularity, and even irrationality that sometimes creeps into the discussion of large issues.

As a result of our export expansion hearings, Senator Nelson of Wisconsin and I are in touch with the educational organizations and business groups to explore how we might be able to further develop these capabilities and the links betwen industry, the universities and government in the field of trade.

We would be pleased to have the views of the AMA in this matter. Some of the possibilities for the interchange of information and views are illustrated by the programs of the Space Agency and the Bureau of Standards. Since 1958, N.A.S.A. has spent $572 million on the support of research and education in the universities. It has trained 3400 graduate students and parceled out $379 million in project grants to the schools.

The National Bureau of Standards now has sixty research associates from industry at work in the Bureau, and they plan to increase this to 150 or about 10% of their staff.

I think that when our balance of payments and economic security and rights of travel and investment are placed in question, and when our relations with a vital part of the world are in flux, we have every right to ask what the Departments concerned with trade and commerce are doing in this field. I intend that our Committee pursue to answer these questions.

It seems to me that when officials of responsible local business organizations commune with their Congressmen about what export trade and East-West trade mean to the people in their areas, and when they begin to read about these possible benefits in the local paper, then the Congress will listen and the prospects for trading and living constructively with our friends and allies all over the world will have a more realistic prospect of improvement.

Views of an Inmate of a Penal Institution

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. AYRES. Mr. Speaker, in a previous issue of the CONGRESSIONAL RECORD, I inserted two columns written by Ben Maidenburg, editor and publisher of the Akron Beacon Journal. That distinguished writer told us of his experiences with an inmate of the Ohio Penitentiary in his attempt to rehabilitate him by giving him a job on that newspaper.

That we can all better understand the views of an inmate of a penal institution, Editor Maidenburg turned over the space of two of his columns to inmate Bill Graves. The columns follow:

FIRST A SIP, THEN A SLIP

(By Ben Maidenburg)

I am happy to report that the "vote" on Mr. Bill Graves was at a ratio of 37 to 1. I asked whether the readers would like to hear more from my pen pal, currently doing time in the Ohio Pen, and received 38 letters.

The only "nay" was from a lady who was kind but firm. She felt that a convict was a convict, period—and that he should be given the business to teach him a good and lasting lesson.

So that others may know, Bill Graves and I have a deal. The Beacon Journal will pay him for his writings—but all the money will go to his 12-year-old daughter. That was at my insistence, and Bill was quite happy.

So today I have a couple of columns written by Bill. The first deals with his alcoholism. The second with some advice about house-burglary—as told by a bad burglar, name of Bill Graves.

The first column follows:

(By Bill Graves)

I was asked if an alcoholic could be lured onto the wagon by joining AA whilst he was sloughed up behind the walls. That's a toughy for a backsliding ex-member of AA to answer. But I'll rassel around with the thing—mountain-style, natch—and give it my biased opinion.

For openers I oughta say that I've been messing with the hard stuff since I was a shirt-tailed kid, and until recently figured I was an extra-heavy weekend social sipper. The last time I was shanghaied and brought here though, me an' AA got on howdying terms with each other and I learned that weekend imbibers can be alcoholic too.

Hearing something like that comes down pretty hard on a dude like me 'cause after my bouts of weekend boozing I always showed up for work. Maybe I wasn't always bright-eyed and bushy-tailed, but I made the work scene spiritless. But even so, I apparently had the markings of a true-blue alcoholic.

A little dab of soul-searching, mingled with self-pity, and I don't know what all, decided me to give the AA thing a riffle. I stumbled up AA's 12 steps, memorized the creed and got down with the traditions. That part was gravy.

The ungravied part was getting up in front of a whole bunchful of strangers and letting them know I couldn't hold my licker. That's plumb painful and oughta be classed as cruel and unusual punishment, and nobody oughta try it without having a smidgen of Dale Carnegie.

But according to those in the know, it ain't no good less the spanking-new member gets up in front of a crowd and lets 'em know publicly he's afflicted.

AA and I got along tolerable well as long as I was an inside member, I was even honored with guiding the steering committee for a spell. After several years of total teetotalling I figured I was a dead-sure cinch to make it once they turned me loose.

But the everyday grind of tripping past saloons and bars started to wear me down and I soon had myself convinced I wasn't a sure-enough, couldn't pass-a-saloon alcoholic. Forgetting that hadn't actually been my problem in the first place.

And the truth is I didn't come back for drink alone, but for what I did while juiced up on the grape. Maybe that sounds like hedging, but there's a little bitty difference there and soon as I learn it maybe I can sip social again.

I've moseyed way past the question I was gonna try to answer. No. I don't think a man can be cured of the alcoholic habit behind bars. Not by latching onto AA all by its lonesome anyway.

I reckon it helps though, and it might set a fellow to thinking about the whatfors and whyfors of where his drinking led him astray. Then he might, if he was of a mind to, ponder the phenomenon of the dry-drunk, or the mind-drunk. Whatever you wanna call it?

The natural bent of the prison alcoholic, I believe, is to indulge hisself in long spells of self-pity, depression, blues, things like that. Walled AA might take him out of that, and maybe help him establish healthy mental habits that might linger with him outside.

The thing in a nutshell is, a prison AAer pretty near got to do it this way. The thinking way, that is. They're not saddled with the temptations that grab the outside member. Saloons and bars are almightly scarce, and a drunk is seldom seen.

In here when a guy gets a thirsty urging he don't get the heebie jeebies when he don't get a snort. I've seen many a case of the DT's and I've never heard of an AA member being called out to help a pal who's slipped by sipping again.

Now, AA plays an important part in the over-all scheme of things in a place like this. AA meetings get a guy out of his cell, maybe take him away from a pot-walloping chore, or a coal-shoveling detail. He gets a chance to meditate, too, and hear some good, down-to-earth speakers.

Then, too, it goes on record when a man joins AA and it's frowned on if, after joining the man becomes an AA dropout.

Being an outside member of Alcoholics Anonymous, now that's a bird of a different feather. That outside member is an AA because he wants to be, and he's pretty sure he needs to be. The only angle he's shooting is to stay sober, and he's got to do it where the action is powerful—amongst the saloons and bars.

The freeworld member gives us his Sundays, and some of the evenings, willingly, to help insiders and outsiders. When a helping hand is needed he lends his, because in helping others he gives himself a boost. And that, I reckon, is what AA is all about anyhow.

Now I don't mean to suggest that some inside members of AA won't be able to cut the mustard once they've shucked this place. I expect a lot of 'em will be helpful, and I wish 'em well, but I'm trying to point out the difference between "inside" and "outside" alcoholics. The circumstances ain't the same, and they never can be.

I'm a fair example. In here I was one of the rocks of AA, a real boulder-type. But outside I was something else. What I was outside was a weekend drunk. And in here I never craved a dram, which is not to say I would've turned up my nose at one if it was offered.

When the temptation of a thing is taken away, you see, an insider can give up pretty near anything—and does!

The day I can saunter into a bar, order a double hooker, sniff the bouquet, put it down unquaffed and walk away, why then I'll have it made. It would be swell if I could drink one, then walk out. But it would be even sweller if I could down two, three, or . . . See what I mean?

In here, with or without AA, my cup does not runneth over.

And here is Column No. 2 also by Graves:

It's always been a rule-of-thumb thing with me that I don't usually monkey round with what another feller writes about. But tother day I latched onto a piece that shook me up some and roused my dander. This writer was strapping it on the unsuspecting public how to keep burglars off their property and outa their homes.

Which could be all to the well and good—but you don't have to read more'n a couple of the feller's Hints-to-Householders before you begin to wonder how many actual burglars he's ever had face-to-face truck with.

Take me now, without meaning to sound braggy, I can count several burglars amongst my acquaintances. Then, too, I've dabbled a bit in burglary, and I've been burgled.

With a pedigree like that going for me, or against me, I'm what you call qualified to let a little air outa that writer's balloon. The man ain't all wrong; he's got a couple of goodies that's saying a little something, and I'm gonna run 'em down to you. But first let

me clue you in on a few of his dandies that ain't gonna keep nary burglar outa your boorows and boo-fays.

Personally, I never was a good burglar, being uneasy in the dark like I am, but even a bad burglar coulda told this writer feller he was wasting his time, and yours, by suggesting you change locks when moving to a new dwelling.

Your homesick burglar don't mess with locks. He goes round 'em with a jimmy bar. Might even pry a plank plumb outa your pine door.

In my pre-burglar days and afore taking the wrong road fork, I was a tax-paying citizen. And it was as a pillar of the community, natch, when I was mistook for a loaded citizen and was beset by pro prowlers.

This feller told about how the house oughta have screen and storm windows. That was a scrumptious idea, and they worked almighty well in keeping the flies and cold out. But they didn't keep a burglar off my premises.

I bet it didn't take that nighttime rogue no more'n a minute to slit my screen, crack my glass and waltz amongst my valuables.

'Nother place, I believe, where the writer went clean outa sight was when he advised homeowners 'bout their comings and goings. Don't set no time habits, he said. I reckon he was talking 'bout if everybody come and went in a bunch at a set time.

Well, I used to stagger my leaving time and since I usually come home staggering, that part took care of itself. But 'twix my boss bawling me out for showing up staggered, and my missus hollering at me for the same reason, I'd just as lief be burgled.

Number three on the burglar no-hit parade was to get a neighbor to mind the grass, gather the leaves, hold the paper and safekeep your cream whilst you was off on a journey.

You can't hardly beat a deal like that for getting your chores took care of, and it might trick a burglar or two, but don't count on it too heavy. I come from being gone once, and all I had left after making them kind of arrangements was a tidy front yard.

Well, now, you see how it is? Them ideas was flawed a little. They'll maybe keep the ne-er-do-wells from tippy-toeing through your petunias, but they ain't gonna hinder a top-drawer pro from invading your privacy.

Best way to do that is sit home with a scattergun in your lap, which gets mighty wearisome. The next best way is to follow the feller's two suggestions he let drop without maybe realizing how powerful they was.

One of 'em was to keep a light lit upstairs while you're out rousting around. Yes, sir, a light in the night don't do nothing for the cockles of a burglar's heart, and it'll keep most of 'em looking for gloomier pastures.

Tother suggestion was to get a dog. Now can't nobody find fault with that idea, except maybe burglars. Dogs loose on the premises are a plague to prowlers, and I don't know nary burglar who won't skedaddle if a house mongrel commences yapping.

You don't want one of them dogs that don't do no barking. That's playing dirty pool with your burglar and might get you sued. It's hard telling what the high court might say if a barkless dog was to seize a culprit without warning—or a warrant.

You got enough trouble without worrying 'bout fringing on some burglar's constitutional rights.

FOR A FATHER IN PRISON, THERE'S A TERRIBLE, NAGGING DOUBT: HOW LONG IS FOREVER?

(By Ben Maidenburg)

I keep getting letters asking why in tarnation I have "adopted" Bill Graves. Or even tried to befriend him. Bill, as you may know from reading previous columns, is down in the Ohio State Penitentiary. He was paroled last year, and then got himself boozed up, "borrowed" an automobile and immediately found himself back in the Spring St. Hotel—which is what they call the state pen.

My correspondents think I am (a) either stupid; or (b) seeking to build for myself a halo; or (c) wasting my time with a "con" when I could be doing something for someone who was true, blue, honest and not in prison.

I might be stupid. Certainly I could lend more efforts to out-of-luckers who are not in the state calabozo. As for the halo, rest assured that the most forgiving angel would think twice before anointing one like me.

Bills Graves writes me once a week. I write him almost as often. I find him a most interesting gentleman.

I've never set eyes on him. I don't know whether he is short or tall; skinny or fat; bald or hairy. I do know he has a touch with the pen (or typewriter) that I wish I had. I do know that when he was paroled, I offered him a job—only to discover that he'd yielded to the powerful persuasion of sin. As you know, sin is easy; living the straight, and narrow is tough.

Anyway, I made a deal with Bill Graves. He would write for our Beacon Journal readers a column, periodically. We would pay for the columns—but the money would go to daughter Debbie.

Well, Debbie is in need of some money to make a trip to Washington, with a school group, and so today I'm helping her along by using this column by her dad.

The column is worth your reading—particularly it is worth the reading of anyone who might be tempted to a life of crime. It is not the criminal who suffers by incarceration, but the people around him, his family, his parents, his friends.

(By Bill Graves)

"Daddy, you don't have to send me money to make me love you. I think you know that, at least I hope you do." Those were the first words in a letter from my 12-year-old Debra. She had just received a letter and a check from Ben Maidenburg for an article he'd printed in the Beacon Journal.

Debbie then went on to say she had read a story Mr. Maidenburg did on me and thought it was super-duper, and she liked it. Then, bless her heart, she said, "I can sure use the money." I won't give you the in-betweens of the letter, but Debbie ended it by saying, "Daddy, I'll love you forever, and ever, and ever . . ."

A powerful long time is forever, but I know she means it. But how long can a dad who's in prison expect his daughter to go along with his prison habits? She knows I can't be with her now, but she knows I had the chance to be with her—and I blew it.

And I, for the life of me, can't explain to her, or to myself, why I muffed that chance.

Then, too, I wonder constantly what she tells her little friends when they ask where her daddy is. Questions like, "How come your daddy's never around, even on your birthdays?" "What does he do?"

Questions like that are hard to answer, and I'd like to know how Debbie handles 'em. Fraidy cat that I am, I'm ashamed to ask. And I wonder how long Debbie will go on putting up with her ne'er-do-well daddy? A daddy who's never grown up to accept responsibilities; a daddy who sends his undying love once a week on prison stationery. I wonder, and the wondering nearly drives me up the wall with the miseries.

Once on a visit before I made parole, Debbie looked at me, holding my hand across the visiting-room table, and said, "Daddy, when you come home I'm going to take you by the hand."

Debbie said that with all the solemnity of a grown-up 11-year-old, which she was then, and I couldn't turn away fast enough to keep her from seeing the tears flooding my eyes. She didn't want to embarrass me by mentioning the tears, but went on to say she would be there to meet me when I got out if she had to come by herself.

She came, too, but not by herself. My mother was with her and when we walked toward the street, Debbie, true to her promise, took me by the hand. Again my eyes stung with scalding tears, but Debbie didn't notice, or pretended she didn't.

For two weeks, gloriously happy ones, my daughter and I got acquainted. We went everywhere together, the zoo, shopping, the library, movies—everywhere. Sometimes she wanted to race me to the corner, right out in the public. I didn't care, though, and we'd race.

I never won, but Debbie would wait on me and once I got there, she'd take me by the hand. As long as Debbie had me by the hand, I functioned, I lived, and I was completely happy.

I'd hurry home from work just to be with her a bit sooner. My mother told me Debbie would hang out the window looking for me till she saw me coming. But when I got there Debbie would be doing some household chore, always pretending she was surprised to see me.

But I could tell she was happy, she'd give me a kiss and tell me what we were having for supper.

The best part of all though, was around bedtime. I never felt more like busting than when Debbie would ask me to piggyback her to bed and tuck her in, giving me a moist kiss for my trouble.

You might wonder, as I do constantly, how I could get off the track and onto the path that led back here. I can't offer any bona fide excuses, just a few no-count rationalizations.

My mother was called back to West Virginia, and with no one to look after Debbie she went with her, with a promise to come back soon. She never made it 'cause ol' dad had let her down again. I got lonesome, had a bit too much, in that order, and headed toward West Virginia to see her.

I never made it, but the compulsive decision dead-ended into a 22-month stay at the penitentiary.

I don't know what I thought I was doing, and if I had the answer, I could hang out a shingle and commence practicing psychology. But I had no excuse for my actions.

Now, of course, I can see the error of my ways, because my hindsight has always run faster than my foresight. For that goofy caper, though, I have to face Debbie across the visiting table again for some time to come.

If I had it to do over, I'd go at it different. First, I'd spend a great deal of time with Debbie, maybe even get better acquainted. Enough so that she'd tell me some of her troubles and let me in on some of the things that are bugging her.

I'd take the time to listen like a full-time dad oughta do. I'd let her get me mixed up with new math; tell me about the boy who wanted to carry her school books home; tell me about her new teacher and relish a bawling out if she'd let me help with her school work and I gave her a bum answer, say, in history.

I'd be proud to let her show me off a little, and I'd like to meet her little friends. Then she wouldn't have to refer to me as "my dad, who's away."

The way it is now, my Debbie, if she has a problem, who's going to listen? Not me, I'm too busy doing time. Who's she going to talk things over with? It's a big problem, you know, when you don't have anyone to hash things over with.

I wonder too, what kind of young lady she'll grow into. I don't know. But this I DO KNOW. If she grows up straight, it will be in spite of, and not because of, me.

I needed an 11-year-old to take me by the hand and pull me up to her level. And I didn't have the sense to know it. In the

meantime she's growing a lot faster than I am—so maybe I blew my one best chance.

Sad, ain't it, when a man can spend his whole lifetime with his eyes wide open and never see a blamed thing.

I have one little bitty thing going for me, though. Well, it's not exactly a little bitty thing, either, and it might be selfish of me. But when I read and re-read Debbie's last letter, one phrase sustains me: "Daddy, I'll love you forever, and ever, and ever . . . "

And I realize she's still there, still holding out her hand.

National Library Week

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MONDALE. Mr. President, last week was National Library Week, although belatedly, I wish to salute the tremendous contribution and the new vitality of libraries throughout the Nation.

On April 16, in St. Paul, Minn., the Catholic Library Association met in its 44th annual conference and unanimously adopted the resolution 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:

RESOLUTION

The Catholic Library Association of 4,000 members in general assembly at the 44th annual conference in St. Paul, Minnesota, April 16, 1968, unanimously voted the following resolution:

Be it resolved that the Catholic Library Association, representing all types of libraries, communicate immediately to all responsible individuals in Government and private life its great concern about the proposed drastic decreases in support of quality programs that have reached so many children and teachers in underprivileged areas. The effects of the disastrous cuts would fall most critically on those very children and teachers who most need these resources to help them to a full participation in American life. Motivation and ability to read and learn are essential. Nationally the greatest need for resources is at the elementary level, which may be the only opportunity needy children have to participate in a rich program that initiates and generates individual, lifetime learning. Through their children parents may learn for the first time that reading can liberate them from isolation, poverty and fear.

The Catholic Library Association deplores especially at this critical time the proposed 53 percent decrease in funds for title II of the Elementary and Secondary Education Act and earnestly recommends that the $99 million dollars appropriated in the current fiscal year be continued in the fiscal year beginning July 1, 1968. Federal library programs have been signally effective in realizing hope and promise which must not now be frustrated.

We express our deep appreciation for the past understanding and support on the part of the administration and the Congress and sincerely petition continued concern for the Nation's most valuable resource and hope, its children and youth.

REV. JOVIAN LANG,
President, Catholic Library Association.

Public Broadcasting Corporation

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. RARICK. Mr. Speaker, the April 27 announcement by the controversial public broadcasting report that it is also in the race riot business would fortify the fears of many as to its use as a brainwashing intrusion under the guise of education as related my speech on April 24, CONGRESSIONAL RECORD, page 10433.

Under commercial television if the program is too repulsive and immoral the viewer can switch channels or better yet, shut off the tube. The sponsor also can be notified as to disapproval of a program. Perhaps this was the feature thought most undesirable by the nationalized communications people—the public just couldn't be made to sit still for programed propaganda.

With public broadcasting going into the schools, our children will be made a captive audience. They cannot shut off the television or go to another channel—unless they want to flunk the course. And there will be no sponsor to boycott or to tell off.

A sinister, dangerous innovation that I fear we will often experience and come to regret.

I include the Associated Press report of April 27 as follows:

[From the Baton Rouge (La.) Morning Advocate, Apr. 27, 1968]

PUBLIC BROADCASTING CORPORATION MAKES RIOT-CONTROL STUDY

WASHINGTON.—The fledging Corporation for Public Broadcasting already has completed a preliminary report on how noncommercial TV stations can aid in riot control, its board chairman said Friday.

Frank Pace Jr., former Army secretary and former Bureau of the Budget director, made his announcement about an hour before President Johnson signed a bill appropriating $9 million to get the corporation into operation starting on July 1.

The corporation will use most of the money in grants to help improve noncommercial television stations and in aiding universities to start training programs for public television personnel.

Pace's comments followed the first meeting of the corporation's board of directors. He said he ordered preparation of the riot-control report about 10 days ago because of "my own sense that here is an area of real contribution and great value."

Pace declined to make the report public at this time and refused also to summarize its contents until "it is thought through."

He said he had received it Friday morning and had read only half of it. Copies were distributed to members of the board.

Pace said the report was prepared by two persons whom he declined to identify.

Pace told newsmen that the "first and most important task that the corporation has to achieve is to win the confidence of the Congress" in order to obtain further operating funds.

In addition to the $9 million, the corporation already has $1 million donated by the Columbia Broadcasting System and $25,000 from the United Auto Workers union. Pace said he expects another $1 million within three or four weeks from the Carnegie Foundation.

It was the foundation's report last year that was in large measure the basis for legislation setting up the corporation.

Eventually CPB will supply programming and facilities for tying in noncommercial stations much as the advertiser-supported stations are connected by the three major networks.

KILLIAN ELECTED

Among the board's first actions was the election of Dr. James A. Killian Jr. as vice chairman. Killian is chairman of the corporation of the Massachusetts Institute of Technology.

The board's 15 members are selected by the President and approved by the Senate.

Pace is to head a five-member executive committee which will be empowered to make major decisions during intervals between the monthly meetings of the board. Other members of the executive committee are Killian; Robert S. Benjamin, chairman of the United Artists Corp.; Joseph D. Hughes, vice president of T. Mellon & Sons, and Dr. Milton S. Eisenhower, president emeritus of Johns Hopkins University.

Other committees set up Friday by the board will deal with selection of top officials, financing, special projects, programming for radio and for television, and interconnection of public broadcasting stations.

The corporation will maintain offices in both New York City and Washington. The New York quarters will be at the Madison Avenue headquarters of the International Executive Service Corp., of which Pace is president. The Washington quarters have not been decided upon.

The board members were present in the White House Cabinet Room when Johnson signed the appropriations measure. He handed a pen used in the signing to a board member—Oveta Culp Hobby, president of the Houston Post and former secretary of health, education and welfare—but made no comments about the corporation.

Development of School Library Resources

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. BROOKE. Mr. President, on April 25, 1968, the International Reading Association held its 13th annual conference in Boston. The IRA has a membership of approximately 56,000, and has been most active in promoting reading skills and opportunities for the youth of America.

I ask unanimous consent that the resolution adopted by this organization, deploring proposed cuts in school library programs, be printed in the RECORD.

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

THE INTERNATIONAL READING ASSOCIATION DEPLORES PROPOSED CUTS IN SCHOOL LIBRARY PROGRAMS

Be it resolved, that The International Reading Association, representing a cross section of educators involved with the teaching of reading at all levels of education, convey to policy-making citizens its grave concern about the proposed cut of 53 percent for the fiscal year beginning July 1, 1968, in funds for Title II of the Elementary and Secondary Education Act. This Title, which provides for development of school library resources and other collections of materials,

reinforces and supports the central role of reading in the total school curriculum.

Such a major decrease in the appropriation for this program could stifle progress in reading improvement and frustrate the efforts of teachers to make learning more effective. Its crippling effect would be felt most acutely by the very children who are in the greatest need of access to reading opportunities: the children of urban centers and other disadvantaged areas. The ability to read well is a condition of employment in today's society; good instruction in reading and the development of good reading habits in children are basic to enduring skills. School library resources, especially those at the elementary level, may provide the only exposure the ghetto child has to books and other printed materials during the years in which he is learning to read.

The International Reading Association appreciates the keen awareness of the administration and the Congress of the relevance of reading improvement to the solution of a wide range of social, economic, and human problems. We urgently recommend that action be taken to restore to Title II the $99 million presently appropriated.

Public and Police Contribution in Preserving Law and Order

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. BARRETT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter I recently received from Mr. Samuel L. Evans, of the Philadelphia Antipoverty Action Commission, to which he attached a letter from our police commissioner, Mr. Frank Rizzo, on the subject of public and police contribution in preserving law and order in the City of Brotherly Love.

This is truly a fine example of the splendid cooperation we have in Philadelphia between our city officials and our private citizens.

The letters follow:

PHILADELPHIA ANTIPOVERTY ACTION COMMISSION, SUBCOMMITTEE ON COMMUNITY ACTION COUNCILS,
Philadelphia, Pa., April 18, 1968.

DEAR MR. BARRETT: I pass on to you the attached letter from Police Commissioner Rizzo in reply to my letter of March 18, 1968 re: public and police contribution in preserving law and order.

The Police Commissioner in his letter expressed a high regard and interest in public participation and contribution and reflects the essential urgency that this teamwork continue.

To this end, we trust that all shall pledge to work to further overall community betterment, thereupon maintaining the high image of our city.

Very truly yours,

SAMUEL L. EVANS,
Chairman.

PHILADELPHIA, PA.
April 2, 1968.

Mr. SAMUEL L. EVANS,
Vice Chairman, Philadelphia Anti-Poverty Action Commission, Philadelphia, Pa.

DEAR MR. EVANS: Your letter concerning the decrease in crime experienced in Philadelphia during 1967 was received by my office while I was out of town.

At the time of the release of this information, I stated as some of the reasons for the decrease, the efficiency and the modernization of the Philadelphia Police Department. In conjunction with this statement, I have always maintained that no police department can operate effectively without the support and co-operation of the community it serves.

The decrease in crime experienced by our city is an achievement that must be shared by all segments of our community. We in law enforcement are well aware of the part being played in community stability by the many organizations, societies and programs which have been working with the people to instill pride in personal accomplishment and civic awareness.

Therefore, let me take this opportunity to state once again that the people of Philadelphia are to be commended on this reduction in the incidents of crime. No police department could accomplish this reduction without the aid and cooperation of the people of the community.

Sincerely,

FRANK L. RIZZO,
Commissioner.

State Allotments for Funded Programs for Fiscal Year 1968

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MORSE. Mr. President, in the April issue of American Education, I found a most helpful State-by-State table which sets forth the State allotments for funded programs for fiscal year 1968.

It is an appendix to an article written by Mr. Joe G. Keen, Director, Budget and Manpower Division, of the Office of Education.

I ask unanimous consent that the article and the tables which appear on pages 32 to 35 of the issue be printed in the Extensions of Remarks.

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

FEDERAL FUNDS: STATE ALLOTMENTS FOR FUNDED PROGRAMS, FISCAL YEAR 1968

(By Joe G. Green)

Approximately $3.9 billion is available this year for education programs administered by the U.S. Office of Education. This is almost 13 times the level of 10 years ago, and represents nearly one-third of the current Federal support for educational activities—reflecting both the increasing needs of education today and a greater Federal commitment on the part of Congress and the Administration to improve education for the American people.

Of this amount, some $3.1 billion is distributed to States on the basis of formulas prescribed in the basic laws. Approximately $2 billion, roughly two-thirds of the total State allotment figure, supports educational activities at the elementary and secondary school level. Higher education gets the next largest share, $687 million, followed by vocational education with $265 million and libraries and community service activities with $99 million.

All levels of education, from elementary through postgraduate, benefit from one or more of these programs. This breadth of support is of recent vintage only. Prior to the Elementary and Secondary Education Act of 1965, for example, there was no large-scale Federal support at that level except for the school construction and operations programs in federally impacted areas. Where there has been aid to land-grant colleges since 1862, there was no general program for college and university construction until the Higher Education Facilities Act of 1963. Of the 35 programs on the State allotment tables, 23 have come into being in the past five years.

Emphasis has changed over the years as to the kinds of program support the Federal funds should be concerned with. A century ago the idea of a uniform grant to each State for the support of land-grant colleges was embodied in the Second Morrill Act, and later a variable amount based on population was authorized by the Bankhead-Jones Act. In vocational education, the Smith-Hughes Act of 1917 and the George-Barden Act of 1946 set a pattern for categorical aid that was not broken until the Vocational Education Act of 1963. Even the National Defense Education Act of 1958, a landmark in many ways, at first applied to fairly narrow and limited categories of special needs in education—mainly support for programs dealing with instruction in mathematics, science, foreign languages, and other specified categories identified as critical to the national defense.

Today's federally supported programs are still categorical in the sense that Congress has established specific areas of program concern. But within the categories there is a greater degree of flexibility than in past years and a greater responsiveness to special needs of different communities. Title I of the Elementary and Secondary Education Act, for example, is broadly and specifically concerned with the education of "disadvantaged" children of low-income families. But communities have a wide latitude in using the funds provided under the title. Some schools may emphasize remedial reading classes, others may add health services or counseling or a food program, and still others may use funds for summer classes.

Similar use of imagination is encouraged in setting up community affairs programs under title I of the Higher Education Act of 1965. And title III of the ESEA, which supports a program popularly called Projects to Advance Creativity in Education, is frankly interested in stimulating new and improved ways to do things in school.

Those who identify areas deserving of Federal concern have made a significant shift in emphasis. Federal aid in the past more often than not was aimed at providing equipment, materials, and buildings. In recent times, however, increasing attention has been placed on programs that contribute directly to human resources. The variety of student aid programs—fellowships, grants, Work-Study, and loans—now available to help young people obtain a college education is a prime example of this trend. Another is the teacher-training programs which seek to improve the qualifications of all types of educational personnel. Still another is the adult basic education program which in the first three years of its existence has helped approximately 1.2 million men and women to a better life. In research, this new emphasis is seen in the increase of exemplary and demonstration projects which seek to spread the benefits of experimentation to a wider audience of teachers and students.

ELEMENTARY AND SECONDARY EDUCATION

State	Educationally deprived children (ESEA I)		School library materials (ESEA II)	Supplemental centers and services (ESEA III)	Strengthening State educational departments (ESEA V)	Programs for handicapped (ESEA VI)	Equipment and minor remodeling (NDEA III)		
	Basic grants	Administration					Grants [1]	Loans [2]	Administration
Total	$1,177,009,192	$13,990,808	$99,234,000	$187,876,000	$25,287,500	$14,250,000	$75,680,000	$6,469,091	$2,000,000
Alabama	37,773,357	377,734	1,767,887	3,424,541	497,350	263,547	1,918,412	31,736	36,897
Alaska	1,816,482	150,000	124,897	452,588	171,871	100,000	105,239	2,391	10,000
Arizona	9,976,695	150,000	816,510	1,661,909	300,954	103,733	774,785	34,222	16,782
Arkansas	23,491,781	234,918	906,017	1,936,210	328,124	137,460	1,000,044	12,618	19,234
California	85,936,416	859,364	9,337,909	16,449,141	1,895,749	1,106,581	5,273,406	415,539	177,666
Colorado	9,672,195	150,000	1,064,689	1,977,876	347,190	131,656	812,768	45,789	20,077
Connecticut	9,062,813	150,000	1,400,476	2,676,143	386,662	170,519	718,891	117,872	26,820
Delaware	2,535,307	150,000	260,120	658,430	192,381	100,000	163,493	20,170	10,000
District of Columbia	5,933,620	150,000	336,897	857,785	206,022	100,000	172,293	25,334	10,000
Florida	32,933,155	329,332	2,648,847	5,245,934	652,801	339,800	2,266,713	94,348	54,369
Georgia	37,681,381	376,814	2,152,555	4,223,564	577,997	314,971	2,253,042	27,628	45,633
Hawaii	2,430,762	150,000	386,217	858,244	213,704	100,000	298,618	31,355	10,000
Idaho	3,095,753	150,000	360,311	848,919	217,211	100,000	360,587	9,750	10,000
Illinois	47,499,842	474,998	5,337,276	9,565,795	1,013,556	687,167	3,056,685	564,469	102,071
Indiana	15,973,553	159,736	2,534,729	4,624,411	610,586	343,940	1,946,443	140,520	49,541
Iowa	15,674,581	156,746	1,448,999	2,669,953	402,486	199,790	1,130,606	103,815	27,395
Kansas	10,495,541	150,000	1,115,859	2,213,590	354,128	156,308	898,884	54,583	22,338
Kentucky	32,871,586	328,716	1,505,814	3,071,760	417,806	235,368	1,610,633	94,829	32,184
Louisiana	32,673,571	326,736	1,902,770	3,551,093	476,462	263,453	2,009,273	151,035	38,966
Maine	3,605,865	150,000	506,785	1,078,491	236,260	100,000	447,007	36,710	10,000
Maryland	15,482,996	154,830	1,830,047	3,397,502	464,535	227,938	1,304,710	143,768	35,824
Massachusetts	17,914,276	179,143	2,658,619	4,835,193	581,783	346,508	1,553,953	273,304	49,579
Michigan	34,269,334	342,693	4,634,860	7,885,320	955,682	585,544	3,390,149	352,160	87,856
Minnesota	20,020,502	200,205	1,979,521	3,470,610	482,274	255,057	1,570,349	175,693	37,165
Mississippi	39,559,828	395,598	1,173,309	2,388,011	380,091	184,471	1,330,738	19,787	25,594
Missouri	24,417,125	244,171	2,236,998	4,126,703	533,910	296,211	1,639,964	178,566	42,491
Montana	3,666,149	150,000	371,750	851,654	214,585	100,000	339,695	21,986	10,000
Nebraska	6,029,159	150,000	742,427	1,501,013	275,106	100,364	591,630	60,319	14,368
Nevada	963,372	150,000	218,847	584,322	190,404	100,000	115,302	4,206	10,000
New Hampshire	1,438,907	150,000	334,087	794,968	200,831	100,000	262,364	36,614	10,000
New Jersey	25,471,868	254,719	3,214,941	6,078,962	679,227	400,066	1,792,228	315,069	63,066
New Mexico	10,494,933	150,000	585,437	1,184,497	255,743	100,000	598,278	28,678	11,763
New York	121,097,330	1,210,973	8,122,336	15,596,196	1,450,692	1,075,982	4,203,741	895,787	161,727
North Carolina	53,123,825	531,238	2,353,748	4,705,505	622,127	371,623	2,578,830	20,839	50,920
North Dakota	4,467,399	150,000	331,096	806,364	206,396	100,000	341,302	21,604	10,000
Ohio	35,843,674	358,437	5,357,489	9,489,272	1,078,054	701,492	4,080,409	415,830	104,331
Oklahoma	18,106,545	181,065	1,211,458	2,341,021	387,284	169,344	1,038,377	21,412	23,180
Oregon	8,426,612	150,000	998,243	1,931,407	337,476	128,794	745,215	36,134	19,157
Pennsylvania	49,346,231	493,462	5,590,970	10,273,043	1,034,524	771,722	4,036,521	640,847	108,853
Rhode Island	3,693,961	150,000	423,153	966,799	211,259	100,000	286,848	56,112	10,000
South Carolina	32,410,715	324,107	1,286,889	2,603,012	404,942	207,146	1,454,248	16,060	27,970
South Dakota	5,815,575	150,000	377,371	833,672	214,536	100,000	361,319	24,950	10,000
Tennessee	34,417,670	344,177	1,774,313	3,647,737	497,987	273,483	1,912,391	33,268	38,238
Texas	77,122,017	771,220	5,322,514	9,893,210	1,175,595	737,950	5,073,135	159,155	109,811
Utah	3,181,914	150,000	582,833	1,165,174	264,277	100,000	560,955	6,404	11,533
Vermont	1,765,195	150,000	208,063	562,265	182,331	100,000	185,766	18,547	10,000
Virginia	29,146,020	291,460	2,076,258	4,175,918	549,649	304,744	1,974,056	58,696	44,292
Washington	11,965,941	150,000	1,589,629	2,868,147	449,344	208,605	1,100,863	59,745	29,656
West Virginia	17,464,443	174,644	858,758	1,840,104	316,091	144,955	928,179	18,259	18,353
Wisconsin	15,343,592	153,436	2,277,841	3,960,810	504,462	288,659	1,729,885	271,950	42,300
Wyoming	1,601,175	150,000	174,290	504,969	181,253	100,000	150,938	4,205	10,000
Outlying areas [3]	31,806,653	310,136	2,420,341	4,546,244	505,750	415,049	1,229,840	64,424	32,000

State	Elementary and secondary education			Vocational education			
	Guidance, counseling, and testing (NDEA V-A)	School assistance to federally affected areas		Vocational Education Act of 1963		George-Barden and supplemental acts	Smith-Hughes Act
		Operations (Public Law 874)	Construction (Public Law 815)	State grants	Work-study		
Total	$24,500,000	$395,390,000	$24,772,498	$198,225,000	$10,000,000	$49,990,823	$7,161,455
Alabama	463,990	8,955,406	92,000	4,589,666	197,787	1,140,849	143,330
Alaska	50,000	9,762,046	821,000	243,040	15,881	259,576	30,000
Arizona	211,036	6,285,722	545,000	1,842,665	83,735	279,450	51,789
Arkansas	241,872	1,953,560	29,000	2,475,963	105,390	797,790	85,107
California	2,234,188	60,978,019	4,142,498	14,917,026	919,639	2,549,008	534,067
Colorado	252,472	10,290,723	55,000	1,992,977	101,059	434,455	66,744
Connecticut	337,272	2,616,498	----------	2,183,680	132,821	461,753	92,547
Delaware	65,045	2,350,131	----------	399,998	25,024	232,631	30,000
District of Columbia	83,354	4,618,402	----------	543,244	31,280	228,058	----------
Florida	683,699	12,953,787	681,000	6,196,204	272,860	967,146	187,558
Georgia	573,845	12,330,086	710,000	5,815,882	247,836	1,291,071	172,456
Hawaii	94,918	6,857,193	2,174,000	779,107	43,311	230,196	31,661
Idaho	94,436	2,418,106	----------	858,478	38,980	335,250	39,430
Illinois	1,283,562	9,983,678	220,000	8,266,810	503,371	2,130,336	360,319
Indiana	622,990	3,039,259	596,000	4,781,770	246,873	1,440,031	193,488
Iowa	344,499	1,787,388	114,000	2,846,311	140,039	1,327,878	122,556
Kansas	280,900	5,196,140	804,000	2,326,685	114,534	784,270	91,385
Kentucky	404,727	6,040,371	1,004,000	4,089,596	175,651	1,324,728	143,135
Louisiana	490,008	3,001,338	333,000	4,585,248	198,269	912,068	134,293
Maine	121,900	2,661,479	27,000	1,173,870	51,011	310,388	48,182
Maryland	450,499	18,746,284	679,000	3,350,943	185,275	666,815	118,672
Massachusetts	623,472	10,412,223	111,000	4,492,554	251,686	833,089	179,461
Michigan	1,104,807	4,981,623	4,000	7,778,655	427,817	1,798,634	297,765
Minnesota	467,363	1,706,172	----------	3,641,294	180,944	1,312,235	141,929
Mississippi	321,854	2,478,037	184,000	3,137,749	137,633	1,163,305	107,308
Missouri	534,336	5,221,005	121,000	4,535,632	216,555	1,390,638	173,605
Montana	93,954	3,228,800	19,000	802,261	38,018	299,881	38,665
Nebraska	180,682	3,802,700	490,000	1,474,594	71,223	642,728	64,271
Nevada	53,000	2,719,033	90,000	326,107	19,249	228,058	30,000
New Hampshire	81,909	1,659,828	155,000	697,660	32,724	228,058	34,050
New Jersey	793,072	7,904,435	797,000	5,330,872	320,983	876,457	201,903
New Mexico	147,918	7,912,906	1,181,000	1,267,614	57,748	245,693	43,107
New York	2,033,751	21,055,954	22,000	13,539,820	819,542	2,700,384	575,316
North Carolina	640,335	9,344,737	1,275,000	6,647,542	283,447	2,032,505	221,793
North Dakota	87,691	2,359,730	365,000	811,763	35,611	434,085	42,740
Ohio	1,311,989	9,660,120	186,000	9,903,582	516,364	2,201,568	369,365
Oklahoma	291,500	8,932,441	1,111,000	2,969,877	126,083	735,384	96,258
Oregon	240,909	1,945,923	----------	1,991,915	100,578	508,946	73,613

See footnotes at end of table.

State	Elementary and secondary education			Vocational education			
	Guidance, counseling, and testing (NDEA V-A)	School assistance to federally affected areas		Vocational Education Act of 1963		George-Barden and supplemental acts	Smith-Hughes Act
		Operations (Public Law 874)	Construction (Public Law 815)	State grants	Work-study		
Pennsylvania	$1,368,843	$7,313,773	----------	$11,164,872	$552,457	$2,343,066	$437,176
Rhode Island	102,627	2,638,017	----------	861,074	43,792	231,350	37,901
South Carolina	351,727	6,682,898	$179,000	3,639,695	158,326	973,362	114,757
South Dakota	91,063	3,446,992	87,000	817,192	36,093	436,475	42,940
Tennessee	480,854	4,915,534	285,000	4,881,629	204,525	1,426,595	159,386
Texas	1,380,889	20,904,631	2,179,000	12,676,680	563,525	2,357,417	359,602
Utah	145,027	4,505,686	304,000	1,184,139	54,861	228,854	38,478
Vermont	50,591	122,508	----------	480,096	20,693	228,058	33,318
Virginia	556,981	24,455,489	222,000	5,430,470	243,023	1,294,292	173,136
Washington	372,927	10,549,718	543,000	2,955,581	161,213	723,517	113,306
West Virginia	230,791	465,327	----------	2,369,947	103,465	604,758	91,340
Wisconsin	531,926	1,669,789	----------	4,136,687	207,893	1,364,517	162,247
Wyoming	50,000	1,034,017	----------	341,187	17,324	228,058	30,000
Outlying areas [3]	392,000	7,064,338	1,836,000	3,677,106	165,979	1,815,109	----------

HIGHER EDUCATION

State	College of A. & M. Arts		Undergraduate instructional resources (HEA VI)		Construction (HEFA)				
	Second Morrill Act	Bankhead-Jones Act	TV equipment	Other equipment	Undergraduate public	Other undergraduate	State administration	State planning	Educational opportunity grants (HEA IV-A) [4]
Total	$2,500,000	$11,950,000	$1,500,000	$13,000,000	$67,000,000	$200,000,000	$3,000,000	$4,000,000	$50,700,000
Alabama	50,000	227,647	24,704	214,013	1,627,668	3,198,834	52,985	66,488	718,369
Alaska	50,000	155,376	868	7,522	59,393	169,998	18,000	23,267	21,639
Arizona	50,000	180,951	17,266	149,639	640,961	1,877,254	41,808	40,904	570,370
Arkansas	50,000	192,458	14,390	124,712	874,834	1,793,588	42,239	47,557	480,519
California	50,000	523,580	164,029	1,421,587	5,265,020	21,845,718	183,020	288,928	5,086,242
Colorado	50,000	191,689	21,098	182,848	748,599	2,483,671	45,031	51,945	739,673
Connecticut	50,000	210,260	17,024	147,542	701,230	2,676,180	46,319	67,011	630,689
Delaware	50,000	160,608	2,735	23,705	128,815	467,984	30,023	25,859	96,401
District of Columbia	----------	----------	11,203	97,092	115,866	1,203,447	34,837	43,435	427,836
Florida	50,000	267,693	39,965	346,368	1,871,424	5,196,834	66,164	88,483	1,200,155
Georgia	50,000	243,723	26,363	228,476	1,680,197	3,745,661	57,468	83,388	854,832
Hawaii	50,000	165,040	5,314	46,048	261,525	759,930	32,501	28,180	178,501
Idaho	50,000	165,858	6,598	57,177	321,697	816,985	33,215	32,710	210,385
Illinois	50,000	389,618	66,341	574,954	2,674,158	10,163,100	102,040	167,394	2,495,496
Indiana	50,000	260,822	38,043	329,704	1,660,821	5,132,091	66,461	84,386	1,405,165
Iowa	50,000	215,543	26,595	230,486	1,147,069	3,273,427	52,323	76,602	982,096
Kansas	50,000	201,783	22,670	196,475	828,828	2,646,008	47,169	70,135	859,108
Kentucky	50,000	222,214	24,592	213,125	1,454,405	3,003,519	51,125	69,663	787,654
Louisiana	50,000	227,416	28,672	248,493	1,478,016	3,519,830	55,295	61,591	946,466
Maine	50,000	173,038	6,220	53,911	448,711	890,680	34,638	41,589	203,615
Maryland	50,000	223,700	21,417	185,616	1,080,666	3,253,871	51,709	74,187	748,148
Massachusetts	50,000	272,376	52,261	452,923	1,732,775	6,360,586	73,097	133,664	1,864,781
Michigan	50,000	335,949	66,468	576,059	2,720,894	9,268,702	95,632	135,511	2,292,475
Minnesota	50,000	231,144	32,885	284,999	1,491,648	4,251,238	60,269	82,535	1,199,948
Mississippi	50,000	201,772	19,224	166,604	1,002,140	2,240,072	45,013	64,965	606,182
Missouri	50,000	252,677	35,927	311,367	1,582,831	4,539,156	62,307	95,634	1,293,068
Montana	50,000	166,038	6,133	53,155	292,342	786,225	33,056	33,032	227,980
Nebraska	50,000	183,546	13,326	115,495	568,520	1,640,176	39,789	46,346	487,134
Nevada	50,000	156,781	1,548	13,418	89,723	328,371	21,759	23,001	59,065
New Hampshire	50,000	164,426	6,451	55,911	263,667	770,006	32,518	37,976	210,953
New Jersey	50,000	294,201	25,840	223,944	1,784,573	5,055,032	66,511	84,639	894,661
New Mexico	50,000	172,605	8,269	71,663	478,603	1,099,511	35,677	35,112	270,522
New York	50,000	548,897	117,053	1,014,470	4,036,894	16,867,427	152,753	259,521	3,989,452
North Carolina	50,000	258,295	37,726	326,964	2,159,919	4,748,834	65,883	97,980	1,199,483
North Dakota	50,000	165,032	6,944	60,183	312,788	788,666	33,107	34,455	248,870
Ohio	50,000	380,710	68,888	597,024	3,463,504	10,074,030	106,846	146,560	2,457,488
Oklahoma	50,000	205,341	25,234	218,697	1,027,455	2,821,022	49,816	63,095	864,095
Oregon	50,000	192,040	19,645	170,258	777,176	2,442,360	45,006	59,010	667,895
Pennsylvania	50,000	419,049	77,041	667,690	4,311,271	11,036,512	113,560	190,824	2,544,149
Rhobe Island	50,000	170,429	8,042	69,697	296,236	950,233	34,183	35,898	287,020
South Carolina	50,000	206,632	15,873	137,566	1,192,296	2,200,358	45,302	57,999	479,512
South Dakota	50,000	166,175	7,358	63,769	346,331	839,615	33,314	37,510	243,263
Tennessee	50,000	234,786	31,409	272,215	1,563,455	3,669,668	57,203	78,444	1,035,012
Texas	50,000	377,698	84,339	730,942	3,572,262	10,481,437	108,267	161,708	2,786,197
Utah	50,000	171,169	17,296	149,899	479,868	1,690,586	39,499	37,707	609,321
Vermont	50,000	159,267	4,626	40,092	179,007	506,765	30,641	34,775	160,556
Virginia	50,000	244,290	25,945	224,857	1,553,572	3,702,340	56,060	79,867	822,638
Washington	50,000	217,818	32,342	280,294	1,115,036	3,921,752	54,702	68,950	1,054,029
West Virginia	50,000	194,220	14,436	125,109	953,457	1,841,829	42,780	48,899	480,196
Wisconsin	50,000	243,929	36,322	314,790	1,633,948	4,778,123	63,488	95,275	1,268,199
Wyoming	50,000	157,845	2,973	25,769	134,560	376,968	27,199	26,689	108,118
Outlying areas [3]	50,000	205,846	12,069	104,594	813,346	1,803,790	130,393	78,717	344,379

State	Student aid			Libraries and community service							
	Contributions to loan fund (NDEA II)	Insured loan reserves	College work-study (HEA IV-C)	Public library services (LSCA I)	Interlibrary cooperation (LSCA III)	Institutional library services (LSCA IV-A)	Library services to handicapped (LSCA IV-B)	Public library construction (LSCA II)	University community service (HEA I)	Adult basic education	Total
Total	$190,000,000	$8,861,983	$134,300,000	$35,000,000	$2,256,000	$2,014,000	$1,254,000	$1,185,000	$10,000,000	$30,590,000	$3,097,997,350
Alabama	2,831,305	208,441	3,288,811	633,492	42,434	38,000	23,750	330,490	185,126	901,330	76,338,475
Alaska	85,286	50,000	114,209	136,935	40,169	38,000	23,750	97,342	106,520	126,288	15,439,573
Arizona	1,860,011	3,759	1,236,513	312,656	40,974	38,000	23,750	179,848	138,461	302,940	30,841,052
Arkansas	1,893,867	7,607	1,975,803	391,716	41,336	38,000	23,750	216,969	147,398	538,398	42,650,229
California	17,106,264	992,964	10,960,046	2,666,778	51,753	38,000	23,750	1,285,175	549,393	1,590,550	277,819,013
Colorado	2,915,266	95,710	1,480,456	386,437	41,311	38,000	23,750	214,491	147,594	228,507	37,501,746
Connecticut	2,485,729	222,413	1,389,663	514,029	41,896	38,000	23,750	274,399	169,107	394,974	30,634,982
Delaware	230,061	10,000	271,172	172,884	40,334	38,000	23,750	114,221	112,283	146,034	9,337,599
District of Columbia	1,686,226	59,818	652,969	224,762	40,571	38,000	23,750	138,579	119,584	196,191	18,410,455
Florida	4,730,161	299,257	3,609,753	908,640	43,703	38,000	23,750	459,680	241,536	874,905	86,864,024
Georgia	3,150,844	156,985	3,670,777	743,951	42,949	38,000	23,750	382,353	207,226	1,132,351	85,314,055

See footnotes at end of table.

State	Student aid			Libraries and community service							
	Contributions to loan fund (NDEA II)	Insured loan reserves	College work-study (HEA IV-C)	Public library services (LSCA I)	Interlibrary cooperation (LSCA III)	Institutional library services (LSCA IV-A)	Library services to handicapped (LSCA IV-B)	Public library construction (LSCA II)	University community service (HEA I)	Adult basic education	Total
Hawaii	$271,354	$17,365	$444,271	$203,338	$40,473	$38,000	$23,750	$128,520	$117,338	$211,515	$17,712,249
Idaho	682,624	----------	507,431	208,959	40,499	38,000	23,750	131,159	116,923	138,479	12,519,660
Illinois	9,835,480	92,355	5,835,064	1,746,355	47,539	38,000	23,750	853,010	359,848	1,221,492	127,785,929
Indiana	5,538,167	46,651	3,094,248	861,433	43,487	38,000	23,750	437,515	219,485	486,403	57,120,502
Iowa	3,870,730	25,899	2,238,625	550,334	42,062	38,000	23,750	291,444	167,349	251,953	42,051,329
Kansas	3,385,997	11 157	1,698,906	455,789	41,629	38,000	23,750	247,053	154,895	232,402	37,270,899
Kentucky	3,104,373	209,493	2,889,083	596,161	42,272	38,000	23,750	312,962	177,483	768,082	67,388,860
Louisiana	3,553,117	276,071	3,295,109	631,904	42,436	38,000	23,750	329,745	186,934	1,061,473	67,101,901
Maine	802,507	10,000	649,130	258,291	40,725	38,000	23,750	154,322	124,078	175,918	14,744,071
Maryland	2,141,327	195,600	2,000,068	606,374	42,319	38,000	23,750	317,757	186,299	525,086	59,005,532
Massachusetts	7,349,650	143,679	3,443,943	940,915	43,850	38,000	23,750	474,787	230,913	635,897	69,613,590
Michigan	9,035,316	72,229	5,165,064	1,377,606	45,850	38,000	23,750	679,873	303,097	835,165	102,014,539
Minnesota	4,729,346	20,286	2,709,659	657,518	42,553	38,000	23,750	341,771	186,982	314,574	52,390,418
Mississippi	2,389,139	24,124	2,781,022	455,712	41,629	38,000	23,750	247,017	156,385	702,974	64,243,037
Missouri	5,096,358	25,980	3,255,492	805,469	43,230	38,000	23,750	411,238	209,693	629,682	64,670,769
Montana	898,537	----------	520,705	210,196	40,505	38,000	23,750	131,740	117,716	146,759	14,021,718
Nebraska	1,860,542	3,178	1,142,175	330,484	41,055	38,000	23,750	188,219	135,628	188,955	23,286,902
Nevada	232,794	----------	168,411	146,589	40,213	38,000	23,750	101,875	110,598	117,374	7,525,170
New Hampshire	831,428	10,000	422,463	199,116	40,454	38,000	23,750	126,538	116,434	143,716	9,960,807
New Jersey	3,526,121	49,664	2,853,533	1,090,767	44,537	38,000	23,750	545,194	265,589	888,911	72,300,335
New Mexico	1,066,207	57,691	848,002	255,312	40,711	38,000	23,750	152,923	124,761	255,945	29,350,579
New York	15,723,601	1,432,353	8,999,979	2,840,719	52,549	38,000	23,750	1,366,846	542,140	2,446,242	255,064,177
North Carolina	4,727,514	345,819	4,699,579	844,066	43,407	38,000	23 750	429,360	220,510	1,250,671	106,371,773
North Dakota	980,870	2,770	610,560	203,285	40,473	38,000	23,750	128,495	115,922	156,675	14,571,626
Ohio	9,685,682	968,096	5,966,983	1,685,152	47,259	38,000	23,750	824,274	350,080	1,013,522	119,525,824
Oklahoma	3,405,650	13,910	2,089,928	480,232	41,741	38,000	23,750	258,530	159,779	415,620	49,994,124
Oregon	2,632,370	16,034	1,339,727	388,844	41,323	38,000	23,750	215,621	147,325	203,568	27,104,874
Pennsylvania	10,027,236	644,308	6,887,674	1,948,566	48,465	38,000	23,750	947,954	382,852	1,467,036	137,322,297
Rhode Island	1,131,228	10,000	583,934	240,363	40,643	38,000	23,750	145,905	121,758	205,663	14,255,875
South Carolina	1,889,895	177,921	2,549,370	489,102	41,782	38,000	23,750	262,694	162,270	790,803	61,645,979
South Dakota	958,771	----------	666,383	211,135	40,509	38,000	23,750	132,181	116,752	147,591	16,967,585
Tennessee	4,079,286	68,354	3,468,324	682,542	42,668	38,000	23,750	353,520	194,015	934,037	72,169,475
Texas	8,155,009	611,754	7,988,814	1,664,458	47,164	38,000	23,750	814,557	358,627	2,082,928	180,924,262
Utah	1,268,662	----------	943,337	245,448	40,666	38,000	23,750	148,292	124,273	138,059	18,699,967
Vermont	632,799	35,000	329,367	163,671	40,292	38,000	23,750	109,896	109,865	125,774	6,891,574
Virginia	3,049,292	287,160	3,113,643	747,843	42,966	38,000	23,750	384,181	207,934	951,508	86,602,330
Washington	4,154,236	17,321	2,071,817	565,959	42,134	38,000	23,750	298,781	172,599	269,799	48,290,511
West Virginia	1,892,594	8,129	1,690,626	403,825	41,391	38,000	23,750	222,655	144,321	427,880	34,273,511
Wisconsin	4,998,341	381,317	2,763,365	745,365	42,955	38,000	23,750	383,017	210,097	465,302	51,172,508
Wyoming	426,126	----------	238,079	153,903	40,137	38,000	23,750	105,309	108,058	120,299	7,011,303
Outlying areas [3]	1,004,704	443,361	2,686,000	614,720	81,899	76,000	42,750	354,723	167,716	711,800	65,907,776

[1] Includes Arts and Humanities grants to States.
[2] Includes Arts and Humanities loans to nonprofit private schools.
[3] Includes funds transferred from the Department of the Interior, Bureau of Indian Affairs technical services, and reserves.
[4] Amounts represent initial-year awards only.

Questionnaire Results and Newsletter

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. BERRY. Mr. Speaker, the tabulation of my 1968 questionnaire has now been completed, and I feel sure my colleagues will be interested in knowing how the people of South Dakota's Second District feel about many of these vital issues.

The results are most revealing, and I insert in the RECORD this summary and the accompanying newsletter, as follows:

FROM THE DESK OF E. Y. BERRY, SECOND DISTRICT, SOUTH DAKOTA

APRIL 1968.

DEAR FRIEND: The response to my annual questionnaire has always been gratifying and your advice has always been helpful. It has been especially true this year. Thousands have responded, and hundreds have written letters explaining their views. I have personally reviewed all of them. Knowing of your interest in the final tabulation, I have prepared a resume which appears on the reverse side of this letter. You will note the returns are in percentages. None of the returns will total 100 percent since the difference falls into the category of "undecided." Several pieces of legislation have been acted upon since your poll has been received, and I should report on how I have voted.

TRAVEL TAX

On the questionnaire 52% indicated support for some restraints on foreign travel. I followed your wishes in supporting House passage of a bill imposing a five percent ticket tax on all overseas airline flights. The bill also reduced from $100 to $10 the amount of duty-free goods which travelers abroad can bring home.

CIVIL RIGHTS

As this bill passed the House last year, it was a five page, well written and carefully considered piece of legislation. The Senate failed to touch it until after Congress reconvened in January. Then after two months of debate, amendments, amendments to amendments, and substitutes for amendments, the bill came back to the House, 50 page document with much new legislation upon which no hearings had ever been held.

Under the procedure adopted by the Democratic leadership, the House had one hour to consider the bill and then to *vote it up or down without* being able to dot an "I" or cross a "T." It has always been my understanding that the legislative branch is composed of two bodies with an equal obligation to the people of the nation to hold hearings, obtain testimony for and against, debate, and compromise, if necessary, to obtain the best possible legislation.

I resent this "gun at the head" approach and voted to send the bill to conference where the House might have an opportunity to at least be a co-equal branch of Congress. This motion failed by 34 votes. It is true that 52% of you people told me you opposed the "open housing" provision of the bill, but at the same time, 71% favored stricter handling of rioters and demonstrators. Because the bill had a strong anti-riot provision, as well as other good law enforcement provisions, I followed your advice and voted to make these provisions law.

MISCELLANEOUS

My bill enlarging the Badlands National Monument into the former gunnery range area with the provision that former Indian land owners can repurchase their property has been reported to the House floor . . . Interior Committee hearings will be held on the Oahe Irrigation project May 23 and 24. Am hopeful of speedy action following the hearings . . . My industrial development bill which provides a tax incentive to any industry locating on or near an Indian reservation has a good chance of passage this session. This could bring much industry to South Dakota . . . Prospects are good for the reactivation of the Black Hills Ordnance Depot at Edgemont under city management . . . Study of the feasibility of a straw pulping plant at Mobridge has been financed and will go forward at once . . . An industrial plant may be located at Swift Bird near Gettysburg, where the Job Corps center has been abandoned . . . There is a good chance of helpful farm legislation in this election year . . . The Bureau of Reclamation will begin a reconnaissance study this month of the Lower James water development program . . . A plan for Texas to steal Missouri river water has been scotched.

With my kindest regards and best wishes, I am,

Sincerely yours,

E. Y. BERRY.

[Percentages are the "yes" or "no" votes only—the balance represents the percentage of those undecided]

	Percent Yes	Percent No
Vietnam: Do you approve of the President's conduct of the war?	15	75
Which of the following policies would you favor regarding U.S. involvement in Vietnam?		
(a) Complete withdrawal	2	
(b) Pull back and maintain policing action	4	
(c) Halt bombing in North Vietnam	2	
(d) Take all action necessary to win	92	
Should the United States continue to trade with nations that are aiding North Vietnam?	7	88
Alliances: Would you cancel our mutual defense alliances all around the world?	17	75
Red China: Do you favor the admission of Red China to the U.N.?	22	71
Foreign aid: Do you believe our foreign aid program should be:		
(a) Continued at same rate	4	
(b) Moderately reduced	29	
(c) Cut materially	63	
Taxes: Do you favor the administration's proposed 10 percent tax increase?	27	69
Spending: Do you believe that Federal spending on domestic programs should be reduced?	76	19
If Government spending were cut, list in order of preference those programs you feel should be cut most heavily:		
Poverty war	2	
Aid to cities	3	
Highway beautification	1	
Space exploration	5	
Foreign aid	4	
Education	6	
Defense	7	
Agriculture	8	
Imports: Should limited import quotas be imposed to protect agriculture, textiles, mining, and other industries?	83	10
Crime: In dealing with civil disorder do you favor:		
(a) Stricter handling of rioters and demonstrators by police and the courts	71	
(b) More programs to improve slum areas	13	
(c) Federal assistance for local law enforcement	16	
Agriculture:		
Do you favor legislation which would strengthen the right of farmers to bargain collectively on prices of agricultural commodities?	70	10
Do you favor the proposed strategic grain reserve program?	45	27
Do you approve of Federal cash subsidies to rural families if they agree to stay on the farm?	28	61
Travel tax: Do you support some retraint on foreign travel by Americans, including a travel tax?	52	42
Firearms: Do you favor Federal control of the ownership and sale of firearms?	21	75
Poverty: In 1967 Congress appropriated $1,700,000,000 for the antipoverty program. Should the program be:		
(a) Expanded	12	
(b) Reduced	44	
(c) Eliminated	38	
Incentive: Do you favor legislation providing tax incentives to employers for part of the cost of training unskilled?	60	31
Medicare: Do you think the present program is working well?	44	36
Civil rights: Do you support open housing legislation?	36	51
Credibility: Do you feel we are receiving accurate and reliable information on Government activities?	12	79

Retirement of Clinton Leon Davis, of Georgia, as Director of Information and Education, U.S. Forest Service

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. TALMADGE. Mr. President, on April 19, Clinton Leon Davis, a native Georgian, retired as Director of Information and Education of the U.S. Forest Service.

Clint, as he is known to his many friends throughout the world, has given 31 years of dedicated service to forestry and conservation. As director of the Smokey Bear program, he did more than any other individual toward the prevention of forest fires not only in the South, but nationwide.

In the April issue of American Forests, his close friend, the distinguished author and writer, Mike Frome, honored Clint with an article worthy of his background and accomplishments.

I ask unanimous consent that the article, a letter from Edward P. Cliff, Chief of the U.S. Forest Service, and a news release relating to Mr. Davis' retirement, be printed in the Extensions of Remarks.

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

CLINT DAVIS

(By Mike Frome)

In the course of past carpetbaggings through the piney woods and sandy flats and red clays of South Georgia I thought I had encountered most of the places with the strange and sweet sounding names, like Ocilla, Willacoohee, Ty Ty and Pecan City, which are the specialty of that section of the country. There has lately come to my attention, however, the existence of an especially odd place-name, Unadilla. I believe it to be an honest place and an honest name. But do not ask me why.

A study of maps reveals that Unadilla lies north of Codele and south of Macon, and that it has been there for some time. I am certain this community has distinctions, though none is disclosed through a search of atlases and encyclopedias. But I have lately learned, through painstaking study, that Unadilla is indeed the birthplace of record of a figure of influence in the fields of forestry and conservation, one Clint Davis by name.

At least that is the name he has been using for years. Now, it may be revealed that it is not his rightful one. Once I asked him if he might not have been called Clinton by his mother or possibly have had a middle initial like "F," to stand for Clinton Forest. "No, I am only Clint Davis," he replied firmly, controlling the usual tell-tale shift of the eyes in such circumstances. The truth is that the pride of Unadilla is registered on his birth certificate as Clinton Leon, and by these names he will henceforth be called.

Clinton Leon is retiring as Director of Information and Education of the Forest Service. He has been with this agency of the Department of Agriculture for 30 years. For the last one-third of that period I have known him well and studied him closely. We have been together at work and play in New York, New Orleans, Washington, Williamsburg, Boise, and several way stops in between. Therefore, as he takes his leave of government service, it is only proper that I should analyze his performance and personality in their true perspective.

My investigators in Georgia report that Clinton Leon was more interested in hunting and fishing than in furthering his education. He was that kind of boy, one who much preferred to train dogs and run them in field trials than to train himself in law or engineering or business affairs and join the everyday race for fortune.

Clinton Leon was clever, in his own way, and calculated to make a living out of dogs, guns and fishing poles. His first step was to confront an innocent editor of the Atlanta *Constitution* with the notion that people might actually be interested in reading about outdoor sports. The editor found the proposal appealing, but wavered. "What is your name?" he asked. "I am only Clint Davis," Clinton Leon replied. He was hired at once—for the name had the ring of the woods and fields, like Mark Trail, the perfect identity for an outdoors editor and columnist.

In due course Clinton Leon discovered conservation, or perhaps conservation discovered him and he left the newspaper. They speak well of him at the Georgia Fish and Game Commission, for which he helped develop early Federal-State cooperative wildlife agreements, and even at Nagoochee and Dahlonega (where I first heard of him, while collecting place-names in the North Georgia hills). Then Clinton Leon made what appeared to be a fitful blunder to his Georgia sires: he joined the Federals.

That was thirty years ago. After working in the Southern Region of the Forest Service for a while, he came to Washington. He is one of a number of people variously credited with being the father of Smokey the Bear—something like the throngs said to have served on the PT boat with John F. Kennedy. But there is no doubt that he was in charge of the Smokey Bear forest fire prevention program during the period when the brown bear wearing a ranger's hat became a national image. Obviously his superiors in the Forest Service were impressed, for in 1955 Clinton Leon was named Director of the Division of Information and Education.

So much for chronology and listing of titles. Now for the evaluation of the man and his work.

Clinton Leon is characterized to me by one word—expansive. He is expansive in appearance, a tall man, six feet two or three, on a large frame. In a stocky, solid way he covers a lot of physical space. More important, he is expansive in what he thinks and what he does.

Clinton Leon is expansive in imagination, intuition and energy. In all my encounters with information officers in the federal government I have never met one more effective, or endowed with a broader concept of the lines of action he and the people he serves should follow. Furthermore, I doubt that I have ever met a more able or talented public relations man in or out of government. He would have been a wizard with some giant corporation, like General Motors, Remington Arms or Weyerhaeuser, but they wouldn't have been the same, and he probably wouldn't have been either. He was cut out for public service, particularly in conservation of natural resources, and I can hardly think of another man to compare with him in giving the public the fullest value in this field.

Clinton Leon is the kind who responds to new ideas, and knows how to make them come real. The Cradle of Forestry, which is now being developed in North Carolina at the site of the first field school of forestry in America, is largely his inspiration. The same can be said for the visitor information centers and interpretive programs, which are spreading throughout the National Forest System. He sees forestry not in narrow terms of merely furnishing fibre for the future, but as a cultural and social force in the life of the nation, and if the Forest Service is moving in this direction, he deserves much of the credit.

I must mention other ways in which Clinton Leon is expansive. He eats long breakfasts and insists on cooking Georgia-style red-eye gravy, if he has a chance to do the cooking. He charcoals steaks with moist hickory chips at home, but eats a long, late supper wherever he may be. I have been with him in the presence of high-powered advertising men, his long time colleagues in the Smokey Bear program, but none outspends him. And nobody recognizes or capitalizes more on the good ideas of others in furthering a program, whatever it may be.

When Clinton Leon travels, he does so expansively. While we were fellow Trail Riders of the Wilderness in the Bridger National Forest (in company with the Editor of this magazine), he seemed to have at least two of absolutely everything in his supplies. If any rider needed shaving lotion, aspirin, sweater, sox—you name it, he just happened to have an extra tin, tube, bottle, jar or pair that he could spare. Whenever he sits down next to a person on an airplane, that person is going to meet and like him; there is no way out, for Clinton Leon is expansive in his friendship. It is said around the Forest Service, "There is one thing Clint has done for this outfit. He has taught us to say 'please' and 'thank you'."

But it's more than that. He loves the human race.

His capacity for generosity and kindness are beyond belief. I have been privy to things he has done for people in the most quiet, confidential way, people who have nothing to do with his work or family, things for which he can expect no reward and for which he seeks none.

I am one of the beneficiaries of Clinton Leon's professional and personal generosity. I owe more to him than any other person for my advancement as an author on conservation and natural resources—and he has probably never thought that I owe him a thing.

Clinton Leon Davis has enriched the lives of people whom he has touched during a marvelous career of service to the nation. Through it all he performed with unpropossessing dignity. He is one of the few great men one meets in a lifetime, a worthy son of Unadilla. Along with many friends, I am saddened to see him take his leave, but find comfort in knowing that he isn't going far and there is still plenty of steam left in the great fellow called Clint!

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., April 22, 1968.

Hon. HERMAN E. TALMADGE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TALMADGE: Clint Davis retired from the Forest Service April 19, with 31 years of outstanding Government service to his credit, including the last 13 years as Director of our Information and Education programs.

We in the Service, as well as his many close conservation associates and friends, will miss Clint personally. He has had a truly remarkable career as one of the great leaders in his field of work. His ability in the information fields and his adeptness in handling difficult promotional aspects of our forestry programs through the years have been outstanding. He has brought much credit to the Forest Service and to the Department and we hate to see him go. Yet, we feel that he has well earned what we all hope will be a wonderful retirement period.

The Forest Service and the Nation are deeply indebted to Clint for his leadership in many important programs—the "Smokey Bear" program, the "Lassie" program, and our Visitor Information Service program, to name just three. Without him these projects, and many others, would not have the momentum they have today.

Clint and Alice will continue to live in Silver Spring, Maryland. He expects to remain active in the field of natural resources and conservation.

Sincerely yours,

EDWARD P. CLIFF, *Chief.*

CLINT DAVIS RETIRES FROM FOREST SERVICE

Veteran government information man Clint Davis will retire April 19 as director of information and education activities of the Forest Service, Chief Edward P. Cliff announced today.

"The man most responsible for making Smokey Bear a household word," said Chief Cliff, "will leave with 31 years of outstanding Federal Government service to his credit.

"The Forest Service will not be the same without Clint Davis," Cliff added.

Davis has served in his present post since 1955. However, it was mainly his pioneer work in establishing and promoting Smokey Bear, the forest fire prevention symbol, that brought him a national reputation. Before he became top information man for the Forest Service, Davis directed the fledgling Smokey Bear campaign for 9 years, working with State and Federal agencies, forest industries, The Advertising Council and business leaders throughout the country in promoting forest fire prevention.

The identity between Davis and the symbol he promoted to international prominence has never faded. He still carries a supply of Smokey gift items for children and adults as reminders of the hazards of forest fire.

Before transferring to Washington in 1946, Mr. Davis was information director of the Forest Service's southern region, where he helped develop an extensive tree-planting program. Previously, he had been public relations director of the Georgia Game and Fish Department, and there he was instrumental in developing the first Federal-State cooperative wildlife management area in the Nation.

Davis is a former outdoor editor and columnist for the Atlanta Constitution, and was a motion picture producer in the U.S. Army Signal Corps during World War II.

Further distinction came to Mr. Davis as head of the information and publicity committees of the Fifth and Sixth World Forestry Congresses at Seattle, Wash, and Madrid, Spain.

In 1961, he was given the USDA Superior Service Award "for exceptional and devoted public service and outstanding leadership in the field of government information which has furthered conservation nationwide, reflecting great credit on the Department of Agriculture."

Clint and Mrs. (Alice Perry) Davis make their home in Silver Spring, Md.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. SCHERLE. Mr. Speaker, this is the 98th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

Resolutions of the Military Order of the World Wars

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HÉBERT. Mr. Speaker, I have been requested by Col. Marshall T. Cappel, State commander of the Louisiana department, Military Order of the World Wars, and by Col. William N. McRoberts, senior vice commander, to include two resolutions in the RECORD.

I am happy to accede to their request and include here two resolutions which were adopted by the MOWW, Louisiana department:

RESOLUTION

Be it resolved by the Annual Convention of the Louisiana Department of the Military Order of the World Wars meeting at Baton Rouge, Louisiana, on April 20th, 1968, as follows:

Whereas; The Preamble to the Constitution of the Military Order of The World Wars declares it to be our duty: "Ever to maintain Law and Order, and to defend the Honor, Integrity and supremacy of our National Government and the Constitution of the United States."

Whereas; United States Senator Robert F. Kennedy has engaged in unpatriotic, self-serving demagoguery to the detriment of our country by his statements; and, in particular by:

(1) Encouraging disrespect for law and order and has attempted to clothe acts of violence with respectability.

(2) Declaring in a speech to Kansas State University Students that it is the mission of American Colleges and Universities to breed men who riot and rebel.

(3) Stating recently at the University of Chicago that the United States has "Wildly exaggerated the dangers of Red Chinese aggressions".

(4) Telling the students at Brigham Young University, Provo, Utah that a young man should not be required to serve in the Armed Forces of our country, because: "America should be a nation where a man could serve his country without a uniform and without a gun."

(5) Urging audiences in Oregon that the representatives of the United States should negotiate with the North Vietnamese Communists, without the presence of our allies, at a site in a Communist Country.

Whereas, United States Senator Robert F. Kennedy has repeatedly, unfairly, untruthfully, and unreasonably attacked the foreign policy of the United States in vigorously opposing the world Communist Conspiracy; our National Security; the valiant efforts of our Armed Forces in Viet Nam; has done everything in his power to create dissension within the borders of the United States; has applauded and encouraged unruly demonstrations in the United States which have resulted in rioting, looting, burning of buildings and death to innocent persons; and has advocated disloyalty among the youth and other citizens of our Country.

Now therefore be resolved, That the Louisiana Department of The Military Order of The World Wars in Convention assembled does hereby urge Senator Robert F. Kennedy to cease his declarations in favor of appeasing the Communists and in particular the North Viet Namese; to quit advocating the debasing compromises with our enemies; to desist from encouraging sedition and semi-treasonable conduct by our youth and other citizens; and encouraging disorders and violent demonstrations leading to riot, burning, looting

and injury and death to countless persons in American Cities.

Be it further resolved, That we hereby urge Senator Robert F. Kennedy to publicly confess his erroneous conduct, and henceforth espouse patriotism and loyalty to Our Country; the duty of Americans to serve in our Armed Forces when called; to support any and all military actions required to promptly win the War in Viet Nam by total defeat of the Communists; and to advocate freedom and Liberty for our Country without the degrading and dishonorable appeasement of the Communists at any prolonged conferences with the Hanoi Communists.

Be it further resolved, That we deplore the conduct and speeches of Senator Robert F. Kennedy which have lent aid and comfort to our enemies; and that unless Senator Kennedy reverses his past position and henceforth speaks as a loyal American that he should resign as a United States Senator.

Be it further resolved; That copies of this Resolution be immediately forwarded by the Commander of the Louisiana Department of The Military Order of The World Wars to Senator Robert F. Kennedy; to each member of the Louisiana Congressional Delegation; to President Lyndon B. Johnson; to the Press; and to the National Headquarters of The Military Order of The World Wars for dissemination to other members of Our Organization.

MARSHALL T. CAPPEL,
Colonel, U.S. Army, Retired, State Commander, Louisiana Department, Military Order of the World Wars.

WILLIAM N. MCROBERTS,
Senior Vice Commander, Louisiana Department, Military Order of the World Wars.

RESOLUTION

Be it resolved, by the annual convention of the Louisiana Department of the Military Order of the World Wars; meeting in Baton Rouge, Louisiana on April 20, 1968;

Whereas, an Associated Press dispatch from Honolulu on April 19, 1968, quoted Senate Democratic Leader Mike Mansfield as stating that:

A. The United States should withdraw from Vietnam because "we have no vital interest there and—it is not necessary to the security of the United States."

B. He regarded as invalid the theory that with U.S. forces gone the nations of Southeast Asia would topple like dominoes.

C. It is "very questionable" whether the Viet Cong is a Communist organization.

D. "The war in Vietnam is a civil war because the Viet Cong are South Vietnamese."

Be it resolved, that the above statements by United States Senator Mike Mansfield of Montana are harmful to our armed forces in Vietnam and our national unity, destructive of the national security and foreign policy of the United States, lend aid, comfort and support to the Viet Cong, the North Vietnamese, the USSR, the Chinese Communists and the world Communist conspiracy and its allies and supporters worldwide; and imply treasonable and seditious conduct toward our nation.

Be it further resolved that we do hereby call upon United States Senator Mike Mansfield of Montana to either publicly renounce and recant the above statements or to resign from the United States Senate.

Be it further resolved, that the State Commander of the Military Order of the World Wars immediately dispatch this resolution to Senator Mansfield, to President Lyndon B. Johnson, to each member of the Louisiana Congressional Delegation and release a copy hereof to the press and send a copy to the National Headquarters of the Military Order of the World Wars.

MARSHALL T. CAPPEL,
Colonel, Army of the United States, Retired, State Commander, Louisiana Department, Military Order of the World Wars.

WILLIAM N. MCROBERTS,
Senior Vice Commander, Louisiana Department, Military Order of the World Wars.

The American's Creed

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. MIZE. Mr. Speaker, over the next few weeks thousands of our leaders of tomorrow will be graduating from Kansas high schools. In recognition of this important milestone in the careers of those who reside in the Second Congressional District, I am sending each graduate a copy of "The American's Creed," by William Tyler Page. The letter and the language of the creed which will go forward to them prior to their graduation day is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 1968.

DEAR HIGH SCHOOL GRADUATE: Graduation from high school is a great day in your life. I would like to be a part of it by presenting you with this personalized copy of The American's Creed by William Tyler Page.

Patriotism is something most of us take for granted until we are projected into a situation where we are called upon to defend this nation against its enemies or its detractors. To me, patriotism is more like a muscle; the more it is exercised, the stronger it gets.

It is easier to be patriotic in Washington, D.C., than in most places I know, but I still find it helpful from time to time to fortify my own patriotic fervor by rereading this famous credo. I hope that it comes to mean as much to you as it has to me and thousands of others who have adopted this creed as their own.

Best wishes for continued success and happiness.

Sincerely,

Congressman CHESTER MIZE.

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its Constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to (name of graduate) with congratulations upon graduation from High School. May the highest ideals of American citizenship guide you in a life of success, happiness, and achievement.

CHESTER L. MIZE,
Member of Congress, Second District of Kansas.

The Human Side of the Vietnam Conflict

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. CORMAN. Mr. Speaker, I insert in the RECORD an article appearing in the current issue of Pace magazine, written by Lt. Gen. Lewis W. Walt, Assistant Commandant of the U.S. Marine Corps.

General Walt, who spent 2 years in Vietnam as Commanding General of the 3d Marine Amphibious Force, speaks with great sensitivity about the human side of the Vietnam conflict I commend it to my colleagues:

THE VIETNAM CONFLICT IN HUMAN TERMS

While I was generally aware of the history of the Vietnamese people in the years following World War II, I did not fully understand their war until I arrived there in the spring of 1965. During that war's previous most critical period—in the months when the stage was set for the battle of Dien Bien Phu—I was serving in Korea, directing Marines in the battle against aggression in that country. Our free world United Nations Forces stopped the aggression there but the war in Vietnam took on a new intensity. Shortly after I returned home from Korea the battle was joined at Dien Bien Phu and the French were defeated. I read the books and I watched history unfold at Geneva. But I did not fully understand the war which gripped Vietnam.

I began to learn about that war one afternoon near Da Nang, where my III Marine Amphibious Force had its command post. In a hot and dusty little hamlet where the Vietnamese people had first helped us push out the Viet Cong—their enemy—an elderly couple began to teach me what their war was like. As I sat there with them on rickety bamboo chairs under the drooping rectangle of thatch which served them as a front porch, our words exchanged through an interpreter might have been as impersonal as the text of a book. But as their words were put in English for me, I could read in their eyes and on their faces the human—and the inhuman—side of this war in all its anguish and tragedy.

At first, the elderly woman told me, the Viet Cong who entered the hamlet treated the people with friendliness and respect. These men took part in hamlet affairs and they made a lot of promises about freedom and the better life which their ideas could bring to the people.

But that had been nearly 12 years ago, the old man said to me. Once the Viet Cong had integrated themselves into the life and administration of the hamlet, their manner began to change. One day they assassinated the hamlet chief and disbanded the council of elders.

In the years between 1958 and 1967, over 12,000 South Vietnamese officials in all levels of government were murdered by the Viet Cong. Another 30,000 were kidnapped—or just disappeared. That was a severe blow to South Vietnam. If this country lost a proportionate number of our officials, this would amount to half a million leaders.

After all those years, the pain and the shock of this crime still showed on the faces of this elderly couple as they told me this story. Traditionally a peaceful and happy people, the Vietnamese want only to be left alone with their fields which surround their homes and their hamlets. But the Viet Cong had ended this life for my new friends and for the others of that hamlet.

After they destroyed the hamlet government, the Viet Cong destroyed the school and then the church. No meeting place—no symbol of authority—remained. Leaving home is never easy for a people who have very little. For the hamlet dwellers of Vietnam it was impossible, once the Viet Cong tightened their grip. Vehicle bridges around the hamlet were destroyed and in their place one narrow footbridge was erected. To leave the village, a native of the hamlet had to have a pass from the Viet Cong. At least half of the other members of the family always had to remain behind to serve as hostages. In this manner the Viet Cong guarded against the loss of these people they had "captured." The people were important resources for the Viet Cong. Young people were sent from the hamlet to Viet Cong indoctrination and training camps; the older people who remained behind were taxed heavily, forced to work and to furnish food for the Viet Cong from their own meager resources.

While these old people talked to me with tears, in their eyes and with pleading hands groping out to try to bridge the language barrier between us. I began to understand the real meaning of their war. This was aggression, although of a different sort than we had seen in Korea. Here the Viet Cong infrastructure reached into every part of the country's life slowly and insidiously, over a period of years, like a cancer eating away at a human body. When we responded to South Vietnam's call for help, the country was nearly ready to go under total communist control.

As I begin to make my departure, these elderly folks pressed their hands together, prayerfully, below their bowed heads, in the manner of the Orient and the Buddhists. This always is a touching sight, and I could only extend both my hands to them, palms up, in a gesture which said that I would give them all the help I possibly could as a fellow man who was trying to understand their plight. Their faces brightened at once and they each reached out with their ancient and gnarled hands to grasp mine with a warmth which told me they were as concerned for me as I was for them.

During my two years in Vietnam I saw this human experience occur many times between Vietnamese people and Marines of all ranks. Slowly we were beginning to understand each other. One of my battalions, in the first autumn in Vietnam, opened up a new area of operations south of Da Nang just below Marble Mountains, a picturesque Buddhist sanctuary beside the South China Sea. The villagers were wary, as they always are when they first see Americans coming into their area. But soon the Marine battalion found and attacked a Viet Cong main force battalion. The Marines gave a good account of themselves and this had an immediate effect on the villagers.

The village chiefs come into the battalion command post and asked if the Marines could help the people protect their rice crop from the illegal Viet Cong tax. This the Marines did in what they called Operation Golden Fleece. The Marines happily adopted a complex of four villages; and the people of the village adopted the Marines. I went down to Marble Mountain one day to see them hauling the rice in to the safety of a Buddhist temple. The scenery was different, but in Marines and villagers I could sense that same happy spirit of cooperation I had known so well through a number of Kansas wheat harvest years ago, when the threshing ring served to knit a community closely together while a lot of work got done at the same time.

I've seen this same warm and human bond develop between the Marines of our Combined Action Units and the Popular Forces Vietnamese soldiers which they serve beside. I've watched as this spirit spread from the Marine and Popular Forces combined units to all the villages for which these units provide security. This is a lasting thing, too. More than 60 percent of our Marines who serve with these Combined Action Units voluntarily extend their tours of duty to continue their service to these villagers who become their friends. We now have approximately 80 such combined forces—a squad of Marines and a Navy hospital corpsman serving with a platoon of Popular Forces soldiers. The program pays off in security for the villagers, and for us.

I'm convinced as I read the reports which come in to me at Headquarters Marine Corps that our small Combined Action Units contributed significantly to protecting Da Nang during the recent enemy Tet offensive. Intelligence which these units were picking up from their villagers contributed to the III Marine Amphibious Force decision to remain 100 percent on the alert during what had previously been planned as a truce period. And when enemy units began to move toward Da Nang, these small Combined Action Units were able to delay the enemy long enough for us effectively to counterattack with larger forces—both Marine and Vietnamese. As a result, Da Nang was the only major city in all of South Vietnam which escaped a significant attack during that Tet period.

There is of course a great deal more which can be said about the war in Vietnam, but I just wanted to point out here some of the human terms of that conflict. As a nation, we had commitments to the free people of that area of Southeast Asia; and when they asked us for help, we answered their call. The United States is a Pacific power as it is an Atlantic power; it is within our interests to safeguard our rights to associate in freedom with people who seek such association.

And at the personal level—man to man—I think it is significant that when we are approached with a plea for help we extend our hand openly and warmly, in a gesture of equality and support, to our fellow man who wishes to associate with us in an atmosphere of freedom.

Lincoln N. Bon: Youthful Hero

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. FEIGHAN. Mr. Speaker, an 11-year-old boy, Lincoln N. Bon, son of my constituents, Mr. and Mrs. Albert Bon, 1331 West 67th Street, Cleveland, Ohio, while on AAA school patrol duty at Watterson School on December 14, 1967, saved the life of 5-year-old Walter C. Robinson, 1331 West 83d Street, Cleveland, by snatching him from the path of a truck. Lincoln has already received the AAA Safety Achievement Medal from the Cleveland Automobile Club. Lincoln was nominated by Cleveland Auto Safety Director Mrs. Mildred Gnau for a National American Automobile Association Gold Life Saver Medal, which will be presented to him by Vice President HUBERT H. HUMPHREY, in Washington, D.C., on May 8.

An act of bravery such as was performed by Lincoln Bon requires vigilance, mental alacrity, and strong physical fiber. Lincoln quickly proved that he has all of these attributes, and I extend to him and his parents my warm congratulations and good wishes.

Communist Conspiracy

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I include the text of a letter I received from one of my constituents. I am omitting the name for obvious reasons.

Day after day, we seem to be getting closer to the time of complete surrender to the Communist conspiracy. The public continues to be not only apathetic, but apparently enthusiastic toward the Communist Party line. This letter, from a true patriot, clearly sets forth the aim of the Communist Party, and I feel it should be publicized to awaken the public to the dangers which confront us before it is too late.

The letter follows:

DEAR MR. UTT: My greatest fear is that too many people, conservatives included, do not know the true nature of the Communists. Though it may sound strange coming from a die hard conservative, I was fortunate, as I now see it, to have been taken to a Communist Party meeting at the age of 17. I could not accept it then and my hatred for communism has grown with my now 55 years.

The plan for the overthrow of our government and the enslavement of its people was clearly outlined on a huge blackboard in a shabby office suite on Third Avenue in Los Angeles. As I watch in horror I see they have not altered their course in any way. They proposed in the last days, nearing the end of the U.S.A. and its people, that the Communists would pit country against country, city and State against city and State, county against city, and legislators against their own.

Communists were dedicated to become ministers, and leaders in every religion, union, college and all business and public school systems. All utilities, transportation systems, civic, state and federal government, Armed Services, and National Guard were to be infiltrated as well as police departments. Just before the carefully planned takeover of our government as I see outlined by Paul Scott, the leading Communists are to put on an act of being good Americans. To quote the Communist who spoke to us that evening so long ago, "We will make good Americans look like Communists and Communists will pose as good Americans to further confuse and cripple the minds of the people."

Make no mistake. We are down to the line. I only pray that God will remain with us and protect those in government who are decent, fighting, patriotic statesmen. My own opinion is that the rats in government will cower and hide, then finally leap from the deck of our mighty ship as it flounders in a sea of revolution. The time has come for all true Americans to pull together and make plans for this horrible moment in history which will be tried again. We should have a complete government body ready to take over when the rats pull out. It is imperative. They will need the support of the Armed Forces, sad as this may seem. If a plan is not forthcoming and well planned *now*, I fear all will be lost. To my way of thinking, patriots should make sure this alternate government is safe and secure. I think it would be foolhardy to wait to be executed. Big business, united, could put an

end to this in a moment but, alas, too many are willing to trade freedom for money or power. If there were some way to relieve the greedy of their material gains, abruptly, we would suddenly have a Nation of patriotic, fighting mad Americans. I still pray and hope that in their "drunk with power" state, the Communists will bury themselves.

They are doing as I hoped, showing their true nature, in their drunkenness. If, by the Grace of God, we are able, or allowed, to put a good man in the office of President of this country, he will *have* to alert the F.B.I. to pull in *all* Communists before he lets it be known to anyone. We have been fighting this for ten years now with all the money we could spare to buy books and material to enlighten people everywhere. We sold a thirty thousand dollar home and moved to a twenty-three thousand dollar home, avoided buying a second car, gave up time, energy, vacations, entertaining, etc., because we believe in freedom for every man.

You inspire us to keep right on trying no matter what the odds. Though regretable, I believe we must fight fire with fire.

"I Fear There Will Be a Worse Come in His Place"

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, I call to the attention of the Members of the House of Representatives and the people of our country what I consider to be an outstanding column written by the editor of a weekly newspaper in New Mexico, the Santa Rosa News.

The article follows:

PERSONALLY SPEAKING

(By Sam Pendergrast)

Sunday night as I heard President Lyndon B. Johnson's declaration that he will not seek or accept the Democratic nomination for re-election because of the dangerous spirit of divisiveness that exists in the United States, a partly-familiar line of poetry ran through my head.

"I found it in Act III, Scene II of Shakespeare's "Julius Caesar". It was from one of Mark Antony's great orations following the cowardly assassination of Caesar by Brutus and company "for the good of Rome". Antony's line begins with "If you have tears, prepare to shed them now." He then displays Caesar's robe and points out the slits made by the knives of "the envious Casca" and Brutus ("the most unkindest cut of all") and finishes:

"O, what a fall was there, my countrymen; then I, and you, and all of us fell down, whil'st blood treason flourish'd over us.

Antony's impassioned, Shakespeare-ghosted oratory was perhaps a bit maudlin for the current political situation in the United States, but I can assure you it was very much in keeping with my startled and saddened mood, and the lines about the envious Casca and the traitorous Brutus seemed dramatically apt to me.

After reminding readers that I have called this column "Personally Speaking" because it is not intended to reflect any views but that of its author, I want to say—belatedly, perhaps—that I have felt all along that the Vietnamese crisis, the racial unrest that terrifies our country, and the unprecedented questioning of the dollar in international fiscal circles cannot in good American fairness be laid at the door of Lyndon Johnson to the exclusion of a pack of confused and self-seeking politicos anxious to place blame elsewhere and an American public happy to accept the fruits of progress but loath to accept its responsibilities.

It should be unnecessary to point out that President Johnson inherited the Viet Nam situation from at least two predecessors and has been acting upon it in accordance with the advice of military and civilian spokesmen with results that might be expected from such a problematical confrontation.

It is no more realistically to be expected that perpetually-deprived Negroes will abandon their struggle for a better share of American prosperity then that a starving man having been given a nibble of a rich man's filet mignon will say "Thanks a lot" and subside into starvation. Negroes are going to be appeased with a crust, and their hunger for equality is going to be difficult to assuage, just as a long-neglected cancer will be more difficult to cure than one treated early.

And our financial difficulties as a nation are placed in better perspective for me by the reminder that our problems are children of abundance, rather than the offspring of poverty, contrary to the situation in much of the world. I consider it unfair and short-sighted to damn President Lyndon Johnson for spending some 24 hours a day for five years trying to put into effect the visionary and perhaps unrealistic goals of President John Fitzgerald Kennedy.

I am convinced that the statements made by President Johnson Sunday night will find a respected place in the annals of American statesmanship. Such as:

"These times call for prudence in the Land of Plenty, and I believe we have the character to provide it."

"The United States will never accept a fake solution to this long and arduous struggle and call it peace."

"Let it never be forgotten also that peace will come (in Viet Nam) because America sent her sons to help secure it."

"I am a free man, an American, a public servant, and a member of my party—in that order of importance."

"And I think the potentially greatest and most saddening statement of all was his observation that "A house divided against itself is a house that cannot stand"—and, therefore—"I have decided that I cannot permit the presidency to become involved in politics in our present situation.—I don't believe that I should devote an hour or a day to politics. I do not seek and I will not accept the nomination of my party for re-election."

Personally speaking, with regard to the Bobby Kennedys and the Gene McCarthys and the Richard Nixons that litter the now catastrophic political arena, I must agree with another of Will Shakespeare's characters in "Julius Caesar", who said "I fear there will be a worse come in his place."

The Dignity of Work

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. BRINKLEY. Mr. Speaker, the siege of Washington led by Reverend Abernathy and others is underway; it is allegedly designed to produce, among other things, legislation providing a guaranteed annual income for everyone, regardless of whether or not he works.

On May 5, 1967, in Americus, Georgia, prior to a ground breaking ceremony and in the company of a great American, the Honorable E. L. Forrester of Leesburg, Georgia, former distinguished Member of this Body, I stated to a group of business and civic leaders that one greatness of America is the right to make choices—for example, I said, a man has the choice to work and eat, or to sleep and go hungry. Specifically excepted from this generalization were those who, through no fault of their own, are unable to work because of mental or physical infirmity.

Today I am reminded of the words found in the Third Chapter of the Second Epistle of Paul the Apostle to the Thessalonians:

10. For even when we were with you, this we commanded you, that if any would not work neither should he eat.

11. For we hear that there are some which walk among you disorderly, working not at all, but are busybodies.

Mr. Speaker, these words have the same ring of truth today as they did 2,000 years ago.

Home News Publisher Cited by Associated Press Board

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. PATTEN. Mr. Speaker, recently Hugh N. Boyd, publisher of the New Brunswick, N.J., Daily and Sunday Home News, was cited by the board of directors of the Associated Press for his outstanding service as a board officer of that organization.

An excerpt in the resolution citing Mr. Boyd pointed out that—

He has been a large man in the affairs of the Associated Press. * * * He leaves with our thanks and appreciation.

Now he will be chairman of the American Committee of the International Press Institute.

Mr. Speaker, those who know Hugh Boyd know that he is, indeed, "a large man"—in ability, leadership, and integrity.

The field of journalism is better because of him, and so is the field of government, because his newspapers are devoted to what is right and best, not only for their readers, but for all citizens.

I have known some persons in government who have, at times, disagreed with his views, but I have never met one person who did not respect and like this remarkable man. Journalism, government, and citizens express their thanks and appreciation to Hugh N. Boyd for his deep interest in public affairs.

I insert the article, "Home News Publisher Cited by AP Board," as follows:

HOME NEWS PUBLISHER CITED BY AP BOARD

NEW YORK. (AP).—The board of directors of The Associated Press paid tribute Monday to Hugh N. Boyd, publisher of the New Brunswick, N.J., Daily and Sunday Home News, who is retiring from the board.

The text of the resolution read at the annual meeting of the AP follows:

"Be it known by all . . . That the Board of Directors of The Associated Press hereby

records its appreciation of the services of Hugh N. Boyd, publisher of The Daily and Sunday Home News of New Brunswick, N.J., who was first elected to the board of directors in 1959 and, who, having been re-elected in 1962 and 1965, now has served the limit of three consecutive terms.

"During his nine years of board service, Mr. Boyd has been twice a member of the Executive Committee, served in 1965 as a member of the committee to prepare the board report to the membership and, in 1967, devoted many days to the work of a special board committee studying the complicated and critical problems of The Associated Press communications and facilities service.

"From the Raritan River community where the Lenni Lenape Indians once abounded and where a beleaguered Gen. Washington slept more than once, Mr. Boyd has been a large man in the affairs of The Associated Press, a willing contributor of wisdom gained in service to his own newspaper and to a variety of other journalistic organizations.

"His fellow board members will miss his unassuming friendship and quiet counsel. He leaves with our thanks and our appreciation."

Effect of Riots on Visitation to National Capital

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. GUDE. Mr. Speaker, due to the recent disorders here in the Nation's Capital City, there has been much concern about the safety of visitors. While this is a natural apprehension, I would like to point out that those who have proceeded with their plans to visit the Metropolitan Washington area have had highly successful trips.

A case in point here is the recent annual convention of the Daughters of the American Revolution, held April 15 through 19. After consultation with Mayor Washington, who was scheduled to give the welcoming address to the group, the DAR decided to proceed with all plans for the convention, which was held without incident of any kind.

It should also be noted that even during the height of the recent disorders, areas normally populated with visitors to the city, such as hotels and monument areas were totally undisturbed.

I have personally consulted with the Mayor's office, and with the Office of the Director of Public Safety, Patrick Murphy, and have been assured that while no further serious disturbances are expected, the District government has made plans for the complete protection of all citizens and visitors in the city.

I have also contacted the Washington Convention Bureau in an effort to determine the effect of the disorders on the tourists visiting the city. I was advised that hotels and monument sites are now enjoying their usual rush of spring visitors; the city is most definitely back on its normal track, welcoming all arrivals.

I would urge that any who have made plans to visit our National Capital, whether private tourist or organization arriving for a convention, proceed with those plans. This is a time for calm, reasoning action; we must not allow the threat of actions by a small group of extremists to keep the citizens of the country from visiting their Nation's Capital.

The VISTA Route to Service

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. ROGERS of Colorado. Mr. Speaker, Steve Robinson, a dedicated young man of Denver, Colo., has had much experience in the VISTA program. Some of his accomplishments are set forth in an article that appeared in the Denver Post.

The article is as follows:

THE VISTA ROUTE TO SERVICE

If you want something organized, ask Steve Robinson. He can probably get it done or find seomeone else who can.

When Steve was a student at the University of Colorado, he organized a clearing house through which students helped needy persons in the surrounding communities. Then he joined VISTA (Volunteers in Service to America) and organized block clubs in New York's East Harlem. He transferred to the Lower East Side and as a legal aid assistant organized tenant associations.

When he completed service as a Volunteer, he became a Volunteer leader, and worked with groups of Volunteers who organized North Philadelphia gang members to a more worthwhile cause.

Now he is on the VISTA training staff at the University of Colorado, teaching urban and rural community development techniques to new VISTA volunteers.

Steve, son of Mr. and Mrs. William F. Robinson of Denver, is not the only member of the Robinson family that is hard to keep up with. His brother Dan, 24, is a Peace Corps volunteer in Bogata, Colombia. His brother Bill, 28, was in the Peace Corps in Nepal, before he went to Washington, D.C., to work at VISTA headquarters. Elizabeth, 27, just returned from Rome where she taught English to Italian children. Bob, 25, is coordinator of anti-poverty programs for Denver Public Schools.

How does Steve go about organizing? Every situation needs a different approach. His first VISTA assignment was as a block worker in East Harlem, in a predominantly Puerto Rican and Negro neighborhood. He canvassed his block to identify potential leaders and critical problems. There were 250 families or approximately 1,000 persons in Steve's block.

"We found out what the people are thinking about, and then we confronted them with it later," he explains. "I'd say, 'Mrs. Jackson, you were disturbed about . . . '. Confronting them as individuals and challenging them to do something about it is the first step. Then you get them together with their neighbors. 'Mrs. Smith has the same interests as you, Mrs. Jackson.' Many of the people have been neighbors for 20 or 30 years and don't even know each other.

"Our job is not to treat the problem, but to get the people to contact the proper authorities. The worst thing you can do for people is do things for them. You guide them to the point that they will do it themselves. The ultimate aim is the slow withdrawal of the VISTA from a community structure which has been established as a means for solutions to community problems.

"At this point they should be leading you. They are responsible for their own lives and actions. My hope would be that the whole block would be in the mayor's office saying that the Sanitation Department doesn't do the same job for them as for Park Avenue.

"We tell them we think that something on their block is bad and they ought to clean it up. It challenges people to be independent. Somebody asked me to call the Welfare Department. I told him it was his problem."

Steve prepared for this kind of work with "intensive encounters" with other workers and with block leaders in group therapy-like situations. "We had three encounters every day during training and whenever we felt that they were needed after training," Steve recalls. "It is like a psychodrama situation in which you act out problems and people are honest about their reactions to each other. We wanted to know how to come off better. If you turn somebody off, this is the way to find out why you do. It teaches you something you will never forget, to tell it like it is or at least to know when and why you are being phony."

Between December of 1966 and January of 1967 Steve was in East Harlem. He then did similar block work in the Bedford-Stuyvesant area of Brooklyn. Last summer he was a legal aid on the lower East Side, helping an overworked man who gave counsel to the poor but could not afford a legal assistant.

"Legal assistance is one of the biggest needs of the poor," Steve explains, "especially in tenant-landlord relations. Most of them live under horrible illegal conditions and the landlords will evict them on trumped-up charges if they complain."

Steve worked in one apartment building full of elderly sick people. The building was dirty and the people were not collecting the welfare money or health benefits to which they were legally entitled. Steve arranged for them to receive the money, and convinced the landlord to clean up the building.

Before he joined VISTA he attended the University of Colorado for three years, studying political science. He plans to return to school, but says, "I had taken a year off to find out what I wanted to do, and the year is stretching into two."

A recruiting drive for VISTA Volunteers from the Denver area will begin tomorrow, April 22, and continue through Friday, April 26. Interested persons should inquire either at the Central YMCA, 25 E. 16th Ave., or the Mile High United Fund Building, 1375 Delaware St. So far the Colorado training school for VISTA has enrolled 407 students since it began operations.

Amdoc

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HANNA. Mr. Speaker, Amdoc, short for American doctor, is a nonprofit corporation whose important work has come to my attention in recent weeks. I believe that the important efforts of this organization warrant our recognition. The following excerpts from an Amdoc pamphlet tells a great deal about the organization:

Amdoc (short for American doctor) is a non-profit corporation. It is not a government agency.

Amdoc is not religiously oriented. It is a person-to-person medical and educational service.

Amdoc arranges assignments in foreign medicine.

Amdoc's roster of hospitals in foreign areas contains numerous requests for general practitioners, specialists and allied personnel. Their skills are acutely needed in locations in Central and South America, the Far East, Southeast Asia and Africa.

Amdoc receives applications from physicians, dentists and allied personnel for foreign assignments. They offer to serve as volunteers for periods from one month to three months or longer without compensation. They finance their own transportation. Their motivation may be a desire for broader experience or for giving of themselves, or both. It can be a challenging, rewarding and exhilarating experience.

Amdoc encourages family participation as a means of education in basic international human understanding.

Amdoc assignments are acceptable for educational credit by the American Academy of General Practice.

Amdoc's publication AmDoc informs its readers of current programs and reports of physicians returning from abroad.

Amdoc's boards serve without compensation.

Amdoc is supported through donations by both physicians and non-medical people.

The Savannah Plan

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HAGAN. Mr. Speaker, in this current political season and in years past, we have heard many proposals, some of them lofty and idealistic, presumably aimed at helping the low-income families. One current suggestion would even provide a guaranteed annual income and a job to everyone. But none of these plans is realistic because all are contingent upon massive Federal subsidy.

The overwhelming majority of responsible, knowledgeable sociologists, and other experts agree that the only workable plan is one that would help people to help themselves.

I am proud to bring such a plan to your attention today. It was formulated by my good friend, Mills B. Lane, Jr., a native of Savannah, Ga., and president of the Citizens and Southern National Bank. Mr. Lane has long been active in community affairs, particularly in the restoration of historic areas of Savannah.

I heartily commend this proposal to your attention, because it is truly an experiment in people "pulling themselves up by their bootstraps." Here is the Savannah plan as envisioned by Mills B. Lane, Jr.:

THE SAVANNAH PLAN

The Savannah Plan is designed as a practical demonstration to show that any community can, with no government assistance but on a do-it-yourself basis, revitalize its living and business environment.

BASIC ASSUMPTIONS

1. Two of the fundamental meanings of democracy are (a) government by reason, not by force (b) the most good for the most people.

2. Everyone wants to improve his standard of living.

3. The incentive method is the best way to accomplish things.

4. Government steps in to fill needs when business does not.

GENESIS OF THE SAVANNAH PLAN

Over the past year on Saturday and Sunday mornings I've cruised the slum areas of Savannah street by street, lane by lane. Streets are unpaved, backyards are filled with the rubble and accumulation of years of trash. This includes old rusted automobiles sitting on concrete blocks, obsolete refrigerators, stoves, washing machines, automobile tires. Trash and litter dominate the scene. Fences for the most part are make shift affairs, mostly made of leftover tin sheeting.

One morning last fall I met with a group of twenty business and professional negroes, both men and women. I told them the story of my cruises of Savannah's slum areas, suggested that instead of us demanding this and that of government, we undertake jointly a master clean-up of the existing slum areas as a first step toward a do-it-yourself revitalization of living conditions. From this meeting and subsequent meetings has evolved a plan for what we call "Spring Cleaning in Savannah," with a focal day being Sunday, May 19.

"Spring Cleaning in Savannah," as well as the extension of things that we will do after spring cleaning, are all being perfected around the three institutions that are most basic to our American Society—(1) the home (2) the church (3) the school.

The execution of the plan is designed to follow the well tried and successful community type of house to house, street by street, block by block organization.

PUTTING THE PLAN INTO OPERATION

Savannah has two state colleges, Savannah State College which is negro, and Armstrong State College which is predominantly white, but integrated. The Presidents of these two colleges were asked to serve as two of the general chairmen of the spring cleaning in Savannah undertaking.

Each college president has met with his student body, reviewed the background and detail of the plan, and enlisted students as volunteer workers.

Meantime, two areas of Savannah were laid out, one on the east side of town, one on the west side of town. A temporary office was opened in downtown Savannah and staffed by volunteer workers. In this office, full maps of each of Savannah's two areas were laid out showing each street, each lane, each house. These houses are then identified as either owner occupied or tenant occupied.

Two separate teams were established for the east side of Savannah and the west side of Savannah. Each team is headed by a school principal in each area. The minister of a church, team chairmen are both negroes and whites.

At the moment, the organization is progressing. In each area all teachers in all schools are to hold a meeting to receive a briefing on the plan and they, in turn, are to take one day for classroom meetings with all children to seek their individual participation in the clean-up program and, as well, to return home that evening to tell their story to the people at home, returning to school the next day with a participation card signed by parents. From these cards the Headquarters Office will check off all houses street by street.

The same process is to be repeated by a meeting of all clergymen in the area, in turn followed by one Sunday devoted in each church to describing the plan and again obtaining participation cards which will then be checked off, house by house, at Headquarters Office.

In the meantime, the volunteer students at the two colleges will be paired off in teams of two-one team member from Savannah State College, one team member from Armstrong College. Each team is to be assigned one street. The assignment of the team is to call house by house, both on those who have already signed a participation card and those who have not signed a participation card, to enlist their cooperation.

From the residents on each street, the team is to select a street chairman. The next assignment is to take an inventory of the junk and trash to be hauled away.

While this is going on a presentation of "Cleaning up Savannah" is to be presented in a half-hour television program and at presentations to civic clubs. It will be the task, then of volunteers at the Headquarters Office to solicit all businessmen in Savannah who have automotive equipment, asking each to furnish one or more of his company's trucks for the May 19 clean-up day. Based on the street by street inventory of what has to be hauled away, trucks will be assigned to each street.

On Sunday morning, May 19, all of the trucks will line up with volunteer workers aboard, each of whom will wear a special shirt as a uniform. The parade will go down the middle of the town with trucks turning to right or left to their assigned streets.

Arrangements have been made for a central dumping area for all trash except junked automobiles. With the cooperation of riverboats that have barges, junked automobiles will all be put on the barges to be towed out the Savannah River to a point offshore where they will all be dumped to create an offshore fishing drop.

This entire clean-up effort is being based on the premise that young people can and should work together, that many hands make light work and that the entire operation can be fun for everyone concerned. It is not paternalistic in its concept, but rather is based on joint participation on a voluntary basis of everyone in town, both negro and white. The future of our country is in the hands of the youth of our land and from this joint exercise we hope that there will develop mutual understanding and trust, a sense of awareness of conditions and problems and from it, a desire to improve opportunity.

In the cruising I've done of Savannah's back streets I've seen a great need for garbage disposal containers, better fencing. So, funds have been provided for the purchase of 5000 garbage cans and aluminum box containers for garbage cans and, as well, a considerable amount of aluminum fencing. As the house to house organization is underway, garbage cans and containers, plus fencing, will be offered to each house occupant for installation on a do-it-yourself basis and a pledge to clean up and stay cleaned up.

The Savannah Spring Cleaning Operation is designed as but a first step for a repeat of the same clean-up in all the other areas of Savannah and then the beginning of a short range and long range plan of the improvement of existing housing, new housing, job training and job opportunities.

The Citizens and Southern National Bank is establishing The Citizens and Southern Community Development Corporation into which it will put $1,000,000 in capital. The two essential operations of the Community Development Corporation are to provide funds for home ownership and equity capital for new small businesses.

In Savannah, as throughout the State of Georgia, less than 5% of the low income population own or are buying their own home. Because of low incomes, individuals have not been able to accumulate savings to make low down payments on homes and hence, be able to obtain first mortgage money for home financing, and yet, the level of rents paid is sufficient for mortgage pay-

ments. It will be the plan of the Development Corporation to provide down payment money in the form of second mortgages so that first mortgage financing can be obtained. The Citizens and Southern National Bank itself has dedicated an initial $10,000,000 for long term first mortgage home financing for low income groups.

Two demonstration projects are being undertaken by the Development Corporation. The first is the purchase of some existing but reclaimable rundown slum area property. The purpose is to test the economics of renovation and then sale to individuals. The second experiment is the design and building of a brand new housing unit complete with all fixtures, equipment and furniture that can be sold and financed.

A firm belief of this long range plan is that home ownership can be a key to better family living, better citizenship and appreciation of the value of property.

In addition to perfecting plans that will stand up economically for home ownership, will be a modernization loan plan to property owners to improve existing properties.

Owners of existing low income housing have allowed property to deteriorate and claim that they cannot afford to spend the money necessary to improve the property because the rental returns would not justify it. We believe at the present time that low income housing landlords are being squeezed on the one hand by urban renewal and slum clearance, and on the other side by public housing. We hope that our plan for home ownership will add a third pressure in the form of competition that, in effect, will require low income housing landlords either to improve their properties to meet competition or see them go by the board.

Through the schools and the churches in both Savannah areas we expect to offer assistance in the improvement of existing recreation facilities and the addition of new ones.

On a do-it-yourself and participating basis we expect to start pilot day care units for small children, staffed by volunteer workers. The time when children were raised by grandmothers and greataunts is going by the board. It's important that young children not be left to roam the streets unattended, but be given some chance for organization and direction for it is in these early formative stages that character is developed. It's insufficient to attempt to tackle the juvenile problem at ages 16 to 17. It must be started earlier.

The beginning of the Savannah Plan and its future extensions are based on helping people help themselves. The differences in the perfection of this approach from others who express the same belief, is that those who have are going to make the first move as the negro Mayor of Cleveland said on Meet the Press, "How can people pull themselves up by their boot straps if they don't have any boots?" In the concept of the Savannah Plan we're going to provide the boots. We're going to offer opportunity and hope and try and create an environment where there is mutual trust, understanding and respect; where the basis of human relations is built on the dignity of man, the Golden Rule and the concept that it's what a man is, not who he is that matters.

As an incentive to performance of the competing teams for the east side of Savannah and the west side of Savannah, we've told the Presidents of the two colleges that the one whose student body does the best work will receive a $5000 award to be used as the President of the college sees fit in any way for things needed at his college. A similar $5000 award will go to the principal of the school in each area to be used as he or she thinks best for all of the grade and high school areas in the area. A third award of $5000 will go to the churches in the area that does the best job of church participation. This plan was all laid out at one of the initial meetings and when we came to the end of the meeting we stuck our tongue in our cheeks and said that as in all competition, in the event of a tie, duplicate prizes will be awarded. My guess is we'll be making duplicate prizes.

We feel so strongly that the Savannah Plan can be a demonstration that could be repeated in every city in the country that a moving picture company has been employed to make a documentary color movie that can be shown on national television and elsewhere in a thirty-minute performance. The movie company is already at work, has shot considerable footage and believes firmly that the finished product will tell a stimulating story.

If the Savannah Plan is successful, both long range and short range, and is repeated throughout the country, we think that it can change the face of America. We think it can create an atmosphere of hope, encouragement and an attitude that can let us all return to the sheer joy of just being alive.

MILLS B. LANE, JR.

Gold Aid

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. RARICK. Mr. Speaker, the latest report on the giving of U.S. gold as international aid to shore up defunct Socialist schemes and countries continues to prove history more correct than theory.

The mid-March unsuccessful efforts to regiment the price of world gold cost the American people over $1 billion in gold, which reduced the U.S. deposit to just over $10 billion—an all-time low in three decades.

For those interested, I include the Wall Street Journal report of April 26, 1968, and "Lies and Consequences," by Miss Mary Davison, at this point in the RECORD:

[From the Wall Street Journal, Apr. 26, 1968]

GOLD CRISIS COST THE UNITED STATES $1,197,000,000 IN MARCH—LOSS APPARENTLY A HIGH—ALMOST ALL OF OUTFLOW WAS USED TO FEED NOW-DEFUNCT LONDON POOL—STOCK LOWEST SINCE 1930'S

WASHINGTON.—The mid-March gold crisis cost the Treasury $1,197,000,000 of gold, the department reported, which its aides assume to be the largest outflow ever experienced.

Nearly all the precious metal went to settle up the U.S. obligation to the London gold pool, which—before being disbanded over the March 17 weekend—poured the gold of seven governments into private hands to keep the market price from being bid above the fixed official price of $35 an ounce.

The outflow easily surpassed the $900 million of December, the previous high, at least in the memory of present Treasury officials, and far overshadowed the February outflow of $103 million.

By March 31, the total Treasury stock was down to $10,703,000,000, the lowest in more than three decades and the $2,481,000,000 less than a year earlier. The latest total included $10,484,000,000 in the regular Treasury stock, which until recently served as partial legal backing for domestic U.S. currency, and $219,000,000 in the Exchange Stabilization Fund through which dealings with other governments are channeled. Congress removed the gold-backing requirement last month.

The figures were roughly foreshadowed by previous announcements that $750 million of gold was transferred in March from the regular stock to the Stabilization Fund. Normally, the data on the total stock is first published in the Monthly Bulletin of the Federal Reserve Board, but this time the Treasury scooped the board by bringing out its own monthly about a week earlier than usual.

Along with the massive final movement of gold through the now-abandoned London pool, it's understood that some U.S. sales were made directly to foreign central banks. Net sales to licensed domestic industrial and artistic users accounted for $15 million of the total March loss, an official added. Such sales, as well as purchases of newly mined U.S. gold, were halted in mid-March as part of the switch by major nations to the "two-tier" gold price system in which the private market price here and abroad is allowed to fluctuate freely according to supply and demand.

Also, as previously reported, Canada helped slightly to cushion the blow to the U.S. stock by selling the Treasury $50 million of its own gold during March. Details on transactions with various nations are released by the Treasury only on a further-delayed basis.

While any April outflows from the Stabilization Fund aren't due to be disclosed until late May, daily Treasury statements show that as recently as Monday there hadn't been any further transfers to the fund from the regular stock.

By Jan. 31, the Treasury publication showed, the potential foreign claims on the U.S. gold stock totaled $33,000,000,000, slightly less than a month before, but significantly larger than the $28,962,000,000 of a year before. About $15,200,000,000 of the dollars were held by foreign official institutions directly eligible to buy Treasury gold, with the remainder owned by private parties abroad. The potential claims reflect the result of continued U.S. balance-of-payments deficits, which occur when foreigners acquire more dollars than they return in all transactions.

The March gold loss was the chief cause of an $864,000,000 decline in total U.S. international financial reserves to $13,926,000,000 at the month's end. The almost-automatic rights to draw foreign currencies from the 107-member International Monetary Fund also dropped by $178,000,000 to $477,000,000.

LIES AND CONSEQUENCES

(By Mary Davison)

THE CLASSIC LIE OF ALL TIME

The Government of the United States owns—or controls the Federal Reserve System.

The Government does not own a dime of Federal Reserve Stock. The system is owned by a group of international bankers of highly questionable integrity.

CONGRESS ISSUES OUR CURRENCY—WE HAVE BEEN ON A GOLD STANDARD

Congress itself admits we are on a debt standard. That which we call currency—and use as such—is precisely what it is labeled "Federal Reserve Note," which, in the vernacular means: Federal Reserve I.O.U. Until recently the I.O.U stated: "This note is legal tender for all debts, public and private and is redeemable in lawful money at the United States Treasury or at any Federal Reserve Bank." Thus, the I.O.U.'s of the Federal Reserve Bankers were redeemable from the U.S. Treasury which guaranteed redemption. A Federal Reserve I.O.U. became an obligation of the U.S. Government.

FEDERAL I O U'S CIRCULATE AS MONEY

The Federal Reserve scheme was a fraud from the beginning and was predestined to destroy the national economy. This is how the swindle worked:

a. The Government needed (say) a billion

dollars to pay its debts and get "money" into circulation.

b. The Government calls upon the Fed to provide the "money,"—the Fed's own I.O.U.'s which the Secretary of the Treasury endorses and guarantees to pay.

c. While the Fed is printing up a billion of its own I.O.U.'s the Government prints up a billion dollars worth of (interest-bearing) Government Bonds.

d. The Fed then uses its notes (I.O.U.'s) to buy the Government Bonds.

e. The Fed will sell some of the bonds and stash away the balance, collecting the interest until due date; at which time they will be "refinanced" and the interest rolls in.

HAVE WE BEEN ROBBED?

Past and present Chairmen of the House Banking and Currency Committees of Congress say we have. If "we" through our duly elected Representatives in National and State Capitols had heeded these men who are presumed to know more about our monetary affairs than anybody else, we would not now be in a money panic. Hear now some of the charges made by Chairman of the House Banking and Currency Committee of Congress, Honorable Louis T. McFadden, as he attempted to impeach the Federal Reserve System shortly before his death in 1934. This man was so highly respected in his District that he was the Nominee on both Democratic and Republican tickets:

"MACFADDEN. Mr. Chairman, we have in this country one of the most corrupt institutions the world has ever known. I refer to the Federal Reserve Board and the Federal Reserve Banks . . . the Fed has cheated the Government of the United States and the people of the United States out of enough money to pay the National Debt several times over.

"This evil institution has impoverished and ruined the people of these United States and has bankrupted itself, and has practically bankrupted our government. It has done this through the defects of the law under which it operates, through the maladministration of that law by the Fed and through the corrupt practices of the moneyed vultures who control it.

"The Federal Reserve Banks are not government institutions. They are private monopolies which prey upon the people of these United States for the benefit of themselves and their foreign customers; foreign and domestic speculators and swindlers; and rich and predatory money lenders.

"The Government is in the banking business as never before. Against its will it has been made the backer of horse thieves and card sharks, bootleggers, smugglers, speculators and swindlers in all parts of the world. Through the Fed the riffraff of every country is operating on the public credit of the United States Government.

"Meanwhile, and on account of it, we ourselves are in the midst of the greatest depression we have ever known."

A few days before the Fed (Act ed.) passed, Senator Root denounced the Fed as an outrage on our liberties. He predicted:

"Long before we wake up from our dream of prosperity through an inflated currency, our gold, which alone could have kept us from catastrophe will have vanished and no rate of interest will tempt it to return."

"The Feds have been International Bankers from the beginning with these United States as their enforced bankers and supplier of currency. But it is none the less extraordinary to see these twelve private monopolies buying the debts of foreigners against foreigners in all parts of the world and asking the Government of these United States for new (government guaranteed—ed.) issues of Fed notes in exchange for them. . . .

"I say the magnitude of this racket (acceptance racket—ed.) is estimated to be in the neighborhood of $9,000,000,000 per year. In the past ten years it is said to have amounted to $90,000,000. In my opinion it has amounted to several times that much. Coupled with this you have, to the extent of billions of dollars, the gambling in United States securities which takes place in the same open discount market—a gambling in which the Fed is now spending $100,000,000 a week.

". . . They are putting the United States Government in debt to the extent of $100,000,000 a week and with the money they are buying our government securities for themselves and their foreign principals.

"The Government and the peoples of these United States have been swindled by swindlers de luxe to whom the acquisition of American currency or Fed notes presented no more difficulty than the drawing up of a worthless acceptance in a country not subject to the laws of these United States by sharpers; sharpers with a strong banking "fence" on this side of the water, a "fence" acting as receiver of a worthless paper coming from abroad, endorsing it, and getting the currency out of the Fed as quickly as possible, exchanging that currency for gold, and in turn transmitting that gold to its foreign confederates.

"They have been peddling the credit of this Government and the signature of this Government to the swindlers and speculators of all nations. That is what happens when a country forsakes its Constitution and gives its sovereignty over the public currency to private interests.

"Give them the flag and they will sell it."

There is much more of this in the McFadden Impeachment speech which should become mandatory reading now for every public official. The Fed swindle has been kept in operation for another 35 years by debt, conscription and war.

HON. WRIGHT PATMAN IS TO BE COMMENDED RATHER THAN RIDICULED

In the meantime Honorable Wright Patman of Texas has become Chairman of the Banking and Currency Committee of Congress. Over the years Mr. Patman has been sounding a dire warning which also went unheeded. Indeed, the swindlers in the Fed who control press and wire services have taught a servile Congress to ridicule Mr. Patman, to laugh off his warnings. They know now who was out of line and it was not Representative Patman. He said:

"Mr. Patman. Oh it's cruel. It's highway robbery in broad daylight . . . the bankers having all the privileges. The people who run the big papers are hooked up with them. We have no supervision over the banks. We can't get an independent audit. We haven't had one in over 46 [now 55—ed.] years. They have enough power to stop any investigation.

"The Federal Reserve ought to be impeached, they absolutely ought to be impeached. It's a disgrace to let a few fellows representing Wall Street absolutely run this country and have more power than Congress does."

Well, the Fed was not impeached. It was permitted to run its destructive course, a course which may have been diverted by the action of Mr. Patman who, after many years of effort, quite recently succeeded in persuading a committee of Congress to look into his latest complaint, that the Fed was trying to collect from the Government forty billion dollars which had already been paid. (By the purchase of Government Bonds with Federal Reserve Notes which are an obligation of the Government.)

Nothing can be expected of a badly-shaken Congress in the present crucial situation. Nor can anything be expected of the Governors of the States who have been under the subtle and baleful influence of Rockefeller's Brothers' Governors Conference.

The State Legislatures could, if they would, call their Congressional Delegations home for a most serious conference to determine what each State should do in its own interest and for the protection of the people and their property.

Failure to act promptly will result in turning the new monetary system over to the International thieves and swindlers who have so successfully looted the country—not once—but several times in the past. This time the job is complete. There must be a new currency. If it cannot be a National currency, then let it be a State currency (Scrip) temporarily. We have had it before and it had more value than Fed I.O.U.'s

BE WARNED

An International currency is a United Nations currency to be issued and controlled by the foreigners who control United Nations. The International Monetary Fund is a specialized agency of the United Nations. Nobody on earth has any right to pledge us to participation in an international currency to redistribute wealth all over the world. We have been robbed. The most knowledgeable and responsible men in Congress warned us; we heeded only the beguiling voices of our destroyers.

All our money trouble is due to the war in Vietnam and to our balance of payments problem. This is another lie. The propaganda Party Line of the wreckers is already on the wire. The real cause now is the same as it was in 1929: the Fed has shipped the gold out of the country.

The panic of 1929 was abated when the gold began coming back in payment for war supplies for World War Two. This time there is no plan to bring it back; it is to be used to support the International Currency of the United Nations International Monetary Fund, The I.M.F.

Our States have a duty, a most solemn obligation to learn what Washington, under the prodding of the International Establishment, is planning to do with us and with our money and property. Our business and political leaders have a date with destiny. Can they keep it?

Oil Pollutants

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. McCARTHY. Mr. Speaker, oil pollutants are one of the major problems in the control of water pollution. An investigation into where waste automotive oil is dumped has begun in a unique joint effort by the State of New York and major oil companies in the Buffalo, N.Y., area. Hopefully, this type of cooperative effort may spur other communities in New York State and across the Nation to conduct similar surveys. An article from the Buffalo Evening News which outlines this effort in more detail follows:

STUDY PLANNED HERE ON DISPOSAL OF WASTE AUTO OIL

A study unique in the state gets under way today as the major oil companies and the state co-operative on a program to find out exactly where waste automotive oil goes.

Spurred by statements that many service stations dump the oil into public sewers, the Buffalo Area unit of the New York State Petroleum Council will survey more than 2000 stations in the eight-county area.

Eugene F. Seebald, regional engineer for the State Health Department, praised the Council's initiative and said it may lead to surveys throughout the state.

Stanley C. Davis, regional director for the Council, said a three-member committee met today to work out details of the survey and to provide guidelines for the co-operating companies.

He said the survey, scheduled to be completed in about a month, will determine where waste oil is disposed of, the problem of getting rid of it and what measures, if any, the companies could take to pool resources on a co-operative disposal system.

Serving on the committee are Charles W. Berg, chairman of the Buffalo Committee of the Council; Samuel O. Southard and Joseph H. Hassler.

Mr. Davis noted that most service stations have large underground tanks where waste oil is dumped. This oil is pumped into collection trucks periodically.

Mr. Seebald said he was interested in determining the volume of oil coming into the Buffalo area for automotive use and the amount disposed of through legitimate channels.

It's part of an over all survey brought about by disclosures that large quantities of oil are polluting the Buffalo-Niagara River complex daily.

Lee White Speaks Out on Electric Power Reliability

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. VAN DEERLIN. Mr. Speaker, Lee C. White is one of the best friends the consumer ever had occupying the chairmanship of the Federal Power Commission.

Last week, in an address to the American Power Conference, Chairman White outlined his thinking on the responsibility of the electric power industry to insure the reliability of its product.

As Mr. White stated:

The continually greater use of electric power is accompanied by implicit responsibility for adequate and more reliable service. The more dependent a utility makes its customers upon electricity, the greater is its responsibility to the public to furnish this power without interruption.

I believe Mr. White's remarks will make provocative reading for all Members of Congress.

His speech follows:

LEE WHITE SPEAKS OUT ON ELECTRIC POWER RELIABILITY

INTRODUCTION

In the electric power industry, the consumer controls the time and amount of use of the product by the flick of a switch. Every other industry, I believe, can schedule its service, at least in some degree, and can exert some measure of control over the extent of use of its product. In this industry, there can be no rejection of patronage or delay in providing the service once the customer has been connected to the system. The capability to serve must have already been provided in advance. In addition, utility customers have come to expect service of near perfect quality. These are stringent requirements, far beyond those applicable in most other industries.

The tremendous growth in electric usage amounting to an approximate doubling every decade, while a tribute to the electric power industry's performance imposes a growing responsibility upon the industry. The continually greater use of electric power is accompanied by implict responsibility for adequate and more reliable service. The more dependent a utility makes its customers upon electricity, the greater is its responsibility to the public to furnish this power without interruption.

This responsibility is, of course, a complex one and in the little time available to us today, I can hardly more than highlight it in a rather general way. While any classification is necessarily arbitrary, I will discuss what I conceive to be the industry's responsibility to the public under four separate headings:

1. The responsibility to attack the immediate problems which have been revealed so vividly by recent power interruptions, with emphasis on those remedial measures which do not require a long lead time for implementation.

2. The responsibility to review and develop adequate standards of reliability for future operation and planning.

3. The responsibility to recognize that changes in the nature and operation of the electric power industry require the creation and strengthening of adequate mechanisms for achieving coordination.

4. The responsibility to recognize the public's growing desire to be apprised of where the industry stands with respect to reliability and to be given an opportunity to be informed of and participate in planning and to be assured that adequate attention is being given to the "nonutility" responsibilities of the electric power industry.

THE IMMEDIATE PROBLEM

First, let us consider what is expected of the industry on an immediate or short-term basis.

The Northeast interruption revealed many deficiencies in the facilities and operating practices in the Northeast network which it appeared could be remedied on a relatively short-term basis. These had to do essentially with the up-grading of control instrumentation and protective devices; the updating of operating practices, including better distribution of spinning reserves, emergency load shedding and, where appropriate, generator dropping; and the provision of emergency auxiliary power sources for use in emergency communication and switching operations, the safe rundown of generating units and for rapid restarting of generating facilities. Many improvements have been made in the Northeast and throughout the country in the 2½ years since the Northeast interruption. Unfortunately, however, as revealed in the recent Commission report on the PJM failure of June 5, 1967, some of these problems are still with us. For example, we found that monitoring equipment and procedures failed to alert operators to the impending disaster; that the performance of auxiliary equipment during the disturbance was not sufficient to prevent damage to some generating units; that very little automatic load-shedding equipment was available; that there was a poor distribution of spinning reserves; and that the interruption could have been avoided completely if pre-planned procedures had been followed and better distribution of generating capacity had been used.

Resolution of these problems appears to be the first line of defense against the future occurrence of widespread power interruptions and, for that reason, a primary element of the industry's responsibility to the public.

FUTURE OPERATION AND PLANNING

Important as these immediate measures may be, in themselves they are insufficient to assure maximum reliability. A more fundamental element of reliability is to provide adequate transmission and generating capacity to meet the increasing demands which are being placed on the industry. Generally, we can say that the problem in providing generating equipment has not been "too little" but rather "too late". However, in some parts of the country, there is clearly a problem of inadequate transmission capacity. Until generating and transmission systems are planned and built well in advance of load demands, we will continue to be faced with the possibility of further power failures, forced load curtailments, and the foregoing of economic power exchanges.

The Commission's report entitled, "Prevention of Power Failures" published in July 1967, projected power system expansion through 1975. On the basis of present day costs, it was estimated that the industry should spend about $3 billion more for transmission system expansion and reinforcement between 1968 and 1975 than its announced plans appeared to indicate. Of course, this reinforced transmission system would permit certain economies in other expenditures, thus offsetting a part, and perhaps a major part, of the $3 billion investment. Unfortunately, the benefits of providing this degree of reliability are not readily quantifiable, but under any standard of measurement, the benefits of adequate reliability would seem to far exceed its net cost. Nevertheless, it is reasonable to expect that some additional costs will be involved and this places a heavy burden on the industry and the investment community to find the resources to accomplish this objective. Based on the past performance of the industry and the continued confidence of its investors, I believe that it will be achieved.

Another aspect of the industry's responsibility to assure adequate reliability in the future relates to its planning processes. On the basis of studies in which the Commission has been engaged for the past few years in cooperation with the industry, it has become very clear that there is a need to increase the sophistication of load projections and to lengthen the planning horizon. Lead time for the installation of generation and transmission facilities has lengthened to the point where now it is not unusual for 4 or 5 years to elapse between authorization of a facility and the completion of its construction. This requires that firm plans for new facilities should be formulated as far as 6 years in advance of the date of expected initial operation. It also means that utilities must work more closely with manufacturers so that they too can project their plans to meet the industry's future needs.

ADEQUATE COORDINATION MECHANISMS

Another dimension of the industry's responsibility to the public growing out of the need to enhance power system reliability is the implicit challenge to its ability to organize effectively to take optimum advantage of the benefits which coordinated operation and planning makes possible.

The electric power industry has voluntarily organized a number of regional and subregional coordinating councils in some parts of the country, with the objective of improving coordination among their members in the planning, construction and operation of their facilities. These organizations are newly established and most have not had time to demonstrate their effectiveness. Procedures have not yet been worked out for providing the Commission or the general public with information on plans and programs for meeting the rapidly accelerating demand for electric power.

We are gratified that the industry is taking steps to improve its coordinating mechanisms and procedures. Unfortunately, however, consultation with the Commission has too often been avoided in the formative period of these moves. Sometimes we are not informed until a few days prior to public announcement.

The effectiveness of the form and scope of coordinated planning conducted by regional or area planning councils and groups has not yet been demonstrated. We are concerned that the objectives may not be clearly formulated or may be short of what is needed. So far, little has come to the Commission vol-

untarily from the industry in the way of in-depth analyses of planning—analyses in which consideration is given to all of the factors that demand investigation today, including reliability, economy, and environmental effects.

As stated in the Commission's report entitled, "Prevention of Power Failures," published last July, we believe that every utility in the United States should have a reasonably clear idea of the loads it will be called upon to serve 10 years from now, and should have a general plan formulated for serving these loads. Understandably, the plan might well include some provisions for alternative arrangements. Nothing short of programs prepared on a regionwide basis will suffice if the industry is to discharge fully its responsibility to supply the nation with reliable power at the lowest cost.

One of the important recommendations of the industry Advisory Committee on Reliability of Bulk Power Supply was the establishment of a council on power system coordination on a nationwide basis. The Advisory Committee recommended that the council consist of top level representatives from each regional coordination group and that: "In addition to providing liaison in this respect with regulatory authorities and other governmental agencies, the council should have as its principal purposes the dissemination and interchange of information pertaining to coordination in planning and operation as practiced within and among the coordination regions and the review and resolution of problems and issues affecting the inter-regional coordination."

The Commission's own report on Prevention of Power Failures also recommended the establishment of a Council on Power Coordination to consist of representatives of each of the regional coordinating organizations, "to exchange and disseminate information on regional coordinating practices to all of the regional organizations, and to review, discuss, and assist in resolving matters affecting inter-regional coordination." This Council would concern itself with such things as exchanging and disseminating information on regional coordinating practices; reviewing, discussing and assisting in resolving matters affecting inter-regional coordination; coordinating industry efforts in investigating important problems of interconnected system development; timely exchanges with manufacturers on equipment performance and early and long-range needs; collecting data and preparing analyses and reports on significant failures in bulk power supply and on outages of major facilities which did not result in an interruption in bulk power supply; studying and making recommendations to the Federal Power Commission for specific criteria and standards for planning and operating power systems to enhance the reliability of electric bulk power supply. Membership of the National Council would include representation from each of the four principal ownership segments composing the electric utility industry.

As I am sure you know, the Federal Power Commission is currently engaged in updating the National Power Survey, with the expectation of completing this work late next year. In this undertaking it has the assistance and advice of an Executive Advisory Committee and six Regional Advisory Committees. Together, these regions encompass the 48 contiguous states of the United States. I am happy to say that all segments of the industry are cooperating in the work of these Committees, and that without their very great contributions, our updating job would be much more difficult, if not impossible.

PUBLIC'S ROLE

The final aspect of the utility industry's responsibility to the public growing out of the reliability question is the importance of recognizing the public's growing desire to be given an opportunity to be informed of and to participate, at least in a representative fashion, in planning and have some assurance that the other values with which they are concerned in addition to reliability are being given sufficient consideration by the industry. Here the industry is called upon both to respond and to take the initiative; to display willingness to listen, to discuss, to explore alternatives and ultimately to move forward expeditiously when the best course of action becomes evident. Unfortunately, reliability has, at times, been jeopardized by delays in the construction of transmission or generating facilities because landowners, conservation groups, planning bodies or the federal, state or local governments have insisted that there may be a better way or at least a different way to do the job. It is deplorable that resorts are often made to dilatory tactics, even at the risk of impairing the industry's ability to provide a continuous and safe source of power.

But what are the causes of this problem? Too often it is because the industry has excluded from the planning process segments of the public or their representatives who have a legitimate interest in the placement or appearance of the generating station or the transmission line. Too often it is because the industry has made little or no effort to carry the burden of persuasion that all the alternatives have been explored and that what is proposed is the most reasonable. Too often it is because sufficient consideration has not been given to the public's growing concern for the preservation of scenic, historic or aesthetic values. Reliability is, of course, a very important objective, but the industry's responsibility to the public is far broader than just reliability. If one thing has become clear in the last decade or so, it is that the public is no longer willing to tolerate ugliness, unnecessary destruction or inconvenience in the name of progress. Perhaps more than any other aspect of the industry's responsibility to the public which I have been discussing today, this area requires the most immediate reevaluation.

I hope that this general discussion of some of the industry's responsibility to the public provides some perspective for the discussion of specific aspects of the reliability problem which will follow. We are fortunate indeed to have with us today four persons who are eminently qualified to enlighten us on this most difficult subject. In the selection of the topics, we tried to concentrate upon the majority factors contributing to reliability. These include: (a) planning and system design, to be discussed by Ted Nagel, Vice President for System Planning, American Electric Power Service Corporation; (b) system operations, to be covered by Charlie Almon, recently retired from TVA; (c) equipment reliability and the manufacturer's role therein, to be discussed by Milton (Mink) F. Kent, Vice President and General Manager, Electric Utility Sales Division, General Electric Company; and (d) the effect of resources and environment on reliability by Dave Black, a former FPC Commissioner and now Under Secretary, U.S. Department of the Interior.

A Letter From Vietnam

HON. JOE R. POOL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. POOL. Mr. Speaker, I receive a number of letters from members of the U.S. Armed Forces serving in Vietnam. Since I returned from a postal inspection trip to Southeast Asia, my mail from Vietnam has increased considerably. Today I should like to share with my colleagues in the Congress one such letter from Ronny Cowart, who is a member of the tough River Assault Squad. His letter speaks for itself and is, in my opinion, quite representative of the general feeling of our military personnel so bravely fighting in Vietnam. The letter follows:

Hon. JOE POOL,
House of Representatives,
Washington, D.C.

DEAR MR. POOL: As one is fighting over here, I want to put my two bits in. I'm tired of hearing people back home gripe. I've got something to gripe about also.

We are fighting a war over here. We want to get this thing over with. We're ready to go "all the way."

Why are we being held back? There has to be a clear reason. We are constantly on the defense. Why can't we go on the offense? We don't want to be held back any longer.

We're also tired of draft dodgers and other demonstrators trying to sell us short.

Now that Mr. Johnson is quitting, we believe another President will simply "take us out." That would mean our friends and buddies died for nothing.

We want to keep going, but to have a better chance.

Hope to hear from you soon.

Sincerely,

RONNY COWART.

Union Day in Tanzania

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. O'HARA of Illinois. Mr. Speaker, April 26 is the fourth anniversary of the union between Tanganyika and Zanzibar. These past 4 years have seen the union grow in strength as the two partners have learned to work together and to cooperate in common endeavors. Under the leadership of President Julius Nyerere and of First Vice President Abeid Karume, the union has started programs aimed at helping all the people to participate in economic and social development.

Tanzania's greatest resource is her outstanding President. I have known Julius Nyerere for many years. It seems but a short time ago when he talked to me about his dream for independence and the future of his nation.

Tanzania is blessed by its soil, and the Goverment is making great efforts to utilize and develop this resource. In addition to increasing the production of food crops, Tanzania is also trying to improve the quality of its coffee, cotton, sisal, and tea, which are its major exports. The United States buys a great deal of Tanzania coffee and imports sisal in the form of hay baler twine.

Our trade ties with Tanzania go back to the days of the Yankee Clipper sailing out of Salem for Zanzibar, where they sold cotton cloth in exchange for ivory and cloves. This cloth developed such a good reputation that even today the Swahili word "merikani" means calico cloth.

In addition to our trade relations, there are many Tanzanian students at

our universities and schools where they study many subjects, such as agriculture, engineering, medicine, and science. This year a considerable number will return to their country where they will work to help it to develop.

The Tanzanian delegation and the U.S. delegation sit side by side in the General Assembly of the United Nations. While we have not always seen things in the same light, it is my fervent hope that we shall always stand together as we sit together at that great forum for peace, the United Nations.

Congratulations are due to the people of the United Republic of Tanzania on this fourth anniversary of the union between Tanganyika and Zanzibar. Especial note should be taken of the particition of the United Republic of Tanzania in the newly established East African Community, which has its headquarters at Arusha, on Tanzanian soil. The role of Tanzania in this significant cooperative effort with neighboring countries is another important step in the short but auspicious history of the union of Tanganyika and Zanzibar.

My most personal felicitations go to my friend, President Julius Nyerere, and to his competent Ambassador to the United States, His Excellency Chief Michael Lukumbuzya.

James Brown

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. SCHWENGEL. Mr. Speaker, during the violence and disorder which took place in Washington, singer James Brown came to this city at his own expense to talk to people about the futility of rioting and looting.

On April 6 he appeared on WTTG-TV as he spoke in the Washington, D.C., Municipal Center.

All of us should consider what he had to say. What follows is a transcript of James Brown's remarks on April 6:

STATEMENT BY JAMES BROWN

ALAN SMITH. Ladies and gentlemen, at this time, in its special coverage, Channel 5 takes you to the Municipal Center, where popular singer, James Brown, who is in Washington, is now making a statement.

We go directly now to the Municipal Center, and singer, James Brown.

BROWN (Fading in) . . . had died, for the movement and the progress and the better of the nation and for the black race.

I want to say we were in Boston last night, and we were having problems there. We even got to the point of some violence and firing.

The Mayor and his aide—the Honorable Mayor White, Mr. Tom Atkins, Councilman—we put on a program. It lasted for three hours and 15 minutes. We taped it, televised it. We were supposed to do a show at the Gardens there. Normally we have 15 or 16 thousand people, but we asked the people to stay home. The city sponsored the show. We went for three hours and 15 minutes, and we taped the show while we were doing it and we had it repeated over. And we were having—we were having real bad problems there.

And when I finished talking to the people and we finished doing the show and ran it back, an amazing thing, 45 minutes—35 minutes after we got on the air, everybody cleared the streets. They didn't clear the streets because only I asked them, they cleared it because they knew that they were doing wrong. But they want somebody to identify with them, so that's me, I'm down to earth.

I guess you know I started as a shoeshine boy in Augusta, Georgia. I didn't get a chance to finish the seventh grade; but I made it. I made it because you believed in me; because I had honesty, and dignity and sincerity; and I wanted to be somebody.

This is the reason why today I talked to the kids. Tell them to stay in school and don't be a dropout, because if I hadn't looked up and through the good will and the sympathy of people I wouldn't be here.

Education is the answer. Know what you're talking about. Be qualified. Be ready. Then you'll have a (word unintelligible). Be ready, Know what you're doing.

You know, in Augusta, Georgia, I used to shine shoes on the steps of a radio station, WRDW. I think we started at three cents, then we went to five, and six—never did get to a dime. But today I own that radio station. You know what that is? That's black power. Right here. It's not in violence. It's in knowing what you're talking about. Being ready.

Now I say this because I'm your brother. I know where it's at. I been there. I'm not using it from imagination, I'm going—I'm talking from experience.

I picked cotton. I did everything. I was nine years old, before I got my first pair of underwear out of a store. All my clothes are made—effects, and things like that—you know what I'm talking about. The people—this is our language—we know where it's at.

What I know, I had to make it, I had to have a determination to go on. And my determination is to be somebody. And that's what I am, because you made me that.

Now, I say to you, you don't need—I heard the gentleman talking tonight, how many troops, how many polices they got on the force. We don't need that—this is America—this is our country—we don't need that. We're not going to tear the country up because we—we love this country—this is ours. You're not going to burn your house down. You're not going to cut up your suits; throw your shoes in the trash can. It doesn't make sense. This is far more—more dedicated—this is your home, your life.

I just went to Africa. I always wanted to go to Africa, because I wanted to know where my soul come from. The heritage, I wanted to know where it really started. They say I got so much in common; my music even got the drums, the syncopation, the movements, and the style.

So, I went to Africa and I found people working for $200 a year; $40 a month. (sic)

Then I found something else, and do you know, this is one of the minor things that happened out there—America's the greatest country in the world.

Everybody's had their problems. My home's Augusta, Georgia, and you know I had my problems. I know what it means.

But the main thing is you got determination, enough belief and confidence in yourself to go all the way.

Don't leave your kids homeless tomorrow to have to—no place to go back to; and can't go to school, they can't get a formal education. Cutting their lives off.

And the main thing about it; we wanted a hero, so we got one. We didn't get it just like we wanted it, but we got one. So we got something to live for. We got a image to maintain. We got a man (word unintelligible) We got a dream. We want a full field.

We can do more with that dream now than he ever did because we know what he meant. He believed in it enough to die for it.

We should have the respect and the dignity for our fellow man, our country, ourself.

To hold that image and maintain it and keep the respect of it.

You know, I'm not a—what we call, around the country, a man that will do anything anybody say, or take sides—what the black man describes as a Tom. I'm not a Tom, I'm a man. Nobody can buy me. I do what I want; I say what I want—because this is America—a man can get ahead here. I tell you I've got ahead, I'm able to speak what I want to say, and say it the way I want to say it.

I say to you, even though I can't stay down here—I wish I could stay—but I'll probably go down the streets to show that I can be a part of it.

Get off the streets. Go home. Take your families home. Look at television, listen to the radio. Or listen to some James Brown records. But get off the streets. Let's go back to our normal functions, and function.

Another thing I'd like to say, "Don't burn; give the kids a chance to learn." "Don't terrorize, but organize."

Mr. Steiger?

STEIGER. Yes, James.

BROWN. You know, I wish I could stay down here, but I—I got to go back to Rochester tonight because that bad thing might happen—I hope nothing will happen; I want to prevent it, and talk as much as I can. I know I can't speak for everybody in the world—I can't speak for everybody in this city—but I can tell you one thing, they know where I come from; they know that I'm a self-made man. They know that nobody holds me up and tells me how to talk, and when to talk, or what to say.

The gentleman asked me about the speech—you know, you asked me, was I going to write my speech. I said, you can't write this. I don't need to write it. I lived it. I don't have to write it. I can tell it like it is.

This is a hard thing—it's hard to digest. We all loved Dr. Martin Luther King. I knew him personally; and he was a fine man. But he's a finer man now because he proved so many things.

You know, in the beginning, Jesus Christ died; the late President Lincoln, he died; President Kennedy, he died; and now Mr. Martin Luther King, he died.

Now, I hope it don't cost no more lives. I hope everybody can understand what's happening now, because now is the time to understand.

I know one thing about it; I'll be doing everything I can to make sure—and I—I might give my life.

You know, you see me work on the stage, you know how hard I work—I'm one of the hardest working men in show business. I got heart trouble. I take pills twice a day. But I've got something from the people—they give me a new life, security, and everything. Now I got a chance to pay it back.

I want you to know there's no money involved—I don't want nothing. Nothing but possession (?) for the state, the country. Upper level for my people. And get them ready. I want you to be Presidents and things. Owners—see we got to get ownership going. Lot of things you want to say—views you want to express all over the place—so you'll have a chance to do it. But you can't do it by blowing up and burning up and stealing and looting.

We've gone back a hundred years. One hundred years.

I was a juvenile delinquent but I was lucky enough to come out of it. But that happened when I was a teenager. Didn't have nobody to stand up for me—didn't have no image. You know, when I was a kid, I think I was—I played cowboy—I was like Hopalong Cassidy, Roy Rogers. Everybody was like that, I guess. But it's nice to be like James Brown, too. So now you got somebody living, you got somebody dead to go after that means the right thing.

Let's live for our country. Let's live for ourselves. Please go off the streets.

Like I said before, I'm telling this from

my heart. I had—I had three hours sleep, I told you, before I got to Mr. Steiger. You know I got to go do that show—I got to do the boogaloo and them things. No use (?) my spending my time like this for nothing. Let's get it together. I know we're going to get it together. Right here is where it's at.

Mr. Steiger, anything else you want to add?

STEIGER. Jim, I tell you, I'm pretty certain that the message certainly touches me. It touches a lot of people out there, too.

And I want you to know that Mr. Brown came here at his own expense. I think he estimated to me that it cost him to fly his plane in here, anywhere from 1,800 to 2,000 dollars. That's out of his pocket in terms of the interest that he has for our country.

Jim, on behalf of the Mayor and the citizens of Washington, D.C., we thank you sincerely.

BROWN. Thank you very much.

I'd like to say one thing, Mr. Steiger. June the 13th—June the 3rd, rather—we'll be going to Vietnam. Now I know there are a lot of you say I wouldn't go out—ship (?) over. This is my duty. I got to go. I got to go because I'm fighting for America—for American men. I'm fighting for the black man to have pride.

Now, I know you've been asked this a million times, go off the street and go home. From one brother to another, go home.

SMITH. That was popular singer, James Brown, who, at his own expense, traveled to Washington today, and just spoke, as you saw, at the Washington Municipal Building, urging a turn from riot to reason.

Humphrey Candidacy Applauded

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. BLATNIK. Mr. Speaker, Vice President HUBERT H. HUMPHREY is without question one of the most knowledgeable, experienced, and gifted men in public life in America today. His background of experience in government on the local level as mayor of Minneapolis, and on the national scene as Senator from Minnesota, as Senate floor leader and majority whip, as the Vice President of the United States; his genuine, humane, heartfelt concern for people, and his almost universal knowledge and interest in the great issues of our times qualify him with undeniable credentials to be the next President of the United States.

I am deeply and sincerely pleased that the Vice President has announced his candidacy for the office of President.

The press has commented favorably on the statesmanlike tone of Vice President HUMPHREY's entry into the 1968 presidential contest, and I commend in particular the following articles to the attention of my colleagues:

[From the Minneapolis (Minn.) Tribune, Apr. 28, 1968]

HUBERT HUMPHREY, A HAPPY WARRIOR

Hubert Humphrey did more than enter the 1968 political campaign Saturday. The Vice-President carried forward President Johnson's efforts to cement together a divided nation. The Vice-President's message of moderation could help make immoderation in the pursuit of political office unrewarding this year.

To a nation still stunned by assassination and divided by war and civil disorder, Humphrey pledged to make conciliation and unity principal themes of his campaign for the Democratic presidential nomination.

Let us carry forward the unfinished American Revolution, said Humphrey, asking his countrymen to pursue those great ideals and great ideas that have given America a special destiny in a turbulent, dangerous world. And let us be patriots who love America, said the Vice-President, but let us be more than flagwavers; let us be patriots working for fulfillment of the American dream.

His was a stirring call to national pride and commitment, a call to a realization that this is "not a nation that has lost its way, but a restless people striving to find a better way."

The Vice-President said he wanted his campaign to involve "politics of joy"—and there was joy evident in his delivery and hope in his message. He spoke with hope, not despair, of a great nation and great people presented with opportunities for good, opportunities never so fully accorded any other nation or people.

Humphrey appears to be well ahead of Sens. Kennedy and McCarthy in the race for delegates. The Vice-President's greatest weakness until now has been in the public opinion polls, but this may change now that he is officially a candidate.

Outside of Minnesota Humphrey never has achieved the popular standing he had as senator, in his home state. But never before has he had the standing with important segments of American society that he has today. The next few weeks will reveal the public's response to the Vice-President's call for conciliation and unity. For our part, as Minnesotans, we were proud of the way this man from Minnesota entered the race for the American presidency.

[From the St. Paul (Minn.) Pioneer Press, Apr. 29, 1968]

HUMPHREY IN THE RACE

Vice President Hubert Humphrey has begun his campaign for the Democratic presidential nomination in the friendly, happy and optimistic style which has characterized his many years of public service.

His announcement speech Saturday was not one of harsh criticisms for anyone, nor of downgrading others in either party, but rather was a call for confidence, dedication and determination in overcoming America's many problems. As he put it, "1968 is not the year for frenzied or inflammatory rhetoric or for finding scapegoats for our problems. It is a year for common sense."

This is a good note on which to start out on the arduous political trail ahead. Common sense and national unity behind goals which have broad public support are essential in this troubled era of American history. Humphrey's abilities, experience and temperament are well suited to the needs of the times.

While his first campaign talk was of a general nature, it gave reassurance that his basic philosophy of making government serve the practical requirements of all citizens will be applied as he deals with specific issues in later addresses. He wants "law and order compatible with justice and human progress," reduction of the world arms race, easing of international tensions, strengthening of the United Nations.

His approach to problems at home and abroad, he said, will be that of one who "is a believer in the American dream and the concept of human brotherhood."

Humphrey's 16 years in the Senate, his early experience as mayor of Minneapolis and his service as Vice President provide an effective background from which to seek the presidency. His record of accomplishments outweighs those of his two competitors for the Democratic nomination. Senator Robert Kennedy and his fellow Minnesotan, Senator Eugene McCarthy.

This does not assure Humphrey the nomination. It does enlarge favorably the range of choice for the Democratic party. His active campaigns for national leadership is a political plus for the party and for the country as well.

[From the Duluth (Minn.) News-Tribune, Apr. 28, 1968]

CAPITAL ADMIRES HUMPHREY QUALITIES

(By Frederic W. Collins)

WASHINGTON.—A private poll among professionals in government and politics in this city would show an overwhelming judgment that in the whole observable field of candidates on both sides of the fence, Hubert Humphrey possesses the best collection of concrete qualifications for the presidency.

Persons outside those professional categories may attribute what weight they will to that judgment. It is arrived at by the kind of objective technical analysis for which not much room exists in campaign competition for popular favor.

Taking one step at a time, taking the quest for nomination ahead of the quest for election, Humphrey's qualities, it is felt, ought to make him a good candidate in the preconvention and convention phases.

The professionals note that Humphrey is the kind of candidate it is possible to vote for, in the positive sense, as distinguished from those whose hopes rest on the prospect that fewer will vote against them than against a rival.

Almost the only audible opposition to Humphrey right now comes from ultra liberals among Democrats (and not even from all of them) who claim that Humphrey, to serve his own ambitions, has betrayed their cause after having once been its leader. The professionals argue that Humphrey, on the contrary, has made himself more effective in that cause than his critics by enlisting support from constructive conservatives. That technique, incidentally, was urged upon the ADA last fall by one of its own more savvy stars, Daniel Patrick Moynihan.

In the catalog of achievements, the listing of Humphrey's productive legislative initiatives is longer than that of any of his competitors, including as it does the Peace Corps, the Food for Peace Program, the treaty banning nuclear tests in the atmosphere, the Alliance for Progress, and Medicare, plus various efforts in the field of disarmament not yet reality but not yet dead, either.

The professional analysis of Humphrey also takes into account the fact (which is nothing to boast about but which has contributed greatly toward making him what he is today) that his experience as a youth and young man taught him things his rivals can never know about people in trouble. Drought, depression, and a plague of grasshoppers were enough to seem like the malevolent workings of a blind fate against which there was no way to fight. There are those in the population today who seem to themselves to be the targets of the same awful forces.

His parliamentary generalship in bringing the 1964 Civil Rights Bill through the Senate, involving skill, persuasion, and hard work, is counted as surpassing any of the achievements of Lyndon Johnson, who is causally thought to have invented Senate leadership.

An incomplete list of his assets could wind up with reference to his spontaneous enjoyment of existence, even its most rigorous and adverse intervals. He borrows a phrase from John Adams, "public happiness," to define a quality he would like to see dominant in American life—a wish which seems audacious at this particular moment.

There are those who are not charmed by Humphrey "because there's something about him," not otherwise defined.

It would seem excessively pessimistic to regard that as a serious handicap to his

candidacy, because it probably is not the kind of thing which decides people's minds when they are picking a president.

The Gold War

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HANNA. Mr. Speaker, the most recent edition of Look magazine, April 30, 1968, includes an incisive commentary on the international monetary scene. I include it at this point in the RECORD:

THE GOLD WAR

There it glistens—white, squat, impregnable—a pillbox on a bluegrass knoll. Ft. Knox, an architectural accident, our Kentucky Taj Mahal, for a generation marked the triumph of the Golden West. Two kinds of ingots were stacked carefully in the vaults below. The dark bars were narrow trapezoids poured in Europe, some probably remelted from the Queen of Sheba's gifts to King Solomon, some from the teeth inlays of Jews gassed in Hitler's concentration camps. The other ingots were flat, innocent bricks let loose by the California rush. By 1949, we had $25 billion in bullion, a corner on both shapes.

Today, the stacks are shrunk, more than half gone, and the rest mortgaged to foreigners. By gold standards, we now have a big, poor Government. That takes getting used to.

If whipping boys comfort you, several can be had at home and abroad. President Johnson is always handy. A more inviting figure, however, is Charles de Gaulle of France. For years, he has been obsessed by the fear that "American hegemony," or bossism, menaces France and other nations. As early as 1962, we were not only winning the economic test of strength with Russia but building muscle on it. Later that year, at a briefing by Bank of France officials, De Gaulle considered a way to turn our strength back against us, by a form of monetary jujitsu. Not trained in economics, the stately General sat brooding in his chair while his bankers gradually fell silent. All of a sudden, he bounded up and flung his arms high in the sign of victory.

"Voila! La faiblesse!" De Gaulle shouted. "That's it! The weakness!"

Gallic diplomats argue with grace that the ruler of France has never been hostile to us. They may have a point. A man of noble intent, he turned upon his former ally for the same reason that another honorable man, Brutus, knifed his friend Julius Caesar: out of aversion to overwhelming power. Using weapons deadlier than steel and less likely to provoke counterattack, the old Brigadier started the gold war without a declaration, and has licked us in almost every battle for five years. Over good French pâté, his followers assure me that our discomfort is merely the by-product of his infallibility.

My answer is as polite as possible: hogwash. It's a new battle now. The crisis of the past few weeks has finally forced the U.S. and its allies to suppress their differences and get busy together. The headlines have finally stirred up public concern and forced politicians here to face a threat too long ignored. Even Indiana's county Democratic chairmen, meeting at French Lick, talk tight budget, tax hike and peace. We'll see more gold worry and more stock-market palpitations, but the shock has been less harmful than most honest experts expected it to be before it hit. At last alerted, our people can call upon the resources of their $800 billion economy.

Today's anxiety over our temporary weakness has obscured the reality of our long-term strength. With the generous diplomacy of foreign aid and the expensive military shield we built around non-Communist nations, the U.S. made itself a useful partner to their aspirations.

The effort was costly. So was the rapid expansion of our corporations into buying and building plants overseas. We regularly spent and invested more dollars, public and private, than we brought home—a total of $38 billion more in the last 18 years. Only once, when the Suez seizure boosted our 1957 oil exports, did the U.S. avoid a deficit in its annual balance of payments.

Those deficits left dollars and U.S. bonds abroad—where they were desperately needed to rebuild banking systems destroyed by World War II and to start new ones in underdeveloped nations. Actually, the expatriate dollar worked more wonders in banks than its initial service as aid. It was "good as gold" and, in war-drained countries, a highly desired substitute. The national bank of any country could buy a lode of dollars to back an issue of several times that much local currency. This dollar "reserve currency" worked well. Because our chronic deficits swelled the dollar reserves abroad each year, many economies could broaden their money base to fill the needs of reviving business. By the late '50's, the dollar supply was bigger than the need, and the surplus moved into what became a free-flowing stream of capital called Eurodollars.

The dollar's reserve status gave expanding American firms a special advantage. French companies, by contrast, were not allowed to invest freely in other lands if the outflow of capital would upset the immediate balance of French payments. But so long as foreign banks happily accepted dollars, U.S. companies could ignore our country's deficits.

Gaullists charged that Europe was thus financing, unwittingly, a U.S. take-over of European business, especially in advanced sectors like computer technology. This contention told only part of the reason for the capital shortage in freshly affluent Europe. Its money markets were, and remain, dominated by a few firms and families, who would rather not stoop to raising cash by selling stocks to the rising middle class, the "new people."

The skill and energy of American business were paying off in 1962 when De Gaulle spotted our weakness. Given three or four more peaceful years, the flood tide of billions in profits flowing back from new U.S. plants abroad would have wiped out our deficits. Meanwhile, our debts piled higher, we became overconfident, and at last vulnerable to assault by anyone who could raise doubts about the soundness of the dollar. And, in our go-it-alone manner, we had failed to work with other nations to expand the International Monetary Fund, the agency set up in 1944 expressly to prevent what had happened in the late '20's: a panic run from shaky paper currency to gold, which set off the Depression.

IMF, in its early years, had already instituted a system of credits for short-run debts between nations. Its next step, to meet the problem of the '60's, had to be the creation of a truly international reserve currency, "paper gold," now called Special Drawing Rights certificates. SDR's, to be sold in carefully controlled annual installments to member nations, would slowly reduce everybody's dependence upon gold as well as dollars. For trade to be healthy, no one nation can be banker to the world. SDR's would serve as a new kind of reserves and be exchanged to settle debts among central national banks.

While money men haggled over when and how to issue SDR's, the international monetary system began to shake with the dollar. If people and governments around the world could be made to doubt paper money, they might panic and cash in accumulated dollars for gold, or, worse, convert other paper money to dollars with which to demand payment in gold—at our promised price of $35 an ounce. The purchases could be made by central banks or by speculators. The effect was to provide speculators with a crowbar to break into Ft. Knox.

The past five and a half years have been a playing out of De Gaulle's scenario. The Bank of France scrounged for dollars around the world, and until late 1966 cashed a wad of them each month for a shipment of U.S. gold. Other dollar holders naturally got nervous and had to be begged, or bribed in trade negotiations, not to cash in too many. Even Algeria made a shopping trip. Meanwhile, the Vietnam escalation drained more dollars ($1.5 billion a year) out of the U.S. and, more important, inflated our prices and cut down on our exports.

The pressure grew. But the weakest link in the monetary chain, everybody knew, was not the dollar but the British pound, based on an obsolescent industrial establishment that talks management and productivity on long country weekends. When the pound cracked last November, speculators began betting that the dollar would be next. In the frenzy of gold-buying with dollars last month, the U.S. and its allies tried to wet down the fires of speculation and panic by pouring tons of gold into the London market. They had to give up. Henceforth, only central banks can convert dollars to gold, for monetary reserves. Now moving to put the SDR's into use, most Europeans have seen enough monetary chaos to know that it must be stopped.

So have we. The basic issue of the gold war has been around since the Industrial Revolution. The New World surpassed the Old through a radical change in the notion of wealth, a gut instinct at work below men's conscious thoughts and decisive in their relations with each other through the language of money. In the older view, wealth was static and limited, like feudal land and gold. But to Americans, it became an elemental energy, productivity. We enlarged wealth with that productivity and admitted no limit on how much could be generated if more and more people shared in the making, owning and using. Corporate accountants learned to compute multimillion values on the earning power of human intangibles such as talent and goodwill.

These practical calculations, not gold's dark magic, offer the hope of feeding a hungry world, not blowing it up. But this country has been careless of its own accounts, insensitive to the pride of others and arrogant about sharing the decision machinery of money management with the community of nations. The era of our false pride was brought to a close by the humiliation of recent weeks. Given this lesson and given a chance for peace, our people with their serviceable skills will do the rest. No tear need be shed over the dead metal we once had buried in that Kentucky hill.

T. GEORGE HARRIS.

Charles Valentino: A Community-Minded Citizen

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. WOLFF. Mr. Speaker, it is one of the great American traditions that individuals, displaying admirable pride in their communities, devote volunteer efforts to build civic pride and thus serve their neighbors.

In my congressional district, in the

incorporated village of Manorhaven, there is an individual who has acted in this tradition for many years. Charles Valentino, a local businessman, has contributed his time and effort to a long list of civic affairs including civil defense, the blood bank, beautifying the community and providing benches at bus stops for senior citizens.

It is entirely appropriate that in recognition of his selfless devotion to the good of the community that the village of Manorhaven recently presented Charles Valentino with a plaque of appreciation.

I am proud to join today in recognizing Charles Valentino's contribution to the Third Congressional District and extending, on behalf of all Mr. Valentino's friends and neighbors, a community thank you.

O'Brien, Desautels, and Kapenstein Leave Postal Service

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. KASTENMEIER. Mr. Speaker, the Post Office is one of our oldest and most tradition-bound public institutions. No man is going to remake the postal service in 2½ years. But in that relatively short span of time Larry O'Brien probably did more to move the postal service forward than any man in our history, no matter how long his tenure as Postmaster General.

Once he arrived at the Post Office Department, it did not take Larry O'Brien long to recognize that our postal system was suffering from what Abraham Lincoln would have called a bad case of the "slows." And Larry O'Brien is not a man who admires inertia.

He immediately set about to infuse the postal service with new vigor, with new ideas, and with a badly needed sense of urgency. I think he succeeded to a remarkable degree.

Larry O'Brien made excellent use of one of his greatest assets as Postmaster General: the personal popularity and great respect he enjoyed with the Members of the Congress. He convinced the Congress that the postal service had to be modernized, and that a lot more money had to be spent to do it than had been appropriated for that purpose in the past.

As a result, Larry O'Brien leaves the postal service with a wide-ranging modernization and mechanization program well underway. I am sure the new Postmaster General, Marvin Watson, will want not just to continue, but to expand these efforts to modernize our mail delivery system.

Not the least of Larry O'Brien's accomplishments was his ability to focus public attention on the postal service and its needs. He put the postal service in the spotlight when he proposed abolishing his own job and converting the Post Office into a Government corporation.

Whatever the ultimate fate of the corporation proposal, it stimulated our thinking about the postal service and how it might be improved. The report of a special Commission appointed by the President to study the corporation proposal and other ideas to revamp the postal service is due momentarily.

I am sure the Commission's report will include many useful recommendations—recommendations that probably never would have seen the light of day had it not been for Larry O'Brien's bold and provocative proposal.

I know Larry O'Brien would be the first to agree with me that he could not have achieved what he did as Postmaster General without the help of an excellent staff. I particularly want to commend two members of his personal staff, Claude J. Desautels, his Executive Assistant, and Ira Kapenstein, his Special Assistant for Public Information.

Claude Desautels has worked with Larry O'Brien since the first days of President Kennedy's administration. He served as Larry O'Brien's assistant in the White House, and then came to the Post Office Department as his executive assistant. In both positions, Claude has been concerned daily with the important duties of congressional liaison. I know that all of my colleagues have had opportunity at one time or another to contact Claude at either the White House or the Department, and I know they share my conviction that he has been dedicated to assisting them in every way possible.

Claude, of course, served for several years as an administrative assistant to our House colleague from Colorado, the Honorable WAYNE N. ASPINALL. As a result of that service, he knows very well what a Member requires in the way of help from the executive branch on matters affecting his district. We have been fortunate, as has Larry O'Brien, to have Claude serving as special assistant in the White House for more than 4 years and for 2½ years at the Post Office Department.

I understand that Claude will be staying with the new Postmaster General, Marvin Watson, during the transition period. It is typical of Claude to assist whenever needed, and I know the new Postmaster General will find his knowledge and abilities invaluable.

I have known Ira Kapenstein for a number of years, and I can say that the Post Office Department and the Federal Government were fortunate to have had a man of his talents for more than 4 years. Ira has accomplished a great deal for a man not yet 35. He came to the Milwaukee Journal right out of college and it was not long before he held a top reporting job on that paper, which is nationally recognized as one of the 10 best newspapers in the country.

Ira was the Journal's ace political reporter and then as assistant city editor. Later still, he was assigned to the Journal's Washington bureau. And, of course, his work as the Post Office Department's chief spokesman was exceptional and I am sure that his future will be even more outstanding. We from Wisconsin are proud of him.

The Vulnerable Russians

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. DERWINSKI. Mr. Speaker, one of the greatest illusions of our period is the notion that the cold war is ending or has already come to an end. A careful analysis of Moscow's peaceful coexistence policy would show that actually this is the most dangerous phase of the cold war as concerns our national security. Behind the shield of peaceful coexistence Moscow has gained a "breather" for the resolution of its imperial problems, political warfare penetrations into Western Europe, Asia, the Middle East, Africa, and Latin America, the further buildup of its war machine primarily for political warfare objectives, and the cultivation of numerous divisions and rifts among our own people on this terrain. Divide from within is an old Russian political instrument.

The new book "The Vulnerable Russians" presents a formidable background for an intuitive appreciation of Russian cold war methods and techniques. Its revealing chapters, for example, on "The Viennese Dance of the Cold War" and "The Voice of—America?" show how pitiful our understanding has been of this old Russian institution and how actually we have fallen into an inadvertent implementation of Moscow's cold war efforts. Authored by Dr. Lev E. Dobriansky of Georgetown University, the book is lucidly written, well documented throughout, and startling in many respects. Its case-study perspectives on the cold war provide much food for thought.

"The Vulnerable Russians" is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. However, some excerpts from the book will give the reader an indication of the novel nature of the work. The excerpts follow:

THE VIENNESE DANCE OF THE COLD WAR

"The willing dancer is easily played to."
—*Servian.*

Diplomatic summitry has consistently been a bane for the United States. Just look at the record going back to World War II. We are improving, however, in that the real estate of others is not being as swiftly transferred as in the past. The object now seems to be to just keep talking while Moscow and Peking carry their work forward in the Free World. For our part we are to indulge in the self-delusion that all is going well or, as in Viet Nam, resort to last minute military reactions.

The summit meeting of President Kennedy and Khrushchev in Vienna, in 1961, will very likely go down in history as the Viennese dance of the Cold War. In short time there was much movement of bodies and tongues, some of it polite and graceful and even colorful, but after the swift rendition of culturalistic pomp and palaver there was really nothing to record but the motion itself.

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For what reason did the President accommodate the head of the greatest empire in the world by this meeting? Following the Cuban fiasco, the Laotian retreat, and the lowering of U.S. prestige to the lowest level yet, the timing of this fruitless meeting was the worst conceivable. Moreover, many

Americans did not forget the words of candidate Kennedy who on October 21, 1960, had boldly stated, "I believe we should not go to the 'summit' until there is some reason to believe that a meeting of minds can be obtained on either Berlin, outer space, or general disarmament—including nuclear testing." On empirical grounds alone the value of this campaign statement is obvious. Indeed, as we shall see, the increasingly marked discrepancies between overflowing words—sometime in logorrheal proportions—and expected deeds by the Kennedy Administration caused grave concern in many quarters of the nation as to sheer integrity of word, let alone competence, in cold war conduct and activity.

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This theme on Kennedy being compelled to shift from a "position of strength" policy to one of "peaceful coexistence"—and all that this implies from the Red totalitarian viewpoint—was repeated throughout the Empire's radio and press networks. For example, the Czech newspaper *Rude Pravo* wrote, "The time has come for Washington to realize that things do not work out with the present kind of policy." The net effect of this kind of propaganda on the audience within the captive world and also in several parts of the Free World should not be difficult to perceive. The image cast was one of increasing weakness in the position of the United States and thus, relatively, one of enhanced strength in that of the Soviet Russian Empire.

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Significantly, a year after this Viennese dance Khrushchev took a calculated risk in Cuba. He almost got away with a successful nuclear blackmail of the United States itself. The fact that he made this bold attempt is an historical measure of the impressions he received in Vienna. Those who take pride in our "success" in this confrontation would do well to contemplate the thought that the bold try should ever have occurred. Had Khrushchev succeeded, with one flip the fate of the Free World would have been sealed. Wasn't this worth the try—from the Russian viewpoint?

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The extent to which the President failed to comprehend the nature and character of the enemy is seen in his references to the USSR as a "nation" and the myth of the "dynamic concept of world communism" which he imputed to Khruschev. Finally, as became more and more apparent, his pontifical remarks on self-determination and independence awaited concrete deeds. The policy of patched-up containment that he advocated in this report scarcely indicated a working comprehension of the nature of the Cold War. The continued shell-out of billions of foreign aid and even our own military build-up have certainly not been the adequate answer in this type of war.

EXEMPLARY CONFUSION

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When viewed against the background of confusion and varying attitudes in this country during the 1959–61 period, the Vienna meeting cannot but be regarded simply as a puny dance. In terms of certain basic essentials of cold war operation, the inherent Russian cold war policy, and the Captive Nations Week Resolution, the dance had all the appearances of a masquerade. It symbolized the quasi-appeasement that has continued to afflict us. It also showed that we are ready to abstain from creating and generating any troubles for imperio-colonialist Moscow in the domain of its pragmatic, imperial realm, and at the same time wishfully hope that it would abstain likewise in the area of the Free World. This has been the level of our blissful naiveté, not to say perhaps ignorance of the nature of Soviet Russian totalitarianism and its cold war coefficient. This is the protracted state of our confusion and quasi-appeasement.

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You will recall that in this period we also heard a great deal about peace and friendship. Nixon used it at great length on his tour of the "Soviet Union," really only the R.S.F.S.R., i.e. Soviet Russia, itself. However, before we uncritically accept this disarming slogan, we should also look at its significance not only in these times but in the course of history. A sober American would say: "Yes, peace and friendship, but first, justice and freedom." As we noted earlier, the traditional Russian political slogan of peace and friendship (Mir I druzhba) has for centuries been used to deceive non-Russian nations into captivity. It is indicative of our lack of cold war insight and imagination that we have failed to turn this slogan to our account. Peace and friendship are and can only be the consequents of justice and freedom, not their causes. The harmony implied by peace and friendship is logically based on the dictates of justice and freedom. The Soviet Russians have, with typical deception, put the cart before the horse, and some of us are uncritically amenable to be taken for a ride in the cart. And this wasn't the first time in the course of these past forty-eight plus years.

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DOMINANT U.S. ATTITUDES

In the United States there have been five dominant attitudes toward the world struggle. These are: (1) wishful cold war cessationism; (2) accommodationism to Moscow's empire; (3) military hardwarism; (4) evolutionism; and (5) cold war realism. In many cases, of course, these attitudes tend to overlap. The Viennese dance of the Cold War was permeated with the first two and the fourth—wishful cessationism in the spirit of global pluralism, accommodationism, and evolutionism.

Considering the first, the wishful cessationists erroneously believe that "understanding," cultural exchanges, and a search for agreements, completely marginal and inconsequential, will secure peace. They argue as though these did not prevail in far greater degree with regard to Nazi Germany prior to World War II. In that period we had cultural exchanges and a very close and intimate understanding with the German people, and yet these factors were not sufficient to avert the outbreak of a war.

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The second group consists of the accommodationists, many of whom prodded the President into the Viennese dance. They have never learned from historical experience that this form of appeasement only encourages the enemy to bolder ventures. We have many of them in this country, in official circles and beyond; their loud voices have been heard on Viet Nam, and they'll re-emerge again and again. They contend, "Well, if we can only accommodate them. They've expanded far enough. We could make a deal with them. This is your sphere, and this is ours." Curiously enough, this is the every thing that Moscow has been seeking and demanding for its own advantage.

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Then, fourthly, there are the evolutionists. Many, without declaring whether they are random or selective evolutionists, are equally wishful in their desire that history will for some inscrutable reason be on our side. This position certainly stimulates passivity. It exudes the wishful hope that somehow there'll be a strong liberalizing process at work in the USSR, either through consumer goods production or education and the rest of it, followed eventually by an institutional blend. This, too, fails to recognize the nature of what we call the protracted conflict and only contributes to what is the protracted confusion. At Vienna, Kennedy was prepossessed with this evolutionist preconception, and his successor, with his "bridges of understanding," has nurtured the same illusion. While there is a Communist Party network in control of governments, random evolution can only be a mirage. Selective evolution leading to inevitable revolution is part and parcel of a forward-looking policy of liberation. But Kennedy never understood this policy.

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Quite plainly, in some circles of our Government and elsewhere, there is no firm general grasp of what a Cold War means, what it involves, and what it calls for. Lacking a working concept, it is no wonder that, on the one hand, there is scarcely any appreciation of its long background of methods and techniques. On the other hand, it is clearly comprehensible why we continue to operate in aimless, haphazard, makeshift and piecemeal fashion, incurring seen and unseen losses as we hobble along. A further imposing irony of our situation is that while Moscow carefully plans its cold war tactics and maneuvers in the broad context of its fixed cold war strategy and objectives—including even the lessening-of-tensions maneuver—we are engaged in no such cold war gaming, and don't even possess the apparatus for it. As was said before, in a hot war we wouldn't think twice about immediately creating such an apparatus.

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Many of us rightly lean on the authority of Clausewitz, the Prussian genius, to gain insight into the nature of the cold war. Lenin studied him closely and quoted him often. And Khrushchev, a professed Leninist, must have seen himself in the mirror of Clausewitz's words: "A conqueror is always a lover of peace; he would like to make his entry into our state unopposed." But few of us know that Clausewitz obtained his cold war knowledge in Russia's military service. With Russia's military position much weaker than Prussia's at the beginning of the nineteenth century, and yet the Tsar extending his domination over nations, Clausewitz asked himself, "How could this be?" He entered Russia's military service to obtain the answers that would save his own Prussia. When he returned in 1814, he rejoined the Prussian Army, and by 1818 was already commandant of the General War School in Berlin.

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The heirs of Lenin, who was bred on Clausewitz, breathe these principles and maxims daily. In Vienna, Kennedy reiterated, "My ambition is to secure peace," without comprehending that the genuine peace he sought can only be secured through cold war victory, the one thing Khrushchev and any Leninist can soberly understand. The President's world pluralism was no match, in any calm discussion, with a Soviet Russian's "war of liberation." The thesis of an unfinished war of liberation, particularly in the USSR, is the only argument of strength and determination that Khruschev or any of his successors can respect. Pluralism has philosophical attraction, but it is only "bourgeois" weakness in the context of the Cold War.

RUSSIAN COLD WAR TRADITION

In essence, the cold war methods employed by Khrushchev, Brezhnev, Kosygin, Shelepin, etc.,—in Viennese dance salons or elsewhere—are no different from those developed by Ivan the Terrible, Peter the Great, Catherine the Great and other Russian tyrants. In looking at these techniques one has to consider again that traditional and institutional nexus in the empire—the nexus between internal totalitarian tyranny and external imperialist expansionism.

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The methods are in substance psychological, propagandistic, political and of several other veins. The military, on the other hand, has always been kept in reserve, marching in, if you will, at the climax of a situation. In this respect there is that classic by which many of us could profit immensely. We cannot quote too often this work on the *Jour-*

ney For Our Time, written by a French traveler in the Tsarist Russian Empire, the Marquis de Custine. It provides his diary notes on the Russian Empire of the last century. Their timeliness will amaze the reader.

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The cold war methods we want briefly to observe for every century since the sixteenth—the methods of ruse, subversion, infiltration, indirect aggression, fraud, bluster, blackmail—have been adroitly employed to build up an unprecedented empire. The tyrants of the past left a wealthy legacy of cold war techniques for the Soviet Russian totalitarians, no matter who sits in the Kremlin. By these methods the contemporary tyrants of Moscow have extended the empire and are now threatening the independence of our own nation. As shown earlier, the smoke screen ideologies of the Third Rome and Pan-Slavism were used in the same deceptive way that the mythical ideology of Communism is manipulated today. It would do well for our people to learn more about the growth of the Russian Empire, both past and present, than to waste some time with Marxism and comparative economic systems. Such learning would reveal the secrets of empire-building, which are the cold war techniques that, in large measure, eluded Kennedy and others. Frontal military aggression has always been secondary. It is secondary today, for Moscow places considerably less trust in the power of its mongrel armed forces than we do. How little President Kennedy understood all this can be gleaned also from his acceptance of Walter Lippmann's suggestion to refer to the Russian-controlled USSR as an "adversary" rather than an "enemy." The contest is more deadly than a wrestling match.

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There's a definite similarity here between this technique and the one employed by Khrushchev in the Middle East. Khrushchev first played up to Nasser with the aim that through him he would be able to neutralize the area and thus exclude the influences of the United States, Britain and others. Then, later, Moscow would build up a contender in the area—in Turkey or Israel perhaps—in order to provide the contention and the clash that would lead to division and chaos. Ultimately, as a ripe apple, the area would drop into the laps of Soviet Russian imperio-colonialism.

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Here is a representative case for the seventeenth century. This case is very appropriate in view of the fact that in our time—1954—in the Soviet Union and throughout Moscow's empire, a whole year of celebration was conducted in observance of the Pereyaslav Treaty of 1654. Theses were produced and had to be taught and learned in cells throughout the Soviet Union as well as in the so-called satellite states. The theses glorified the alleged union of two Slav nations, namely Russia and Ukraine. One not knowing the history of the Pereyaslav Treaty would certainly not be in position to evaluate the reason why, in 1954, a 300th anniversary of this event was put on. Of what significance, of what value to Moscow was there in putting on such a gala event throughout the empire?

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Let's now look into the case of Poland in the eighteenth century. We know of the Polish partitions, but how many of us know, for example, about the operations of the Russian "Smiling Mike" of that day? The Russian Ambassador in Warsaw, Repnin, had manipulated the religious issue of Orthodoxy to divide the Catholics against the Orthodox in Poland until, finally, he successfully managed to bring about the first partition in 1772. Immediately thereafter, his successor, Ambassador Stackelberg, had operated just as Vishinsky did in 1940 when he entered Latvia and by ultimatum "legalized" the situation. Stackelberg had the Polish Sejm "legalize" the first partition. Later, with the second partition in 1793, a new issue had been infused fifty years before Marx even made his name. Discord was sown between the social classes of the boyars and the peasants. Obviously these are old techniques, no matter how you might attempt to grace them and perhaps seek to change them. Can you imagine a Senator Fulbright, who thinks there are "200 million Russians" in the USSR today, and who hasn't the slightest inkling of this necessary background, as our Secretary of State? Yet Kennedy "had almost decided on Fulbright" as his Secretary of State, if it wasn't for the Senator's segregationist stigma. Just another indication of the man who went to Vienna to meet face-to-face the hardened product of this imperial background.

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As one goes through these cases and scores of others, one cannot help but be impressed by the techniques that have been used to build up an empire. The least important technique is that of frontal military assault. Numerous other examples can be given. One is reminded of the case in Persia toward the close of the nineteenth century because of the operations of Moscow surrounding Iran today. You might have noticed that on the economic level Moscow has been offering Iran 85 per cent of the oil profits. The highest is about 60–65 per cent for mutual oil exploitation in the Middle East. In its divide-and-conquer strategy Moscow is even willing to build dams and numerous other projects so long as Iran refuses to set up any missile bases.

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Even for this century, many of us fail to realize what transpired immediately prior to World War I and in that very fateful period of 1917–1923. This whole chapter of twentieth century history is a blind spot for most Americans. In the post-war period many of the so-called "republics" now in the Soviet Union were independent states. Georgia entered into a mutual security pact with Soviet Russia. Ukraine was promised by Moscow that its sovereignty would be respected. One by one, through infiltration, subversion, and ideological deception, they were raped and have since been kept in a submerged state within the Soviet Union.

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AMERICA'S HISTORIC OPPORTUNITY

Also, with this background one can now appreciate more than ever the fact that the passage of the Captive Nations Week Resolution in 1959 disclosed two indisputable truths. One is the sensitivity of Moscow to the weakest and most vital nerve in its empire. The second is the lack of understanding in many sections of our nation with regard to the significance and power of the majority captive non-Russian nations in the USSR. The sole basis for Moscow's dread of the resolution is that Public Law 86–90 is fraught with enormous and even decisive cold war possibilities, primarily on the colonialist issue.

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If eventually we are not to be cornered into a hot global war, we must face up to the realities of the Cold War. An unparalleled empire was built up over 500 years by cold war techniques. With modern technology and communications it could expand in a short time. A sound basis for necessary cold war gaming is provided in the Captive Nations Week Resolution. With an indispensable initial apparatus, such as the Freedom Commission and the Special Committee on the Captive Nations, the possibilities suggested by the resolution can be developed peaceably and victoriously in the name of justice and freedom first. Common sense dictates that genuine peace and friendship can only be derived from these primary conditions.

Surely, Viennese dances of the '61 vintage will not insure the successes and achievements of America's historic opportunity in our time. We must look now to 1976, the 200th anniversary of our own Declaration of Independence. It would seem that in these years ahead we ought to endure a period of moral and political re-dedication, in order to show the tremendous will and stubborn patriotism of the American people. The old age that Khrushchev ascribed to us is only an old Russian mirror of the senile institutions that make up his empire. This period is one for us to prepare for and courageously meet the many challenges that will certainly present themselves.

Independence Day of the Republic of Togo

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs, I take great pleasure today in extending congratulations and best wishes to President Etienne Eyadema, to Ambassador Alexander Ohin, and to the Government and people of Togo on this the eighth anniversary of their independence, April 27, 1968. On that date in 1960, Togo became a fully independent member of the family of nations.

A young, small, and still economically underdeveloped country, Togo has experienced many of the same vicissitudes as other young states seeking to develop their national personalities.

We have been happy to see that the economic development of Togo has not been neglected and has continued apace under the country's several governments since independence. Since 1963, there has been an estimated annual growth of about 7 percent. Basically an agricultural country, Togo is also an exporter of phosphates and developing local industry such as textile plants as her resources permit. The U.S. contribution has been small, but we hope useful, and we firmly intend through the implementation of our regional aid approach in Africa to continue to assist Togo and her neighbors in the development of their infrastructures and to increase and improve their productive capacities. The United States also has an active and dedicated Peace Corps group at work in Togo.

While officially nonalined, Togo's foreign policy is motivated by the same ideals and aims as that of the United States, and, consequently, the policies of our two countries have throughout the years been largely in harmony.

Togo is a land which looks to the future and which, like the United States, is dedicated to the maintenance of peace among men so that through their combined efforts a more bountiful life can be assured to the peoples of the world. It is, therefore, fitting that today we salute the anniversary of the independence of Togo. I know that this body and the American people it represents join with me in wishing the people of Togo a peaceful and prosperous future.

No Man Is an Island

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. DORN. Mr. Speaker, the following article by a great American, Archie, Moore, former light-heavyweight boxing champion of the world, is superb. I wish every American could read this splendid article. I commend it to every one of my colleagues in Congress, as follows:

NO MAN IS AN ISLAND: LAWLESSNESS MEANS BLOODSHED, END OF DREAMS

(NOTE.—Archie Moore, a Negro who grew up in a St. Louis slum district, is a retired light heavyweight boxing world champion. He currently works in behalf of a program called Any Boy Can (ABC), which is operating in San Diego and Vallejo, California. Other cities have expressed interest in starting similar ABC programs in their communities. In this article, reprinted from the Republican Congressional Committee Newsletter, Moore addresses some blunt remarks to Negroes who believe that riots and violence advance the cause of civil rights.)

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an Uncle Tom. I have broken bread with heads of state, chatted with Presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro and proud to be one. I am also an American and I'm proud of that.

The young people of today think they have a hard lot. They should have been around in the '30's when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became a light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

We made it because we had a goal, and we were willing to work for it. Don't talk to me of your "guaranteed national income." Any fool knows that is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes nobody—black or white—a living. God helps the man who helps himself!

Now then, don't get the idea that I didn't grow up hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beast bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple minded.

Sure, I despised the white who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

Granted, the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: If we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hatemonger . . .

There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome?

And then there is the element that calls for a return to Africa.

For my part, Africa is a great place to visit but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the iron curtain area, O.K. by me. But I'm not going to go to any part of Africa to live. I'm proud of my ancestry and of the country that spawned my forefathers. But I'm not giving up my country. I fought all my life to give my children what I'm able to give them today: a chance for development as citizens in the greatest country in the world.

I do not for a moment think that any truly responsible Negro wants anarchy. I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Cains and Abels, that's our choice. We can't blame God for it.

Something must be done to reach the Negroes and the whites in the ghettos of this country, and I propose to do something.

As a matter of plain fact, I have been doing something for the last several years. I have been running a program which I call the A. B. C.—Any Boy Can. By teaching our youth, black, white, yellow and red, what dignity is, what self-respect is, what honor is, I have been able to obliterate juvenile delinquency in several areas.

I would now expand my program, change scope. If any boy can, surely any man can. I want to take teams of qualified people, top men in their fields, to the troubled areas of our cities. I know that the people who participated in the recent riots, who are participating, and who will participate, are misguided rather than mad.

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start Operation Gardener. I invite the respected Negro leaders of our country to join me.

Three Maryland Soldiers Killed In Action in Vietnam

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. LONG of Maryland. Mr. Speaker, Sp4 John A. Greenfield, Cpl. McDonald E. Boyce, and Sp4 Francis G. Gray, three fine young soldiers from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memories by including the following article in the RECORD:

THREE MARYLAND SOLDIERS KILLED IN ACTION IN VIETNAM

Three Maryland soldiers—from Baltimore and Charles and Anne Arundel counties—have been killed in action in Vietnam, the Defense Department announced yesterday.

The Baltimore soldier was Cpl. McDonald E. Boyce, son of Mrs. Doris B. McCoy, of 4907 St. Georges road.

Mrs. McCoy said she had been told her son died of gunshot wounds Sunday while fighting in the Delta region of South Vietnam. He had been there since December. In his last letter home he said he was expecting soon to have a rest and recreation leave in Hong Kong, she said. From his letters, it appeared that he "was doing fine," she said, adding that her son was looking forward to finishing his two years in the Army and then completing work for a high school diploma.

Corporal McCoy was drafted into the Army in January, 1967, after working for the Pennsylvania Railroad.

He had attended Dunbar High School through the twelfth grade, but did not get his diploma because he needed to make up one course, Mrs. McCoy said.

Besides his mother, the 21-year-old soldier is survived by a brother, Private Gerald Boyce, who is home on leave from the Marine Corps before reporting to Camp Pendleton, Cal., and by his stepfather, William McCoy.

The Defense Department also listed Spec. 4 John A. Greenfield, son of Mr. and Mrs. Joseph L. Greenfield, of Hughesville, Charles county, as killed in action.

Spec. 4 Francis G. Gray, son of Mr. and Mrs. George R. Gray, of Gambrills, Anne Arundel county, who had been listed as missing in action, was relisted as killed in action, the Defense Department said.

After Vietnam—Report of the U.S. Chamber of Commerce

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. REUSS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following conclusions and recommendations of the report prepared by the ad hoc Committee on the Economic Impact of Peace After Vietnam of the Chamber of Commerce of the United States:

At 3 per cent of the GNP, the economic drain on the United States of the present scale of military operations in Vietnam is not enormous; but it is appreciable. If deescalation is not to distort the economy needlessly, peace adjustment plans should be prepared now by all the parties involved—the Federal Government, States and localities, and business itself.

Deescalation in Vietnam may occur suddenly or gradually and under varying conditions in the U.S. economy, ranging from inflation and strained capacity output levels to recession with or without price rises. The overall policy response to reduced Vietnam spending should vary, depending on and tailored to the state of the economy. Assuming a best-judgment cutback in defense spending of $20 billion in 1968 extending over a period of a year and a half, the GNP would probably drop by only 3 per cent even if no economic policy offsets were instituted; but certain industries would be heavily affected. Reductions in military purchases of aircraft, ordnance, missiles and weapons would make up close to 60 per cent of the total decline in defense orders. But defense-related research and development would probably be unaffected. Four-fifths of the cuts in defense procurement would be in the durable-goods sector of the economy. This sector, and the industries supplying inputs to it, such as the aluminum, copper, special metals, and steel industries, would bear the brunt of the deescalation adjustment.

CONCLUSION

The monetary and fiscal policy responses to the national income and employment effects of Vietnam deescalation should be adapted to the rate of deescalation and to the state of the economy. The expected size of defense spending reductions, even if deescalation is sudden, lies well within the range of manageable experience with general monetary and fiscal policy initiatives. Monetary policy adjustment and an immediate tax cut are to be preferred to spending increases as adjustment devices to offset deflationary effects of deescalation because they take effects across-the-board and quickly.

Recommendation No. 1: An across-the-board reduction in income tax rates combined with an easing of monetary policy, initiated at the start of deescalation, are the preferred tools to offset deflationary effects of reduced defense spending in a stable economy.

Recommendation No. 2: Fiscal and monetary measures to offset deescalation effects should be adapted to the rate of defense spending decline and to the state of the (currently inflated) economy. A best-judgment estimate of a cutback in defense spending on Vietnam in 1968, of $20 billion extending over a period of a year and a half, would call for monetary and fiscal politicies consistent with ending the current inflationary trend of prices and returning the economy to a path of high-employment, sustainable growth along its potential with balance in its international payments. If the economy is still overheated at the time of deescalation this might mean that no offsetting fiscal or monetary measures will need be taken. On the other hand, if the economy is slowing down either a rescission of any surcharge on income taxes or an across-the-board tax cut would be called for.

The overall primary civilian employment impact of the Vietnam buildup of $20 billion over the two-year fiscal period 1965–67 has been estimated at between 1 and 1.4 million new jobs. California, Texas, Pennsylvania, Missouri, Maryland, New Jersey, Virginia, Connecticut, Illinois, and Georgia, in that order, have experienced the largest growth in primary contract employment. The distribution of subcontracting business changes this listing somewhat, in part through the substitution of other States, such as Massachusetts and Ohio, for certain States in the first listing, such as Missouri and Maryland.

CONCLUSION

Corporate business in States with an above-average defense related employment will be seriously affected by a defense cutback of $20 billion over a period of 1-1½ years. California, Connecticut, Illinois, Maryland, Missouri, New Jersey, Pennsylvania, Texas, and Virginia fall in this category.

Recommendation No. 1: Local groups with business leadership should take the initiative in establishing planning and liaison committees to respond to defense cutbacks and to obtain the conversion counseling of the Departments of Defense and Commerce, including the financial assistance provided for small business firms. These firms and communities should also familiarize themselves with the economic impact studies of the Arms Control and Defense Agency and determine the extent to which earlier community adjustment programs involved in these studies relate to their own circumstances.

Recommendation No. 2: Corporate business should take the initiative by undertaking its own survey of defense-based employment in each labor market of those States with above-average defense employment, coordinated by State and local chambers of commerce. If they have not already done so, such States should start to plan offset programs now, as have California, Connecticut, and Pennsylvania. Business leaders from the most heavily affected communities and representatives from all three levels of government should develop offset programs with the Federal government serving in an advisory capacity. The offset programs should emphasize to the greatest possible extent the use of systems analysis of problems and proposed solutions.

Recommendation No. 3: The Government should settle defense contracts quickly, especially those with firms in the most heavily involved defense industries—aircraft, ordnance, communications and electronic equipment.

Recommendation No. 4: Corporate business should take the initiative, in cooperation with State and local chambers of commerce, to improve the efficiency of job markets through such measures as (a) supporting multi-skill training; (b) upgrading skills in their own plants; and (c) establishing "pools" of trained workers.

Recommendation No. 5: Defense contractors should establish an "early warning" system to alert their subcontractors to procurement cutbacks.

The estimates of total unemployment that would be caused by defense cutbacks obscure the fact that the job skills of the persons released from defense industry would often differ from the skills required in new job openings. The most substantial decline in defense employment would be among operatives who would account for almost three-tenths of the employees released from defense industries.

CONCLUSION

The largest net decrease in employment brought about by deescalation is likely to be among blue collar workers who are less mobile, geographically and occupationally, than higher skilled workers.

Recommendation No. 1: Except as to returning servicemen, for whom a special program might be appropriate, each State should be encouraged to extend the duration of unemployment benefits on a State-by-State basis whenever the unemployment conditions in each State warranted, e.g., when insured unemployment exceeded a critical limit of benefit exhaustion.

Recommendation No. 2: The education provisions of the existing G.I. Bill should be broadened to include job-related instruction in basic skills for Vietnam veterans.

Recommendation No. 3: Business through its local chambers of commerce in high defense impact communities should establish local job registries to which firms with defense contracts could report information on their blue collar workers about to be displaced by defense cutbacks. Business in cooperation with State chambers of commerce should collect and transmit these data on request to intra-State firms seeking such workers.

Recommendation No. 4: Labor and management should cooperate to encourage workers to continue their educations. Federal, State and local adult education programs should give emphasis to the unemployed or those in danger of unemployment because of educational deficiencies as in the Denver, Colorado, Opportunity School program, for example.

Recommendation No. 5: Through its trade associations and in cooperation with educators and professional organizations, business should design more realistic hiring standards adapted to helping provide employment opportunities for "hard core unemployables."

Recommendation No. 6: Labor unions should apply uniformly their membership and apprenticeship requirements, especially as regards non-white workers, to accelerate the assimilation of teenage and minority-group workers into the work force.

Escalation of the Vietnam War came at a time of vigorous debate regarding the use of our "economic growth increment," epitomized in Great Society programs. The conflicting demands of a war economy have only temporarily postponed renewal of this debate which can be expected with the advent of peace in Vietnam. If it is to contribute productively to this debate the business community must plan now for more involvement in the solutions of socio-economic problems.

CONCLUSION

Rather than resulting in economic stagnation, deescalation might as likely result in inflation unless balance is sought in pursuing our national objectives.

Recommendation No. 1: Care must be taken that the monetary and fiscal policy accompanying deescalation does not overstimulate the economy.

CONCLUSION

The economic prospect for the decades ahead is for further economic growth and rising affluence. The United States could be entering the golden age of its urban civilization. This is the promise of the new technology, higher levels of education, a bigger and better trained labor force, and the continuing revolution in management science through our enterprise system. In order to achieve new national long range goals such as improving the quality of the environment and our urban areas, it is essential that national policy be aimed at a moderate increase in economic growth.

Recommendation No. 1: Government tax policy should be aimed at improving investment incentives through such measures as lowering the corporate income-tax rate and providing more liberal depreciation allowances.

Recommendation No. 2: In view of the high and rising incomes of a majority of the population and the likelihood of increasing savings, emphasis in government policies should be placed on investment incentives to achieve a moderate increase in economic growth rather than on greater immediate consumption. For greater effectiveness, programs to alleviate poverty should concentrate on human investment outlays that raise the productivity and the sense of dignity of the poor.

CONCLUSION

To achieve our growth potentials and maintain the flexibility of our remarkably productive and responsive social and economic system, both government and business should seek additional ways for more business involvement in meeting social needs and solving "public" problems. The opportunity provided by competition for more innovation and more cost-effectiveness in meeting the growing demands for collective goods is a promise, as yet only slightly exploited, that could reverse the half-century trend of government as a rising share of our total economic activity. Government alone is incapable of meeting the challenge of our future age of creative urbanism; but private industry with its organizing skills, its pools of highly educated and effective professionals, and its flexible response to technological change can be adapted to meet the demands of new national long-range goals. The conclusion of the Vietnam military effort would present the nation with a signal opportunity to make major progress in meeting the domestic challenges of urban ghetto problems. But the attack on these problems must not be delayed if the Vietnam war is prolonged.

Recommendation No. 1: Business should take a larger and more active role in helping to solve problems involving collective wants.

Recommendation No. 2: The business community should assume more responsibility both in dealing with the present urban ghetto problem and in meeting the long range demands to rebuild our cities.

Recommendation No. 3: To develop businesslike solutions to urban ghetto problems,

a number of preliminary steps are necessary, such as: more adequate employment data; manpower programs that offer basic education and skills leading to jobs in the competitive labor market; upgrading the ability of public schools to teach the culturally deprived; enforcement of up-to-date construction codes for housing; and provision of more public transportation to serve central city areas.

Something Is Wrong

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. SKUBITZ. Mr. Speaker, I would like to have inserted in the RECORD an editorial from the Wellington, Kans., Daily News of April 15, entitled "Something Is Wrong," and a record published by Warner & Swasey of Cleveland concerning amounts our Government has been authorized to give or "loan" to other nations from 1945 through 1966. The source of the figures in the second article is the Agency for International Development, and the article is entitled "No Wonder We're Broke—And Getting Worse."

I cannot vouch for the accuracy of all the figures in the two articles. I know some of them are absolutely correct. But both articles pertain to matters that should make every Member of Congress stop and ponder for a moment.

The articles follow:

[From the Wellington Daily News, Apr. 15 1968]

SOMETHING IS WRONG

(Author unknown)

Hey Uncle, How much does it cost to rear a child?

You allow us taxpaying parents only $600 a year to feed, clothe, house and train a youngster. In your Federal Government Job Corps you spent seven thousand dollars a year!

Now, which is the correct figure? Either we're allowing you too much or you're not allowing us enough.

You allow taxpaying parents a six hundred dollar deduction for the care and feeding of each child—

Yet under the Cuban Refugee Program you assume minimal upkeep requires $1200 a year—and if the Cuban boy or girl is attending school—an extra $1000 a year.

How come you shortchange the homefolks?

In the austere environs of a federal prison, you have discovered that it costs—to maintain one person, with no frills, no luxuries, and no borrowing Dad's car—$2300 per year!

By what rule-of-thumb do you estimate that Mom and Dad can do it for one-fourth that amount?

Under Social Security, you will pay $168 a month to maintain the elderly. What makes you think we can maintain our youngsters on $50 a month?

And, Uncle, your Vista Program (Volunteers in Service to America) spent $3.1 million this last fiscal year to turn out only 202 trainees. That indicates that the cost of maintaining and training youth for one year is more than $15,000.

How come we taxpaying parents get an exemption of only $600 to maintain and train one youth for one year?

Or let's see how much you spend upkeeping one youngster in military uniform. House $55.20 a month, Food $30.47 a month, clothing upkeep, $4.20, that comes to $1,076.04 a year.

How in the world do you expect parents to provide all these things, plus clothes, recreation, books, medicine . . . for $600 a year? With your own figures, you admit it can't be done.

It is possible, Uncle, that you expect us parents to manage more efficiently than you, because we usually do. With all our expenses, we American individuals have more than enough savings to offset our debts, you don't. With all our prosperity, you, Uncle, are still spending per year $2.9 billion more for relief than during the depths of the depression. So it may be that you are uncommonly extravagant.

But however we try to rationalize and explain you and excuse you, it is still a hurtful affront when you allow us hard-working, dues-paying homefolks only $600 a year to rear a legitimate child. . . . While you under A.D.C. will pay more than $600 a year to upkeep an illegitimate one!

NO WONDER WE'RE BROKE—AND GETTING WORSE

Here is what you, the American taxpayers, have authorized your government to give or "loan" to other nations, 1945 through 1966. This was not to win the war (you had already paid for that, too) but since the Second World War's end.

And if you think it might have been an investment in the future, look down the list and see how many dependable *friends* you can find. Yet we are still giving away more billions—billions we haven't got, billions we have to borrow (and pay interest on) to give away, billions we desperately need at home.

Here are your gifts. What has it all accomplished?

Albania	$20,400,000
Austria	1,198,000,000
Belgium-Luxembourg	2,004,900,000
Czechoslovakia	193,000,000
Denmark	920,500,000
East Germany	800,000
Finland	134,400,000
France	9,409,600,000
Germany (Federal Republic)	4,997,400,000
Berlin	131,900,000
Hungary	31,500,000
Iceland	84,000,000
Ireland	146,500,000
Italy	6,092,900,000
Malta	6,100,000
Netherlands	2,470,400,000
Norway	1,236,000,000
Poland	554,500,000
Portugal	519,100,000
Spain	2,004,300,000
Sweden	109,000,000
United Kingdom	9,044,900,000
U.S.S.R.	186,400,000
Yugoslavia	2,863,900,000
Europe regional	2,735,000,000
Australia	275,300,000
New Zealand	27,700,000
Trust Territories of the Pacific Islands	125,400,000
British Solomon Islands	400,000
Tonga Island	300,000
Canada	36,300,000
Vietnam	4,590,100,000
Burma	100,600,000
Cambodia	341,100,000
China (Republic of)	4,899,500,000
Hong Kong	41,900,000
Indochina, undistributed	1,535,200,000
Indonesia	834,600,000
Japan	3,972,900,000
Korea	6,676,700,000
Laos	473,400,000
Malaysia	47,500,000
Philippines	1,925,000,000
Ryukyu Islands	340,600,000
Thailand	1,089,200,000
East Asia regional	731,800,000
Afghanistan	346,400,000
Ceylon	$101,500,000
Cyprus	19,300,000
Greece	3,749,400,000
India	6,769,200,000
Iran	1,752,000,000
Iraq	102,700,000
Israel	1,104,500,000
Jordan	572,800,000
Lebanon	87,900,000
Nepal	97,800,000
Pakistan	3,079,800,000
Saudi Arabia	209,100,000
Syrian Arab Republic	73,300,000
Turkey	5,039,800,000
United Arab Republic (Egypt)	1,133,300,000
Yemen	41,800,000
Central Treaty Organization	52,800,000
Near East and South Asia regional	1,082,300,000
Argentina	758,600,000
Bolivia	460,600,000
Brazil	3,185,700,000
British Honduras	4,400,000
Chile	1,242,200,000
Colombia	834,800,000
Costa Rica	149,000,000
Cuba	52,100,000
Dominican Republic	320,100,000
Ecuador	279,600,000
El Salvador	108,100,000
Guatemala	209,200,000
Guyana	24,400,000
Haiti	108,800,000
Honduras	88,500,000
Jamaica	44,300,000
Mexico	1,068,200,000
Nicaragua	133,100,000
Panama	173,000,000
Paraguay	106,200,000
Peru	678,900,000
Surinam	10,100,000
Trinidad and Tobago	52,200,000
Uruguay	119,400,000
Venezuela	392,200,000
Other West Indies	3,700,000
Regional	83,100,000
Latin America regional	997,600,000
Algeria	179,400,000
Botswana	7,400,000
Burundi	6,700,000
Cameroon	27,200,000
Central African Republic	3,500,000
Chad	5,500,000
Congo (Brazzaville)	2,200,000
Congo (Kinshasa)	351,000,000
Dahomey	9,700,000
Ethopia	317,500,000
Gabon	5,800,000
Gambia	600,000
Ghana	174,800,000
Guinea	75,700,000
Ivory Coast	28,800,000
Kenya	57,200,000
Lesotho	1,100,000
Liberia	241,600,000
Libya	220,000,000
Malagasy Republic	9,600,000
Malawi	11,800,000
Mali, Republic of	18,700,000
Mauritania	3,000,000
Morocco	584,100,000
Niger	10,600,000
Nigeria	190,300,000
Rwanda	5,500,000
Senegal	21,500,000
Sierra Leone	32,500,000
Somali Republic	52,200,000
South Africa, Republic of	150,600,000
Southern Rhodesia	7,000,000
Sudan	108,400,000
Tanzania	50,000,000
Togo	12,000,000
Tunisia	487,900,000
Uganda	21,000,000
Upper Volta	6,800,000
Zambia	36,100,000
East Africa regional	18,400,000
Regional USAID/Africa	1,300,000

Africa regional	$76,000,000
Nonregional total	6,462,800,000
Total, all countries	122,358,500,000

Source: Agency for International Development.

As we said the last time we published such a list—any sane American can write his own editorial on this subject. Or obituary.

The Press and the Bay of Pigs

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. RYAN. Mr. Speaker, many issues surfaced in the aftermath of the Bay of Pigs fiasco. One of the most important and perplexing arguments concerns the role the press played in the incident. Jesse Gordon of the Nation has called to my attention a series of responses to an article entitled "The Press and the Bay of Pigs," written by Mr. Gordon and Victor Bernstein and appearing in the fall 1967 issue of the Columbia University Forum. These letters discuss the responsibility of the press in general and in relation to the Bay of Pigs.

I commend these letters from the spring 1968 issue of the Columbia University Forum to the attention of my colleagues as a part of the historical record relating to the Bay of Pigs:

[From the Columbia University Forum, Spring, 1968]

THE PRESS AND THE BAY OF PIGS—II

As one of the opposition "consciences at work" the night *The New York Times* watered down Tad Szulc's story about the "imminence" of the Bay of Pigs invasion and reduced its play from the planned four-column headline leading the paper to a single-column head in a less important position, I should like to add a couple of footnotes to the article by Victor Bernstein and Jesse Gordon.

The authors express the opinion that it probably would have done no good for the *Times* to have "told all" on April 7, 1961, ten days before the invasion, saying that the planning had reached the point of no return. That may well be, but it also may well not be. Arthur Schlesinger Jr. in *A Thousand Days* says, in a sentence immediately following one containing the phrase "early in April," that "Had one senior adviser opposed the adventure, I believe that Kennedy would have cancelled it" (pages 258–9). The only opposition, he says, came from Senator Fulbright and himself. Schlesinger also quotes the President as having said, "You know, I've reserved the right to stop this thing up to 24 hours before the landing" (page 256). It does not seem impossible that had the *Times* printed the Szulc story as planned, the prestigious exposure of what was supposed to be a secret operation and the public outcry and pressure that probably would have followed might well have given Kennedy exactly the excuse he needed to call the whole thing off.

The President is quoted as having said a fortnight later to Turner Catledge, then managing editor of the *Times*: "If you had printed more about the operation, you would have saved us from a colossal mistake." Messrs. Bernstein and Gorden dismiss this as an attempt "to share his monopoly of wrong decisions." But Schlesinger, too, says, "In retrospect I have wondered whether, if the press had behaved irresponsibly, it would not have spared the country a disaster" (page 261). Schlesinger had no wrong decisions to share.

That word "irresponsibly" raises an additional point requiring clarification. I contend that it would not by any means have been irresponsible to print the Szulc story as written and to display it as originally planned.

On the night of April 6 when Orvil E. Dryfoos, then publisher of the *Times*, decided after consultation with Catledge and James Reston, to eliminate some material from the Szulc story and to reduce its play, Lewis Jordan, the news editor, and I not only objected but were distressed. It was the only instance of any importance that I could recall in which a publisher of the *Times* had interfered with a decision by the editors responsible for the presentation and display of the news. The next day Mr. Dryfoos, aware of our distress, asked me to come to his office so that he could explain his thinking. He said the matter had been put to him on the basis of the national interest. His motives, of course, were of the highest and he had acted on that basis. I argued that there was a distinction between the national interest and national security and that he had confused the two. I pointed out, to underscore the absence of a national security consideration, that not a single American life would have been imperiled by our original plan for presenting the news.

When matters of national security arise in a war situation or a near-war situation, there is not the slightest question about what course the press should follow. Editors cannot have the information or specialized knowledge that would allow them to dispute an official determination that the country's safety might be jeopardized. But matters of national interest are different. They may well be political issues, and one man's opinion of what is in the nation's interest may be as good as another's. The distinction is much like that between a doctor's hustling you off to the hospital for an emergency appendectomy and his suggestion that you cut down on liquor.

In matters of national interest the press has not only a proper option but indeed a bounden duty to speak up. The press must keep in mind that even the President himself plays different roles on different occasions: sometimes he is the constitutional commander-in-chief, sometimes he is the country's political leader. The organs of public information have to draw the line between the national security and the national interest and then act appropriately.

THEODORE M. BERNSTEIN,
Assistant Managing Editor, the New York Times.

Victor Bernstein and Jesse Gordon write:

"In speculating on what effect a news story might have on a President no longer able to give evidence, hindsight provides no more assurance of truth than foresight. Still, we were guilty of making the first speculation and Mr. Bernstein is assuredly entitled to his. We continue to prefer our own line of reasoning. If Mr. Schlesinger scores for Mr. Bernstein on pages 258–9, he scores for us on page 251: 'But [the President] too began to become a prisoner of events.' As if to round out this thought, Mr. Schlesinger on page 242 quotes Allen Dulles as saying on March 11, 1961: ' "Don't forget that we have a disposal problem. If we have to take these men out of Guatemala, we will have to transfer them to the United States, and we can't have them wandering around the country telling everyone what they've been doing." ' And Mr. Schlesinger comments: 'Having created the Brigade as an option, the CIA now presented its use against Cuba as a necessity. *Nor did Dulles' argument lack force*' (italics added).

"Tad Szulc, Mr. Bernstein's newspaper colleague and author of the played-down April 7 dispatch to the *Times*, put the matter even more clearly in the book *The Cuban Invasion*, which he co-authored with Karl Meyer: 'Once the original order to organize an army had been issued, and once the army became the best-known "secret" force in the world, the avenue of strategic retreat was sealed off. Like a djinn released from the bottle, the CIA's creation soon seemed to develop a will of its own' (page 100).

"Eisenhower's decision to have a Cuban force trained in Guatemala was made on March 17, 1960; American readers got the first hint of what was going on from *Hispanic American Report* and *The Nation* in November of that year; the force became a 'best-known "secret" ' after a story about the Guatemalan base appeared in the *Times* of January 10, 1961. The time for the press to have behaved 'irresponsibly'—Mr. Schlesinger's word—was not on April 7, 1961, ten days before the invasion, but in the long months between March of 1960 and January 10, 1961.

"None of the foregoing is meant to detract in any way from the admiration due Messrs. Bernstein and Jordan for the courageous position they took at the *Times* and for the validity of the arguments they advanced in support. Mr. Bernstein's distinction between the 'national security' and the 'national interest' seems particularly apt, and it occurs to us that this distinction, as it relates to the role of the press, would make a worthwhile agenda for an Arden House Assembly."

Where did Messrs. Bernstein and Gordon do their researching? In the files of the newspapers they condemned? Certainly "neither reporter took the elementary step of interviewing" one of their principal targets—Lem Jones Associates.

Had they done so they could have seen the communiqués and found there was never any mention of a Russian submarine; that nothing was ever released that referred to capture of Castro's brother, or the Isle of Pines; that nowhere was there the slightest hint of a Cuban navy revolt.

Similarly, they would have learned that even the noted historian, Arthur Schlesinger Jr., can be wrong when he "wryly intimates" that the Cuban Revolutionary Council knew nothing of our having been hired. Not only had Dr. José Miró Cardona, Council President, hired us, but Council member, Dr. Antonio Silio, former Judge of the Cuban Supreme Court, was left behind as authorized spokesman for the Council in New York City and approved every communiqué before it was released. . . .

Our agreement with Dr. Miró was that once a beachhead had been established, I personally would go in with the Provisional Government as press liaison. . . .

That old Latin-American hand, Frank McCarthy, of the United Press International, should have set *The Nation* boys straight with his statement. Of course the Guatemala training camp was old hat by the time *The Nation* caught up with it; there was recruiting openly in New York City, as well as Miami, long before *The Nation* got wise.

LAMOYNE (LEM) A. JONES.

Assistant city editor and Albany bureau chief for the *N.Y. Herald Tribune;* speech writer and press secretary for Thomas E. Dewey; press secretary to Wendell Willkie in his 1940 Presidential campaign; special consultant to the late Herbert H. Lehman, then UNRRA Director; speech writer for Jacob K. Javits in his first campaign for the U.S. Senate; member of the National Press Club, Washington, D.C., Overseas Press Club, Public Relations Society Association, Silurians, and Nacoms.

Victor Bernstein and Jesse Gordon write:

"Mr. Jones flatters himself; he was not one of our 'principal targets.' He was guilty of nothing but the relay of bits of fiction manufactured by the CIA. He alleges we exaggerated the exaggerations put out by his office. Perhaps, in some instances, we did; if so, we more than made up for it by mini-

mizing others. He chides us for not having read his communiqués. We did. *Bulletin No. 1*, issued in the early hours of the day of attack, said: 'Before dawn Cuban patriots in the cities and in the hills began the battle to liberate our homeland.' *Bulletin No. 2* said: 'Our information from Cuba indicates that much of the militia in the countryside has already defected from Castro.' *Bulletin No. 5* said: 'In spite of the continuous attacks by Soviet MIGs . . . the Revolutionary Command has completed . . . contact with guerrilla groups in the Escambray mountains.' Needless to say, Cuban patriots in Cuba stayed home in remarkable numbers; Castro's militia didn't defect any more than did the Navy; there is evidence that *no* Soviet MIGs were on the scene; and if there were guerrillas in the Escambray mountains, they must have been playing pinochle, or the Spanish equivalent. And aside from the bulletins, it should be noted that Mr. Jones' office was giving out information of like reliability to questioning newsmen, much of it via telephone.

"On another point, perhaps Arthur Schlesinger Jr. and Mr. Jones were both right: Dr. Miró may have known about the hiring of Lem Jones Associates, but not the rest of the Council—at least until after the event.

"Was there really open recruiting for the invasion in New York and Miami before Nov. 19, 1960, the day of *The Nation* editorial? If so, where were *The N.Y. Times, Daily News, Post*, etc., etc.? We thank Mr. Jones for this contribution (whether authentic or not) to the case against our principal target: the American press. We regret that the failure of the Bay of Pigs deprived him of opportunity for a well-deserved promotion."

Thank you for sending me a copy of THE FORUM containing the piece by Jesse Gordon and Victor Bernstein.

I am glad to see that it is quite detailed, and, so far as I can tell at this point, most accurate.

CLIFTON DANIEL.
Managing Editor, the New York Times.

I think it ["The Press and the Bay of Pigs"] is a perceptive and important piece of analysis, the kind of examination of the role the U.S. press plays constantly as part of the Establishment (when it should instead serve as an independent check and balance on the excesses of government) which I wish we could have more of.

LEE LOCKWOOD,
WGBH.
BOSTON, MASS.

The major fact which has not been allowed to escape to the American people is that for at least twenty years the foreign policy of the United States has been one of global counter-revolution. The Bay of Pigs was a detail. So is Vietnam. At critical moments, when it is impossible to maintain the general blur, silence and lies, as at the Bay of Pigs, are called into play. . . .

This foreign policy is contrary to the best interests of the American people as well as to the people of the world; I really do not expect the conventional press, that is to say, most of the press, to behave differently, since it is, after all, an institution of the system out of which the counter-revolutionary policy flows.

JAMES HIGGINS,
Assistant Editor, York Gazette and Daily.
YORK, PA.

I have read "The Press and the Bay of Pigs" with a great deal of interest and it seems to me the article has two failures. First, as I pointed out in a speech to the National Press Group in September of 1966, I was sitting between President Kennedy and Mr. Catledge at the meeting where the President is alleged to have made the remark that if the *Times* had printed more about the operation, "you would have saved us from a colossal mistake." While I do not question Mr. Catledge's veracity, and the President may have said this to Mr. Catledge as the meeting was breaking up, it did not represent President Kennedy's private view of the press handling of the Bay of Pigs.

It seems to me, however, that the more important question resulting from the Bay of Pigs is not even discussed in the article. That question is whether a democratic society can in fact mount a covert operation in advance of what it considers to be its national interest. The openness of our society indicates that the answer to the question is probably "no," but at a time in our history when our adversaries are resorting more and more to covert operations against us, it seems to be a subject worthy of more penetrating discussion.

I have always maintained that the concept of the Bay of Pigs was a disaster from the beginning, and that the premature disclosure of U.S. intentions by the press cannot in any way be singled out as the reason for the failure of the operation. At the same time, however, the element of surprise was withdrawn from the Cuban brigade in this matter, and as we say so dramatically this year in the Israeli-Arab war, the element of surprise is not unhelpful.

PIERRE SALINGER.
BEVERLY HILLS, CALIF.

On "The Press and the Bay of Pigs" . . . I threw my hat over the chandelier. It's splendid.

We are approaching traffic developments. There is little doubt that a bigger escalation is in the offing, that Cambodia will be the next victim, and it seems to me very likely that Johnson, rather than give up his power in 1968, will provoke China into counterintervention, and the lemmings, otherwise known as American citizens, will go rushing over the cliff to mass suicide. I hope I'm wrong.

CARLETON BEALS.
KILLINGWORTH, CONN.

Immigration Must Not Be Denied to Any Country

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. RODINO. Mr. Speaker, I have today introduced legislation to insure a continued flow of immigrants from all countries to the United States. The aims of our immigration policy have been frustrated by amendments to the Immigration and Nationality Act which have not satisfactorily bridged the transition from the discarded national origins system to the concepts set forth in the act of October 3, 1965.

I believe that U.S. immigration policy is just and fair. It is a policy based on the tenets of reuniting families giving preference to those who will contribute to our expanding society and offering asylum to refugees. This policy was implemented and given full effect when the act of October 3, 1965, became law. This act gave recognition to the dignity of the individual and repealed the national origins concept based upon place of birth as a system for selecting immigrants. This important legislation, as laudable as it was, unfortunately created certain unintended inequities. The closer July 1, 1968, approaches—the date that the act of October 3, 1965, becomes fully operative—the more obvious the shortcomings are.

This legislation, as originally proposed in Executive communications submitted to the Congress by both President Kennedy and by President Johnson, was sound. The legislation as enacted into law was deficient.

The Executive communications suggested a 5-year phaseout of the national origins system. Each country's quota was to be reduced during this period by 20 percent annually and the quota numbers freed by this annual deduction were placed in a quota reserve pool which also contained unused quota numbers from the previous year. The numbers from the pool were to be available to otherwise admissible aliens who were unable to obtain prompt issuance of visas due to oversubscription of the quotas or subquotas as determined by the Secretary of State. After 5 years all quota numbers would be allocated on a first-come, first-served basis without regard to national origin. As a safety feature, the original bills contained provision to authorize the President to set aside certain numbers which could be used to avoid undue hardship resulting from the reduction of annual quotas. In fact, a statement accompanying the Executive communication said:

> Exceptions to the principle of allocating visas on the basis of time-of-registration within preference classes are provided to deal with exceptional problems. Since some countries' quotas are now current, their nationals have no old registration on file. To apply the principle rigidly would result, after four or five years, in curtailing immigration from these countries almost entirely. This would be undesirable, not only because it would frustrate the aim of the bill that immigration from all countries should continue, but also because many of the countries that would be affected are our closest allies.

However, during the course of deliberations in the Judiciary Committee, the proposal was advanced that a phaseout of the national origins system in less than 5 years would be desirable and workable. It was also advocated that the first-come, first-served system be instituted immediately without any phaseout period.

On June 27, 1965, I introduced H.R. 9312, which provided for a 3-year phaseout period. During each of the 3 years, one-third of the annual quota of each quota area would be put in a pool. This scheme, I felt then as I feel today, would have had the effect of causing countries with large quotas to realize and fully anticipate the day when they too would have to compete on a worldwide basis for visas. By reducing such quotas annually, priority dates could have been established which, on July 1, 1968, would have led to a more equitable, reasonable and workable first-come, first-served approach.

My major concern and principal objective in considering the immigration legislation pending in 1965 was the immediate repeal of the national origins

systems. The system had been proven to be unworkable and repeal was long overdue. The repeal was accomplished, but not without some compromise in the area of the phaseout provisions. As we are all aware, a 3-year phaseout period was adopted and unused quota numbers were put in an immigration pool. However, by compromise, no part of annual quotas was deducted with a consequence that countries such as England and Ireland found it more facilitative to use their great abundance of nonpreference numbers and thus avoid a buildup of priorities under the preferences. Thus, for those countries there was, in effect during the phaseout period, business as usual under the national origins concept. There was an additional impediment to immigration from some countries, such as Ireland, because of the labor certification provision.

By guaranteeing that countries such as Great Britain, Ireland, and Germany, would not be disadvantaged by quota deductions during the phaseout period, the law only served to place these countries at a disadvantage in July 1968.

Therefore, I think the time has arrived to take direct action and call a spade a spade. We in the Congress are concerned, as are people throughout the country, about the drastic decline in immigration from Ireland and the probable decline in immigration from England, Germany, and Scandinavia. This tragedy we cannot permit. I, therefore, by my bill seek to continue the flow of immigrants from Ireland and at the same permit the Irish to create priorities over the next 2 years so that they can compete on a fair and equitable basis with other intending immigrants. I have refrained from adopting a complicated, mechanical formula which would disguise the true objectives of affording the Irish an opportunity to emigrate to the United States, as well as to decrease existing backlogs for visa issuance.

Although I recognize the need for a revised preference system and have introduced legislation to amend that system which would guarantee a more reasonable breakdown in preferences and a guarantee of visas to nonpreference immigrants, I feel that at this time when we are fast approaching July 1, we can best avoid hardship by delegating to the President authority to reserve up to 25 percent of the unused numbers from fiscal 1968 for use over the next 2 fiscal years to make visas available to prospective immigrants who unfortunately because of recent amendments to the law are denied visas. Time is of the essence and a direct approach is demanded to alleviate what may be complete curtailment of immigration from Ireland.

Therefore, to summarize the provisions of my bill:

Section 1 provides that the President may reserve up to 25 percent of the unused numbers from fiscal year 1968 for use during fiscal years 1969 and 1970, if he so proclaims, to avoid undue hardship resulting from the deduction in the number of immigrants admitted from any country.

Section 2 would make available unused numbers from fiscal 1968 for reallocation, notwithstanding the per country limitation or overall ceiling to preference immigrants on oversubscribed preference lists.

Section 3 is designed to prevent one foreign state from getting a disproportionate share of third-preference visas to the detriment of other states by providing that no country will receive more than 10 percent of the visas available under the third preference.

The Department of State estimates that at the end of fiscal year 1968 there will be approximately 70,000 visa numbers that will go unused. The American Irish Immigration Committee has indicated that there is a need for 5,000 numbers annually to meet the demands if immigration from Ireland. The authorization for the President to set aside in reserve 25 percent of the available unused numbers will satisfy the needs for Ireland as well as make numbers available to alleviate hardship from the United Kingdom, if such arises. Testimony has also been developed that under present circumstances the inequities in the disproportionate number of immigrants from some countries will level off in 2 or 3 years so long as intending immigrants proceed to register for immigration to the United States.

I think that my bill will meet the needs that exist today and overcome the discrepancies that the present law has developed. There are other bills pending before the Judiciary Committee which seek to accomplish the same aims—some increase the number of possible immigrants and others tend to reactivate the principles of national origin. I sincerely maintain that we cannot return even in the faintest degree to the national origin concept. My bill does not increase the overall ceiling on immigration but merely authorizes use of those visas which will go unissued.

Carl Sandburg, Poet Laureate, Becomes Part of the Tradition of a New York East Side School

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. FARBSTEIN. Mr. Speaker, a constituent of mine in New York City, an elementary school on the East Side, reports to me an event which is laden with a story of national interest that should inspire the public schools of our Nation and show the way with standards to be followed, and I wish to place it on record.

The event was immersed in so much good will because it happened in the midst of a series of holidays—the Lincoln and Washington Birthdays, St. Valentine's Day dedicated to mothers, and Brotherhood Week. The event itself was the dedication on February 14 of the Carl Sandburg memorial plaque at the Anna Silver School, P.S. 20, on the East Side of New York City. This is a document of immense good will which should be disseminated widely.

Aaron Fishman, the dedications chairman, writes me:

This was the 5th anniversary celebration of the new school rededicating the historic old P.S. 20. The Carl Sandburg memorial plaque was on this occasion unveiled in the presence of Kate Rodina Steichen, Sandburg's niece who came down from Connecticut to represent the family. Joining her were Dr. I. Edwin Goldwasser, the principal of sixty years ago, Benjamin Falon, the present principal and the Hon. Charles H. Silver, an alumnus and former president of the Board of Education.

The color guard presentation and the pledge to the flag opened the program using the school's traditional music of the "Coronation March" of Meyerbeer. The children now also had a chance to hear the music to the pledge to the flag which alumnus Irving Caesar had written and presented to the Congress of the United States as a gift from ASCAP.

As an In Memoriam to Carl Sandburg, a national laureate and famed biographer of Abraham Lincoln principal Falon opened the exercise by reciting a teacher to child message immortalized in Sandburg's moving poem "I Love You":

"I love you for what you are,
But I love you yet more for what you are going to be.

"I love you not so much for your realities as for your ideals.
I pray for your desires that they may be great,
Rather than for your satisfactions, which may be hazardously little.

"A satisfied flower is one whose petals are about to fall.
The most beautiful rose is one hardly more than a bud
Wherein the pangs and ecstacies of desire are working for larger and finer growth.

"Not always shall you be what you are now.
You are going forward toward something great.
I am on the way with you and therefore I love you."

("One Thousand Beautiful Things," Grolier Inc.)

A group of the children responded by reciting together some of the Sandburg poems written for children. The unveiling committee including a boy and a girl proceeded to the plaque set on an easel on the stage and unveiled it as a boy at the lectern recited the text of the plaque: *The restless and venturing human spirit of youth may perform tomorrow with exploits today called visionary and impossible. What the young people want and dream across the next hundred years will shape history more than any other motivation to be named. The walls of this school might be saying, "Youth when lighted and alive and given a sporting chance is strong for struggle and not afraid of any toils or punishments or dangers or death."* As the boy recited this text, the glee club hummed "America the Beautiful". It was alumnus Harry Golden, the biographer and neighbor of Carl Sandburg in North Carolina that obtained this statement for this school.

Dr. Mark Van Doren of Columbia University, expert on Sandburg sent a message which said, "The words of the plaque are entirely characteristic of this poet whose faith in the human race, and particularly in the younger members of it, could never be shaken. Carl Sandburg will long be remembered for the strength and beauty of his faith, as well as for the books which stated it in so many forms." Mr. Sandburg had

written to Mr. Silver that he hoped to visit with the children. He never got the chance and so his family fulfilled his promise when Kate Rodina Steichen, daughter of the world famous photographer brother-in-law of Sandburg, came over to reminisce with the children about her Uncle Carl. Sandburg had been pleased to know that this school had been dedicated to the symbol of the East Side immigrant mothers, for he too was the child of immigrant parents.

The Hon. Charles H. Silver of the Class of 1901, the former president of the Board of Education and now an assistant to the mayor delivered the dedicatory address. In his remarks he said, *"More than any other school in the city, indeed, in our nation Public School 20 welcomed the newly arrived immigrant children and the children of immigrants before and during the early days of this century. This beloved school in its old building, which many of us remember so well, taught these young people the beginning of wisdom, the joy of freedom and the privilege beyond price of being American citizens. I was one of those children, I sat on the hard benches listening wide-eyed to the story of those who founded this blessed land of opportunity and the vast promise it held for me, and I am sure that Carl Sandburg—who was a child of immigrant parents—sat on a bench very much like mine in a school that imbued him with the same spirit of devotion to our nation and gratitude for all that God gave us who dwell within its borders. It was this magical thing that is America which must have come to live in his heart and sing in his poetry.*

"I do not know what feelings move you as we welcome the first school in the nation to honor and preserve the memory of Carl Sandburg, but I feel a great pride well up within me. . . . We know that the children of today are the parents of tomorrow and that there are no limits to the enrichments of all mankind everywhere that can begin in a single classroom. . . . I recall how much it pleased my cherished friend, His Eminence Francis Cardinal Spellman, to speak at the dedication of this building, and how deeply his warm and vibrant message moved us as he stood beside me on this same stage. I seem to feel that he is here beside me now along with all the generations of our friends and alumni. . . . As long as words can live in the minds of men and move their hearts to action, this school shall be known as a shrine to the everlasting memory of Carl Sandburg and the young people he loved who will build the world of tomorrow."

It was Grace M. Mayer of the Museum of Modern Art who acted as liaison for us with the Sandburg family in North Carolina and the Steichen family in Connecticut. Edward Steichen, world famous photographer, close friend and brother-in-law of Carl Sandburg was preparing for our permanent Sandburg exhibit at the school one of his photographs of the Sandburg Profiles.

U.S. Senator Jacob K. Javits of the Class of 1917 had been asked to approach President Johnson for a letter addressed to this dedication meeting since he thought so highly of that "vital, exuberant, wise and gentle man" Carl Sandburg whom he memorialized at the Lincoln Memorial. The surprise of the day came when the White House sent a large picture in color of President Johnson with Carl Sandburg which the president inscribed to the children of the school. The principal acknowledged this gift by sending a picture of the unveiling and a copy of the Sandburg poem "I Love You" which the children wanted dedicated to Patrick Lyndon Nugent, the president's little grandson.

Principal Benjamin Falon announced that "Because there is an everlasting affinity between Carl Sandburg and the philosophy of the Anna Silver School P.S. 20 it is fitting and proper that we honor his memory by establishing the Carl Sandburg Memorial Prize. This will be awarded annually to the student who captures in the words of an essay or who typifies, by his own personal conduct, the character and qualities of that great poet of our people whom President Johnson called "this vital, exuberant, wise and gentle man."

If the children of the community needed hero images what better ones to meet than some of the honorees of the school's Hall of Fame in person. Presented to them were Ralph D. Cole who followed an Alger story career by entering his company as an errand boy to become the president of one of the largest lithographing companies in the country, a leader among the Friends of the University Settlement, and a member of the Education Council of the Graphic Arts Industry. Ben Bloom music publisher who left school to join George M. Cohan's musicals and later helped Irving Berlin establish his publishing company. George Gershwin recognized him as the person who gave him his first job in the music business. Bloom is an executive of ASCAP. Jack Kamlet became an important industrialist and the perpetual reunion chairman of the alumni. B. Leonard Slade is a member of the Corporation Counsel's office and Harry Perlis is an officer of the Department of Correction. Stanley Goldstein is the acting principal of the Stuyvesant Adult School.

Also presented were Irving Metz the executive director of the Hebrew Technical Institute and the Chairman of the Alumni Scholarship Fund. Israel Cummings has acquired the title of the Man Who Never Forgot because of his deep concern about the East Side from which he came. He had to quit school to help his family, but the problems of dropouts became his principal concern. A wealthy woolen mill owner, he has built summer camps for the aged, a recreation hall and a gymnasium. For his services to the Navy he has been cited by the NY Council of the Navy League.

Other prominent students who attended the school in the past are George and Ira Gershwin, U.S. Senator Jacob K. Javits and his brother Benjamin who endowed the Halls of Law of Fordham University. From the theater are Paul Muni, Edward G. Robinson, Ely A Landau, and Irving Jacobson. Lyricists are Arthur and Irving Caesar. Judge Samuel S. Leibowitz of Scottsboro fame, Simon Silver of the criminal court and Surrogate Samuel J. Silverman are outstanding jurists; Rabbi Dr. William F. Rosenblum was an important community leader.

Paddington Corporation president Charles Guttman has endowed buildings for the Henry Street Settlement and the Beth Israel Medical Center and scholarship funds for the alumni association. M. Jason Gould has established scholarship prizes at City College. Irving Maidman is the famous builder of hotels and theaters. Philip Greene is a banker. William Lustgarten is an international shoe industrialist and a past alumni president. George Levy who at 93 is our oldest living graduate and a Spanish American War Veteran sent his message urging that the children take pride in their Americanism.

Two octogenarian friends of the school took part in the program with their humor—Humorist Harry Hershfield and Comedian Joe Smith of the theatrical team of Smith and Dale. For the opening exercises five years ago the poet Theodore Reade Nathan wrote a poem for the school called "East Side Mother." On this present occasion Joe Smith was inspired to write one "From the East Side Mothers" urging the children to obey their teachers.

A highlight of the day was the number called the Ecumenism of Song by which device children of Chinese, Negro and Puerto Rican background who are in the glee club sang songs of each others cultures. It was also moving to hear these children, colorfully costumed sing "Sabbath Prayer" (Fiddler on the Roof) just as our immigrant mothers might have as they prayed over the Sabbath candles and asked the Lord to protect the family. It would be good for the children to absorb the influence of that concept.

When they sang "To Dream the Impossible Dream" which alumnus Irving Jacobson as Sancho Panza sings in Man of La Mancha the glee club leader explained that the theme of the play was the same as the school's ancient slogan Per Aspera Ad Astra which spoke of 'reaching the unreachable star'. The glee club program was prepared by Stanley Stern. Lawrence Mendelowitz directed the children's string orchestra to which gifted children were admitted, Judith Glotzer and Catherine Marx assisted. The program was radio broadcast over Station WHN.

What should be the function of an alumni association on an elementary school level? Such an association is a rare phenomenon since we think of such an association on a university level. The impact on the very young and the important good that can be done speak highly for it. "That the school community involve the cooperation of school, parents and alumni to develop happy students measuring up to desirable school standards; to preserve the school's traditions and to interest alumni in projects that will benefit the children; to implement programs of Americanism and Brotherhood and an appreciation of the cultures of other nations."

It would be noteworthy to inquire into the tradition of which these alumni are so proud. The alumni made a shrine of this new school—the repository of the school's tradition. They commissioned Lumen Martin Winter, the internationally famous muralist to create the mural which tells of the immigrant background of the students of the past and of their integration into Americanism, Brotherhood and Democracy. It contains the Kennedy statement "America is a nation of immigrants—descendants of immigrants." The alumni are immigrant conscious and they expect to take a hand in the development of the Immigration Museum which is being established at the Statue of Liberty National Monument. The Emma Lazarus statement "Give Me Your Poor, Your Tired, Your Huddled Masses Yearning to Breathe Free" is dramatically illustrated in the mural. The school's anthem of brotherhood "Behold How Good and How Pleasant It Is For Brethren to Dwell Together in Unity" is embedded in the mural. Its Latin version Ecce Quam Bonum is the theme of the alumni awards concept.

To preserve the tradition of their famous alumni they spent some years of research to establish the Hundred Best Names in the History of the School. The Ecce Quam Bonum Hall of Fame Tablet which hangs in the school corridor says, "This Tablet Honoring Those Who Have succeeded in Their Vocations and Have Served the Community, Is Intended as an Inspiration to Future Generations in Knowing That They Share a Tradition With These Alumni."

Exhibit cases contain examples of the achievements of alumni. Legends mounted in brass on the walls contain inspired statements of Ralph Waldo Emerson, John F. Kennedy, Abraham Lincoln, and Charles H. Silver. And now with the addition of the Carl Sandburg plaque in place, Harry Perlis, a former president of the alumni has succeeded in having the corridor containing all these gifts named The P.S. 20 Alumni Hall.

There is being established here a permanent Sandburg exhibit. The alumni had the opportunity to learn more about their friend from North Carolina when they watched Alex Reed, Barbara Berjer and Garry Hearne perform in the play "The World of Carl Sandburg" which Lee Foley directed. There they were charmed by the many faceted personality, the humorist, folk singer, poet, and above all the wonderful humanitarian that was Carl Sandburg. The alumni have also indicated an interest in establishing in North

Carolina as a national historic site the home of Carl Sandburg and they are happy to learn that Senators Sam J. Ervin and B. Everett Jordan of North Carolina have already initiated this step.

It is interesting to note that practically all of the alumni have moved away from the East Side but their loyalties have remained with the community in which their historic school was located. Harry Perlis observed that in our day the school population was predominantly Jewish and Italian, and that it is now Spanish speaking, Negro, Chinese, Albanian, and Yugoslavian. "If any of us thought of the children of our ancient school days as superior, we have changed our minds. We are convinced that 'kids are kids' and these children of this school, given similar opportunities will turn out as good," he says.

The alumni feel that some of their experience in living merits being passed on to their school successors. The statement may be above the level of immediate comprehension of the children. It is desired that the quality of the language be preserved and so it is expected that the teacher will clarify and explain and obtain the child's reaction to it. "The death of the dignity of a human being and the disintegration of pleasant human relations begin with any act of taking another for granted. Suffice it to say that it is unethical and unjust to do so, but let us add that it is also impractical because of the likelihood of discouraging continued courtesies and good will relations. If the act is not one that is due you, then it is an act of kindness and you must treat it as such and make your appreciation known of another's talents and abilities and his efforts for the common good. And do not take for granted the wonders of science and nature around you. Retain some wonder about them. When you cease wondering about them you deprive yourself of the thrills they hold."

Let us add the admonition of Charles H. Silver which the press has seen fit to editorialize—"Maybe we do not know all the answers to the problems of delinquency . . . but we know that the regard that we had for our teachers and the love we had for our parents made a great difference in our lives." It was Mr. Silver's mother Anna Silver for whom the school was named as a symbol of the East Side Mother.

Prior to the Sandburg dedication program, the faculty convened for its annual luncheon as guests of Charles H. Silver. It was attended by the Board of Education Superintendent Dr. Bernard E. Donovan, Associate Supt. of Public Relations Jerome G. Kovalcik, District Supt. Theresa G. Rakow, P.T.A. President Gloria Medina. In their presence Principal Falon presented the year's community award for the interest shown in the children, to the Alumni Association. It was accepted by Judge Simon Silver, the current president of the alumni, standing in for Nathaniel Phillips, the association founder and old time teacher. They have planned a faculty and alumni reception to Dr. I. Edwin Goldwasser, the principal of sixty years ago whose 90th birthday is a matter of some months. A flood of greeting cards reached Herman Brown their athletic director and cherished teacher on his 80th birthday. The Boys of Twenty are sensitive about their tradition. "A Teacher Affects Eternity; he can never tell where his influence stops." (Education of Henry Adams)

Rockefeller and the Extremists

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. ASHBROOK. Mr. Speaker, it is not trite to say that in this day and age some people will do almost anything to get votes. Those who go a little bit too far are often labeled as extremists. Gov. Nelson Rockefeller has thrown the word "extremist" around about as loosely as anyone in the past few years. We all recall his 1964 odyssey into that Neanderthal realm. He wildly attacked the Young Republican organization prior to that for what he termed "extremism."

Surprise—or is it no surprise—of the year comes in seeing Governor Rockefeller walk arm in arm with one of the most extreme black racists in America. George Lincoln Rockwell would have looked like a piker compared to Governor Rockefeller's march buddy, Charles Kenyatta.

The House Committee on Un-American Activities has recorded some of the credit lines of this advocate of lawlessness and murder. He has been head of the Mau Mau Society which is a bedfellow of RAM, one of the most dangerous of the black militant groups. Charles Kenyatta started his lawbreaking career as Charles Morris. When he was a Black Muslim he took the name Charles 37X. He has a long record of arrests and convictions for various criminal activities, including a sentence of 6 to 7 years for robbery. He got a discharge from the U.S. Army for being AWOL, escaping confinement, and so forth. A real leader, you might say.

What are some of the views of this man with whom Governor Rockefeller walked arm in arm in a New York parade? He was recently asked what he thought about the RAM plot to assassinate Roy Wilkins and Whitney Young. He replied:

> Roy Wilkins can't go among his own people now. It would be a waste of time to kill them.

Asked about riots, this new found buddy of the New York Governor said:

> There is no such thing as riots. A revolution is when what's at top has to go to the bottom.

Asked if he believed in assassination and thought it were necessary, he noted:

> You use any means necessary.

Asked next, Is assassination necessary? he answered:

> How did Stalin get to the top? How did Mao Tse-tung get to the top? Long live Mao Tse-tung. People in the country are scared of revolution and they do anything to suppress it.

Asked if his Mau Mau possess weapons, he said:

> The only way to gain freedom is through a barrel of a gun.

To the query, Do you say that Negro youth should take machetes and slay moderate Negro leaders?—because Charles Kenyatta frequently runs around the streets wearing a machete—he said:

> They must take machetes and destroy Uncle Toms. When the Government does not represent the people, the people must rise up and overthrow the government.

There is much more to tell on Charles Kenyatta. His slogan is "Let's Use Black Force Now." The New York Governor has had a word or two to say about his ideas of extremism in the past. I cannot help but wonder whether Charles Kenyatta, the man he marched arm in arm with in New York City, is, to use the modern brainwashing phraseology, "just a moderate."

National Narcotic Addiction and Drug Abuse Hospital Centers

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. GALLAGHER. Mr. Speaker, the problem of drug abuse in the United States has reached alarming and terrifying proportions. I was shocked to learn recently that the total number of drug addicts in this country has risen from 59,720 in 1966 to an alltime high of 62,045 last year.

The misuse of drugs by young people particularly has reached epidemic stages in some areas. The illegal use of narcotic drugs by hardcore addicts is on the increase, keeping step with the continuing mass migrations to the already overcrowded urban areas. The President recently predicted that by the year 2000 there will be 40 million more people living in our cities. All indications point to an increase in drug addiction along with increased city populations.

One of the aspects of the drug abuse problem in this country that has caused the greatest sense of frustration and inadequacy is the rush of the new generation to the hallucinogens, like LSD, STP and marijuana. The little we know today about the after-effects of some of these drugs should itself act as a strong deterrent. But the real danger of LSD, DMT, Speed and the others is that there has been far too little actual research into the effects of use on the human body and the reproductive system. Initial investigation by widely respected scientific institutions—the University of Oregon and the New York State University of Medicine—shows that continued use of LSD may damage and disrupt the chromosomes and genes. I would liken taking of LSD today to deliberately exposing oneself to radiation 40 years ago when the effect of radiation exposure was relatively unknown. As later scientific evidence has shown, radiation causes rapid and sometimes horrible mutations in future generations. Radiation exposure, at levels considered safe in 1930, can now be attributed to shortened life, leukemia, and death.

The newspapers recently reported the case of a young mother, having taken LSD at regular intervals for many months, who cut out the heart of her 3-year-old son with a broken soda bottle. This is only a glimpse into the possible effect that these drugs can have on the human mind. Perhaps her mind was already deranged, but the use of the drug was certainly the catalyst and prime moving force behind her irrational and depraved act.

Those who are most susceptible to emotional and psychological mishaps are the very people who seek out and use these drugs. As Look magazine recently pointed out:

Disturbingly, these "bad trips" and "freak-outs" are most likely to happen to people who are most likely to want to try LSD: the young, the emotionally immature or unstable, the deeply distressed and borderline schizophrenics. Psychiatrists and LSD researchers usually exclude such persons from therapy and experimentation. Black marketeers, however, apply no such exclusion.

The claims of LSD users that some miraculous mind expansion takes place, enabling the user to see how the "real" world looks, is simply discredited by the facts. As the New Republic said recently:

Most of the few objectively recorded artistic (painting-poetry) post-LSD performances have been less than mediocre.

Mr. Speaker, there is a very real need for laws to deal with those who pander to this dangerous fad and there is a need for penalties to discourage and deter people from using these drugs. The President has wisely called for strict measures to furnish those who sell and distribute drugs like LSD and marihuana and for less severe penalties for those who possess and use these drugs. I am fully in support of these measures and I fully support the President's call for this legislation. But I also believe that we must work toward a method of expunging these notations from police records for the very young, after a certain period of time and depending on future conduct. These detrimental notations are capable of saddling a young person with a stigma that in the future can perhaps burden every application for a job, a promotion—a chance.

Of equal seriousness and danger is the growing inability of this Nation to combat effectively on a nationwide scale the growing numbers of narcotic addicts. The increased use of marijuana, combined with the steady migration to the cities will almost certainly bring a continuing upward spiral in numbers of narcotic drug users. Almost all authorities agree that marijuana is a very probable stepping stone to the use of physically addictive drugs—heroin, morphine, and cocaine. As Dr. Harry Anslinger, U.S. representative on the United Nations Commission on Narcotic Drugs, said:

The histories of heroin users show that almost all of them first used marijuana . . .

The California Youth Authority and the Institute for the Study of Crime and Delinquency kept tabs on a large number of juveniles arrested in Los Angeles in 1960 and 1961 for using nonopiate drugs. The institute recently reported that the majority, 58 percent, experienced no subsequent arrest; 38 percent were arrested again for marijuana and LSD offenses; and 12 percent were subsequently arrested and convicted of using opiates, such as heroin and morphine. Mr. Speaker, if only 12 percent of those who experiment with marijuana become addicted to hard drugs, this country is in for an addict explosion of undreamed of proportions.

Mr. Speaker, we live in an age of scientific miracles. We are conquering and explaining in rapid succession the mysteries of life. We can transplant human organs and have cracked the very life code of our species, yet, we have been unable to effectively solve one of man's oldest plagues—the horror and timeless affliction of drug dependence.

During a recent hearing before a Subcommittee of the Government Operations Committee on creating a Bureau of Drug Abuse Control, Dr. Walter E. Barton, Medical Director of the American Psychiatric Association, said:

The treatment of drug addiction is a medical problem. The care of narcotic addicts should be put under the aegis of medical authorities whereas the problems of importation, regulation and the traffic of drugs should be the continued responsibility of law enforcement agencies.

I concur and share Dr. Barton's concern for the treatment of narcotic addiction. The landmark Narcotic Addict Control Act of 1966, passed by the 89th Congress, is a recognition of the need to approach drug abuse and addiction from the combined and coordinated medical-legal angle.

In response to the increasing recognition that a solution to the age-old problem of narcotic addiction will only come by treatment and education combined with law enforcement, I am introducing today legislation to authorize sufficient funds to establish a series of Federal narcotic and drug abuse treatment and research hospitals throughout the United States. Each hospital shall provide facilities for a continuing in-hospital population of 1,000 addicts, together with such facilities necessary to provide post-hospital and out-patient care for additional addicts. Each hospital will have research facilities for studies relating to the physical and psychological causes of drug addiction and abuse and to the treatment and care of drug addicts and users.

I feel that as a start we desperately need this type of a Federal hospital in or near each of the large centers of drug addiction—Chicago, Detroit, San Francisco, Washington, and New York. Probably the New York area, and this includes New Jersey, will require two of these hospitals.

Mr. Speaker, this legislation does not contemplate abandonment of other Federal, State, and local efforts to combat and cure drug addiction. For example, both Hudson and Union Counties in New Jersey have very fine and well-functioning narcotic control clinics presently operating. Rather than obviate the need for these efforts, I contemplate and foresee the need to expand these programs in the future to work smoothly and effectively with the central Federal hospital.

Mr. Speaker, drug addiction and drug abuse are national problems crossing every jurisdictional line and the nationwide menace grows with every day that passes. The solution demands that we act on all levels of government and in conjunction with privately sponsored programs and research. It is my feeling that the Federal Government has not done enough in the area of treatment.

The false lure of drugs and narcotics has been called the next sin in line after the original sin. Homer's "Iliad" describes the cup of Helen as "inducing the sense of evil" and a Sumerian tablet describes an herb, thought to be opium, as "the joy plant." Man in his frailty and susceptibility to failure will never be completely free of the menace of drug dependence. But, we, as men, can contribute to saving those who fall and have fallen by treatment and by research into new ways to treat and prevent addiction. Only in this way can we begin to break out from the crushing circle of drug abuse.

The Federal Government is moving swiftly toward a coordinated and concentrated system of law enforcement in the field of drug abuse and addiction. This legislation will allow the medical and psychological treatment—the human function—to catch up. We can control this drug dilemma only by balancing our attack and mellowing our approach with a humanistic compassion for our fellow man. I have seen the conjecture, though no firm figure is possible, that narcotic addicts alone spend $350 million a year on their habits. The cost of these hospitals will be small by comparison—small in cost, but large in the impact they can have in lessening and controlling the abuse of all drugs throughout the United States.

Mr. Speaker, the Daily Journal of Elizabeth, N.J., recently ran a series of three perceptive and highly informative articles on the problem of drug addiction and abuse in Union County and the local efforts of the Union County Narcotic Clinic and others to combat this. I would like to include this very fine series with my other remarks. I commend Audrey Stehlin, the reporter who wrote the series.

The articles follow:

TEEN-AGERS ON NARCOTICS KICK—BUS TO THE VILLAGE, HOME WITH THE "POT"

(By Audrey Stehlin)

It was raining lightly but the two young high-school age couples who boarded the New York bus from the center of a suburban town were in high spirits. Other passengers either paid them no attention, for they weren't terribly loud, or just half smiled at the girls in their mini-skirts and long shiny hair.

The two boys in their tight levis and jackets were clean cut and, even though they wore their hair a bit too long for the older generation, they looked well cared for. Just four teen-agers from an upper middle class community going into the big city on a Saturday for a good time.

When they arrived at the bus terminal they headed downtown like homing pigeons. They took the 6th Avenue subway to West 4th St. in the village and after a block or so of brisk walking, the four slowed down and took it easy, looking into shop windows and pushing their way through the crowds of other youngsters from other suburbs.

For a few hours they browsed. One of the girls bought a kooky, wildly-colored blouse with what looked like a design of amoebas on a psychedelic trip and at a small mod shop, two of them bought love beads which they had promised to bring home to a friend.

They also bought marijuana.

PSYCHEDELIC SHOPPING

The boys fingered some buckskin jackets (too expensive) and then decided upon some psychedelic posters from a book store. After getting coffee and something to eat, they split the scene (left the area) took a subway back uptown and caught the next bus home.

The four went to a dance that night. "It was a crummy band . . . but a lot of kids

were waiting for us there so we had to go." They arrived early, met some friends, sold about ten or twelve reefers (marijuana) to the other youngsters and eventually went inside where they complained about the rock group while they were dancing and laughing and talking.

They left before the affair was over . . . hopped in the car (one of the boys had borrowed his dad's auto), drove to the house of the girl with the longest, shiniest hair (her parents were out and wouldn't be back until late), went down into the "rec" room where they put on some records and turned on with their "pot" (marijuana).

In another "nice" Union County community there is a handmade sign on the wall of a popular teen gathering place: "Teen-agers may not smoke in this store." The owner of the shop pointed to the sign and explained "I can't take the time to weed out kids who are smoking dope and those who aren't."

As he worked behind the counter, he shook his head and said, "I also caught a girl sniffing glue in the bathroom and that's why the 'Out of Order' sign is there." His wife came up and added wryly, "What some parents don't know . . ."

A confectionery store owner in another town said: "It used to take months to sell just one package of cigarette papers, but then the kids started buying them like wild fire . . . I didn't know what they were using them for until a salesman told me to keep them under the counter and not to sell to teen-agers."

Another store owner in a smaller town: "I thought it was nice that the boys were starting to smoke pipes . . . you know, it looks better than the cigarette butts hanging from their mouths. You could have floored me when I heard they were mixing pot with pipe tobacco!"

PIPE DREAMS?

The aroma of the pipe tobacco covers up the heavy sweet smell of marijuana.

A police official said rather wearily . . . "It's frightening what these stupid kids are doing to themselves. They've got some real nasty games going too . . . We've picked them up at parties where they put capsules and tablets of all descriptions in a bowl and then choose a couple. They wash it down with beer and we've had our hands full with the reactions. They can really mess themselves up."

Every law enforcement officer interviewed agreed with a deeply concerned police captain, who said there is a serious drug problem among young people in Union County.

This is not to say that Union County stands alone. In the metropolitan area, and all over the country, drug abuse of all forms is taking a sharp upward climb.

The police captain said: "We make weekly arrests of persons involved with drugs—illegal drugs—and I'd say 50 per cent of them are from out of town. This is a nice town with a good class of people who are supposed to be intelligent. We're not dealing with the underprivileged kid . . . that kind goes out and breaks a window to show something is wrong . . . but these kids are from 'good' homes . . . they've got money to spend but very few of them work for it . . . even around their homes. Maybe that's the problem . . . too much time and too much money."

PROBLEM INCREASES

He said it's his guess that the problem of teen-agers, and illegal drugs has increased 100 per cent in the past two years and fellow police agree with this figure.

What about the young people? What have they got to say about the use and availability of narcotics and drugs? The answers were not surprising. In talks with hundreds of students, from junior high to high school to college, and with many dropouts who use hard drugs with regularity, the consensus was an overwhelming "all you have to do is ask for it . . . and pay. Anywhere, anytime, spring, summer, winter, and fall."

Prof. Farris S. Swackhamer of Cranford, a Union College chemistry teacher who is setting up a narcotics testing lab for police to use, says: "It's time people took their heads out of the sand."

Swackhamer found himself in the midst of an uproar in Cranford last fall when he stated (in part) ". . . it could be concluded that 30, 40, or 50 per cent of the students in high school have tried or are using some form of dope."

Dr. John A. Olson of Cranford agrees with Swackhamer that parents are often unaware of what their children are doing: "Drug usage is a community problem . . . there isn't a topic in the area that's clean and unless group action is forthcoming parents shouldn't be shocked or surprised that their children are drug experimenters or users."

For some youngsters dope is almost a business. One boy, 16 years old, said the "price is cheaper in New York for pot but when you bring it home you up the price a little because you have the cost of bus fare and stuff."

Another said emphatically: "Who needs to go to New York? You can get 'grass' any place."

The price of a marijuana joint is anywhere from 50 cents to one dollar. It depends on where you get it and what "grade" it is. "Good" marijuana comes from Mexico and if it's grown in this country it's usually poor "hay."

PILLS AND BEER

An 18-year-old said he'd become "saturated with pot and now I use pep pills . . . you know, stimulants." He uses the pep pills every day, even during school, and on weekends, when he goes to a party, he "mixes"—sometimes pills and beer or scotch (if someone's father left the liquor cabinet unlocked) and very often marijuana and alcoholic drinks which "brings on a wild marijuana high."

Police officials and others report difficulties in "reaching" parents as a preventive measure. Even the Union County Narcotics Clinic, which sponsors an excellent program of lectures and a sobering movie of a young student on the road to addiction, finds that too many groups or organizations are stand-offish about the subject.

Police comments are terse: "Parents come to me when it's too late . . ." "They don't believe it can happen here and their own kids might be getting hopped up on something . . ." "I wonder how many parents check those weekend parties . . ." "They've been looking at their kids all their lives and they don't even see them."

The teen-age marijuana problem is getting increasing attention from the Federal Bureau of Narcotics, which reported last year:

". . . We have been experiencing a difficult and growing problem in the usage of marijuana. Since 1964, we have noted a rapid increase in the illicit marijuana traffic. The growth of the problem seemed to begin with the advent of the 'free expression' group which espoused the theory that young people should express themselves in whatever manner they saw fit without regard to social or moral customs. This idea, which apparently originated among the 'Beatnik set' mushroomed as it spread on the campuses."

The bureau warned that statistics from local and state agencies show that marijuana arrests have more than doubled since 1964. The problem is escalating rapidly as it spreads down to the high school, and even junior high school level.

Marijuana is considered a narcotic . . . a "dangerous drug with potential" that causes the habitual user (and it's surprising how many are "habitual" users) to become exceptionally psychologically dependent.

According to the Federal Bureau of Narcotics, the Union County Narcotics Commission, specially trained police in every municipality and pharmaceutical studies, "marijuana is the main stepping stone to heroin addiction." It's also become a bridge to LSD, say reports from the west coast.

TEENAGERS ON NARCOTICS KICK—A NIGHTMARE FOR PARENTS

(By Audrey Stehlin)

The young habitual marijuana user is often an emotionally unstable type, faced with a myriad of problems arising from difficulties with his family, his school, his peers . . . sort of out of step.

He, like the heroin addict is caught in a vicious circle. After awhile, if he has this "potential," he looks for bigger and better trips . . . something "to make me feel the way I should feel . . . you know, like everything and everybody is just great!"

And if the user sticks with it, a good percentage of his crowd will too. They're playing with fire on the fringes of the big time rackets. It has been reported that marijuana is not included in the syndicate rackets . . . that there isn't enough money in it to warrant serious attention from the mobsters. But Federal agencies feel differently. One source says the drug is moving so rapidly, with sales to students increasing, that it is worth the big-time racketeers' attention.

At one point, within the past couple of years, the Federal Bureau of Narcotics had to divert manpower to the marijuana traffic. Since then, utilization of manpower has been made more effective, and the training of state and local law enforcement officers has been stepped up.

Marijuana is the only drug that is outlawed in every civilized country in the world.

UNPREDICTABLE

It also is unpredictable. One police officer said he would rather lead a raid on heroin users who had their fix than a "bunch of pot smokers, who can become damned violent." With its effect on the central nervous system, depth perception and sense of distance become distorted and one's sense of judgment becomes impaired, often to the point of dangerous aggressiveness.

"Marijuana can trigger a hidden desire to commit acts of violence . . . and the important question for society is not in what manner marijuana causes crime but how many crimes would not be committed if marijuana wasn't used," declared one federal official.

A police lieutenant, one of many from Union County departments trained by the Federal Bureau of Narcotics, gave a description of a person who has smoked marijuana.

"First of all, even though they may be quite cocky and have trouble with depth perception, you know they're not drunk . . . no odor of alcohol. They can get very quarrelsome and aggressive and there is a definite strong heavy sweet odor on their breath . . . some say the smell is like a burning punk . . . even after one reefer the eyes are reddened, the whites are pinkish . . . they may have an increased appetite."

Pot has been called a "junior LSD" and according to doctors at the University of Southern California, who have made extensive studies on both hallucinogens, many people have had exceptionally bad "trips" on pot. "It releases inhibitions, has caused paranoid delusions and depersonalization . . . 'I'm not really there or here' type of thing."

Studies there have shown that those who claim more creativity of self insight during or after the use of the two drugs are no more "aware" than before. "It's a feeling only and not born out of behavior," Dr. Sidney Cohen said.

Misuse of drugs is not a new problem for police. To complicate matters, new drugs are being used illegally all the time by adults

and by young people who, in many cases, don't know what they're doing.

In recent years the amphetamines and barbiturates have appeared on the teen-age scene with alarming regularity. Amphetamines—the pep-pills, the "ups", bennies, co-pilots or dexies—cause excitation, restlessness and talkativeness. A go-go kind of wild energy.

Barbiturates—barbs, candy, blue devils, goof balls—are the "downs" and practically any police officer can tell you about the kids he's picked up after taking goof balls and alcohol. A cheap drunk that can wind up in serious medical trouble.

THEY ARE AVAILABLE

"Pep pills, goofballs and tranquilizers can be as close to a youngster as the medicine chest in his house."

But they can also be had for a price anywhere . . . illegally. They can be bought at a drug store dealing in illegal under-the-counter sales . . . from "friends" who have found an outlet in other towns, through unethical firms engaged in the manufacture of the pills, repackagers, and wholesalers. "I even bought some in the bus terminal in New York," said one bright-eyed 16-year-old girl.

Newark was a source of supply to many young people, but since last summer's riots "they are afraid to go there."

"It's a funny thing," mused a police officer, "but sometimes there doesn't seem to be rhyme or reason to using drugs. I mean I've seen all kinds of kids, from all kinds of families and there are times when I'm surprised at the "normal" teen-ager, who seems to have a good relationship every place. They don't need the "status," they don't have to "escape" . . . why?"

Boredom . . . a place between nowhere exciting and nowhere special. "Everything is a drag," said a healthy looking 17-year-old high school senior. When he was asked, why if he were bored, didn't he go out and do something for someone, he just laughed and said "What's to do?" He added that he used "stuff" once in awhile for kicks . . . just to get "out of it."

HE HAS CONFIDENCE

"But I can stop anytime I want to . . . I can turn off just like that! I have great confidence in myself and I won't let myself get hooked on anything."

Later another young man, 19 years old, said "It can't happen to me . . . that's what I told myself before I had my first bag . . . I couldn't stop though . . . it was like it wouldn't let go of me."

This addict said at one time he remembers trying to claw his body with his fingernails "to get that stuff out of me."

The heroin addict is often a lonely figure in his drug-concocted dream world. His search for instant happiness is focused on the point of a dirty needle. It's the high point of his existence and if he doesn't get it when he needs it he turns into a crawling animal subjecting himself to the lowest degradations to get the wherewithal for a shot.

It's hideous for the young person and a nightmare for parents.

Mrs. B is the mother of an addict. She lives in Union County and she's probably not much different than thousands of other parents who have somehow not cracked up under the strain.

There is at least one difference though. Her 21-year-old son is serving with the Marines in Vietnam now, largely through the efforts of the Union County Narcotics Clinic.

"He really wanted to go . . . to do something worthwhile with his life," she said. A small motherly woman who speaks in a low calm voice she added, "I'm so proud of him now . . . it was so bad for a long time . . . it was terrible seeing him that way."

"To start at the beginning, I always thought he'd been drinking when he would come home at night. He'd act high. It never dawned on me that he was using drugs." She smiled and said "He was always a very likable boy and he was really a beautiful baby. As he grew up everyone liked him . . . he was never any trouble.

"One night I saw some capsules on the floor when I went into his room to see if he was covered up . . . the next day he got very angry . . . nasty . . . with me when I asked what they were. He'd never acted like that to me before. I talked to my other son about it and he said it might be drugs . . . to go some place and find out about it."

Mrs. B. said she watched her son "like a hawk . . . I became a real detective. I noticed he'd smoke cigarettes down so far as to burn his fingers, and then he started losing weight and he became very very jumpy and irritable." She also saw marks on his arm.

She heard about the clinic in Elizabeth and her son eventually was admitted to the hospital at Princeton. When he came out he cooperated and started receiving treatment (therapy) at the clinic and also became a member of Narcotics Anonymous, which meets at the clinic on Monday evenings.

"Tommy" (not his real name), a nice-looking boy in his late teens, was interviewed after a Narcotics Anonymous session in which the 25 young men discussed morals and self-restraint in life.

When he was asked when he had his last fix he became very earnest, his brown eyes widened and he said it must have been two . . . no, maybe three months ago. He assured us that he was clean. Someone laughed and he shrugged and sheepishly smiled back.

JUST ASSOCIATES

When he was asked why he was arrested again, he said it was because the police saw him "hanging around with some guys who had stuff . . . man, it's guilt by association . . . they're out for me."

The police in several areas know him well. His smile disappeared when he admitted he'd been busted (arrested) "I guess six or seven times."

A visitor to the clinic (they encourage people to come and observe) said of Tommy, "he's such a nice-looking boy. Most all of them are. I can't believe he'd do any harm to anyone."

"If he needed a jolt bad enough and anyone was in the way he'd knock 'em down the stairs and trample on 'em," muttered another addict.

Tommy said he hung around with a "bad bunch of guys." He said when he was only 12 or 13 he thought smoking "straight cigarettes" was the living end and when someone gave him his first reefer he didn't want to be chicken . . . he showed them what a big guy he was.

Heroin was the next step because the "other guys did it and I wanted to see what it was like." He said his father would occasionally yell at him for running around with that particular group but after a while "my dad gave up on me . . . I guess he had problems too."

TEENAGERS ON NARCOTICS KICK—FACILITIES BADLY NEEDED

(By Audrey Stehlin)

"There's not a town in Union County that's clean of heroin."

These are the words of Michael F. Bowen Jr., director of the Union County Narcotics Clinic.

Bowen, Joseph F. Grall, assistant director, their two social workers and the part-time psychiatrists at the small clinic at 43 Rahway Ave., deal day in and day out with addicts from the wealthiest homes, the middle-class and a lower economic level, all from Union County.

The young people have been completely dependent on heroin, physically and mentally.

They have spent anywhere from $15 a day to $150 a day on the drug. You don't have to use much imagination to realize how they got the money.

The clinic not only operates Narcotics Anonymous on Monday nights but has weekly group sessions with parents, families, wives or girl friends who explore the past and try to determine what they can do, or not do, to bring the entire family back to a more normal, happy life.

The clinic also provides therapy at the jail. Many employers aren't eager to hire addicts or ex-addicts but the clinic staff has a pretty good batting average in helping.

"We've had success in the past year or so," said Bowen. He is optimistic about the future of the addict but he and the other workers feel strongly that the victim should not go through a "detain and release" routine . . . that he should be physically, mentally and totally reoriented. This could take up to 3 years, they say, and one of their biggest problems is "getting the addict early enough."

"Better still is preventing the potential addict!" They try constantly to reach more people, individually and in organizations to make them aware of the dangers of drugs.

MANY NOT KNOWN

Officials say that for every registered addict there are at least four who have not come to police attention.

"Even if you have one addict, you have a major problem. He infects others . . . he has to, to support himself," said Grall.

Union County has over 500 registered addicts.

Mayor John Gregorio of Linden has taken a personal interest in the problem and has recently formed the Mayor's Educational Committee on Narcotics. He is a member of the International Narcotic Squad Officers Association and has led several raids himself.

"I'm concentrating on prevention and apprehension here," he said, and added that unless there is a total reorientation, including a complete change of environment when the addict returns to normal life "I feel it's at times almost hopeless."

As in many other local police departments, two of Gregorio's men, specially trained, go out on speaking engagements.

"I feel we have to get to the schools, teachers, family, churches and others in order to acquaint people with the seriousness of the problem of drug abuse of all kinds."

"I'm going to scare them now . . . pull out the stops and give them the shock treatment . . . it's the only way I guess."

The addicts (the "experts") and other drug users agree that most parents "don't know what's flying" and according to their viewpoints there are a few reasons.

"My parents have too many problems of their own to worry about what I'm doing," said one.

Another said that her parents watch her "pretty closely" but "they don't really know me."

Many are from broken or near-the-breaking-point homes and as the teen-ager wends his way through adolescence he finds someone else to hang onto, whether it's a "big city" gang or a small group of other suburban teens. Too often that particular group code of behavior is followed whether legal or illegal. One girl said, "Some of us think we're individuals, but we're really playing follow the leader."

Authorities say juvenile drug abuse frequently stems from this "gang psychology." No one wants to be chicken. And if a boy or

girl is handed a reefer, or strange-looking capsules, or even glue for sniffing, often he'll go along for the ride. Too often, he becomes a confirmed drug abuser looking for new thrills, bigger and better trips and new heights to reach.

To most officials larger and more extensive facilities for mental and physical treatment and reorientation are obviously needed in Union County. A police chief who has "given a lot of kids a break if I felt they were sincere" said he's been faced with some tough situations as far as trying to get a youngster hospitalized.

SOUGHT RESPITE

He told of a boy who sat "sobbing in my office" promising the moon if the chief would find him a place to get treatment. "Too often they try to get hospitalized to dry out for a week and increase their tolerance," but he felt this boy was worth helping.

He called Skillman, the New Jersey Neuro-Psychiatric Institute which is the only state hospital that treats addicts, but it had a long waiting list. The boy had no money and couldn't be admitted to a private hospital. "None of the hospitals around here would touch him . . . you see, the kids with money are sent to some fancy private place but the poor kid who's looking for help from us can't get it."

"It's a tough one . . . what would you do when a kid comes to you for help? He's asking you but there's no place for him to go and he needs a hospital fast . . . I've driven kids out of the state to get them help . . . merchants around here have donated money to help some poor kid . . . they have to go out on the street again and get a fix and then the whole thing starts all over . . . we've got to do something about it here in Union County."

This same police chief said he has to arrest them if they've got the stuff on them or are under the influence of narcotics.

"And if they're under 18 they go through the Juvenile Court . . . what do they do for them? A slap on the wrist . . . detain and release and let's have another go-round . . . I feel strongly, very strongly, that addicts need at least two years of treatment . . . they can shape up physically in seven days but they need rehabilitation from the inside to the outside.

HARD TO GET AID

"I've talked and talked to the freeholders and others. How about Runnells? They've got the room, they could use a wing. Some agree, but nothing is ever done about it. It's rough!"

Dr. John Olson, Cranford physician, who feels that this is a community problem, says that radio and television stations air drug-oriented records and have done so for a long time. "Starting with 'Puff, the Magic Dragon,' (about pot or marijuana) to the Beatles' songs like 'Lucy and the Sky of Diamonds' (LSD), the listener is assaulted by the so-called wonders of drugs."

"Even the fashion world is invaded by wild, psychedelic prints and the lighting effects used by many pro and amateur bands reconstruct the hallucinatory experiences of LSD."

He suggested parents "listen with both ears" to what the young people are saying, doing and hearing. He added that organizations, such as PTA groups, churches and women's clubs, could be effective in wielding an economic boycott against sponsors having anything to do with the broadcasting or selling of such records.

A police officer, who says "I've had it!", patted his forehead with his handkerchief, and expressed doubt that parents "are going to believe all this."

Then he looked up wearily and asked: "Whatever happened to goldfish swallowing?"

Congresswoman Sullivan Tells Consumer Federation of America House and Senate Conferees Are "Great Distance Apart" on Consumer Credit Bill

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mrs. SULLIVAN. Mr. Speaker, it was my great pleasure and privilege Saturday to address the luncheon meeting of the Consumer Federation of America at the Statler-Hilton Hotel. Much of my talk was devoted to the differences between the House and Senate versions of truth-in-lending legislation—an issue in which, I know, there is great interest at this time as the conferees seek to come to a resolution of their differences.

Therefore, Mr. Speaker, under unanimous consent, I submit for inclusion in the RECORD the text of my remarks on Saturday, as follows:

CONSUMER LEADERS EACH NEED THE "STRENGTH OF 10"—ADDRESS BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF ST. LOUIS, MO., CHAIRMAN, SUBCOMMITTEE ON CONSUMER AFFAIRS, HOUSE COMMITTEE ON BANKING AND CURRENCY, BEFORE CONSUMER FEDERATION OF AMERICA, STATLER HILTON HOTEL, WASHINGTON, D.C., SATURDAY, APRIL 27, 1968 AT 12:30 P.M.

When I agreed nearly two months ago to speak at your meeting today, I fully expected that we would have behind us by this time the successful completion of one of the longest, hardest, and most important consumer battles fought in the Congress in many years. I am referring, of course, to the battle for effective consumer protection in the use of credit. Unfortunately, that battle is not over; it has not yet been won.

As I told the House earlier this week, most people thought that the overwhelming victory in the House on February 1 for the Consumer Credit Protection Act, H.R. 11601, wrote the final chapter to an eight year struggle for truth in lending initiated by former Senator Paul H. Douglas. Indeed, the House victory was a tremendous advance in that long battle, but after three long bargaining sessions with the Senate Conferees on this legislation, it is obvious that we are still a great distance apart in coming to a resolution of the differences between the strong House bill and the much weaker legislation passed by the Senate.

Perhaps next week, when we resume the Conference, the jigsaw puzzle of the bits and pieces of the two very different versions of the legislation will finally fall into place and we will be able to proceed with the passage of the first national truth in lending bill to be enacted. It would not be proper for me to discuss the proceedings behind closed doors in the Conference Committee, but I think it is proper for me to say that so far the consumers of this country, and their spokesmen—and I certainly consider this group to be qualified to speak for consumers—have not yet succeeded in convincing the Senate of the United States, and particularly the five extremely able Senators who comprise the Conference Committee, that the main features of the Consumer Credit Protection Act passed by the House in February are essential to the achievement of a truly effective consumer protection law.

MAJOR DIFFERENCE BETWEEN S. 5 AND H.R. 11061 ON DISCLOSURE

This might be a good time to review the major differences betwen S. 5 passed by the Senate last July 11 and H.R. 11601 passed by the House on February 1. There are numerous technical differences but these are the major differences of substance:

1. FIRST MORTGAGES

First: while both bills call for the disclosure to the customer of all of the dollars-and-cents charges in connection with *most* consumer credit transactions, the Senate bill completely exempts from this requirement any transaction which involves a first mortgage on residential property. This exemption was based on the assumption that first mortgages are usually executed by banks, savings and loans, mortgage companies, and other institutions of high ethical standards of conduct and that in such transactions the consumer almost always is given precise information as to the dollars-and-cents cost of every aspect of the transaction. However, as our hearings in the House clearly established, not all first mortgages are good and decent mortgages; as a matter of fact, some of the worst abuses in the so-called *second* mortgage racket involve properties on which there is no existing mortgage, and so the lien which is filed in such cases is actually a first mortgage. Under the Senate bill, the unwary or uneducated consumer, or the victimized widow or elderly couple, would receive no more information about the cost of the loan than is now given in a great many such transactions which drip with deceit and misrepresentation. So the House insisted on covering all mortgages, whether they be first, second, or fifth. And then we went further and required that anyone signing a mortgage on his house be told that he is doing so, and be given three days to consider other methods of obtaining financing.

2. THE $10 EXEMPTION

I said that both bills generally require a full disclosure of the dollars-and-cents cost of most consumer credit transactions except for the first mortgages, which are exempt under the Senate bill. Both bills also call for the disclosure of the annual percentage rate assessed by the lender or seller in most installment credit transactions. But the Senate bill exempts from that requirement any installment loan or sale in which the credit cost—not the purchase price or amount of the loan, but the credit charge—is less than $10.

We are not talking here about a credit charge of $10 *a year*, or any other fixed period. We are talking about a credit charge of *$10! period*. It could be $10 for the use of $100—for a week! That would be at an annual rate of 520%! But, under the Senate bill, no percentage rate would have to be disclosed on such a transaction. Suppose it was a $100 loan for two weeks, at a $10 charge. There are 26 two-week periods in a year—that would make the actual rate 260%! We defeated this provision overwhelmingly in the House as a "loan shark loophole." So that is the second major difference between the two bills.

3. REVOLVING CREDIT

Both the House and the Senate bills call for the disclosure of the monthly dollars-and-cents cost of open-end consumer credit transactions—the rapidly expanding revolving credit type of consumer credit sale or loan. And both bills also require that a percentage rate be given on such transactions. But the House calls for that percentage rate to be given on an annual rate basis—the nominal annual rate, which is 12 times the monthly rate—while the Senate bill merely requires the use of the periodic or monthly rate. In most revolving credit systems used by the big department stores, the monthly rate for credit is 1½%. Under the House bill this would have to be spelled out as the nominal *annual* rate of 18%. The Senate bill, by exempting revolving credit from annual rate disclosure except on those revolving credit systems which do not require at least

10% of the outstanding balance to be repaid each month, *short-changes* the customer on the information he should have in order to compare the cost of a revolving credit account with other forms of consumer credit, or with the return he receives on his bank deposits or other investments.

So the stores which offer installment credit, and which would have to reveal the annual rate they charge for credit, have a very valid objection to the discriminatory aspect of this feature of the Senate bill which competitively favors the department stores offering revolving credit. We illustrated this fact very clearly in our hearing record by testimony which showed that when a furniture store told some of its customers that it charged them at a rate of only 1½% per month for credit, the customer felt it was a very low rate and had no hesitation in signing the contract; but when the store told other customers that the credit charge was at the rate of *18% a year*, the customer was indignant and required a 35-minute explanation in order to recognize that the 18% rate was exactly comparable to the 1½% per month rate charged by the department store. Most consumers regard a monthly rate of 1½% as being quite modest, whereas they regard an annual rate of 18% to be shocking and non-competitive. Of course, they come out to exactly the same rate, and we want to teach consumers to recognize the facts about interest and service charges, and percentage rates, but to do that, we need to express all rates on an annual basis. So that is a third major difference between the two bills.

OTHER MAJOR DIFFERENCES

The three issues I have just cited are the main differences between the two bills as they relate to the *disclosure* of credit information to the purchaser or borrower. But there are many, many other differences between the two bills which go to the heart of consumer protection legislation.

1. ADVERTISING OF CREDIT TERMS

For instance, only the House bill deals with the serious problem of misrepresentation of credit rates in advertising. This is perhaps the most strategic area of consumer confusion and deception in the use of credit because the customer is frequently attracted to the firm which offers the most enticing easy credit terms in its advertising. But the easy terms advertised are seldom very easy—or truthful. So we have covered credit advertising in the House bill and, in doing so, I might add, we had the full support of the legitimate credit industry.

2. ADMINISTRATIVE ENFORCEMENT

Next, although both bills assign to the Board of Governors of the Federal Reserve System the responsibility for issuing all of the regulations under the disclosure sections of the legislation, the Senate bill does not provide for any administrative enforcement of these regulations. The individual consumer would have to file a law suit to recover damages for failure to receive the kind of credit information he was entitled to receive at the time of the purchase or loan, whereas, in the House bill, we make it possible for the aggrieved consumer to go to the appropriate Federal agency—either the Federal Trade Commission or the I.C.C., or the Federal Aviation Agency, or the various banking regulatory agencies or the Federal Home Loan Bank Board—to lodge a complaint and have that agency investigate the facts in the transaction and enforce the regulations issued by the Federal Reserve. We think effective enforcement of this type is a terribly important necessity in protecting the consumer.

3. GARNISHMENT

Another major difference between the two bills—of really vital import—has to do with the extremely cruel practice of garnishment as it flourishes in many of the states, at the expense primarily of the poor and the uneducated consumer. We have been told by civil rights leaders and by respected members of the legal profession and particularly by the referees in the Federal bankruptcy system that the House provisions restricting garnishment to 10% of a worker's pay over $30 a week, and prohibiting the firing of a worker who has been garnished just once, could very well stand as the most important consumer protection in the entire bill. The Senate bill was completely silent on the garnishment issue. A mammoth campaign has been waged by the bill collection agencies throughout the country and by some lawyers who work for such agencies, to try to eliminate the garnishment title from the legislation. They have been extremely prolific letter writers to Members of Congress and have raised the spectre that if our very moderate restrictions on garnishment are contained in the final version of the legislation, credit will just "dry up" for the poor. There is no question at all about the fact that if we do succeed in keeping the garnishment title in the bill—an effective garnishment title—that some of the credit now extended so freely to the poor will not be offered. But the kind of credit which would be adversely affected is the very worst, the least defensible, the most usurious kind of credit that we have uncovered—the "easy come-on" credit which makes helpless victims out of those unable to differentiate between legitimate credit and unconscionable exploitation. We are talking of the kind of credit extended not on the basis of the customer's potential ability to repay but rather on the basis of the creditor's legal capability of *forcing* repayment, regardless of the consequences of family deprivation, joblessness and unemployability which flow from the customary use of the garnishment process.

In the many months in which we have had this consumer credit legislation under consideration, I have had impressed upon me over and over again that the garnishment title, which I originally placed in the bill because I felt this was a subject which needed airing in our hearings, in actually *at the heart* of protecting those consumers who most desperately need protection from the predatory fringe of the credit industry. The testimony on garnishment, and the documentation which we received as part of our hearings, constitute the most dramatic and most moving material in the entire 1,221 pages of our printed hearings.

4. NATIONAL COMMISSION ON CONSUMER FINANCE

Another provision of the House bill which is not in the Senate bill is the Title III of H.R. 11601 which creates a National Commission on Consumer Finance to investigate the entire consumer credit industry and make recommendations to Congress and to the President for future legislation. Its function also would be to evaluate the quality of consumer credit in this country from the standpoint of its adequacy in meeting the needs of our consumers and of the economy. Such a study is long overdue and can perform a monumental public service to the nation and to the legitimate credit industry.

5. LOAN-SHARKING AND RACKETEERING

Other far-reaching and important improvements in consumer credit protection are contained in H.R. 11601, dealing with racketeering, and extortion. One which I already mentioned requiring full disclosure of any security interest in real or personal property also provides, as I said, for a three-day "cooling off" period—or, rather a three-day "shop around" period—during which consumers who are asked to sign a mortgage on their home would have a chance to give full consideration to the seriousness of such a transaction and to investigate alternate ways of obtaining credit before being tied down to an arrangement under which they could very well lose their homes. I am sure all of you here are familiar with many cases of misery and despair and distress growing out of the filing of liens on residential property following a credit transaction in which the consumer did not know he was actually signing a mortgage as part of the credit deal. The main victims of such deceptions have been those home owners who could least afford the unconscionable credit terms they were enticed into accepting. Where these racket transactions have involved sharpshooter contractors or fly-by-night operators who have dealt on a continuing business relationship with the same finance companies, one of these amendments strikes at the *privileged sanctuary* of the holder-in-due-course doctrine, at least to the extent of allowing the customer—the consumer—the right to challenge the validity of the debt. There are no comparable provisions in the Senate bill.

The Senate bill also has no provision similar to the so-called anti-loan-sharking section of the House bill under which the Department of Justice could prosecute organized crime rings engaging in the extortionate extension of credit as defined by state laws.

OTHER EXEMPTIONS TO ANNUAL RATE DISCLOSURE

And to conclude this summary of differences between the two measures, I would like to say that in the treatment of mandatory credit life insurance and in the matter of the minimum monthly charges made by the stores on revolving credit accounts, the Senate bill generally protects the seller from percentage rate disclosure while the House bill generally requires the incorporation of such charges into the percentage rate of the finance charge. These may sound like technical points—and they are—but they are certainly of great importance to full and effective disclosure of credit costs and credit information.

BILL IS AT A CRITICAL JUNCTURE

I have devoted so much time to a discussion of these differences because I feel that the members of this organization have as profound an interest in, and concern for, a comprehensive consumer credit bill as I have. Since these issues still remain in dispute at this point between the House and Senate Conferees, I feel you would all want to be aware of the magnitude of these differences. The stakes to the consumer are very high, as they are to the various business interests lobbying vigorously against the House provisions.

I know that credit disclosure is not the only issue of concern to this audience. You are interested in the full range of consumer issues, as I am, too. But we are at a critical juncture in the development of this major piece of legislation, and there is still time for those who believe in this cause to be able to influence the results. Now, however, I would like to turn to some of the other battles on the consumer front.

VAST EXPANSION IN INTEREST IN CONSUMER CAUSES

The most encouraging thing to me in the past few years has been the vast expansion which has occurred in public awareness of consumer issues and the vast expansion in the number of people and of organizations, and particularly of political leaders, who are showing an interest in this cause. I commented a few weeks ago that when I came to Congress 16 years ago the number of Members of the House and Senate interested primarily in consumer legislation was so tiny that we could have held a caucus in one of the Capitol elevators. Now, however, a great many Members of Congress are putting the consumer cause uppermost among their legislative interests and are working at the development of the kind of legislation we need

to improve the quality of living for all Americans.

We are sometimes attacked as "consumerists" pursuing a cause decried as "consumerism." These are supposed to be derogatory terms. Actually, I think they are pretty good words and I am proud to consider myself a consumerist working for consumerism. I am sure all of you here today share a similar attitude. In the fields of air pollution and water pollution and wholesome meat and clean and wholesome poultry and automobile safety and drug efficacy and cosmetic safety and food purity and radiation danger and insurance rates and housing adequacy and all of the multitude of causes to which we are now devoting our efforts, we are working not for any narrow interest or self gain but for the overall public interest. We cannot help but feel a sense of righteousness in what we are doing, the kind of feeling which was translated by Tennyson's *Sir Galahad* into a conviction that his strength was as the strength of ten because his heart was so pure.

While that perhaps makes us sound a little too *self*-righteous and even vainglorious, the fact is that each of us in this cause *needs* to feel we have the strength of ten because we have to do the work of many times ten. We are often only a Gideon's army of 300 assigned to tasks which in truth should require many thousands to accomplish.

NEED FOR VIGILANCE AT STATE LEVEL

Many of you are carrying on this great and, if I can so characterize it, *noble* battle on the state and local levels where the pressures are often even more formidable than they are here in Washington. What you do in the states is extremely important because much of what we can accomplish in Washington in the consumer area can be *undermined* and destroyed at the state and local level if there is the conspiracy of silence or the conspiracy of neglect. More and more, we are seeing exemption or pre-exemption or so-called partnership clauses being written into Federal consumer legislation to allow the states eventually to take over consumer protection roles which they have neglected to exercise in the past. The Wholesome Meat Act fortunately turned out to be a much better law than the bill originally passed by the House last year; I don't know yet what will happen on the new Poultry bill. But under both programs the states will have the opportunity to exercise wide jurisdiction in these fields, aided by Federal funds, and the question is, what kind of responsibility will they exercise? Up to now, they have not demonstrated very much enthusiasm for the kind of consumer protection we need. The truth in lending bill, when it is finally enacted, will provide opportunities for the states to take themselves out from under the coverage of the Federal law by passing state laws of comparable scope. But we have to watch carefully to see how the states exercise that jurisdiction when it is turned over to them. The laws may sound adequate, and may legally *be* adequate, but if they are not adequately enforced, they could be a deception and a fraud for the public. That is where you people must be constantly vigilant watchdogs of the public or common weal.

IMPACT OF ONE-MAN, ONE-VOTE DOCTRINE

Several of the states proudly identify themselves as commonwealths; actually every state should be oriented toward the *common weal* regardless of whether its official designation is that of a commonwealth. But the designation certainly does not assure that all actions are directed toward the achievement of common goals to protect all of the people.

Your opportunities for influencing state actions in behalf of the consumer, and of the general public, should be enhanced significantly by the revolution in the apportionment of our state legislatures under the one-man, one-vote rule laid down by the Supreme Court. We will soon no longer be able to justify consumer ineffectuality in the states behind the defense that the legislatures are rigged against the urban voter.

Each of you, and all of the members of your various state organizations, have to appoint yourselves as volunteer consultants to those individual members of the state legislatures who evidence an interest in battling for consumer causes. My own role on consumer issues in the Congress of the United States grew out of the influences exerted upon me, even before I came to Congress in 1953, by the St. Louis Consumer Federation, which immediately set out after my election in 1952 to school me in the complexities of Federal legislation in which they wanted me to become involved. And I *did* become involved. And ever since those days 16 years ago, individual members of the St. Louis Consumer Federation have forwarded to me every bit of information of a technical nature, or of a general nature, which they learned about and which they felt could help me in the shaping of Federal legislation affecting consumers. Among the group were teachers, chemists, doctors, and others with technical information; but sometimes just a private citizen who had read something in the newspaper which disturbed her, and who then called the matter to my attention, was instrumental in getting me into a cause and into an issue with some success in having the proper legislation drawn and enacted. I can think of a substantial number of such bills which originated in the ideas, or protests, of St. Louis consumers.

EASIEST COURSE IS TO DO NOTHING

Once you *have* an issue to fight for—an important issue—and it's a certainty we have a great many such issues in every legislature and city hall, don't expect sweet reason alone to sway the elected officials to pass the right legislation. They are beset with so many pressures from so many different sides of every controversial issue that doing *nothing* is politically far easier and emotionally less wearing than any other course.

You have to nag and nag and nag, but, as every wife eventually learns, nagging alone will never accomplish reform. Yet you have to do enough nagging to convince the poor fellow that the situation is serious enough to warrant his concern, or at least serious enough *to you* to force him to do something about it if only to shut you up and turn off the heat.

But you will find an increasing number of legislators anxious to help develop consumer causes and fight them through to victory. What they need most are facts and more facts, and the more technical those facts the better. A legislator may find it deadly dull to base his appeal for support on technical points, but he soon learns that in order to feel self-confident enough to wage the battle, he has to *know* and clearly understand in his own mind what the technical problems are in the legislation and how they can be resolved.

MANY EXPERTS AVAILABLE TO PROVIDE HELP

Paul Douglas, as a Senator, knew all there was to know about the economics of truth in lending and could meet all of the lobbying pressures on his own familiar ground. Most of the rest of us had to learn the facts painfully, and then constantly re-learn them in order to hold up our end of the argument. This is always the problem for the "good guys" in every legislative battle on the consumer front, for the other side has the help of the paid talent of the business interests which have vast financial stakes in the outcome.

There is, among your membership, or among public spirited individuals you can reach in the community, a wealth of legal and professional talent and knowledge which you can also tap. Every college has such talent to enlist in these battles. The consumer credit bill has been shaped and influenced in innumerable ways by Father Robert J. McEwen, your vice president and program chairman from Boston College, by Professor Richard L. D. Morse of Kansas State, by Professor Vern Countryman of Harvard Law School, by Professor David Caplovitz of Columbia and others who were willing to put their vast academic knowledge to work on the solution of political, economic and social problems.

Consumer-minded Members of Congress can no longer caucus in a Capitol elevator—there are now far too many of us for that. But we certainly fill only a small part of the House Chamber. And what, may I ask, do you as individual citizens plan to do about *that* this fall? That is when a lot of the 91st Congress's decisions on consumer legislation are really going to be made—this coming November.

And the same holds true, perhaps even more so, in the state legislatures. In Washington, we have looking over our shoulders alert and iconoclastic newspaper and radio-TV reporters who see the news value in consumer issues and usually try to get the facts out straight. If your local media are not doing the same thing in the same way on state and local consumer issues, who is looking over *their* shoulders? You'd better be doing it if no one else is!

Admiral Rickover Endorses the Renegotiation Board

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. GONZALEZ. Mr. Speaker, since September of 1966 I have been calling the attention of the House to an obscure agency known as the Renegotiation Board. Few people know about the Board, and fewer still appreciate it. But the fact remains that the Renegotiation Board is about the sole protection that the people of this country and their Government have against defense contractors who attempt to make exorbitant profit at public expense.

It is simply a fact of life that when an agency is charged with buying billions of dollars worth of goods of every imaginable and earthly nature and description, mistakes are bound to be made, and a few entrepreneurs are bound to be tempted to peculation.

The Renegotiation Board makes it possible to correct errors in procurement contracts and to gain refunds from those who overprice their goods. As it stands today, the Board has proven in every year of its existence that it treats contractors fairly, and that it can and does save vast sums of money for the taxpayer. In recent years its powers have been greatly curtailed and its staff reduced to a pitifully small number, yet it continues to produce excellent, effective work and continues to save tens of millions of tax dollars.

I have introduced legislation that would make the Renegotiation Board a permanent body; this would save the Board from periodic threats of extinc-

tion, and periodic pruning of limbs of authority. My bill would broaden the powers of the Board, and would repeal many of the restrictions that now render the Board powerless in many important areas of procurement activities.

One of the most outstanding men ever to serve our Government, a man who has done the impossible more times than *once*, a man who commands universal respect, has endorsed my bill to strengthen the Renegotiation Act and the Board that it creates. Adm. Hyman G. Rickover was charged with the creation of the atomic submarine. It was a task that demanded building a weapon system that involved technical feats and concepts never before tried or tested. Building the atomic submarine meant using new materials and new techniques from the beginning to the end. Such a task is well nigh impossible, and many felt that it could not be done. Even when such programs as this are undertaken they often fall years behind in development, and cost tens and hundreds of millions more than they should. But Admiral Rickover built the atomic submarine, and his skill in doing it has never been contested. He saved months of development time and money that cannot be calculated. What he built was sound, and it worked. We have this man to thank for our mighty undersea nuclear fleet.

A man such as Admiral Rickover knows the dangers and pitfalls involved in a vast program of construction. He knows that procurement is a complicated and tricky affair. He knows first hand the need for the Government to have some device which will assure that the Government gets what it orders, and pays a fair price for it. Admiral Rickover said:

> I would go even further than Representative Gonzalez' proposal to strengthen the Renegotiation Act.

He went on to specify a bill far stronger than my own. This testimony, given to the Committee on Banking and Currency earlier this month, shows proof that a man who has great experience in defense procurement, who is known and respected widely for his honesty, integrity, and managerial ability—and other qualities as well—knows the value of the Renegotiation Board, and urges, as I do today, that the Board be extended and strengthened. We cannot, in good conscience, afford to do less.

Mr. Speaker, we owe it to ourselves and to the Nation to see that Government procurement is efficient and effective. We not only want defense purchases to be of high quality goods, but we also want to be assured that overcharges are not made for those same goods. The Renegotiation Act does not assume or imply that defense contractors are an untrustworthy class—it, on the contrary, assumes that the vast majority of procurement is sound and bought at fair prices. What it does assume is the very prudent fact of life that contracting officers are bound to make mistakes from time to time and that some few contractors are bound to give in to temptation once in a while. The Renegotiation Act provides a way to correct mistakes and police the unscrupulous. Admiral Rickover knows this, and resoundingly supports the Renegotiation Board. I believe that the House would be following sound advice if it listened to the suggestion of the admiral. I once again urge upon my colleagues that the Renegotiation Act be extended, and that its provisions be made stronger. Let us renew this insurance of efficiency, effectiveness, and fair price that has served us so well for so many years.

The New Faces in Education

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 29, 1968

Mr. MORSE. Mr. President, the Education Subcommittee has recently concluded hearings on S. 3099, containing amendments to our vocational education statutes.

In this context, it occurs to me that an article which appears in the April 1968 issue of American Education entitled, "The New Faces in Education," written by the Commissioner of Education can be most helpful to the members of my subcommittee and to the Senators who will judge our bill when it is reported.

I therefore ask unanimous consent that the article be printed in the Extensions of Remarks. I feel that the Commissioner has touched most appropriately upon significant aspects of educational change.

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

THE NEW FACES OF EDUCATION

(By Harold Howe II)

It was just three years ago—on April 11, 1965—that President Johnson signed the Elementary and Secondary Education Act. Since then, so much has happened in American education that it is difficult, on this third anniversary, to summarize the impact of this historic law. Perhaps one could begin by saying that Harry Brault (as we shall call him here) lost 30 pounds last year.

Your tax money helped him do it. Why?

Because Harry is only seven years old, and when he showed up for the first day of first grade the year before last, he weighed 130 pounds—about twice as much as any other youngster in his class. He was just plain obese, and with the unconscious cruelty of children, his classmates reminded him of it every day. They called him names, excluded him from their cliques, and left him standing on the sidelines when they chose up sides for games. After a while he got the message, and stopped trying to keep up with the other youngsters in anything, in the classroom or out.

Last summer, a nurse whose salary was paid by your taxes (under title I of the Elementary and Secondary Education Act) got together with Harry's school principal, a teaching assistant, and a county health officer. Together they worked out a program of diet and exercise for Harry. Several times during the summer, the nurse visited Harry to examine him and make sure he was sticking to his prescribed regimen.

When he entered second grade last September, Harry was down to 100 pounds. He was still a bit large in comparison with his classmates, but his size coupled with increased speed made him a definite asset to any team that included him. Within a couple of weeks, he was always the first youngster chosen; and having gained acceptance on the playground, he picked up interest in what went on inside the school, too.

The point is that last year, Harry ranked 28th in his class in reading. This year he ranked fourth, and that is why the State of Maryland used a tiny portion of its Federal funds to help him lose weight.

It doesn't seem right to call Harry Brault a "symbol" of Federal programs in education, because he's rather young to have such a heavy and undramatic office thrust upon him. But his case does illustrate in its way what those programs are about: removing, insofar as possible, every impediment that American citizens—young, old, and in between—may encounter in developing their innate abilities.

President Johnson stated that rationale for Federal aid-to-education programs in his January 12, 1965, message to Congress on "full educational opportunity." Asking the 89th Congress to join him in making sure that every American youngster would receive as much education as he could benefit from, the President went on to explain why this was important:

"We want this not only for his sake—but for the Nation's sake.

"Nothing matters more to the future of our country: not our military preparedness—for armed might is worthless if we lack the brain power to build a world of peace; not our productive economy—for we cannot sustain growth without trained manpower; not our democratic system of government—for freedom is fragile if citizens are ignorant."

In essence, this statement amounts to a new concept of "national defense"—and it was a concern for national defense that motivated the first of our contemporary Federal programs for education.

In 1957, the Russians launched their first sputnik. Inquiring into the reasons for this Soviet coup, we decided that American instruction in the sciences was deficient. When the next session of Congress opened the following January, President Eisenhower proposed an educational program that would buttress scientific instruction by allocating Federal funds for student loans, teacher fellowships, the purchase of scientific equipment, and guidance programs to identify especially promising students.

This recommendation later took form as the National Defense Education Act of 1958. Two particularly significant points about it distinguish NDEA from much of the federal aid-to-education legislation that followed.

First, it was not designed to improve education across the board. NDEA stipulated that the Federal funds had to be used to improve instruction in science, mathematics, and modern foreign languages.

Second, the title of the Act included the word "defense"; NDEA was not for education per se, but had a political and technological emphasis. President Eisenhower underlined this in his message to Congress: "These recommendations place primary emphasis on our national security requirements." Moreover, he said, NDEA was a "temporary" program, and "emergency undertaking to be terminated after four years." Financial support of education, he told the Congress, was "not a Federal responsibility."

NDEA is now 10 years old. Its annual appropriations have risen from $115 million in 1959 to $459 million now, its original four parts have become 11, and the list of subjects it aids has been expanded to include English, economics, reading, arts, history, geography, and industrial arts.

Thus a restricted program intended to end after four years gives every sign of becoming a permanent component of Federal expenditures. Through other aid-to-education measures, two succeeding Presidents and five Congresses have brought the Federal investment in education up from $2.9 billion in 1959 to $11.6 billion for fiscal 1969. President Johnson alone has signed 47 pieces

of educational legislation, more than his 35 predecessors combined.

These increases in Federal support make it clear that the temper of the American people, as gauged by their representatives in Congress, has changed markedly since 1958. We have decided that education most definitely is a Federal concern, and that States and localities need special assistance from the Federal Government, especially to help them meet the educational needs of our least fortunate people.

President Johnson's statement on "full educational opportunity" means that national defense requires us to be wary of foes within as well as without; it suggests, however, that these home-grown enemies are not communism or other dramatic forms of subversion, but poverty unemployment, the resentment that stems from opportunity systematically denied, the frustration of a life that offers no prospect except continuing despair for oneself and one's children.

And it says, finally, that the most effective weapon for defeating these domestic enemies is a first-rate education for every American.

The President's statement heralded the most forceful drive ever mounted on behalf of education. During the ensuing 10 months—the first session of the 89th Congress—President Johnson advocated, argued for, and won Congressional approval of 15 aid-to-education measures. These laws started the "War on Poverty," and established such well-known programs as Operation Head Start, the Teacher Corps, and Volunteers In Service To America (VISTA). Such major pieces of legislation as the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act, and the Higher Education Act of 1965 touch every aspect of education from preschool through post-graduate, affect Americans of every time of life from infancy through old age, and—together with the 12 aid-to-education measures passed during the second session of the 89th—certainly justify President Johnson's description of it as "The Education Congress."

Quantity of legislation, of course, is not the ultimate index to the effectiveness of a President or a Congress. What matters is what—if anything—happens after the laws go on the books.

Here are some of the things that have happened as a result of the aid-to-education laws passed since President Johnson took office:

In its first year of operation, title I of the Elementary and Secondary Education Act benefited 8.3 million children—one of every six students from kindergarten through high school. The $987 million expended under this title added an average of nearly $119 to the amount available for the education of each child in areas of large concentrations of low-income families.

Since the Higher Education Facilities Act of 1963 went into effect, 1,359 colleges, universities and branch campuses in 54 States and Territories have received Federal grants or loans to build and improve undergraduate academic facilities. HEFA funds have helped construct more than 2,500 library, laboratory, classroom, and administrative buildings.

By September 1967, two and one-half years after the College Work-Study program was established, 210,000 students were earning money toward college expenses through federally financed, part-time jobs related to their studies.

In 1964, when the Economic Opportunity Act was passed, one of every five Americans 18 years of age and older had less than an eighth-grade education. Last year, 400,000 of those were enrolled in adult basic education programs designed to give them the basic reading, writing, and figuring skills necessary for permanent employment. In the act's three years of operation, federally sponsored basic education programs enrolled nearly a million of the country's most unemployment-prone adults.

Since the Vocational Education Act of 1963 was passed, enrolling in high-school-level programs designed to qualify youngsters for good jobs immediately upon their graduation has increased from 2.1 million to 3.9 million. One of every four public high school students participates in a federally financed vocational program today.

Such statistics convey a fair amount of information about the scope of Federal education programs, but little sense of the impact they have on individuals. Nor do they suggest what may well be the most important result of the Federal aid-to-education laws: a new spirit in education, a new readiness to experiment with both the techniques of teaching and the materials for doing it, and a new determination to extend educational opportunity to those who have been denied it in the past.

This individual impact and new spirit are suggested by case histories such as these:

William Blanding, 20, dropped out of high school because "book learning" bored him. He returned, though, when a local high school started a food-service training course financed by the Vocational Education Act of 1963. After graduating, Blanding got a job in a restaurant and wound up managing it for $135 a week. Now in the Army at Fort Dix, N.J., he hopes to open his own restaurant when he gets out.

At 15, Rafael Mora was the oldest eighth-grade student in his school in El Paso. Described by his teacher as "a sure dropout," he was placed in a remedial reading class financed with Federal funds under the Elementary and Secondary Education Act. In a single year he went from reading at the third-grade level to the seventh, is now a high school sophomore.

David Goldberg, a Polish-born war veteran living in Miami, was 44 years old and the father of two teenagers when he decided to leave his job as manager of a shoe store and apply for the Teacher Corps. After obtaining his degree in education at the University of Miami, he was assigned to a "poverty school" that had a higher absentee rate than any other in the system. Since Goldberg and other Teacher Corps interns arrived, the school's attendance has become second highest in the district.

It is individuals such as these who are the ultimate purpose for the remarkable outpouring of educational legislation in the last few years. These laws have financed literally thousands of projects across the country. They have perched television transmitters on mountains in Utah to beam instruction in French and science from universities in Salt Lake City to isolated, one-room schoolhouses; converted buses into mobile examining rooms that bring doctors, dentists, and remedial specialists to children in sparsley populated rural school districts; financed summer music camps in Washington, D.C., where culturally deprived fifth- and sixth-graders learned to read notes so well within six weeks that they gave two concerts to demonstrate their new skill; connected computers in Palo Alto, Calif., and Toronto, Ont., to classroom monitors that helped teach reading to Negro children in Mississippi and to Eskimo youngsters just below the Arctic Circle; established a skills center in Detroit that converted unemployed welfare recipients to $5.25-an-hour carpenters within three months.

These laws have put a new face on American education, enabling school teachers and district superintendents, principals and college professors to make some of the improvements they knew were needed, but which they never had money for.

They have also brought some new faces into American education: adults who for one reason or another did not take advantage of their chance to learn while young, and confronted a lifetime of employment handicap because of it; youngsters who had the ability to obtain a college education, but not the finances; artists, technicians, and housewives who have always been interested in working with children, but never before had the opportunity to add their skills to the educational endeavor.

It is these two "new faces" of education—improvements in the process itself and the variety of people participating in it—which are the most important result of Federal aid to education.

The Monetary Dialog

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 29, 1968

Mr. HANNA. Mr. Speaker, in the past few months we have been following and responding to the fast-changing developments on the international monetary front. I was much impressed by the good, solid appraisal of the situation which appeared in the Wall Street Journal of last Thursday. Nowhere have I seen a better statement of the situation. Therefore, I include it in the RECORD at this point:

MONETARY ROADBLOCK: FOREIGNERS MIGHT BALK ANY U.S. BID TO GAIN BY DOLLAR DEVALUATION—ANALYSTS CLAIM MAJOR NATIONS WOULD READJUST CURRENCIES TO PREVENT LOSSES IN TRADE—RESENTMENT OVER VIETNAM

(By Alfred L. Malabre, Jr.)

Talk about devaluing the dollar mounts. But also mounting among many financial authorities is the conviction that, for all practical purposes, such a step is impossible.

The U.S. could of course, raise the official price at which it buys and sells gold in transactions with other governments. This is the sort of "devaluation" that the U.S. may be "on the road to," according to Federal Reserve Board Chairman William McChesney Martin.

But to devalue the dollar in terms of other currencies—the sort of devaluation that would bolster the dollar's sagging position in world markets—would be a very different matter.

The U.S. could change the dollar's value in terms of gold to, say, $70 an ounce, twice the current official value. But, analysts note, this would not necessarily mean that the dollar would be worth $12.5 Italian lire instead of 625 as at present or two West German marks instead of the present four. Other countries could—and very well might—devaluate their own currencies precisely enough to keep relationships with the dollar from changing.

FOREIGNERS' ATTITUDE

"It's entirely up to the other countries," declares Peter B. Kenen, chairman of the economics department of Columbia University.

The consensus among economists is that foreign governments would block devaluation of the dollar in terms of their own currencies. Their logic is not hard to understand:

Allow the dollar to depreciate in terms of your own currency (so that U.S. exports, for example, become cheaper and imports become more costly for Americans), and you permit Uncle Sam a mighty new advantage in the world marketplace. It was precisely to improve its competitive position that the United Kingdom devalued the pound by 14.3% last November; many analysts say that it is still too early to assess the results of the U.K. move, though they think it should prove at least modestly successful in

the long run, provided that most other major countries do not follow suit.

Such a devaluation of the U.S. dollar, however, would be intolerable to major foreign governments, many economists say. At the most, these analysts believe, a few major foreign countries might decide to increase slightly the value of their own currencies in terms of the dollar, presumably through the sort of action carried out by West Germany, for instance, in early 1961. At that time, West Germany revalued the mark at 4 to the dollar; previously, the official exchange rate was 4.2 marks to the dollar.

THE TITAN OF TRADE

Foreign reluctance to permit a significant dollar devaluation reflects diverse factors, according to analysts.

Foreigners generally feel that the U.S. already is the titan of world trade; unlike Britain, America boasts a long string of huge trade surpluses over the post-World War II years. Though these surpluses have recently become smaller—and are clearly inflated by commodity exports financed through U.S. aid to foreigners—they remain the envy of many capitals abroad. It's widely believed that foreigners simply would not allow the U.S. to enjoy still greater trade surpluses through a unilateral devaluation.

On top of this, on the purely political level, many foreign officials resent the U.S. role in Vietnam. Much of the dollar's present difficulty stems from Vietnam, these officials claim. So why should the U.S. be allowed to improve its trade position simply in order to facilitate the carrying on of the Vietnam war?

Although foreign counteraction could eliminate any competitive edge that the U.S. might seek through devaluation, many economists note that a devaluation of the dollar in terms of gold would still have some important ramifications.

AN INFLATIONARY INFLUENCE

Take, for instance, the possible effects of a gold price increase to $70 an ounce. While not all economists agree, in theory at least, such a U.S. move would exert an inflationary influence around the globe in a variety of ways. It would sharply increase the wealth of countless foreign gold-holders, enlarge the money supply in many nations, relieve the U.S. and other lands from having to adopt restrictive measures (such as boosting taxes and trimming governmental spending) to hold on to dwindling monetary reserves.

Beyond economics, an increase in the U.S. gold price would produce awkward political consequences. It would, in effect, reward such countries as France, which has persistently contravened U.S. wishes and cashed in its dollars for gold. On the other hand, it would penalize such countries as West Germany, which has obligingly refrained from massive gold-buying.

Moreover, a gold price rise would greatly benefit the big gold producers, South Africa and the Soviet Union. Neither nation, obviously, is a favorite of Uncle Sam. One U.S. official estimates that doubling the gold price would "permit the Russians to expand their foreign aid programs by at least 50%."

Surveying such prospects, Gabriel Hauge, president of Manufacturers Hanover Trust Co., recently told a London audience: "In my judgment, if some future events should require a basic decision on the gold-dollar relationship, the decision would be to demonetize gold rather than to devalue the dollar in terms of gold."

Unless a gold price increase were "very large," the bank president added, "it would soon generate expectations of the next round" of gold price increases.

One extreme possibility if the dollar were severed completely from gold: The U.S. and other countries might treat the dollar like any other commodity, allowing the law of supply and demand to determine whether it would be worth, say, 625 lire or 1,000 lire or 500 lire.

If analysts who contend that foreign governments wouldn't allow the dollar to depreciate are correct, however, such a "floating" dollar would presumably remain worth 625 lire or 4 marks; in such circumstances, it's presumed that other governments would, in effect, support the dollar in foreign exchange dealings, buying dollars when the price of a dollar threatened to sink and selling when the price threatened to increase. (The U.S., some analysts say, could also decide to support the dollar, rather than gold, as at present, without necessarily breaking international monetary agreements.)

It is possible, to be sure, that considerable day-to-day uncertainly over the value of a "floating" dollar could develop. In that event, some economists contend, international businessmen most likely would hesitate to go ahead with deals, unsure about the next day's value of their customers' currencies. In the end, some fear, such a situation would inhibit international commerce and capital movements; international business might shrivel and in the process depress the level of domestic business round the world.

If world commerce and capitol flows were to dry up, however, many economists say that most foreign lands would be more severely affected than the U.S. They reason that foreign trade bulks much larger in most foreign economies than in the relatively self-sufficient U.S.

Many analysts who doubt that the foreign governments would allow a unilateral devaluation of the dollar also note that foreigners have already showed considerable restraint in not retaliating against such U.S. moves as placing special taxes on purchases of foreign securities and the new restrictions on direct corporate investments abroad.

Such moves, these analysts contend, are tantamount to a small unilateral devaluation of the dollar. They tend to make the dollar less valuable because they limit what can be done with it.

Many economists believe that the U.S. has gone absolutely as far as it dares with such "camouflaged devaluations" of the dollar. Further steps in the same direction, it's believed by many, would not be allowed. Other countries would simply retaliate in kind.

SENATE—*Tuesday, April 30, 1968*

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

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

O Thou God of life and light, whose love is unfailing and in whose mercy there is a wideness like the wideness of the sea.

At this wayside shrine of prayer, set up so long ago by those who launched our ship of state, we lift up our souls unto Thee.

In this forum of deliberation and debate, amid the din and clash of differing opinions, may we here unite in keeping always a constant sense of the eternal.

We pray for the children of this stricken generation, that they and their children may see peace on the earth—peace with honor and human dignity, and social justice.

Empower those who here act for the Nation, to do the best and to speak the best that in Thy name they may here strike their blow for the truth of God and the freedom of man.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 29, 1968, be dispensed with.

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on April 26, 1968, the President had approved and signed the act (S. 3135) to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting.

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (H. Con. Res. 770) to authorize printing of updated pocket-size U.S. Constitution for congressional distribution, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes, was read twice by its title and referred to the Committee on Government Operations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 770) to authorize printing of updated pocket-size U.S. Constitution for congressional distribution was referred to the Committee on Rules and Administration.