1895. A letter from the Acting Comptroller General of the United States, transmitting a report on the need to improve the system for managing capitalized equipment in the Bureau of Indian Affairs, Department of the Interior; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 11026. A bill to amend section 3 of the act of September 15, 1960, for the purpose of facilitating the conduct of the fish and wildlife conservation and rehabilitation program authorized by that act; with amendment (Rept. No. 1508). 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. DOW:

H.R. 17589. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method of making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide the borrower family with adequate standards of living and the consumer with reasonable prices for dairy and other agricultural products, as well as to maintain and improve national health, and for other purposes; to the Committee on Agriculture.

By Mr. PUCINSKI:

H.R. 17590. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 17591. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Oklahoma:

H.R. 17592. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. WYMAN:

H.R. 17593. A bill to name the Veterans' Administration hospital located in Manchester, N.H., the Styles Bridges Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. ANDERSON of Illinois:

H. Res. 1197. Resolution to provide for agreeing to the Senate amendment to be bill (H.R. 5037) 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; to the Committee on Rules.

By Mr. POAGE:

H. Res. 1198. Resolution to provide funds for the Committee on Agriculture; to the Committee on House Administration.

By Mr. ROGERS of Florida:

H. Res. 1199. Resolution to provide that the House agree to the Senate amendment to H.R. 5037; to the Committee on Rules.

By Mr. WHITENER (for himself, Mr. LENNON, Mr. FOUNTAIN, Mr. TAYLOR, Mr. JONES of North Carolina, Mr. HENDERSON, Mr. KORNEGAY, and Mr. GALIFIANAKIS):

H. Res. 1200. Resolution providing for agreeing to the Senate amendment to the bill (H.R. 5037) 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; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CHAMBERLAIN:

H.R. 17594. A bill for the relief of Sparton Corp.; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 17595. A bill for the relief of Antigone Manzella; to the Committee on the Judiciary.

H.R. 17596. A bill for the relief of Stavroula Pasiecznik; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 17597. A bill for the relief of Zarifa Serhan; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 17598. A bill for the relief of Antonio Piccirillo; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17599. A bill for the relief of Virgilio Pasion Mercado; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 17600. A bill for the relief of Jose Laranjeira Cerqueira; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 17601. A bill for the relief of Josephine Palazzolo and Michele Palazzolo; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 17602. A bill for the relief of Samir Tarsha; to the Committee on the Judiciary.

SENATE—*Wednesday, May 29, 1968*

(Legislative day of Monday, May 27, 1968)

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

Rabbi Leon J. Weinberger, Temple Emanuel, Tuscaloosa, Ala., offered the following prayer:

God and Father, grant Thy blessings upon the lawmakers of our Nation, their families and dependents. As we stand here, grateful witnesses to the wonders of Thy creation, help us testify to Thy greatness with our humility, to Thy love with our compassion, to Thy righteousness with our fair dealing. Like sun and planets may we faithfully do our allotted tasks, knowing that we cannot ourselves complete the work, but then neither are we free to desist from our share. Guide us in our search for Thy wisdom and protect us from thinking that we have easily found it. Direct our steps to pursue Thy truth and make us know that it cannot be cheaply bought. For all we ask, O God, is for the privilege of sharing in Thy life and meriting the gift of being made in Thine image. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday. May 28, 1968, be approved.

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

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Operations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

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

ADJOURNMENT OF BOTH HOUSES FROM MAY 29 TO JUNE 3, 1968

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 782.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair) laid before the Senate House Concurrent Resolution 782, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Wednesday, May 29, 1968, they stand adjourned until 12 o'clock meridian, Monday, June 3, 1968.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MANSFIELD. Mr. President, "12 o'clock meridian" means 12 o'clock noon, eastern daylight saving time, Monday.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 782) was agreed to.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1969

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16913) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

The Senate resumed the consideration of the bill.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

AMENDMENT OF THE CIVIL DEFENSE ACT OF 1950

Mr. MANSFIELD. Mr. President, under the agreement reached yesterday, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 1117, H.R. 15004.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 15004) to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Ohio [Mr. YOUNG] is recognized.

Mr. MANSFIELD. Will the Senator yield, without losing his right to the floor?

Mr. YOUNG of Ohio. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. YOUNG of Ohio. Mr. President, at the desk is an amendment I have offered, and I ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 1, line 8, strike out "1972" and insert in lieu thereof "1970".

Mr. YOUNG of Ohio. Mr. President, the pending bill, H.R. 15004, proposes to extend until June 30, 1972, certain civil defense authorities—namely, first, providing for 50 percent contributions to State and local governments for civil defense personnel and administrative expenses; two, donations to States of radiological instruments; and, three, providing contributions to the travel and per diem expenses of trainees attending civil defense schools.

In my judgment, the entire civil defense program should be scrapped. There is no such program within the Soviet Union, the only nation in the world capable of launching a nuclear attack on us. I believe the program should be done away with altogether. It is a huge boondoggle. However, I desire to be a realist. I have offered this modest amendment, which would limit the extension of these authorities to 2 years instead of 4.

I offered the same amendment in the Committee on Armed Services, and, frankly, I made a mistake in doing so, for the reason that it was defeated in that committee. I believe that had I not offered the amendment in the committee, the distinguished chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL], would probably now accept the amendment. Probably, he feels that he should not accept it because it was defeated in committee.

Civil defense, let us face it, provides excellent patronage plums for political has-beens and hacks throughout the Nation. I know that in my State that is the case. Unfortunately, too few Governors, mayors, and county commissioners can resist the temptation of Federal matching funds to provide, in many cases, a comfortable haven in the political storm for political wardworkers and defeated officeholders.

As of March 1968, 6,300 men and women whose salaries were paid in part by Federal funds were employed by State and local governments for civil defense purposes. More than $19 million has been requested for fiscal year 1969 to help pay their salaries and for State and local civil defense administrative expenses.

In his testimony last year before the Committee on Appropriations, Civil Defense Director Joseph Romm alleged:

> There is active participation of local governments in civil defense. This would not be possible without local public acceptance. More than 4,000 local jurisdictions representing more than 85 percent of the Nation's populations, submit annual program papers to OCD and semiannual progress reports, detailing the work scheduled to be accomplished during the year and the status of accomplishments. These documents are used by local government authorities as a management tool.

Of course, civil defense officials and employees in those 4,000 local jurisdictions referred to by Mr. Romm have a personal stake in the continuation of the civil defense program. It provides easy money and maintenance at the public trough for some so-called deserving Democrats or Republicans who need jobs of some sort. It is only natural that they urge continued spending of taxpayers' money on this frivolous and useless program. To claim, as Mr. Romm did, that there is "public acceptance" of this program is absurd.

Public apathy regarding our civil defense program could not be greater. The truth is, citizens have completely lost faith in the civil defense boondoggle.

In New York City, our largest, most densely populated city, officials have abolished the civil defense program, following the example of other great American cities such as Portland, Oreg.; Los Angeles, Calif., and Balitmore, Md. In those cities, civil defense programs and expenditures have been either completely discarded, or ignored to the point where for all practical purposes they have been eliminated.

Mr. President, eliminating the time of the extension of these civil defense authorities would encourage other mayors and Governors to eliminate or drastically curtail local and State civil defense activities and thereby save millions of dollars of taxpayers' money urgently needed for other purposes.

Where were civil defense officials during the recent tragic riots in Detroit, Newark, Washington, D.C., and other cities? The answer is, of course, safe at home or in their offices. Civil defense organizations in those cities were of no value whatever during the recent strife that afflicted those communities. The fact is that if they can accomplish nothing whatever during localized riots in metropolitan areas, what can we expect from them in the event of the unimaginable havoc that would be caused by a nuclear strike?

Frequently, we Senators receive calls and letters from mayors and other municipal officials requesting assistance in having their applications for public works and other Federal projects expedited. At the same time, the Federal Government is encouraging these officials to spend millions of dollars for civil defense employees and on ridiculous civil defense follies. If we cut off the head of the bureaucratic octopus in Washingington, its wasteful satellites in States and cities will soon wither away. The adoption of my amendment would be a good beginning toward that end.

Therefore, it is of utmost importance that we limit the extention of those civil defense powers relating to contributions to State and local governments so as not to encourage further State, municipal and county officials in wasting scarce funds on utterly useless civil defense activities.

Mr. President, our real defense is to keep our offensive power so far ahead of any Russian defense that it will remain perfectly clear to the Soviet leadership that a first strike against us will trigger unbearable retaliation. We now maintain a 3-to-1 or 4-to-1 advantage over the Soviet Union in the number of strategic missiles we possess. But even this does not fully measure our real advantage. Above everything else, we maintain 41 Polaris submarines each carrying 16 missiles with nuclear warheads. The most modern of these missiles has a maximum range of approximately 2,875 land miles. No area with the vast land mass of the Soviet Union or Communist China is safe from devastation by missiles fired from these submarines.

Leaders of the Soviet Union and Communist China are well aware of the tremendous offensive power that we possess and of our ability to annihilate any enemy by instant retaliation. Furthermore, the Soviet Union is no longer ruled by a tyrant such as Stalin. It is no longer a "have not" nation, but a "have" nation seeking to raise the standard of living of its people. Present leadership is evincing cooperation toward us instead of threatening annihilation. The Soviet Union is no longer the menace it once was to the peace of the world. It is really unthinkable that there would be any nuclear conflict between us.

There is no other nuclear power in the world that could threaten us at this time. Communist China, which has a crude nuclear capacity, will not have the capacity to make any sort of nuclear attack on us whatever before 1975 at the earliest. The civil defense program of today will be as obsolete by that time as are Civil War cannonballs, ladies' bustles, flintlock muskets, mustache cups and other items I could mention. Nothing being done today by the civil defense bu-

reaucrats will be of any use whatever 5 years from now.

Civil defense officials know, or should know, as any thinking person does know, that there is no real defense against atomic missiles except for our tremendous power of immediate retaliation and offense with more powerful nuclear intercontinental ballistic missiles aimed at targets within the aggressor nation.

The fact is that not only do these officials detract from our national defense effort by utterly wasting taxpayers' money, but also foster the illusion that there is such a thing as a defense against the hydrogen bomb and other deadly atomic weapons. To continue doing this is to render a disservice to all Americans except for those few civil defense characters in the Department of Defense who enjoy fancy salaries while sitting around sending messages to each other and devising costly schemes and fancy propaganda pamphlets while waiting for the bomb to drop.

A recent example of outrageous waste of $10 million of taxpayers' money was the so-called home shelter inventory. Every homeowner in the United States received an official questionnaire from the Bureau of the Census acting as agent for civil defense officials in the Department of Defense, requesting officially that they indicate and mark out possible shelters in their homes, and so forth. And then to compound this foolish wastefulness, in 5 days they sent a follow-up reminder causing a great many millions of people to believe that they would be in trouble with our good Uncle Sam if they did not respond and furnish the information. This project was ridiculous in its concept and outrageous in its execution.

Concern for shelters is a relic of our fears in an earlier phase of the nuclear age. We have since come to better terms with our peril, putting our faith in diplomacy and in mutual fear of nuclear ruin.

It would be far better to spend this money in attempts to avert a nuclear holocaust than in silly little schemes concocted by civil defense bureaucrats who have nothing better to do with their time than to formulate such absurdities. The Nation would be better served if this money were spent for improving homes in slum areas, for the Headstart program for underprivileged children, for expanded school lunch programs, or for any one of dozens of other projects to improve the welfare of millions of Americans.

This propaganda for fallout shelters is a vestige of that era a few years ago that included ridiculous evacuation plans in event of a nuclear attack. The high-salaried civil defense bureaucrats in Washington and in city and State governments have wasted millions of dollars on food and medicine stockpiled in holes in the ground and in basements, termed fallout shelters, and in countless other insane and wasteful boondoggles.

It seems to me that as we are hoping to near the conclusion of this session of Congress, in view of the critical financial situation we face, it is time to serve notice that the taxpayers will no longer tolerate such waste. My amendment, in effect, would do just that. Mr. President, I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. RUSSELL. Mr. President, I want to make one or two very brief observations with reference to the amendment.

In my judgment, the amendment offered by the distinguished Senator from Ohio will defeat the very purpose that he has in mind; namely, elimination of the Office of Civil Defense, or at least a drastic reduction in its operations.

The Office of Civil Defense is the only instrumentality of Government I can bring to mind at the moment that has not had any increases whatever in its authorizations or its appropriations for the past several years. This result is largely attributable to the adamant opposition of the distinguished Senator from Ohio. The authorization for State and local civil defense personnel expenses has been $25 million for years. Civil Defense has been compelled to absorb pay increases. It has been compelled to absorb other increases that have occurred in the cost of Government.

If the amendment is adopted, and 2 years from now there is a request for an extension of these authorizations, in my opinion, we will have a request that will be as much as $50 million a year in authorization instead of the $25 million maximum that now applies.

The $25 million, of course, is the Federal Government's contribution, which must be matched by States and cities. In many cases, the States and cities spend much more than that.

Just how valuable this agency is to the country is, of course, a debatable question. I hope we never have to put it to the supreme test—that is, its functioning in time of atomic or nuclear attack. But this activity has designated many millions of shelter areas. It has stocked shelters with food and water for those who may have to use temporary shelter to avoid the disastrous effects of radiation.

I hope the Senate will not agree to the amendment because Civil Defense will be back here 2 years from now, in my opinion, and we will be fighting an increase in the authorization.

I freely concede that there have been instances of political usage of this agency as the Senator from Ohio has brought out in times past, where old cronies have been rewarded, but the Office of Civil Defense is in existence and it has done some good work.

I know that in my own State of Georgia it has been extremely helpful to some of our small communities. At times when they have had no water available, Civil Defense has brought in water supply systems that it has held in emergency storage.

Mr. President, in my opinion, it would be a serious mistake to accept this amendment or to defeat the authorization.

Mr. PASTORE. Mr. President, I wish merely to say a word on this point. First of all, I applaud the Senator from Ohio for his sincerity and consistency with respect to this matter. I have disagreed with him with equal consistency. Of course, persistency does not prove that he is right and I am wrong, or vice versa.

But, I am chairman of the Joint Committee on Atomic Energy and our committee has gone into these matters in quite some depth.

I do not think protection is a waste of money. It is like saying that if I buy fire insurance on my house and it has the good fortune not to burn down, then I have wasted money on the premiums.

Well, we hope and pray to God that we will never suffer a nuclear holocaust. For it has been said with authority that if we should have a surprise nuclear attack, 250 million people could be killed at the very first blow.

I quite agree with the Senator from Ohio that if that bomb strikes, at the point where it strikes it may make little difference whether that point has any shelters or not.

Indeed and—God forbid—if an atomic bomb did drop on Chicago and the wind began to blow toward Ohio and there were shelters in Ohio, there then certainly would be some protection for the people in Ohio. It all depends on the circumstances. We all hope a nuclear holocaust does not happen, but the cold fact is that the world is spending billions of dollars building up nuclear and thermonuclear stockpiles. There are in existence today enough nuclear and hydrogen bombs to destroy everything that man has built from the time of beginning.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RUSSELL. Mr. President, I yield time to the Senator from Rhode Island.

Mr. PASTORE. I do not want to prolong the debate but the point I want to make is that there has to be some point at which we draw the line. It may be true that we have been fumbling along in some respects. But we need a little time to work it out. I would hope that any abuses to which the Senator from Ohio has referred might be remedied, but, at the same time, it would be most unfortunate if we wrote this whole agency off. That would be a tragic decision.

I hope the amendment is defeated.

Mr. YOUNG of Ohio. Mr. President, do I have any time left?

The PRESIDING OFFICER. All time on the bill has expired.

Mr. YOUNG of Ohio. I urge that my amendment be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Ohio.

The amendment was rejected.

The PRESIDING OFFICER. The question now is on the third reading and passage of the bill.

The bill (H.R. 15004) was ordered to a third reading, was read the third time, and passed.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare; the Committee on the District of Columbia; and the Subcom-

mittee on Improvements in Judicial Machinery of the Committee on the Judiciary all be authorized to meet during the session of the Senate today.

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

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 16913) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

Mr. HOLLAND obtained the floor.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield one-half minute to me?

Mr. HOLLAND. I am very happy to yield to the majority leader.

Mr. MANSFIELD. I want to add to the unanimous-consent request of yesterday, and ask unanimous consent that 1 hour of debate be allowed on the bill.

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

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor and without having any time allocated on the bill used, for the purpose of suggesting the absence of a quorum?

Mr. HOLLAND. I yield for that purpose.

The PRESIDING OFFICER. Without objection, the time is charged to neither side, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent, with no time being allotted from the agriculture appropriations bill, that the Senate turn to the consideration of the nominations on the Executive Calendar.

The PRESIDING OFFICER. Does the Senator from Florida yield for that purpose?

Mr. MANSFIELD. Mr. President, I asked that no time be allotted.

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

IN THE U.S. AIR FORCE

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I make the same request for those nominations.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, same request.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE U.S. MARINE CORPS

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, same request.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE AIR FORCE, IN THE ARMY, IN THE MARINE CORPS

The ASSISTANT LEGISLATIVE CLERK. Nominations on the Secretary's desk in the Air Force, in the Army, and in the Marine Corps.

Mr. MANSFIELD. Mr. President, same request.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate return to legislative session.

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

The Senate resumed the consideration of legislative business.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 16913) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken out of the time on the bill.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that further proceedings under the quorum call be discontinued.

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

Mr. HOLLAND. Mr. President, we now go on controlled time on the amendment offered by the distinguished Senator from Michigan, Senator Hart, and other Senators.

AMENDMENT NO. 837

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Michigan [Mr. HART]. Under the previous agreement, the time is to be equally divided between both sides, the time being 1 hour on each amendment.

The Senator from Michigan is recognized. To whom does he yield time, and how much time?

Mr. HART. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. HART. Mr. President, late yesterday after this bill was laid before the Senate, the able Senator from Florida outlined the recommendations before us, following which I offered the amendment that is now pending.

At that time, I made an explanation suggesting the reasons why some of us in the Senate feel that restoration to the budget recommendation in the four areas covered by my amendment would be very desirable.

I think all of us have had an opportunity, overnight, to read in the RECORD, the explanation in support of the amendment. During the interval, I have, frankly, thought of no additional reasons to suggest in support of it. Very briefly, it proposes increases in four areas.

The first would be in what is known as the section 11 money. Here we seek to enable the poorest school districts and the poorest schools in areas of really hard core poverty to have an opportunity to give the children in those schools hot lunches.

This program was first authorized in 1962, but not funded until fiscal 1966. At that time, the sum of $2 million was appropriated. We maintained that level in 1967, and increased the amount to $5 million in 1968. This year, the administration recommendation in the budget request is an increase to $10 million. That amount is reflected in the amendment now pending.

The House of Representatives has set a figure of $5 million; and to the great credit of our Committee on Appropriations, as I see it, they recommend a figure of $7.5 million.

Of the four areas which are covered in the amendment I have offered, this, I think, is the most critical. I feel that this is the attitude of school administrators

and those otherwise concerned with the welfare of the children of this country. This program is most important.

The second in the order of importance and need is the pilot school breakfast program. This program attempts to assist schools in providing hot breakfasts for children. As I indicated in my remarks yesterday, reports are frequent that children come to school lethargic, having had no morning meal, or certainly no hot meal, as a consequence of which the morning is wasted with a detrimental effect on the child as well as on others in the classroom.

This program was first authorized in 1966. The first appropriation, in the amount of $2 million, was made in 1967. In 1968, the amount was increased to $3.5 million. For fiscal 1969, the budget request is for $6.5 million. Our committee—and wisely, I believe—has increased the figure of $3.5 million sent us by the House of Representatives to $4.5 million. My amendment, as it relates to the pilot school breakfast program, would increase that figure to the budget request of $6.5 million, or an increase of $2 million.

Mr. President, the third and fourth areas covered by this amendment relate to what is described as non-food assistance. This is a program which attempts to assist States which already are making efforts in this area to obtain equipment for the schools. Tragically, where the need of the children is greatest, the school plant is generally the oldest; it was built before the days of hot lunches, when everyone went home for lunch. Generally, even though the children in those schools go home for lunch now, most of them do not go home to houses of light—or food, either. I believe this is a very worthwhile effort on the part of the Federal Government. It was first authorized in 1966, but in the succeeding 2 years the appropriation has been held to a figure of $750,000.

The PRESIDING OFFICER. (Mr. BURDICK in the chair). The Senator's time has expired.

Mr. HART. I yield myself 5 additional minutes.

That amount does not buy very many refrigerators, food containers, or anything else, when spread across 50 States.

The budget request is for $6 million. My amendment would increase the amount our committee has recommended—$2 million—to the budget figure. The House of Representatives—unhappily, as I see it—has retained the figure of $750,000.

The second of the remaining two programs would help State school people extend the several programs we are talking about in this subject area, by providing $2.3 million for State administrative expense. We have never funded in this area, although it was authorized in 1966. This provision would enable technical assistance to be provided, and would be especially valuable for schools coming into one or more of these programs for the first time.

Mr. President, as I did yesterday, I again acknowledge the appreciation of those of us who, over these years, have been especially interested in school lunch programs, to the Committee on Appropriations, and particularly to the Senator from Florida [Mr. HOLLAND]. In the bill that our committee presents us, in the first three of the areas I have described, the committee responds much more adequately to what I think is an obvious and serious need in this country than did our colleagues in the House of Representatives.

For this we are all grateful, and in a sense embarrassed at now having to take the floor and, by implication at least, suggest that the action of our fellow Senators on the committee was not adequate. Mr. President, it was infinitely better than that of our colleagues at the other end of the hall, and I think it quite in order that I repeat my appreciation.

Mr. President, to summarize, the most critical area is that of section 11 feeding. The next most critical area is extending increased support of the school breakfast program. The remaining two items are of real interest, and reflect a response we believe should be made to an established need as we see it. I hope, Mr. President, that the day will soon be at hand when Congress will step up to an adequate level its response to the needs in all of these areas.

I have had a visit this morning with the able Senator from Florida, and I know he has some reactions to my proposals, reactions which I would describe as praiseworthy and constructive. I anticipate that he will voice some further reactions to my remarks.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes.

I am glad that the Senator from Michigan has made it clear that our committee has gone considerably farther than our colleagues at the other end of the hall in taking care of these needs of the poor children, or the children in impoverished areas, because we have. My own feeling is that we have gone about as far as is reasonable under the conditions existing; and I now recite what we have done.

We have raised the $5 million figure for section 11 that was contained in the bill last year—and that was reported in the House by its committee and passed by the House—to $7.5 million, which is a 50-percent increase for section 11 assistance to poor schools. The budget had requested $10 million.

I would have no great objection to the granting of that $10 million, although I have told my distinguished friend that I do not have any great optimism about this having any practical bearing upon our colleagues at the other end of the Capitol. I have found them quite indisposed to step up this program. I would be willing, however, to step up this particular figure to the entire budget request, insofar as I am concerned. In discussing the matter with the Senator from Nebraska [Mr. HRUSKA] and the Senator from Georgia [Mr. RUSSELL]—who is in a sense one of the founders of this whole school lunch program—I find that they are in accord with me that we could do this provided the Senate agreed to accept the amount of $10 million suggested by the amendment of the Senator from Michigan.

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

Mr. HOLLAND. I will yield in just a moment.

We could do the same thing with reference to the suggested increase in the special pilot breakfast program in which we have already increased the appropriation of the other body and the appropriation of last year from $3.5 million to $4.5 million, as reported and recommended by our committee. We would be willing to increase that to the full budget amount of $6.5 million. But again, it would be without any great optimism as to what the result will be in conference.

I want to make it very clear that if the Senate accepts the amendment, as far as I am concerned, I am willing to stand for it in conference, and I am sure that is true with respect to the remainder of the committee.

As to the other items, I do not think it would be practical to increase them this year.

We have already stepped up the amount with respect to nonfood assistance, which provides refrigerators, kitchen utensils, and other equipment of that type, from $750,000 as provided in last year's appropriation, and the same level approved this year by the House, to $2 million, which is an increase of nearly three times. We think that is as much as could be expected in any one year.

I hope that the Senator from Michigan will not insist on any increase of that amount. If he did, I would have to oppose it.

Likewise, on the item for aiding States in their administrative expense, which as I recall was $2,300,000 in the budget, we have not only run into adamant opposition at the other end of the Capitol on this, but also many members of our own committee, of whom the chairman of the subcommittee is one, feel that this is a very unfortunate provision because, in the first place, it is a very small item spread out over a great many States and, in the next place, it establishes a precedent of our supplying Federal funds to do something that certainly the States in which the schools are located are well able to do for themselves.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for an additional 5 minutes.

Mr. HOLLAND. I hope, therefore, that the Senator from Michigan will not insist on any restoration in that particular field.

So far as the Senator from Florida is concerned, if the amendment can be confined to the first two items and if it can be confined to the reestablishment of the budgeted amounts on those two items, the Senator from Florida would be willing to recommend to the committee and to the Senate that the amendment be accepted and taken to conference subject to the understanding that the Senator from Florida will strongly insist upon the adoption of the amendment in conference, but without too great optimism as to the final success in that amount.

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

Mr. HOLLAND. Mr. President, I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, I thank the distinguished Senator from Florida.

I interrupted him when I did bcause I will be conducting a one-man hearing in 5 minutes, and I think I ought to be there because the witnesses have come.

First of all, I appreciate very much the sensitivity which the Senator from Florida and his committee have shown to this problem in the bill which they have reported to the floor.

I listened last night to the colloquy between the distinguished Senator from Florida and the distinguished Senator from Michigan, and I concur wholeheartedly in the sentiments expressed by the Senator from Michigan on that score. And this is an especially sensitive problem at this time. We are aware of that because of the events occurring in this city. But I think that also across the country there is a wave of concern about the problem of hungry children and hungry people generally. I think we need to show all possible sensitivity to the problem at this moment.

I think the Senator from Florida in his action this morning toward the amendment of the Senator from Michigan—which I was happy to sponsor along with other Senators—is revealing that sensitivity. I think the compromise which is being worked out here reflects the Senator's concern over the practical legislative problem which the Senator has indicated.

Before I rushed off to the hearing, I wanted to indicate my feeling in respect to the trend of events that are occurring.

Mr. HOLLAND. Mr. President, I thank the Senator from Maine for his gracious remarks, and I thank the Senator from Michigan for his gracious remarks.

There is apparently one of our brethren who does not understand this situation as it is understood by all of us who are here this morning. I note in the CONGRESSIONAL RECORD of several days ago a statement made by one of our Senators to the effect that the lunches for 1 million children were involved in this item. The Senators know that is not the case at all.

The Federal Government is itself the cost carrier of these new programs. These are not programs like the regular school lunch program in which the State and local governments have to carry the major portion of the cost and in which the Federal Government carries only 4.5 cents of the cost of the lunch.

This is a new experimental program of the Federal Government in an attempt to do something for children who are getting nothing at all and who probably need the lunches worse than any other group on the average that could be found. And it is only a few thousand lunches we are talking about—which is enough for us all to be concerned about—rather than a million lunches as was so generously mentioned by our brother who apparently did not understand the scope of the problem at all.

These two suggested increases have to do with programs entirely financed by the Federal Government, entirely directed to the bringing of some very poor children into the lunch program, partly for school lunches and partly for pilot breakfasts, and wholly at Federal cost. I want the RECORD to show that.

If there is any disposition to modify the amendment as I have suggested, I am told by the other side of the aisle, so ably represented by the Senator from Nebraska [Mr. HRUSKA], that he would have no objection to that course. And I am told by the grandfather of the school lunch program, the able senior Senator from Georgia [Mr. RUSSELL], that he would have no objection to it.

The PRESIDING OFFICER. The time of the Senator has expired.

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

Mr. HOLLAND. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for an additional 2 minutes.

Mr. COOPER. Mr. President, I am very pleased with the agreement that has been made concerning the amendment of the Senator from Michigan. Several years ago the Senator from Michigan [Mr. HART] and I introduced an amendment to provide the first funds for section 11, and made some progress at that time. A similar objective has been attained today.

I am familiar with the problem not only because of its application in Kentucky, and particularly the eastern part of Kentucky.

I am glad to say that the school lunch program in Kentucky reaches over 60 percent of the children—the sixth highest percentage of any State. It has been an effective program in Kentucky. It is larger in scope than the programs of almost all the metropolitan States, including the State of New York. But there is a problem for those people who are the least able to pay, with three or four or more children, who cannot meet even the charges that are required. The unfortunate result has been that those who are the neediest have been deprived at times of the lunch. I must say that I am very happy about this amendment.

I know the tremendous labors of the Senator from Florida [Mr. HOLLAND] in this field because I had the honor of serving with him on the Committee on Agriculture. I appreciate very much his action, and that of the Senator from Nebraska [Mr. HRUSKA], upon this amendment, in which I join, and which has been sponsored by the humane and able Senator from Michigan [Mr. HART].

Mr. President, while the amendment of the Senator from Michigan is now before the Senate, I would like to comment also on several other provisions of the bill.

The bill before the Senate, H.R. 16913, provides funds to carry out during fiscal 1969 the farm programs and the functions of the Department of Agriculture. During my service in the Senate, I have supported the programs important to farm families, and while I no longer serve as a member of the Senate Committee on Agriculture, of course, Kentucky is largely a rural State and my interest in agriculture continues.

I realize the debate is proceeding under a limitation of time, but I would like to touch briefly on certain items in this appropriations bill.

First, I know that rural electric cooperatives and members of individual REA's have been deeply concerned that the amount for rural electrification loans recommended by the budget and approved for the House of Representatives, be maintained by the Senate. I have found the leadership provided by the rural electric cooperatives in Kentucky to be responsible, and they recognize the importance of fiscal restraint at this time. But they know also that the ability of the rural systems to provide and maintain proper service must be maintained. The action of the Senate Committee on Appropriations recommends an increase of $25 million over the $304 million provided by the House, and I believe this to be helpful and prudent.

Second, I have called attention each year to the good work of the county agents and the home demonstration agents through the Extension Service. I recall that last year the Congress authorized a salary increase for extension workers, in line with that provided to Federal employees, but understand that the salary increase could not be made because of the subsequent reduction of appropriations by the Congress. I had been in touch with the director of the Extension Service in Kentucky, Dr. Schneider, and others who expressed concern that over the last 2 or 3 years salaries for extension workers have been falling behind comparable employment. I am pleased that the committee has given attention to this matter. The Senate bill provides an addition of $3,385,000 to the amount approved by the House, restoring the budget request, and I call attention to the statement in the committee report that—

> The Committee expects the use of these additional funds to be directed to the adjustment of salaries for county extension workers, where necessary, to provide increases for these workers comparable to those received by Federal employees pursuant to Public Law 90–206.

The third point which I had raised in my communication with the chairman of the Agricultural Appropriations Subcommittee, the able senior Senator from Florida, concerned appropriations for the Soil Conservation Service. As I had told Senator HOLLAND, I received a great many letters earlier this year from supervisors of soil conservation districts and others who were concerned about maintaining the level of appropriations and continuing the good work of the SCS in providing technical assistance to farmers, for watershed planning, for the construction of small watershed projects—and urging also that the authorization for the agricultural conservation program not be sharply reduced as proposed by the budget. While the committee has maintained the amounts approved by the House for conservation operations and for watershed planning, which were approximately the same as the budget estimates, I note that the bill passed by the House increased from $33 million to $56 million the amount for installing small watershed works of improvement. The Senate committee recommendation of $58 million, together with a carryover of $5.7 million, would make available $63.6 million during fiscal 1969 to continue the construction of small watershed projects. This has been a very helpful and useful program, but construction of planned projects has already been stretched out in previous years. I consider it important that these projects be completed in a reasonable time, and that the backlog of approved

projects not become so large as to discourage local interest and participation in these upstream conservation measures.

In each recent year, the Bureau of the Budget has proposed to cut the agricultural conservation program by approximately one-half, but each year the Congress has restored funds for the agricultural conservation program. Of all the farm programs, I believe the agricultural conservation program helps more small farmers than any other. It is limited in the amount of assistance that can be provided to any farmer, but it does encourage measures which conserve and build the soil for future generations. In Kentucky, I know that more than 40,000 farms participate in the program each year, and while the average payment amounts to only about $160 per farm, I believe this program has played a large part in improving practices and preventing erosion—apparent to anyone who travels regularly about over the State, as I do. The committee has provided $195.5 million for the agricultural conservation program, somewhat less than the authorization for last year and the amount approved by the House this year. But an amendment is now pending in the Senate to reduce that amount by $95.5 million—to reduce it to $100 million, or less than half the level of recent years. I have opposed these amendments each year to so drastically reduce the agricultural conservation program.

I call attention also to the action of the committee increasing from $15 million to $30 million the authority for the rural housing direct loan program. The amount is provided especially for low-income-housing loans to individuals, but includes also $2 million for natural disaster housing loans. The direct-loan program is of particular interest in eastern Kentucky, and Kentucky is among the States struck recently by tornados, such as those at Falmouth and in Bracken County. The Senate bill also maintains the House amount for rural water and waste disposal grants.

I support, as I have in the past the school lunch and special milk programs, and the food stamp and food distribution programs. Earlier this year, on April 11, during the Senate debate on the extension of the School Lunch Act, I called attention to the importance of section 11 of that Act, which provides reduced price and free lunches to children not able to pay. I said at that time that I considered it most important that section 11 funds be realistically increased—for I can think of nothing that would do more good than to insure at least one sound meal a day for these children in isolated and deprived rural areas, and also in the deprived areas of our central cities.

Since that time, much attention has been directed to the food programs for those who are unemployed and who have little or no income. I have urged that greater priority be given to the adequate funding of section 11, which is an existing and proven program. I am pleased that the committee has recognized the value of this program by increasing the House amount from $5 million to $7.5 million. And I am glad to join with Senator HART in his amendment to increase fiscal 1969 funds for the reduced price and free lunches to the budget request of $10 million. While it may be considered a modest step, this would be an advance and would bring food to children who need it most.

There is great interest in improving the operation of the food stamp and food distribution program. I think improvements can be made, as I have discussed with the Secretary of Agriculture. But one of the best things would be to insure that children in these families get the school lunch.

It seems to me an anomoly that many families having little or no income, and therefore eligible for the food stamp or food distribution program, are in many cases asked to pay the full cost of the regular school lunch. Again and again statements have been made, in testimony before House and Senate committees and elsewhere, that often they cannot do so. It would seem to me a logical step to at least insure that, with respect to each of these families declared eligible for the food programs, the children who are in school be made eligible for the reduced price lunches.

I hope very much that the Department of Agriculture will take steps to see that this is done, and that the interested committees of the Senate and the House will ask for a survey and report on how this can be accomplished, and what level of appropriations may be needed to carry out such a program.

Mr. President, I do wish to commend the Senator from Florida [Mr. HOLLAND], the ranking Republican member of the subcommittee, Senator YOUNG of North Dakota, and the other members of the committee for their work on this bill, which is important to farm families in Kentucky and throughout the Nation, and to the economy of rural America.

Mr. HOLLAND. Mr. President, I yield myself 2 additional minutes.

I thank the Senator from Kentucky for his kind remarks, and I apply them not only to the Senator from Florida but also to all members of our committee.

I want to make it very clear, also, that there are literally thousands and thousands of children who are not able to pay for lunches and who are getting free lunches under the regular school lunch program.

It is true that in every area where the children are not able to pay, they are supposed to be taken care of, and many thousands of them are. The problem arises in the extremely poor districts, where the number of children who cannot pay is so great in proportion to others that no program has been set up. It is in such a situation that these two special programs would apply.

Mr. HART. Mr. President, thanks have been voiced several times to Senator HOLLAND, Senator HRUSKA, and Senator RUSSELL for their reaction to the proposal that was laid down last night.

May I just interject that I had the privilege of being a member of the Committee on Agriculture and Forestry for a few years at a time when Senator COOPER was a member. It was then, actually, that the section 11 idea was developed, and I am proud to say that we worked at it together; and it is nice to see that the program, when given an opportunity, has demonstrated great value.

Mr. President, may I then offer an amendment which will reflect the recommendation made by the Senator from Florida.

The PRESIDING OFFICER. Is the Senator modifying his amendment?

Mr. HART. I am modifying it to this extent: We will propose that we adopt the budget request in the area of section 11 and the pilot school breakfast lunch, and those two figures only.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, is as follows:

On page 18, lines 19–21: Strike out "$173,349,000 including $7,500,000 for special assistance to needy schools, $4,500,000 for the pilot school breakfast program," and insert the following: "$177,849,000 including $10,000,000 for special assistance to needy schools and $6,500,000 for the pilot school breakfast program."

Mr. HOLLAND. Mr. President, I have no objection to the amendment as modified, and I am able to speak, also for the distinguished Senator from Nebraska. We will be glad to take this item to conference, in the hope that it will prevail there.

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD at this point excerpts justifying the amounts, as contained on pages 162 and 164 of the Senate hearings.

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

JUSTIFICATION OF AMENDMENTS BY THE DEPARTMENT

(a) *The Department recommends that the amount provided by the House for cash payments to States be reduced $14,351,000, to restore the budget estimate.*

The amount budgeted for cash payments to States will provide for a Federal cash contribution of about 4.5¢. It is expected that 3.5 billion lunches will be served in 1969—a growth of about 5 percent.

The following table reflects for 1966–1969 the average Federal contribution per lunch from the direct appropriation:

Item	Fiscal year 1966 (actual)	Fiscal year 1967 (actual)	Fiscal year 1968 (estimate)	Fiscal year 1969 (estimate)
Number of schools (peak participation)	71,162	72,944	73,500	74,000
Number of schoolchildren (peak thousands)	18,040	18,456	19,600	20,200
Number of lunches served (millions)	3,093	3,147	3,336	3,503
Federal cash contribution (millions)	$139.1	$147.7	$155.0	$157.1
Average Federal contribution per lunch (cents)	4.5	4.7	4.6	4.5

The Department believes that the 4.5¢ Federal cash contribution is adequate. In any case, it should not be increased at the expense of the more pressing needs of the special cash assistance, pilot breakfast, nonfood assistance and the other programs in

this appropriation for which the budget estimates were reduced by the House.

(b) *The Department recommends restoration of the reduction of $5,000,000 made by the House for Special cash assistance to needy schools.* The House action in reducing this request would substantially reduce the progressive expansion proposed for this program in 1969.

The most urgent need for free or reduced-price lunches is concentrated in about 10,000 schools (less than 10 percent of the over 100,000 schools in the U.S.) located in both urban and rural areas. About 1.4 million children attending these schools cannot afford the price of a lunch. In these situations, the amount of cash assistance that can be provided under the regular lunch program, together with the limited resources the community can provide, is not sufficient to finance the cost of serving lunches to these children. Section 11 is specifically designed to provide special funds for these areas and schools where needy children are not now being reached.

The following table reflects program participation for 1967–1969 (1967 was the first full year of operation for the program):

Item	1967 actual	1968 estimate	1969 estimate
Number of schools	610	1,750	2,250
Number of lunches served (millions)	15.5	40	80
Federal cash contribution (millions)	$1.9	$5	$10
Average Federal contribution per lunch (cents)	12.6	12.5	12.5

The Department is considering national guidelines to help States and communities decide which children are entitled to free or reduced-price lunches. Determination of need is presently done by local school officials, and definitions of "needy children" vary from school district to school district, and sometimes among schools within districts.

(c) *The Department recommends restoration of the reduction of $3,000,000 for the pilot school breakfast program.* Under the House action 135,000 children could not be provided an adequate breakfast.

There is no question but that thousands of children arrive at school hungry and this inevitably affects their span of attention and conduct. In very poor families there may be little or no breakfast. In rural areas, children frequently ride the bus for as much as an hour or more and then stand around and wait for school to start. These children leave home early and time often does not allow for adequate breakfast. They may wait 6 or more hours for lunch. In urban areas, thousands of children are in families where the mother, or both parents, must leave for work long before the children leave for school. Breakfast tends to be a neglected meal.

Mr. HART. Mr. President, on behalf of the Senator from New Mexico [Mr. MONTOYA], who is necessarily absent, I ask unanimous consent to have printed in the RECORD a statement prepared by him and a letter and excerpts from certain testimony.

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

STATEMENT BY SENATOR MONTOYA

Mr. President, once again, the distinguished Senator from Michigan, Senator Hart, has taken the initiative in an effort to provide adequate funding for food programs for our nation's school children.

I am pleased to join him in this effort to increase the appropriation for the National School Lunch Program from the recommended $173,349,000 by the Senate Appropriations Committee to $184,149,000. Even this latter amount is a modest one and below the Administration's request.

Mr. President, I do not mean any criticism of Senator Holland, Chairman of the Agriculture Appropriations Subcommittee nor of the Appropriations Committee itself. I recognize that the Committee has been under tremendous pressure to trim all budget requests and that the cuts recommended in the School Lunch Program reflect this pressure. However, I believe that we are dealing with an exception here—one that we cannot afford to trim. That is, the feeding of undernourished children, many of whom would not get even one full meal a day were it not for the National School Lunch Program.

I, therefore, urge adoption of the amendment by Senator Hart.

Mr. President, I ask unanimous consent that a letter I received this morning from the New Mexico Superintendent of Public Instruction be inserted at this point in the RECORD as well as the pertinent portions of my testimony before the U.S. Senate Appropriations Subcommittee on the Department of Agriculture and Related Agencies in support of full funding for the National School Lunch Program.

STATE OF NEW MEXICO,
DEPARTMENT OF EDUCATION,
Santa Fe, May 27, 1968.

Hon. JOSEPH M. MONTOYA,
U.S. Senate,
Washington, D.C.

DEAR JOE: I understand that the Appropriations Committee of the House of Representatives has approved the budget for Fiscal Year 1969 for the School Lunch and Child Nutrition without a recommendation for funding Section 7 (State Administrative Expenses) of the Child Nutrition Act.

The New Mexico Department of Education would object to signing an agreement to administer the increasing number of child feeding program created by the Congress without monies for their administration. I strongly urge that Section XI of the School Lunch Act, as well as the Breakfast Program and the Non-Food Assistance Program of the Child Nutrition Act be funded at the full amount of the Executive Budget proposal.

If the above programs are to reach the maximum number of children it is imperative that funds for administrative personnel also be made available.

Sincerely yours,

LEONARD J. DELAYO,
Superintendent of Public Instruction.

EXCERPTS FROM TESTIMONY

Mr. Chairman and members of the subcommittee, I am pleased to appear before you again to testify in support of funds for programs administered by the Department of Agriculture in New Mexico. Today I would like to endorse particularly the President's recommendations for funding of the Department's food programs for children and low-income families.

We have a real nutrition problem in this country—the scope of it was outlined in the Department's recent report on the adequacy of the American diet as found in the 1965 survey on food consumption by households. The survey revealed considerable slippage from the levels of the earlier survey of ten years ago. We have simply got to make a concerted effort to reduce this trend.

Secretary Freeman moved immediately to direct an expanded nutrition education program by the Department with priority attention to children and young families, low-income families, the aged and the general population. There are other measures proposed by the Secretary but here, today, we have an opportunity to help in this effort by voting the funds requested to support the legislation we have written over the years.

The President has requested an increase in funds for the National School Lunch Program. He should have it. He has asked that Section 11—the special assistance phase of the National School Lunch Program—be increased to $10 million from the $5 million we approved last year. I am told that $30–$35 million would be required to meet the full need for this assistance. You may recall that when we first added Section 11 to the National School Lunch Act in 1962, we authorized a $10 million appropriation. Section 11 in itself recognized the difficulty faced by many low-income area schools where local resources and limited Federal assistance just weren't enough to begin and maintain a lunch program. We knew then that many schools weren't in the lunch program simply because they couldn't afford it. Many others were not meeting the National School Lunch Act requirement that free or reduced price meals be served to those who cannot pay the full price.

Hundreds of schools and thousands of children are in the lunch program this year because that extra financial help made a viable lunch program possible. The need still remains great in small rural schools and downtown elementary schools. Millions of dollars of assistance under the Elementary and Secondary Education Act have been spent to feed children in lunch and breakfast programs. Local officials felt that food service was a top priority need for their youngsters. With adequate funding of the programs under discussion today, Education Act funds can be directed where they were really intended—to strengthening local schools and improving their educational capabilities.

I urge full funding of the school breakfast program at the recommended $6.5 million—an increase of $3.0 million over this year. The other body recently passed H.R. 15398, providing, among other things, for permanent authorization for the two-year pilot breakfast program. I introduced in the Senate, a similar measure, S. 2871, in which I was joined by 26 co-sponsors. House action on the bill was unanimous—398 to 0. Equally unanimous was the opinion from coast-to-coast of the benefits of the breakfast program to children participating.

We opened several breakfast programs in Albuquerque schools a few weeks ago. One newspaper account had this to say in part:

"The first grader's cheeks were as red from what had obviously been a good scrubbing with a bath cloth as they were from the nip of cold air outside.

"Dressed in neat brown corduroy pants, scuffed sneakers and plaid sport shirt, he waited solemnly for his yellow plastic tray in the cafeteria line.

"On the plastic tray was a carton of milk, a glass of orange juice, a hot buttered roll, jelly and a steamy bowl of hot oatmeal . . . . .

"The youngsters—those who can afford it—pay a dime for the breakfast.

"The ones who can't—selected by the principal of each school—eat for free."

Mrs. Irvin Henreyson, of Albuquerque, who is President of the National Congress of Parent Teacher Associations, was present and said, "We feel that adequately fed children learn better, adjust better and have fewer problems than those who have a poor nutrition."

This year we appropriated only $750,000 for non-food assistance—equipment assistance for schools. For 1969, the request is for $6 million—and it should be honored. Lack of equipment and the money to buy it is inhibiting program growth in many areas. The Department of Agriculture and the State educational agencies have devised a variety of ways of meeting and overcoming the equipment and space obstacles to school food service. Some situations are more difficult than others but there is every indication the money has been used prudently and carefully.

We have asked a great deal of our State school lunch staffs in adding these new responsibilities—Section 11, the breakfast and equipment programs. We recognized this, too, in the Child Nutrition Act by authorizing some help to the States in administering these new features. But we appropriated no funds. The request for the next fiscal year is for $2.3 million and, I believe, in all good conscience, we should provide these funds. State school lunch staffs are small. In terms of numbers and salaries, they are in competition with all the unmet needs of others on the State educational staffs who have also had greatly increased responsibilities put on them in the last few years. The big difference is that we have provided help for State administrative costs in the education acts but not for the food service programs. The implementation of special assistance, breakfast and equipment programs is time-consuming and costly. On-site help must be provided. You can't sit in the State capitol and handle the tough ones by correspondence. You have to get out there and help the school put a package together. The money requested, when distributed nation-wide, will not build State school lunch empires. It will help ease the impact of increasing responsibilities. The Director of our New Mexico School Lunch Program has repeatedly emphasized to me that there simply are not enough man-hours available to meet the needs of all our needy children. For example, the State has turned back $40,000 of $56,158 in school breakfast money in fiscal year 1968 because of lack of funds for qualified personnel to administer the program.

I also want to endorse the continuing request for $104 million for the special milk program. It remains a valuable supplement in our efforts to improve child nutrition but it is no substitute for a complete meal—lunch or breakfast.

Mr. YOUNG of Ohio. Mr. President, 10 million Americans, mostly children, suffer from hunger and malnutrition. Too many American youngsters born to poverty stricken families are the victims of dietary deficiencies that affect their normal mental development as well as their physcial development. They are condemned from childhood to a lifetime of second-class citizenship. This is a continuing national disaster and must not be permitted.

There is uncontestable medical testimony that the first 5 years of life are the most important from the standpoint of nutritional needs and the necessity of an adequate diet. If babies and young children do not receive an adequate diet they often suffer irrevocable and severe physical and mental retardation damage. During recent hearings, Dr. Jule M. Sugarman, Associate Director of Headstart for OEO testified:

From our experiences with the Head Start Program, I am convinced that the problem of nutritional deficiency in disadvantaged children is both real and broader in scope than we had originally anticipated. Our observations of Head Start children indicate specific physical disabilities including anemia rates as high as 51.6 percent in some areas of the country. Head Start Center reports describe cases of malnutrition so severe that the child is unable to function in a meaningful physical and intellectual fashion.

We must provide an early childhood nutrition program to provide an adequate diet for America's disadvantaged children before irreparable damage is done.

Our most valuable and precious national asset is our youth. We cannot permit millions of children from low-income families to suffer permanent damage both physical and mental as a result of inadequate diet. It is unconscionable that such a condition should be permitted to exist, in the richest and greatest Nation in the world. The pending amendment which I have cosponsored with the distinguished senior Senator from Michigan [Mr. HART] to restore more than $10 million for the school lunch program and other programs providing food for children would help to correct this situation.

Mr. President, by restoring these funds, we are fighting one of the direct causes of the social ills which afflict the Nation. Hunger for food surpasses hunger for knowledge. Hunger surpasses any regard for social responsibility. Hunger for food in a land of affluence and plenty can only instill a sense of injustice, grievance, frustration and revolt.

Mr. President, last year the school lunch program served meals to more than 20 million children. These children were assured of at least one nutritious meal each schoolday. The school lunch program is a direct way of reaching those children who studies indicate are most markedly and adversely affected by hunger and malnutrition. By adopting this amendment which restores funds for the school lunch program, we will be a step further along the road to what must be our goal—a nation in which no child goes hungry.

Mr. YARBOROUGH. Mr. President, the pending fiscal year 1969 appropriation bill for the Department of Agriculture and related agencies, H.R. 16913, is the product of extensive and exhaustive hearings by the Senate Appropriations Subcommittee on Agriculture, which is very ably chaired by the distinguished senior Senator from Florida [Mr. HOLLAND].

It has been my great pleasure to serve under the fine and gracious leadership of Senator HOLLAND during consideration of this vital and complicated legislation. I wish to say to Chairman HOLLAND that I deeply appreciate his fairness to me and his consideration of my views during our deliberations on this bill.

Agriculture is a matter that touches each of us daily, whether we be producer or consumer. This bill, which appropriates $5,536,050,300, embodies the agricultural policy of the United States for fiscal year 1969. It is an extremely important piece of legislation—not only for those that it affects directly or even indirectly, but also for those that it leaves out.

In the few brief minutes that I will take here, I cannot touch on every aspect of the bill, though every provision is important and has been carefully considered. I will comment generally only on a few provisions of particular importance to me and to my State.

Particularly, I am gratified that the committee has seen fit to recommend new obligational authority of $329 million for the Rural Electrification Administration. This is $25 million more than the House bill provides, and I think it will be wisely used by the REA, which has extended its benefits to millions of our rural families during its distinguished 33-year history.

GENERATION AND TRANSMISSION LOANS

I especially am pleased that the committee took note of the important role played by the generation and transmission facilities of REA. In its report, the committee declares the policy of the United States toward these facilities to be as follows:

The committee recognizes that generation and transmission facilities are, in many rural areas of the Nation, a necessary part of the rural electrification program. It is aware of the beneficial effect which the operation of these facilities has had in reducing wholesale power costs for the distribution cooperatives serving the thin rural areas. It recognizes the need for "heavying up" generation and transmission facilities, as well as distribution facilities, to enable power-type cooperatives to meet their power supply obligations to their members and honor their commitments to other electric power systems where they are working together in power pools. It acknowledges the importance of having financing available for such facilities where distribution systems find it necessary to escape from unreasonable or damaging conditions sometimes imposed by unfriendly power suppliers.

The Administrator has advised the committee that the loan level for electric facilities proposed in the budget request will necessitate the deferment of some loan needs which would normally be met in fiscal year 1969.

The committee urges the Administrator to screen all applications for loan funds with extraordinary care in view of the Nation's need for practicing the maximum economy in fiscal year 1969 to insure that loan funds will be available to finance those facilities, including generation and transmission, which cannot be delayed without causing serious and lasting damage to existing rural electric systems and the economy and effectiveness of their operations.

I wish only briefly to note the committee's action on certain rural projects of the Farmers Home Administration. In three important programs—rural housing direct loan account, rural renewal, and rural housing for domestic farm labor—we have recommended funding at the level requested by the Department.

At least these amounts are needed, and I am hopeful that the Senate position on these important programs will prevail in conference over lesser sums approved by the House. Full funding of rural development programs are essential if we hope ever to stem the flow of rural residents to the cities.

The bill makes more than $146 million available for agricultural research programs. Agricultural research is the foundation of our Nation's farm and ranch program. Agricultural research projects dealing with new and improved livestock breeding, crop improvement, and watershed planning are important factors in our being the most productive agricultural Nation in the world. Action taken by the Senate represents an increase of $5,978,100 over the House bill.

For Texas, I support the Senate action appropriating $227,600 for pesticide research at College Station, Tex., an increase of $75,000 over the House-passed bill, and for restoring $25,200 for cotton research at College Station, which had been deleted by the House. I commend the Senate for restoring in this appropriations bill $84,200 for research for re-

ducing the costs of cotton being conducted at Lubbock, Tex., and for allocating $236,100 for cotton ginning research. This bill also appropriates $14,200 for research at Beaumont, Tex., to improve protein content of cereal and other grains and restores $10,200 deleted by the House for research at Brownsville, Tex., for reducing costs of producing cotton.

The Senate-passed bill provides $227,719,000 for the Soil Conservation Service which provides technical assistance to farmers and ranchers for soil conservation, watershed planning, flood prevention, and resource conservation and development. Under this bill, over $6 million will be available for assistance in watershed planning, and $17.5 million for flood prevention.

I have been a long-time supporter of the Great Plains conservation program which provides critical assistance to farmers and ranchers in the "dust bowl" areas of Texas and the Southwest. This bill allocates $16 million to be used for loans on a cost-shared basis. I regret this figure could not have been higher.

I would also like to mention my opposition to the attempts made to place a limitation on the amounts of money a farmer could receive under our agricultural programs. Any such effort should be well thought out and planned to be sure that the family farmer is receiving an adequate and just income. An across-the-board limitation without sufficient groundwork and study would not accomplish that program, but would indiscriminately eliminate many family farmers.

Furthermore, because of the provisions inserted in the cotton bill, if any such limitations were enacted there would be a return to the cotton bill of 1958. This snapback provision would deprive our cotton farmers of the benefits of the 1965 cotton bill.

Lastly, limitations on payments would completely destroy voluntary programs, since a farmer would not voluntarily participate in a program which would not entitle him to payments because of a maximum entitlement.

Mr. President, there is one dark spot in our agricultural picture. In spite of the fact that America's agricultural sector is the most productive of the world—indeed, it is the envy of the world—and in spite of the fact that the American people, as a whole, eat better than any other people in history, there is hunger, malnutrition, and even starvation in this land of plenty. Our agricultural affluence is phenomenal, but there are some who do not share in it. Paradoxically, there are some, perhaps millions, who do not have enough to eat.

It is almost impossible for most of us even to imagine the breadth and depth of hunger, malnutrition, and even starvation that plagues our country. Yet, in recent weeks, there has been clear evidence of this tragedy from three major sources: Hunger, USA, a report of the citizens' board of inquiry into hunger and malnutrition in the United States; Their Daily Bread, a report by the committee on school lunch participation; and Hunger in America, a CBS television report.

We have seen that hundreds of thousands of Americans—perhaps as many as 10 million—are being crippled in body, in mind, and in spirit because they have not enough to eat. Some are starving to death. The facts cannot be avoided any longer.

The Department of Agriculture has primary responsibility for our national effort to feed America's hungry. The food stamp program represents the Government's main attempt to deal with hunger. Yet, the progress of this and other surplus food-for-the-poor programs has not been sufficient to meet the need.

The budget request for the food stamp program was $225 million, only $40 million above the previous year. Mr. President, according to testimony from the Department of Agriculture, all of that increase is to be used to maintain the program at its present level of 2.75 million participants. There was no request for money to extend the program to the other 7 million or so Americans who are in need.

The committee approved the full amount requested. I had hoped we might do more. In my State, food stamps issued in fiscal year 1967 had a total value of $1,528,795. With some 3 million Texans living in poverty, that averages out to little more than 50 cents for each poor person per year—not a day, a week, or even a month, but 50 cents a year. More is needed, and we must all work to make sure that more is provided.

I also am concerned with the appropriation recommended for the school lunch program. This is a vital and a proven program. I was sorry that the committee cut it to $173.3 million from $184.4 million requested. I support and will vote for the amendment offered by the distinguished Senator from Michigan [Mr. HART] to fund the school lunch program at the full amount requested.

Mr. President, it is imperative that all Americans share in our agricultural abundance. We spend $1.5 billion a year to help feed the rest of the world. Surely we will now work together to make sure that none of our own fellow citizens go hungry.

Again, I commend the distinguished chairman of our subcommittee for his fine work and leadership on this bill. No man has worked harder than he to assure the steady growth of our agricultural capability, and no man has been more concerned than he that all Americans share in our productivity.

Mr. HART. I yield back the remainder of my time.

Mr. HOLLAND. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Michigan.

The amendment (No. 837), as modified, was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to take 5 minutes from the time on the bill, with the permission of the distinguished chairman of the committee, to lay the pending business aside temporarily and to call up Calendar No. 1134, S. 444.

Mr. HOLLAND. Mr. President, I am glad to yield, provided the time is limited to 5 minutes.

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

FLAMING GORGE NATIONAL RECREATION AREA

The PRESIDING OFFICER. In accordance with the previous order, the Senate will proceed to the consideration of Calendar No. 1134, S. 444, which will be stated by title.

The BILL CLERK. A bill (S. 444) to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes.

Accordingly, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 18, after the word "enjoyment." insert "Nothing in this Act shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing."; and on page 4, line 14, after the word "the" strike out the word "administration" and insert "purposes"; so as to make the bill read:

S. 444

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in furtherance of the purposes of the Colorado River storage project, for the public outdoor recreation use and enjoyment of the Flaming Gorge Reservoir and surrounding lands in the States of Utah and Wyoming and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Flaming Gorge National Recreation Area in the States of Utah and Wyoming (hereinafter referred to as the "recreation area"). The boundaries of the recreation area shall be those shown on the map entitled "Proposed Flaming Gorge National Recreation Area," which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in a manner coordinated with the other purposes of the Colorado River storage project, and in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote or are compatible with, and do not significantly impair the purposes for which the recreation area is established: *Provided,* That lands or waters needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 3. Within six months after the effective date of this Act, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the recreation area. Following such publication, the Secretary may make minor adjustments in the boundary of the recreation area by publication of the amended description thereof in the Federal Register: *Provided,* That the total acreage of the recreation area within the adjusted boundary does not exceed the acre-

age of the recreation area as shown on the map referred to in section 1 hereof.

SEC. 4. The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods where no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Nothing in this Act shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing.

SEC. 5. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interests in lands within the recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 24, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the purposes of the Colorado River storage project and the Secretary of Agriculture finds that such disposition would not have significant adverse effects on the administration purposes of the recreation area: *Provided*, That any lease or permit respecting such minerals in the recreation area shall be issued only with the consent of the Secretary of Agriculture and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section for removal of nonleasable minerals shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for receipts from national forests. Any receipts derived from permits or leases issued on lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act.

SEC. 6. The boundaries of the Ashley National Forest are hereby extended to include all of the lands not presently within such boundaries lying within the recreation area as described in accordance with sections 1 and 3 of this Act.

SEC. 7. Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Colorado River storage project within the exterior boundaries of the recreation area which have not heretofore been added to and made a part of the Ashley National Forest, and all lands of the United States acquired for the purpose of the recreation area, are hereby added to and made a part of the Ashley National Forest: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 8. Funds hereafter appropriated and available for the acquisition of lands and waters and interests therein in the national forest system pursuant to section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), shall be available for the acquisition of any lands, waters, and interests therein within the boundaries of the recreation area.

SEC. 9. Nothing in this Act shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

Mr. MOSS. Mr. President, I express my gratitude to the Senator from Florida [Mr. HOLLAND] for allowing us to intervene at this point because of the necessities of having this matter considered. It was called up on the call of the calendar yesterday, but we were not able to reach it. I believe we can handle the matter very briefly today.

S. 444 would establish the Flaming Gorge National Recreation Area on the lake that has been created by the Flaming Gorge Dam on the Green River in the State of Utah. The lake would extend into Wyoming for approximately 92 miles. This is a successor bill to two previous bills that have been before the Senate, introduced in 1964 and 1965, and this one was introduced on January 12, 1968.

The areas are now being administered under an administrative agreement between the Department of Agriculture and the Department of the Interior. This bill would establish it by law and would transfer the jurisdiction of the entire area to the Department of Agriculture, the Forest Service. This has become necessary because of administrative problems which we foresaw when we visited that area as a committee some 3 years ago. By consolidating the administration in the Department of Agriculture, we not only avoid overlapping and duplication of problems that arise from new administration, but also, it is estimated that there will be a saving of approximately $100,000 a year in the efficiency of the administration.

This is not a matter that will cause any additional budget expenditures. As a matter of fact, as I pointed out, it is a matter of economy. There has been one problem—to make certain that the management of the fish and wildlife there would be in accordance with the State law, which is the requirement under all of the recreation areas, and that has been worked out satisfactorily; and the bill has been reported unanimously by the Committee on Interior and Insular Affairs.

I therefore urge that this matter be quickly disposed of and passed by the Senate, so that it will be possible for the bill to be considered by the other body and signed into law this year; and I urge its passage.

I am glad to yield, Mr. President, to my senior colleague, the Senator from Utah [Mr. BENNETT].

Mr. BENNETT. Mr. President, I support S. 444, a bill to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming and I urge its immediate adoption by the Senate.

The bill would authorize as a national recreation area 201,253 acres of land and water extending from several miles below the Bureau of Reclamation's Flaming Gorge Dam on the Green River in northeastern Utah and upstream from the dam through steep canyon walls carved by the river, through the Uinta Mountains and the Flaming Gorge into southwestern Wyoming.

Currently the resources in the area are administered under an agreement between the Bureau of Reclamation, the National Park Service, and the Department of Agriculture. As reported by the committee, the legislation would provide for administration of the area by the Secretary of Agriculture, a move, I am happy to report, which would save about $100,000 in administrative costs each year by eliminating duplication of overhead costs, technical staffs, and public facilities.

This area has already become a major tourist attraction since Flaming Gorge Dam has created a large body of water in a semiarid region enhanced by breathtaking scenic surroundings. The section of the Green River from the head of Flaming Gorge downstream to the mouth of Red Canyon is almost a continuous series of canyons and smaller side canyons. Many portions of Red Canyon are narrow, precipitous, and colorful with the same reds, grays, and purples found in the canyons of Dinosaur National Monument. Flaming Gorge itself is notable for the intense reddish-orange shades of its cliffs which rise abruptly a thousand feet above the river. Generally, these canyons of the Green River parallel the Uinta Mountains, the only major east-west mountain range in the United States—an area nationally known for its scenic beauty.

Recreational use of the area will include boating, fishing, swimming, camping, picnicking, hiking, horseback riding, hunting, and water skiing. The area also has considerable historical interest and the Henrys Fork region would be an excellent point from which to present the story of the fur trappers, or mountain men, who persevered and did so much to open up this vast region.

In reporting this legislation to the Senate, Mr. President, I am very pleased to see that the Senate Interior Committee has agreed to amend section 4 in such a way as to protect the people of Utah and Wyoming by spelling out very clearly the role of the States in the management of the fish and game in the new recreation area. The amendment is designed to protect the States' longtime and court-supported rights in this field.

Section 4 originally read:

SEC. 4. The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

Working with our colleagues Senators HANSEN and MCGEE of Wyoming and Senator Moss of Utah as well as with State fish and game officials we have now added the following amendment to this section:

Nothing in this act shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing.

Mr. President, it is my feeling, and I feel the intent of the committee and of Congress, that this language guarantees to the States of Utah and Wyoming the right to apply State hunting and fishing laws within the Federal area.

Since colonial times in this country, the ownership of wildlife, by law, history and tradition, has been separated from the ownership of the land. The Supreme Court has also ruled that all species of wildlife are held in trust by the individual States for the people of each State. The historical doctrine of ownership of fish and game by the States is still basically the law of the land as decided in *Geer* v. *Connecticut*, 161 U.S. 519(1896).

This case was quite complicated and rather long, therefore, I will not go into its various ramifications. I will merely point out that the conclusion was that the States had inherited from the Crown and Parliament of England all of the rights, both of property and sovereignty, which were exercised in England over fish and game. Another significant case which set down the law that the U.S. Government is not the owner of game and fish, despite its superior treaty-maker power, was decided in *Sickman* v. *United States* (1950), 184 F. 2d 616.

This basic right, with one exception, has remained with the States. That exception concerns migratory bird treaties, since a treaty negotiated under the treatymaking power of the United States becomes the supreme law of the land and all State or Federal laws become subordinate to the provisions of such a treaty.

Mr. President, I do not want to take the Senate's time going into the legal problems and precedents in this field, but in the event others in this body want to go deeper into it, I have placed in the S. 444 Interior Committee hearing of October 19, 1967, a copy of a lengthy brief from the Legal Committee of the International Association of Game, Fish, and Conservation Commissioners which explains the problem fully.

In addition, it should be pointed out that legislation clarifying State jurisdiction has been introduced in both the Senate and House in this second session of Congress. Senators FANNIN and BIBLE, with seven cosponsors each, have similar bills before the Senate and a total of 12 Members of the other body have similar legislation before the House. I am pleased to report that I feel so strongly about this protection for the States that I have joined with Senator FANNIN as a cosponsor of S. 3212 and with Senator BIBLE on S. 2951.

This legislation has the widespread bipartisan support of virtually every organization in my State and elsewhere that deals with fish and wildlife. For the interest of the Senate these include: the Coordinating Council of Natural Resources of the State of Utah; the Utah Fish and Game Department; Arizona Game and Fish Commission; the Wyoming Fish and Game Commission; the National Rifle Association of America; the Utah Department of Natural Resources, the Western Conference of the Council of State Governments; the International Association of Game, Fish, and Conservation Commissioners, and the National Governors Conference.

It is obvious that when such groups as these show concern over a problem, it is time for the Congress to stop, listen, and act.

The added sentence at the end of section 4 would provide the protection embodied in the pending legislation and will provide the States their protection until the general legislation is approved by Congress.

I want to make it perfectly clear for those who may read these proceedings later and for those who may wish to seek out the intent of Congress in adding the last sentence to section 4 that the reason those words are there is to guarantee to the States of Utah and Wyoming the right to apply State hunting and fishing laws within the Federal area. The States shall prevail. It is as simple and as clear as that. We do not intend to allow the Federal Government to take control over fish and game hunters currently under State control.

Mr. President, once again I urge the Senate to act quickly on this legislation so that we can get it signed into law before the session ends. Now that we have handled the question of fish and game jurisdiction I am certain that the passage of the bill will be greeted favorably virtually everywhere.

Mr. HANSEN. Mr. President, I am extremely pleased that the Senate is taking such speedy action on S. 444, a bill to establish the Flaming Gorge National Recreation Area in the States of Wyoming and Utah.

This legislation is of considerable importance to those two States, and it is also another step in the meritorious program afoot in our country today which seeks to set aside for all time Federal lands of unique beauty and recreational value.

During consideration by the Senate Interior Committee, the question of jurisdiction over resident species of fish and wildlife was broadly debated, both in public hearing and in executive sessions of the committee. I am happy to have been a party to that debate and to have followed the very able leadership of Senator BENNETT of Utah, in clarifying those questions. I am also happy with the bill as it is now written, for I feel that it adequately protects the interests of Utah and Wyoming with respect to their long-time traditional rights in the control and management of resident species of fish and wildlife.

At the suggestion of Senator BENNETT, the Interior Committee included a final sentence in section 4 of the bill, which now reads:

Nothing in this Act shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing.

I urged the inclusion of the words "State laws" in that sentence in the interest of clarity. The legislative history shows that the inclusion of a similar sentence in the Sawtooth Recreation Area bill was for the purpose of guaranteeing to the State of Idaho its right to apply State hunting and fishing laws within the Federal area.

I believe it was the proper intent of the Congress in that case to preserve the status quo, irrespective of any arguments which may be currently made by the Department of the Interior on the matter.

General legislation affirming to the States their rights over resident fish and wildlife is now pending before the Congress. Until such time as that legislation is acted upon, I favor the preservation of the status quo on this matter in any specific bills, such as the Flaming Gorge bill, which may be adopted by the Congress.

This is by no means an empty question or a "straw man." There are rights of the various States involved here and these rights have been seriously threatened by policy positions, based upon the Solicitor's memorandum, M-36672, dated December 1, 1964, which have recently been taken by the Department of the Interior.

Recognizing the difficulties posed by the Interior Department's position, the International Association of Game, Fish, and Conservation Commissioners, and various State game and fish commissioners, including Wyoming's, have requested that Congress enact general legislation which clearly enunciates the jurisdictional responsibilities of Federal and State Governments on this matter. Since the Senate Interior Committee first considered the Flaming Gorge bill, such general legislation, S. 2951 and S. 3212, has been introduced, with wide bipartisan sponsorship, to accomplish this clarification.

On May 27, 1968, at page 15103 of the CONGRESSIONAL RECORD, I indicated to the Senate the broad cosponsorship of S. 3212, as introduced by the Senator from Arizona [Mr. FANNIN]. At this time, let me also point out that S. 2951, as introduced by the Senator from Nevada [Mr. BIBLE] is presently cosponsored by Senators ALLOTT, COTTON, SPONG, BENNETT, MOSS, MAGNUSON, CANNON, CHURCH, and myself.

I also call the attention of the Senate to the case of the New Mexico State Game Commission against Udall in which a decision was handed down adverse to the Department of the Interior on March 12, 1968, in the U.S. District Court for the District of New Mexico. This litigation arose out of differing jurisdictional claims under circumstances which could have as easily arisen in the Flaming Gorge area. I believe that it is more than hypothetically important that such jurisdictional questions be resolved in the legislation which authorizes these Federal areas, rather than through a long, after-the-fact, litigation process.

Lastly, I call attention to the present impasse between the National Park Service and the Wyoming Game and Fish Commission over the administration of lands within the recently established Big Horn Canyon National Recreation Area in Wyoming. This is a matter of immediate practical concern to both our Wyoming Game and Fish Commission and to the Department of the Interior. I have talked with, and written to, the various

parties in this dispute in an effort to reach an agreement and, pending such agreement, to insure that proper management of the wildlife and lands in question continues. Once again, this time-consuming and costly problem could have been avoided if proper language had been contained in the legislation authorizing the Big Horn Canyon National Recreation Area.

For these reasons, I consider the questions that have been raised about section 4 of S. 444 to have been very important to the States of Utah and Wyoming, and I believe the legislative record should be clarified accordingly.

Once again, I thank the members of the Senate Interior Committee, and particularly its chairman, Senator JACKSON, for the expeditious manner in which this legislation has been handled. I am extremely pleased by the action which the Senate is taking today.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

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

The amendments were considered and agreed to en bloc.

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

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. 17522) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

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

H.R. 3299. An act to authorize the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation, and for other purposes;

H.R. 14672. An act to amend the act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians;

H.R. 14922. An act to amend Public Law 90–60 with respect to judgment funds of the Ute Mountain Tribe;

H.R. 15224. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; and

H.R. 15271. An act to authorize the use of funds arising from a judgment in favor of the Spokane Tribe of Indians.

HOUSE BILL REFERRED

The bill (H.R. 17522) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1969, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 16913) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

AMENDMENT NO. 811

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 811, and ask that it be read. I am calling up this amendment on behalf of myself and the Senator from Wisconsin [Mr. NELSON].

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

At the appropriate place insert the following:

"SEC. —. Notwithstanding any other provision of law, after January 1, 1969, no producer shall be eligible for payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment-in-kind made to a producer."

Mr. HOLLAND. Mr. President, this would clearly change existing legislation and would constitute legislation on an appropriation bill. Therefore, under the instructions given by the Committee on Appropriations in all such cases, I make a point of order against the consideration of this amendment.

The PRESIDING OFFICER. The proposal of the Senator from Delaware is legislation on an appropriation bill. The Chair sustains the point of order.

Mr. WILLIAMS of Delaware. Mr. President, I concede the point of order in that the pending amendment would amend existing law.

AMENDMENT NO. 834

Mr. President, I now call up amendment No. 834, which would apply as a limitation to the bill before us. I call up the amendment on behalf of myself and the Senator from Wisconsin [Mr. NELSON].

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 38, between lines 17 and 18, insert a new section as follows:

"SEC. 510. None of the funds appropriated in this Act may be used to make payments to any producer during the fiscal year beginning July 1, 1968, for participation in any program or programs administered by the Department of Agriculture in an amount in excess of $10,000, or any payment-in-kind in excess of $10,000 made to such producer in such fiscal year."

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

The PRESIDING OFFICER. There is not a sufficient second.

Mr. WILLIAMS of Delaware. I shall renew my request in a moment.

Mr. HOLLAND. Mr. President, I want to make it clear that at such time as we have more Senators in the Chamber I shall be glad to join the Senator from Delaware in asking for the yeas and nays.

I would like to ask a question of the Senator from Delaware on this matter on my time prior to deciding whether or not to make a point of order.

Am I correct in my understanding that this amendment would not affect payments under the sugar program and the wool program since the funds to make such payments are not included within this bill, and since those programs operate under special laws which are financed under provisions included in those laws and which exist in the effort to deal successfully with deficit production of those commodities by increasing production of them in our country?

Mr. WILLIAMS of Delaware. To the extent that such payments would be made out of funds provided in this bill they would be affected.

Mr. HOLLAND. My question is: Are there any payments under this bill that would go to those two programs?

Mr. WILLIAMS of Delaware. I say, to the extent there would be any funds in this bill it would apply. Yes.

Mr. HOLLAND. Mr. President, this leaves open the question of whether payments under this bill would go to those two programs. My understanding is they would not; but since the Senator leaves that question open, I raise a point of order, because if this would affect the status of those two existing programs, it would certainly be legislative.

Mr. WILLIAMS of Delaware. I would point out that while it would affect them to an extent it also affects other programs. This is a limitation on expenditure of moneys as provided in the bill, and a limitation on the money provided in this particular bill would be in order.

The previous amendment went beyond that and provided that any other provisions of other laws also be included. That did go beyond the bill, but this proposal is drafted on a limitation of funds provided for in this bill.

Mr. HOLLAND. But the question of the Senator from Florida was intended to bring out a statement from the Senator from Delaware that there is nothing in this bill that supports those two particular programs. The Senator from Delaware does not concede that, but instead says that any funds under this bill that would support those programs would be affected by the amendment.

Mr. WILLIAMS of Delaware. Yes; but on the other hand, the moment the Senator yields the floor I am sure that someone from the corn-producing area would say it affected corn.

If we exclude all agricultural commodities we might as well lay aside the amendment.

Mr. HOLLAND. My understanding is that those two programs are not under this bill. If the Senator from Delaware thinks they are, there is certainly a point of order applicable here because those two programs operate under separate legislation. They are, in a sense, self-financing, in the case of sugar with respect to the processing tax, and with respect to wool, the percentage of tariff

fees. It is my understanding that in a sense those programs are self-operating.

The Senator from Delaware indicates that in his opinion there may be something in this bill that goes to the support of those two programs.

If that be the case, a point of order would have to be upheld.

Mr. WILLIAMS of Delaware. I said it would be true only to the extent the money is appropriated. If the Senator from Florida says they are not under the bill it would not apply, but if they are it would. I am not putting them in or taking them out; I am not passing an opinion. However, to the extent that they are included in this bill, they would be affected. We have a right to put a limitation on the appropriation in this bill.

Mr. HOLLAND. If it is the contention of the Senator from Delaware that those two programs are affected by this bill, I ask for the point of order.

Mr. WILLIAMS of Delaware. I am not contending that any more than I would contend that foreign aid is under the bill or that these payments are embraced in here.

This is a limitation applicable to all payments made from money provided in this bill.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Are those two programs affected under the provisions of the pending measure?

The PRESIDING OFFICER. The Chair cannot interpret legislation. This proposed amendment is confined to the money in this bill. If it extended beyond that, it would be subject to a point of order.

Mr. HOLLAND. Mr. President, I will withdraw my point of order. But I will state affirmatively for the RECORD that, in my opinion, this bill does not affect those two programs. If it should affect those two programs, certainly it would have legislative meaning, because those two programs are covered by separate acts of Congress, which have been modified by Congress. They have no relation at all to the ordinary application of programs under the Department of Agriculture which are price supported or encouraged by the Department for reasons other than that there is deficit production in our Nation.

The deficit production in our Nation in sugar and wool is the basic reason for the existence of those two programs, which are financed, as I understand it, from the sources I have indicated: In sugar, by the processing tax, and it is financed to an excess because there is a payment back to the Treasury of the excessive amounts raised; and in the case of the wool program, financed by that portion of tariff receipts on foreign wool which is imported into this country.

I yield the floor.

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

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

There is no need to labor the point. The issue is clear. Under existing law, payments to farmers not to produce crops are made in various amounts. The highest payment is around $4 million.

It is true, as the Senator from Florida has said, that, to a large extent, the largest payments are made to sugar producers. I wish to make it clear that to the extent that any of the payments, whether they be to producers of sugar, cotton, wheat, corn, oats, or whatever else they may produce, are included and provided for in the bill, they would be included.

My first amendment went beyond the bill and applied to existing law. It would definitely have included all those programs. However, I conceded that that amendment was subject to a point of order. But this amendment makes a limitation on payments provided for under the bill.

It has been estimated by the Department of Agriculture that if the payments could be reduced to a level of $10,000—and I think there is merit to that, even including the payments to sugar and other crop producers—the small farmer would be benefited. Much has been said about the need to protect the small farmer in America. Yet when these programs are put into effect and large payments are made, only one group or type of operation can afford to take advantage of the program.

The average small farmer, the one-man operation, has the same amount of equipment and incurs the same expenses to buy a tractor, a combine, or other types of equipment needed to produce the crop he is growing. If he takes a third or a fourth of his acreage out of production and idles his equipment, he has the same carrying charges as he would have if the equipment were used.

But the large, corporate type of operator can put a third or a half of his acreage into the soil bank and collect payments for nonproduction. He can merely roll his tractor or other equipment into the barn and lay off his help. To that extent the payments he receives constitute additional profit.

If the amount is confined strictly to $10,000, an advantage would be given to the small farmer. Why should he not receive an advantage? We shed crocodile tears about the plight of the small farmer. Why not do something for him? It is estimated that if the $10,000 limitation were extended across the board the annual savings would be around $600 million.

Certainly at a time when we will have to cut the spending for fiscal 1969 by $6 billion, which we are proposing to do next year, here is a place we can reduce spending by $600 million a year and I think can have just as good, if not a better, agricultural program and one more equitable to the smaller producers. I want to point that out as I make that statement.

Contrary to what many may think, I come from a farm-producing area. I know that the State of Delaware is small, but the county in which I live, up to a few years ago, was the third or fourth highest ranking county east of the Rocky Mountains in agricultural production. So I am not speaking from the standpoint of a heavily populated area; we do have farmers in the area I represent, and I think I know what those farmers are confronted with. I was born and reared on a farm myself.

I do not understand how anyone can justify the payments of $50,000 to $100,000 being made under this particular program.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 additional minutes.

Mr. WILLIAMS of Delaware. Mr. President, I placed in the RECORD on May 23 a list of payments in excess of $50,000. The committee report carries this list to $5,000. But just to show the size, I notice there are 186 in Alabama over $25,000, totaling $7¼ million; 32 and a half million dollars going into Arizona; 28 and a quarter million dollars going into Arkansas, and so on down the line.

I ask unanimous consent that this list of over $25,000, broken down by States, be printed in the RECORD. There were 6,579 so-called farming operations which collected $333,127,693 last year. All of these payments were in excess of $25,000.

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

1967 PAYMENTS OF $25,000 AND OVER UNDER ASCS PROGRAMS BY STATES (EXCLUDING PRICE SUPPORT LOANS)

State	Total payees	Total payments
Alabama	186	$7,262,524
Arizona	495	32,632,601
Arkansas	617	28,270,128
California	810	61,310,642
Colorado	75	2,935,565
Florida	49	4,943,043
Georgia	130	4,797,677
Hawaii	26	9,808,390
Idaho	49	1,766,205
Illinois	13	463,829
Indiana	9	379,443
Iowa	9	459,645
Kansas	109	3,804,974
Kentucky	3	84,644
Louisiana	263	11,266,492
Michigan	2	67,863
Minnesota	5	150,891
Mississippi	1,112	55,890,830
Missouri	85	3,295,160
Montana	45	2,101,731
Nebraska	23	739,913
Nevada	6	291,448
New Mexico	101	3,857,277
North Carolina	48	2,103,774
North Dakota	21	726,807
Ohio	3	132,065
Oklahoma	58	1,987,838
Oregon	44	1,486,281
Pennsylvania	1	28,710
Puerto Rico	55	3,553,220
South Carolina	157	6,117,524
South Dakota	12	406,439
Tennessee	73	2,821,483
Texas	1,762	72,646,201
Utah	6	207,679
Virginia	2	62,486
Washington	106	3,966,469
Wisconsin	2	66,176
Wyoming	7	233,626
Total	6,579	333,127,693

Mr. WILLIAMS of Delaware. Mr. President, I do not see how we can justify these large payments, particularly at a time like this.

I hope that the amendment will be adopted, fully recognizing that we can

find many places more meritorious to put our money.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I give three brief reasons why I think the Senate should not adopt the amendment and I hope it will not consider adopting it.

The report shows on page 35, about the middle of the page, that the amount included for the Commodity Credit Corporation includes $350,467,000 to liquidate contract authorizations established in fiscal year 1968 and payable in fiscal year 1969. These are payments for land diversion and all types of program payments, many of which go beyond the figure stated by the Senator from Delaware.

We can all understand his enthusiasm for limitations but it should be on the basic legislation.

The point I am making now is that he is suggesting we repudiate contracts made and in effect and under which payments have been promised and under which $350 million-plus is appropriated for under the particular bill to pay off Uncle Sam's obligations to farmers from one end of the Nation to the other under existing contracts.

Mr. President, the second point I make is that insofar as the amendment proposes to limit payments to $10,000 this year, the amendment does not seek to change basic legislation. Under basic legislation, there would be many farmers who have already planted or who will be planting and who will be entitled, under basic legislation, to more than $10,000 of price supports. He does not propose to change the basic legislation. He does not propose to change the obligations which the Federal Government will owe under that basic legislation to hundreds and even thousands of farmers from one end of the Nation to the other.

Mr. President, many times I find myself in complete approval of things which the Senator from Delaware suggests, but I am rather surprised to find him suggesting here the two objectives which I have already mentioned; namely, repudiating obligations already made and obligated in the amount of $350 million-plus; and, second, proposing, without changing the basic legislation, to deprive farmers who are entitled under that basic legislation to sums which are fixed in accordance with that basic legislation, of their right in such a way as will not prevent them from having claims against the Government, which are enforceable. They would have to be paid by future appropriations or reduced to judgments in courts of claims. He does not propose to change this basic legislation; but, instead, proposes this limitation which does not at all go to the setting up of contracts in strict accord with basic legislation.

The third point I make hurriedly is this: I find no way at all to equitably distinguish between small and large farmers when it comes to the taking of a position here which, in effect, fixes prices on the market. It is fair to say that, with reference to one group of farmers, their price can be upheld to the tune of $10,000 payments, and with respect to other farmers, their price upon the same kind of commodity, which happens to be produced in greater amount by them, will not be upheld but, contrarily, their product might easily be thrown on the market at a price which will adversely affect the whole market structure?

I make these three points because I think they are basic, although they are not the only points which can be made. It would be inconceivable to me that Congress, which has passed this basic legislation and which is now trying to honor the $350 million-plus of outstanding contracts, and is now not proposing to affect the basic law under which many new contracts will be made, and is not proposing to affect basic legislation under which all are treated equally, whether they be large or small, would adopt this kind of amendment. I hope that it will not do so.

Mr. TALMADGE. Mr. President, I heartily endorse and concur with every word the distinguished and able Senator from Florida has said with reference to the amendment. I hope it will be defeated.

Congress, in its wisdom, has passed farm price support programs for more than 30 years. We have tried to give the farmers a better share of the national income. We have not succeeded very well because farmers still earn only about half what the nonfarmers in the United States earn.

The amendment offered by the distinguished Senator from Delaware would have the effect of absolutely destroying the farm support laws in this country.

Why do I say that? Because Farmer A could be producing wheat, and if this amendment is agreed to, wheat would have one price for Farmer A and a different price for Farmer B. In other words, there would be unequal treatment of the laws in this country, affecting the people of our country. That would be inherently true of every price-supported farm commodity in the United States.

I do not believe we can pass legislation here and say, in effect, that though the Congress of the United States has passed these farm price-support laws, now we are going to destroy them by limitations in the appropriation bills that make such laws totally inapplicable and totally ineffective.

I believe all citizens of the United States must be treated alike, whether a farmer is a small farmer or a moderate-sized farmer or a large farmer. If we are going to have a price support program that will work, it means that every pound of every essential commodity that is grown must be supported by the Government at the same price. Otherwise you would have a sieve, through which some farm commodities would sift at a low price. Then how do you expect another farmer to sell the same commodity at a higher price when it is selling in this country at a lower price?

The Senator from Delaware has offered this amendment from time to time. It has some emotional political appeal in some quarters. I hope the Senate will understand that, if it is agreed to, it will destroy the farm price support program for all our basic commodities in the United States. I hope the Senate will turn it down by an overwhelming majority.

Mr. HOLLAND. Mr. President, I agreed to yield to the Senator from Nebraska, who, I understand, has to leave.

Mr. PASTORE. Mr. President, will the Senator yield me a minute to permit me to ask a question of the Senator from Georgia?

Mr. HOLLAND. I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Those of us who are interested in the textile industry—and certainly I am interested in the consumer, and I have always taken that position in my entire public life—feel we are in a paradox in connection with cotton. The cotton we produce we sell abroad to foreign manufacturers at a price 8 cents a pound lower than the domestic manufacturer can buy it in the United States, to make shirts and other cotton products.

I am wondering—and this is the question I ask the Senator from Georgia—whether this proposal would affect or repeal what we have done with regard to equalizing the plight of the domestic manufacturer, who is providing American jobs, as against a foreign exporter of goods to the United States, who can buy cotton from the United States at a reduced price of 8 cents per pound?

Mr. TALMADGE. It is the considered opinion of the Senator from Georgia that, if this amendment were to be agreed to, it would destroy one-price cotton that has been so beneficial not only to the farmers of the country but to employees in our textile industries and the textile employers themselves. This provision, in my judgment, would be an opening wedge to destroy the gains that have been made by the textile industry in recent years.

Not too many Georgia farmers would be affected by this legislation, but the Western cottongrowers are much larger than those in my State. Those that now participate in that program with substantial acreage could not participate if the amendment of the Senator from Delaware were agreed to. I think the effect of it would be to ruin the jobs, the incomes, and the living of thousands of textile employees through the length and breadth of our country.

Mr. HOLLAND. Mr. President, I yield such time as he may need to my distinguished friend the Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Two minutes.

Mr. President, I rise in opposition to the amendment. The case is well stated by the chairman of the subcommittee in the three points he makes. I just want to reiterate one of those points, namely, the effect of the amendment being a repudiation of contractual obligations of the U.S. Government. It would be hard to conceive of the practicality of the Government issuing a security on which it promised to pay 4½ percent and, at a later time, after the security had been issued, delivered, and paid for, to try to pass a law in the Congress saying no interest shall be paid on outstanding ob-

ligations in excess of 3½ percent interest. That, in a way, indicates what the amendment of the Senator from Delaware would do in that regard.

The arguments advanced by the Senator from Georgia are absolutely sound. The amendment would be a repudiation of the entire system of this type of payment. Perhaps that is a subject that can well be argued. Maybe it would merit some consideration on the basis of an independent debate. But certainly the way to attack the problem is not by the method adopted by the Senator from Delaware, however well-intentioned it is. I say that most respectfully, because all of us know of the sincerity efforts of the Senator from Delaware whenever he makes a proposal.

Mr. HOLLAND. Mr. President, I am going to yield to the Senator from North Dakota [Mr. YOUNG], but before I do, I want to advise the Senator from Delaware that the Senate Committee on Agriculture and Forestry is even now considering legislation for the future in this field. I warmly invite him to appear before that committee, because there would be the proper place for making this suggestion, and not by an effort to tie it to an appropriation bill, which would do violence to contracts that are outstanding.

I shall be glad to yield momentarily to the Senator. Then I have agreed to yield to the Senator from North Dakota.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes from my own time.

I am submitting to the committee a proposal to amend the existing law.

The Senator from Florida has raised the question that this proposal should be directed to basic legislation. The reason why it is not directed to basic legislation is very simple. The Senator made a point of order against my first amendment, which would have amended existing law, and that point of order was sustained. I do not question it. The reason why we are acting here on the basis of a limitation is that we are not able, under the rules of the Senate, to offer a legislative proposal at this time.

If the Senator will withdraw his point of order I shall be glad to accommodate his wishes and make this an amendment to the existing law.

As to the price support program, the Senator from Georgia mentioned that my amendment would destroy it. The amendment does not affect in one iota the price support program. We do not touch that. The price support program is a separate law. The price support program is not affected by this amendment, either by its rejection or by its adoption.

We are not repudiating our obligations. We have no obligation to pay these large farmers half a million dollars or $200,000, any more than we have an obligation to pay x dollars under the school lunch program or other programs. We modified that program this morning. We appropriate money, and surely, as we appropriate it we can lay down ground rules.

As to the argument that people would be treated unequally under the law if we put a limitation on large operators, I point out that there is nothing unusual about that. A large segment of American society is paying taxes to the Federal Government.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I yield myself 2 additional minutes.

At the same time, other American citizens, equally eligible to citizenship, pay no taxes and are the recipients of welfare due to their financial status. So we have a situation where one man is paying into the Government and another is receiving from the Government.

So the argument that we must give everybody $50,000 or $100,000 because he qualifies as a farmer, as far as I am concerned, is not a very valid argument.

All that I propose to do is put a limitation on the amount which can be paid to any one individual. As evidence that this is not a revolutionary proposal, under another section the bill itself provides for ACP payments limiting to $2,500 per farmer the amount anyone can receive, and that provision was put in by the committee. The small farmer can get up to that amount, and the larger farmer has that ceiling.

So we have a precedent for this proposal. It is just a question, Do we or do we not wish to limit these payments?

Mr. HOLLAND. Mr. President, with reference to my raising the point of order, as the Senator knows, that was my duty under the standing rules of the Senate.

Mr. WILLIAMS of Delaware. I appreciate that and did not question it.

Mr. HOLLAND. Furthermore, as the Senator knows, the Senate Committee on Agriculture is now considering legislation for next year and the following years in this field, and I have invited the Senator warmly to appear before us. He makes a very persuasive case, and the committee will be glad to hear him. That is the proper place; this is the point I have been trying to make.

Mr. President, I yield now to the Senator from Kansas [Mr. PEARSON], who the Senator from North Dakota tells me was on his feet before the Senator from North Dakota.

Mr. PEARSON. I thank my colleague.

I merely wish to say that I concur in the comments of the Senator from Florida and the observations made by the Senator from Nebraska.

The facts and figures put into the RECORD by the Senator from Delaware are indeed startling. As I have extracted them, he indicates that there are five farming operations receiving more than $1 million each; 15 receiving between $500,000 and $1 million; and I think about 388 receiving, every year, between $100,000 and $500,000.

These are figures that cause one to think again about the farm program. But the point to keep in mind, I think—and I represent, as does the Senator from Nebraska, an area where there are some very large farms—is that if the situation were such that the big farmers were making money and the little farmers were not making money, then there would be more merit to the amendment of the Senator from Delaware.

But parity, which is today about 72 percent, affects the big farmer as well as the small farmer; so the subsidies coming out are helping the big farm operations, which are caught in the same price squeeze as the little farmers. They are subject to the same low net incomes in proportion to investment, in proportion to effort, and in proportion to the amounts they take in.

So I find it difficult, given those facts, to believe that the proposal made by the Senator from Delaware faces up to the realities of American agriculture today.

I thank the Senator for yielding.

Mr. PASTORE. Mr. President, may I ask the Senator a question?

Mr. HOLLAND. Mr. President, I yield another 2 minutes to the Senator from Kansas, so that the Senator from Rhode Island may address a question to him and receive an answer.

Mr. PASTORE. Mr. President, without regard to the emotional appeal—because when we say that we are paying a million dollars or a half million dollars to an individual to subsidize his profit, it is hard for most people to understand what that means to the consumer, what advantage he gets out of it—the Senator has made an argument here that in many of these cases even large producers are in financial straits.

The question I ask the Senator is this: If the amendment of the Senator from Delaware should prevail, what in fact would it do to that man who receives a million dollars in subsidies?

Mr. PEARSON. I think, if he is still operating under the production controls that he will be operating under, but not receiving the subsidy which he is paid to conform, under the law as it now is, he would be in very dire shape.

Digressing a moment from the Senator's question, I do not say that some of the large farm operations are not making money. I think they are. But where to draw the line between the large operations and the small operations, which are all subject to the same price situation today, at about 72 percent of parity, is what gives me great concern.

Mr. PASTORE. What will it do to the production of food, in an era when we have millions of people in our own country who are not being properly fed?

Mr. HOLLAND. It discourages it, of course.

Mr. PEARSON. I cannot answer the Senator's question, although it is an excellent one. I cannot answer except to say that I think we would have lower production, actually, in the food supply of this country.

Mr. PASTORE. The point I am trying to make is this: In the event we were to eliminate the subsidy, would that force even a large producer to the point where he would have to restrict his planting, and not produce as much?

Mr. PEARSON. I think it would have the opposite effect. I think if we were to pull away the subsidy which he is paid to conform to a farm program which limits production, the only opportunity he has, then, is to expand production, and that would have a very serious effect upon the market today.

Mr. PASTORE. Would not that give us more food to feed the hungry?

Mr. PEARSON. That is the argument of a great number of people who would like to remove all farm controls today.

It might be a very good thing, but we have not gotten to that point yet; and as long as we are in a controlled agricultural production, I find it very difficult to find a place to properly draw the line between the big farmer and the little farmer.

Mr. HOLLAND. Mr. President, I now yield such time as he may require to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, the amendment offered by the distinguished Senator from Delaware is not without merit, and is not without support in my State. I think some kind of a limit is desirable. But this is a question we would wish to consider very seriously, in view of the fact that these farm programs have been changed almost completely in the last 5 years. With respect to cotton, we now have a one-price program, and we do not require the big export subsidies of years past. With respect to wheat we have a one-price program now, with practically no export subsidy.

The cash price of wheat today is only about half what it was 20 years ago. There has been no other period in the last 20 years when cash wheat prices have been lower. To compensate for this lowering price, we have the wheat certificate payments. This is a part of the support the farmer receives to compensate for world prices for wheat. The same thing is true of cotton, and the same thing is true of sugar. We have gotten away from import protection for the sugar industry. But, in turn, we give the domestic producer a subsidy payment to stay in business and to give total income sufficient to produce at least a part of total requirements.

If it were not for the sugar program, there would be practically no sugar produced in the entire United States, and we would be completely at the mercy of the rest of the world. Nearly half of the income of the sugar beet producer is by way of payments under this program.

In my State, if you happened to be a sugar beet producer and a wheat producer, your payments would have to be fairly sizable if you were to maintain a feasible economic unit. This is in the nature of the programs. This is one of the reasons why Secretary Freeman, who is a long way from being a conservative, believes that a limitation would do great injury to these programs.

Wool is another example. In recent years, we have done away with price supports and let the world price govern. In order to maintain any wool production at all in the United States, we pay the wool producers a subsidy payment. Even with this payment, the sheep population now is far lower than it was 100 years ago. I think everyone will agree that it is highly desirable to maintain some kind of wool production in the United States. That is why the textile manufacturers, and even the textile workers, are greatly interested in these programs.

This proposal would not seriously affect my State. I suppose more than 90 percent of our producers receive payments of less than $6,000 a year. There are none in the bracket over $100,000, that I know of. So the proposal of the Senator from Delaware does not seriously affect my State.

But if we want to keep the progams workable, it is necessary to have the big producers as well as the small producers participating in them, and that includes the land retirement program, the acreage control or production control programs which include payments.

These programs are not without their shortcomings, but without them agriculture, the most important biggest segment of our economy, would be in much more trouble than it is today.

What is more important than the production of food and fiber here in the United States? The purchasing power of the agricultural economy is far greater than any other segment of our economy, and the programs, as I said before, are now based on these payments. If we place a limitation on them, I think we should seriously consider what that limitation should be and it should be written into the acts themselves. Otherwise we might wreck the whole program.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator.

Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, most of these large payments referred to by the Senator from Delaware are in the sugar program. I want to make it very clear that those payments are financed by a process tax against the very sugar the grower produces. And the payment he gets back is smaller for the big producer per unit than it is for the little producer.

The result has been that every year a very large payment is made to the general revenue fund after the operation of the year's business.

If the Senator will look at his figures, he will find that most of these large payments are made to large sugar producers who have already put up more than they got back.

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

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Florida does not have 5 minutes remaining.

Mr. HOLLAND. Mr. President, I will be glad to yield time from the bill. I have 30 minutes on the bill, as I understand it. I yield 5 minutes from any time that I have to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. Mr. President, the pending amendment, or similar amendments, have been offered many times in the past and have been defeated consistently by sizable margins. I hope that this amendment will likewise be rejected.

The various farm programs have been passed in an effort to do two things. The first was to assure the farmers of the country some reasonable income commensurate with their important part in the economy and comparable to that of people who live and work in the cities. That objective has not been reached; the farmers still work the longest hours and receive the lowest reward for their labors. The second objective was to deal with the enormous surpluses built up after World War II. Substantial progress has been made toward this objective, but we wish, certainly, to retain this satisfactory relationship.

The pending amendment would destroy our farm programs, because we cannot deal with one farmer in one manner and deal with his neighbor who is producing the same farm commodity in a different manner.

This amendment is directed to establishing eligibility of producers for price-support payments rather than to restrict the use of funds in the appropriation. The impact of the limitation would fall directly on large producers, but would indirectly affect all producers. If large producers were unable to use price-support loans to carry out orderly marketing, they would be forced to dispose of crops in such a manner that prices would be depressed, thus adversely affecting small producers and disrupting orderly marketing procedures.

The result of such an amendment would be the collapse of successful farm programs and a return to the situation of more than 30 years ago with alternating overproduction or underproduction, extremely high or extremely low prices, a depressed agricultural economy including foreclosures of small farms, and a probable national depression.

An appropriation bill is not the proper vehicle for establishing public policy with respect to the substance of our agricultural programs.

As important as is the policy dealt with by the pending amendment, it seems to me that the most conclusive and unanswerable objection to this proposal on an appropriation bill is that it is wholly inappropriate to deal with it in this manner, even assuming that it had any substance.

I hope that the Senate will reject the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLAND. Mr. President, I yield the distinguished Senator from Wyoming [Mr. HANSEN] as much time as he needs.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. HANSEN. Mr. President, I rise to speak on the pending amendment with mixed emotions. I am not unmindful of the fact that since 1960 in this country we have lost nearly one out of every four of our farmers from the farms and ranches of America.

I am conscious of the fact that parity stands today at 73 percent. Cattle ranchers, of which I am one, are receiving for their products today about the same amount that they received 20 years ago.

If there is one thing on which most or many of us could agree, it is that our experience in controlled agriculture has not been very successful.

I hope that before too long this very distinguished committee can get together and decide and agree upon a plan and a program that will be more responsive to the desires of the consuming public while recognizing at the same time the problems of rural America.

We are concerned when we consider the problems of cities and municipalities.

We recognize that much of the problem existing in those areas has resulted from the extreme poverty which characterizes sections of rural America today. There has been an exodus from the rural South and from the West to the cities because farm income has been so low. Yet, at the same time we are called upon to support a program that is costly and that seems to fly in the face of some of our other objectives.

I was quite interested in the question of the distinguished Senator from Rhode Island [Mr. PASTORE] who asked:

> Would not these programs, if they were changed so as to encourage production, help alleviate hunger?

The fact is that a lot of the crops which are presently price-supported are not very much in demand. I doubt that there are very many poor people in the country today that do not have available to them some of the surplus crops that are being price-supported today.

I say this from some firsthand knowledge. In my State of Wyoming, I know it has been reported more than one time. When we used to have a surplus commodity availability plan whereby welfare recipients could get certain commodities that were in excess, they chose not always to use the commodities they were able to receive. And one could drive down certain farm and country roads around some of the cities in Wyoming and find thrown out alongside of the road some of the commodities that were actually being given away by welfare agencies.

So, I do not think it quite responds to the question of hunger in America to say, "Would we not be better off to vote to stimulate production of commodities already in surplus?"

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

Mr. HANSEN. I yield.

Mr. PASTORE. Mr. President, I think that the Senator from Rhode Island was grossly misunderstood on that point that he was trying to make.

I have been listening very attentively here, and there was such a push here for the subsidy that I was wondering if we eliminated the subsidy, whether it would put thousands of people out of jobs and drive people away from the farm and do us more harm than good in the long run.

I regret very much that the Senators from these States have talked around the point and not come to the center of the point I am trying to make.

In other words, why are the subsidies so essential? Would it hurt the consumer and the population of America in the long run? Would it drive these people out of business? Would it drive the farmers to the urban areas, as the exodus in our experience has shown over the years?

I think when we talk to a consumer and tell him he has to pay a little more, we ought to justify why we are doing it and why it is to his benefit. And no one has said that yet. No one has quite expressed that, and I hope somebody would do so.

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

Mr. PASTORE. I yield.

Mr. HOLLAND. Mr. President, I am very glad to answer that question categorically, because in my opinion, it would drive many thousands of small farmers off the farms and into the cities. In my opinion, it would make it possible only for the well financed, highly organized, and large farmers to stay in business.

I have been willing to support price supports—which are not popular in my State—because I think it is part of the effort to keep the people on the land. It is necessary, if we are going to keep them there. It strikes very strongly at the question of prosperity in the country and prosperity in the city. If you add hundreds of thousands going to the cities, and they are to be added to those who are already there and who have found no particular place to work, our problems in the great cities became more complicated.

So my feeling is that the answer to the Senator from Rhode Island is this, and it is clearly this: destruction of the price support system is a destruction of literally hundreds of thousands of small farms.

Mr. PASTORE. I have been waiting for that answer for an hour, and I thank the Senator from Florida.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HANSEN. I yield.

Mr. YOUNG of North Dakota. I agree with the Senator from Florida. This would accelerate the exodus of the farmers to the big cities.

In further reply, the eventual result would be more big corporation farmers and much fewer farmers. The fewer farmers we have—and we have only about 3.5 million now—they would have a much better chance to get together and organize, control markets, and demand and get a higher price.

Mr. PASTORE. The Senator from Rhode Island has to go back and explain to the consumer in his State. We have no price supports in my State that amount to anything, whether it is 5 cents, $5,000, or $5 million. We buy; we do not produce. On the other hand, there must be something to buy, in order to eat.

I have been waiting for this answer, because I have to document what I say, because I am going to vote against the amendment.

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

Mr. HOLLAND. Mr. President, I had yielded to the Senator from Wyoming. I will yield if he has concluded.

Mr. HANSEN. I did have one or two more comments. I appreciate the graciousness of the Senator from Florida, and I will yield the remainder of my time back, in order that other Senators may be heard.

Mr. HOLLAND. I have only 18 minutes remaining. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, as one who has viewed most intimately the entire change in the migration away from the farm and the changed methods, I heartily agree with the Senator from Florida in his fine analysis of the situation as to the impact and the necessity to keep this matter spread out and to keep more people on the farm.

Some type of subsidy program is absolutely essential, and if you do not have it, the day will quickly come when, as the Senator from Rhode Island has said, the supply of food would be reduced and it would be necessary to pay a premium price for the supplies that were available, because the production would not be there.

Mr. HOLLAND. I yield myself 1 minute.

If I may add to my answer to the Senator from Rhode Island, not only would the production be more concentrated in the hands of the large producers, but, also, the mechanization would be largely stepped up, because it is the large producers who are able to avail themselves of every fine development in mechanization. That means, of course, a reduction in agricultural employment, which means that more and more people who have been employed agriculturally will go to the cities—not only the producers but also the employees.

Mr. President, I see that the chairman of the legislative committee, the Senator from Louisiana [Mr. ELLENDER], who is extremely knowledgeable in the field of agriculture, is in the Chamber. I shall be glad to yield to him out of my limited time, if he wishes to say anything on this subject.

Mr. ELLENDER. Mr. President, as chairman of the committee, I appreciate the kind remarks of my good friend the Senator from Florida.

A few years ago we had a study made with respect to what would happen if we were to strike out all price supports. The study was very interesting, and it showed that wheat as well as all other commodities could not be produced profitably unless we had price supports.

The report showed further that farm prices would fall substantially and production would continue to increase by about 2 percent per year if all acreage controls—except tobacco—were removed and price supports were at levels which would permit an orderly reduction of currently excessive stocks of storable agricultural commodities over a 7- to 10-year period.

Increased marketings would result in average farm prices of about 90 cents per bushel for wheat; 80 cents a bushel for corn, with other feed grain prices in proportion; $3 per hundredweight for rice; 25 cents a pound for cotton; $15 per 100 pounds for beef cattle; $11.20 per 100 pounds for hogs; $3.60 per 100 pounds for milk at wholesale; 29 cents a dozen for eggs; and 15 cents a pound for broilers.

The farmers would not ask for any price support, if every industry can start from the same level. But with contracts providing a minimum wage of as much as $1.60 per hour, that affects the farmer.

On the other hand, the cost of a family-type farmer getting into business has gone up from a measly $5,000 to $6,000 per year, say, 15 years ago, to as much as $50,000 today. A good deal of the production must be mechanized.

I am very hopeful that we can continue this program. We are now in the process of extending the act of 1965, and

I believe that act is a very good one; and with a few minor changes in it, we can make it better.

Insofar as the amendment of my good friend, the Senator from Delaware, is concerned, I hope that it is rejected. He has been offering it for many years.

I wish to point out that the objective of the Department is to get acres out of production; and whether those acres come from a 50-acre farm or a 10,000-acre farm, the point is that we want the acres out of production. That is exactly what takes place now. A graduated scale of payments would not work, in my humble judgment, and I am very hopeful that the amendment will be rejected.

Mr. HOLLAND. I yield myself 1 minute.

Mr. President, I am glad the distinguished Senator brought out the fact that hearings are now pending. I had already made that statement, and I had gone further and invited the distinguished Senator from Delaware to appear before our legislative Committee on Agriculture, which is the proper place to request any change in the basic agricultural legislation. I hope the distinguished Senator from Louisiana will join me in that invitation to the Senator from Delaware.

Mr. ELLENDER. I hereby invite him.

As the Senator knows, we will present to the committee next week a bill which will have a few amendments, in keeping with the hearings that were held approximately 4 or 5 weeks ago. It is my hope that we can have hearings in the next 2 weeks so that we can bring back to the Senate a revised 1965 act. I am hopeful that my good friend the Senator from Delaware will appear and testify on the subject we are now discussing.

Mr. HOLLAND. Mr. President, I yield 1 minute to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I desire to make a further observation with respect to the question of the Senator from Rhode Island.

I believe it is quite clear that the prices of agricultural products, especially as received by the farmer, have not gone up in relation to the price of manufactured goods, wages, and so forth. I believe one reason is that this program has helped restrain both the fluctuations, which always cause dislocation, and the continuation of the efficiency of operation. I believe that poultry, which is a big industry in my State, is a remarkable example of that. These people are now receiving only 14 cents a pound for the poultry at the farm. I will grant that one must pay 28 cents on sale and 32 cents in the regular market in this area. It is still one of the cheapest items in relation to what purchasers buy.

The people in the poultry industry are not supported directly, but the feed and other things that are necessary are supported, and they get a regular supply. I believe it does provide cheap food.

Mr. HOLLAND. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes remaining on the bill.

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

Mr. HOLLAND. I yield.

Mr. HANSEN. Mr. President, I am somewhat confused. If I correctly understand the statement of the distinguished Senator from Louisiana, I believe he said that the purpose of this bill, or one of the purposes, is to take acres out of production. I can only conclude from such a statement that the framers of this measure must recognize that there is more land potentially able to produce than would serve the purposes of this country if it were all in production. So we are paying farmers money to keep acres out of production.

On the other hand, I understand the distinguished Senator from Florida to say that one of the results of the adoption of the amendment proposed by the distinguished Senator from Delaware would be to force additional farmers off the farms and thereby to reduce production; and it would follow logically, I should think, that this would result in higher prices being charged and being demanded for agricultural products.

The thing that disturbs me is that apparently this bill, as it is viewed by different Senators, would serve a double purpose. On the one hand it would keep land out of production, hold production down, and on the other hand it would keep farmers on the land so that we can be assured of adequate production. To me it seems obvious that it is a failure.

We have had a law that results in the farm population receiving, according to the testimony of the Senator from Nebraska yesterday, about 65 percent as much per capita in personal income as does the average nonfarm person in this country today.

All I can say is that I think it is time we overhauled the entire program. I shall vote against it, but I am disturbed. It seems to me that we are riding off in two different directions at the same time.

Mr. HOLLAND. The Senator from Florida has at times had that feeling of frustration in connection with the price support program, which is not popular in my State. It is my prediction that anything, such as attempted here today, even if written into the basic legislation, would drive off the farms the very people we are trying to keep on the farms, the small farmers, and it would enable the large operators to build bigger empires.

I have already invited the Senator from Delaware to appear before our committee. I extend that invitation to my good friend, the Senator from Wyoming. We need the best brains in the Senate to bring out the best we can.

There is a difference of opinion within our committee, and further, I want to say that there is a difference of opinion by industries and commodities. They are not alike and production conditions are not alike. Therefore, it is an exceedingly difficult problem to solve.

I hope our good friends will be able to accept the invitation to discuss this matter.

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

Mr. HOLLAND. I yield.

Mr. HANSEN. If I may, let me first express my gratitude to the Senator for the generous invitation to come before his committee and make whatever contribution I might be able to make. I have no illusions at all about the enormity of the task facing the Committee on Agriculture and Forestry in trying to bring some semblance of order out of what I think is a chaotic situation, with all the limitations the agriculture program poses to American lawmakers.

Insofar as my State is concerned, I recognize the importance nationally and strategically of our being somewhat independent and self-sufficient, and having a production potential in this country that adds to our national security by seeing that we are able to produce all the things we need.

I have felt for some time, as far as livestock and wool are concerned, that we would be better off by bringing meaningful quotas into being so that with respect to imports our production could be better protected. More than 11 percent of our red meat in this country was imported last year and the effect it had on ranchers and farmers was nothing short of disaster.

I appreciate the generous invitation and I will be very happy to make whatever contribution I can.

Mr. HOLLAND. I thank the Senator. I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 19 minutes remaining.

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, in the last hour we have heard so many expressions of sympathy for these poor farmers in America that I thought I had better join in this expression of sympathy and lend a word of encouragement to my brothers on the floor by pointing out that the approval of this amendment would not destroy these poor farmers for whom they are so concerned. I refer to part 2 of the committee report, which is on the desk of each Senator. I wish to call this matter to the particular attention to the Senator from Rhode Island, inasmuch as he raised this question and expressed interest in it.

Total payments under this program are estimated at $3,081 million. That amount is paid out under this type of payment we are dealing with here. It is estimated about 6 percent of our population is on the farms, which is about 12 million people. I do not know how many receive these payments, but they run into millions of farmers. The committee report does not list the number of farmers that draw less than $5,000, so I cannot give that figure. However, those who draw less than $5,000 are not affected by this bill, and there are millions of persons getting less than $5,000.

The payments to farmers drawing less than $5,000 total $1,852 million, or 60 percent of the total. They would not be affected. Therefore, there are millions of small farmers who are not affected one iota by this amendment. A $10,000 ceiling on payments would exempt $380 million additional from this amendment.

Which farmers are affected? It would affect about 30,000 farmers in the en-

tire United States, and they are affected only to the extent they would get paid more than $10,000. I sympathize with these persons, and perhaps eventually we will have to adopt or expand the poverty program to take care of some of these people.

Nevertheless, for the moment, let us see what happens under existing law. Five farmers draw over $1 million, for a total of $10,889,036. I do not think those "poor fellows" are going to the poor house. Fifteen farmers received $9,356,000; 388 farmers received $64,883,000; 1285 farmers received $84,603,000; 4,843 farmers received $161,642,000; 9,894 farmers received $186,931,000; 15,415 farmers received $186,318,000.

These were all receiving above the $10,000 limitation, referred to in my amendment.

The average is around $50,000 apiece, and they are drawing all the way up to millions of dollars.

All I am proposing to do is to roll the amount back to $10,000. That would not affect the small farmers one iota. They would have an advantage; and why should we not give them an advantage?

One of the farmers in that large group is the Louisiana State Penitentiary, which received $89,697. That land belongs to the penitentiary. I do not think that the Louisiana State Penitentiary is one of America's small farmers.

I notice that the State of Montana received $553,358 not to cultivate its farms. I respect the State of Montana as much as I respect my own State, but it does not have to be paid not to cultivate the land.

We have $653,252 being paid to one corporate-type farmer in Mississippi. This is owned by British interests. Why should we pay the British that amount of money not to farm in the United States?

Much is said about the wool program. I say again that the small wool producer is not affected. Certainly we need wool in this country, but let us not take all the fleece off the American taxpayer. We have about shorn the American taxpayer. They need help. Let them keep a little wool on their backs.

My proposal would not affect the millions of small farmers who would be eligible to get full payments up to $10,000.

I do not see how we can justify these large payments. The argument is made that the sugar program is self-sustaining, in that we take the tax on the sugar and put it in a special fund to pay the subsidy payments. To an extent, that is true, but on the other hand, we could take the income tax that the farmers of America pay and put that in a fund by itself, and we could say that that pays their own subsidies. We could take the income tax of the corporations of America, and we could say that that pays their subsidies. If we are going to give everyone back his taxes in some form of subsidy, on what will we run the Government?

The mere fact that the funds are earmarked does not mean they are not coming out of the Federal Treasury. This amendment does have merit. The very least we can do at a time when we plan to cut $6 billion—that is what the Senate has decided to do from next year's spending—is to establish a system of priorities. There is merit to every program we are proposing to cut, but at some point, somewhere, we must establish priorities. If we do not, then we will be delegating authority to the President.

I think we have a responsibility here. I appreciate the good intentions of those who oppose the amendment. I do not question for one moment their sincerity. They have an argument on their side. But there is not a single program that I know of that will be debated in the Senate during this session, when we are trying to cut, that someone cannot rise on the floor and give an excellent argument as to the merits of the program.

I think we must cut some of the programs that do have merit. I point out again that if we adopt the amendment there will still be $2,400,000,000 to be paid to millions of American farmers who would not be affected one iota by the payments left under the bill.

Mr. PASTORE. Mr. President, the Senator makes a persuasive argument, which is music to the ears of the Senator from Rhode Island, because I do represent a consuming State and I have voted with the Senator from Delaware time and again. But I know this: I have been a Senator now for 18 years and the question of commodity subsidization has been one of the most perplexing problems we have had to contend with. As a matter of fact every presidential candidate, has always talked about it. They are doing it even today in various parts of the country. I quite agree with the Senator from Delaware—may I have his attention, because there is no need to talk if he is not listening?

Mr. WILLIAMS of Delaware. Excuse me. I am listening.

Mr. PASTORE. I quite agree with the Senator that this needs quite a considerable review. There is no question about that. It needs some modification. There is no question in my mind about that. But, what has the Senator to say to the argument made by the Senator from Florida that because of the authorizations in the basic law, we have already made commitments to these producers and now we would withdraw that commitment. Would we not be breaking faith on this appropriation bill, which raises a serious question in my mind as to whether this is the proper way to do it?

I agree with the Senator from Florida that this should be referred to his committee and studied very thoroughly. Possibly, we should wait to see what the new President has to say about it because it is one of the most important problems confronting the American people, whether producer or consumer. The magic of America, the miracle of America, is that we have always been able to produce a great deal more than we actually need for our own subsistence. Moreover, we have shared much of our bounty and largess with other countries of the world.

Some people argue that if we did not have the program at all and had no restraints at all, a producer could produce whatever he wanted and find his own way on the open, free market.

There are two questions I have in my mind: Why does the Senator from Delaware include anyone at all? Why $10,000 to anyone? Why 5 cents to anyone? If a man has to take his chances on selling what he grows, then what difference does it make whether it is $10,000 or $15,000? Where does he get the figure to shut it off at $10,000? That is question No. 1.

Question No. 2 is whether it is not rather unfair at this moment, and an element of breaking faith after having passed an authorization bill and indulging in this program, that we now say that in the bill which provides the money, they cannot have the money?

Mr. WILLIAMS of Delaware. First, as to the commitments of the wheat farmer and the corn farmer, those who are going to participate in this program. That corn is planted and will be planted before this fiscal year is out, and they will have established their eligibility to be paid under 1968 commitments. As to the commitments made in the next planting season, which would be wheat, which would be seeded in the fall, those commitments are not there. We can make the same argument that if we make it in January, because the wheat is in the ground, there is always one type of crop in the ground which will be planted, so that we can fulfill the commitments on those farmers who have actually planted their crops. They would still fulfill their commitments if it was adopted. So we will always have that cutoff.

As to the argument, "Why don't I testify before the Agricultural Committee?" let me say that I was a member of the Agriculture Committee several years ago. Both then and since, I have been consistently and repeatedly trying to get a limitation on, so there is nothing new in this proposal. I will be before the Agriculture Committee. I appreciate the invitation of the Senator from Florida, but I am going to be there, anyway, I will get the same arguments then that we get when we get on authorizations, that there is precedent in the Senate, that it did write a ceiling on payments. That same argument was made so that we can write a ceiling in.

As to the argument about waiting for the next President, I do not think we can afford to wait. We are proposing to cut $6 billion from the 1969 expenditures under that budget. Some of that will be reflected between now and the time we inaugurate Nixon but, nevertheless—[laughter]—we cannot just wait on all this and expect Mr. Nixon to put the $6 billion into effect in the last half of the fiscal year. I think we have got to distribute it across the board.

Seriously speaking, though, we are going to be confronted with the question of establishing priorities. I just personally feel—although I appreciate the argument of my friend from Rhode Island—that there is no violation of a commitment here because, as I said before, the grain farmers will not be planting corn in the month of June. If I am not mistaken, the deadline for signing up for the grain crop was March 15. Anyway, that time has passed. They can sign up for wheat, and the wheat that would be planted in the fall would be affected. There is no question about that. But they would know it, and they could make their plans accordingly.

Mr. PASTORE. I hope that the Sena-

tor from Delaware does not have the impression that the Senator from Rhode Island is trying to be funny——

Mr. WILLIAMS of Delaware. No.

Mr. PASTORE. I was not suggesting who might be the next President of the United States. I do not think that has anything to do with it. I hope that I was not misunderstood in that regard, nor that I suggest——

Mr. WILLIAMS of Delaware. No.

Mr. PASTORE (continuing). That people who drive around in air-conditioned Cadillacs are expanding the poverty population. Wit is wit and being funny is being funny, but I do feel that what we are discussing here is a matter of sincerity and seriousness. I do not think it could be called in any way funny. I do not see what is funny about it.

Mr. WILLIAMS of Delaware. The point I am making is——

Mr. PASTORE. I do not see what is so funny about this as to provoke any laughter. That has no place in this debate.

I hope that we are talking about a very serious problem. I hope that we are all trying to be fair. I hope we are not trying to outmatch one another with wit or facetiousness. I hope that is not the case. We can disagree without being disagreeable and without making fun. I do not believe this is any funmaking matter. I think we must conduct ourselves as men, and talk as men, with commonsense and clarity.

Mr. WILLIAMS of Delaware. I am sorry if I offended the Senator from Rhode Island——

Mr. PASTORE. The Senator did not offend me, but——

Mr. WILLIAMS of Delaware. Let us face it——

Mr. PASTORE. If this is a question of laughter, it does not make any sense to me.

Mr. WILLIAMS of Delaware. I agree with the Senator that it is not a laughing matter, sometimes, a good laugh does a guy good.

In all seriousness, let me say that I was answering the point of why we cannot wait until we get the next President.

That argument can be made on every proposal to cut during the time we are acting on appropriation bills, if we are going to postpone all these reductions.

It certainly is not a laughing matter, but the reason I made that proposal is that some of the spokesmen think that we should postpone these cuts until after the first of the year. The intention of the $6 billion cut is that part of the reduction should be allocated to this half of the fiscal year and part of it to the next half. There may be a difference of opinion as to whether we should or should not cut, but if we are going to cut, we have to start somewhere, and if we do, it is going to hit some programs which many of us feel are important.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. I think the argument of the Senator from Florida has great merit. It is one thing to limit payments and another thing to change the whole concept of many of these agricultural programs; for example, the sugar program. We lower the tariffs. We take cheap, foreign produced sugar. Of course, at times the world price goes higher and the American public gets taken. So in the long run, the program is to their benefit. But the whole program is based on these payments. Many farmers, even those with fair sized farms, and especially average size farms, would be hurt by this amendment, particularly if the farmer is involved in the wheat program and sugar programs the same year.

With respect to wheat, the whole program was changed to lower price supports, so that the price of wheat now is about the same as the world market price. There is practically no export subsidy involved. The program provides that for that portion of the wheat consumed in the United States, the farmer will receive full parity or about $2.60 a bushel. The difference is made up by the wheat certificate payment. The small and large farmer alike are entitled to the payment, because under the concept of that program, that is what he is supposed to receive on that part of the wheat consumed in the United States. So you would have to go into the rewriting of many of these programs. Therefore, I believe there is more involved than just limiting the amount of the payments.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. WILLIAMS of Delaware. I am ready to vote.

Mr. HOLLAND. Mr. President, I yield myself 3 minutes on the bill, to make three points.

The first is that—and I want the whole Senate to understand this—this bill is a barebones bill. Senators will see, on page 1 of our report, the two figures applicable. As compared with the appropriations act of last year, we are $1.615-plus billion under that act. As compared with the budget estimates for this year, we are $1.387-plus billion under that estimate. That is the first point.

The second point is this: Like the Senator from Rhode Island, I noted the complete lack of any answer on the part of the Senator from Delaware to a point I made in my original presentation, and that is this bill provides $350 million to apply on obligations set up this year, 1968, but payable the next fiscal year. Senators will find that referred to on page 35 of the report. I read these words:

> The amount proposed includes $350,467,000 to liquidate contract authorization established in fiscal 1968 and payable against obligations in fiscal 1969.

There is not any question about it. This amendment would prevent carrying out our contractual obligations to people relying upon the faith of the United States.

The third point, which I noted the Senator made no attempt to answer in the beginning, and which I think is unanswerable. We had the solicitor from the Department of Agriculture down yesterday. He told us that, as to this amendment, there is no question that the basic legislation was left intact—and the Senator from Delaware knows that—and under that basic legislation many farmers would be entitled to over $10,000, and they would have a complete right to have a claim against the U.S. Government, which we would have to recognize either in an additional appropriation or which could even be reduced to a judgment against the United States.

No effort was made to answer those two points, and I think they alone are enough to require rejection of the amendment.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield me 1 minute?

Mr. WILLIAMS of Delaware. I respect the positions of the Senator from Florida. It is still my contention that as far as feed grains are concerned the period for signing a contract is over. No farmer can sign up from this date on for the 1968 crop, and they would be eligible for payments, and those payments will be made. They can stop signing up under the program for the fall plantings in this calendar year. In my view, that would not violate contracts.

There is no need to debate this further. It would apply only next year. The basic law does need amendment. I had hoped we could amend it, but the amendment was subject to a point of order. We will try it later, but, at the very least, we can adopt this amendment here today.

Mr. HARTKE. Mr. President, I join my distinguished colleague the Senator from Delaware [Mr. WILLIAMS] in support of his "saving" amendment. This amendment would cut $600 million for agriculture subsidy programs by limiting the annual maximum payment to $10,000 per farm.

If critics are concerned for budget cuts, this is a good place to begin. This is the program which allows one giant corporation farm owned by British interests to collect more than $600,000 anually. Another recipient of subsidies over $10,000 is the Louisiana State Penitentiary Farm.

The original intent of the subsidy program was to help the small farmer. Indiana has a lot of small farmers. Our farmers in the 76 counties, which were declared disaster areas last year, would be grateful of this saving. There are not enough funds in the Farmers Home Administration Emergency Loan Bank to provide these people with desperately needed aid. I might add that the Army Corps of Engineers has just estimated flood damages on the Wabash River and its tributaries this year at $15,000,000 to farmlands.

I urge my colleagues join in support of a $600,000,000 cut in farm subsidies. In my own State of Indiana only 130 farms receive over $10,000 a year. Two receive over $50,000 and only seven over $25,000.

For fiscal year 1969 our committees have been forced to cut far more deserving programs than this one—watersheds, reservoir construction, and land acquisition for conservation. Let us get our priorities in line and stop support to foreign interests and corporate giants.

Mr. HRUSKA. Mr. President, on behalf of the Senator from Hawaii [Mr. FONG], I ask unanimous consent to have printed in the RECORD the text of some remarks the Senator from Hawaii had intended to deliver today.

There being no objection, the state-

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

AGRICULTURAL PAYMENT LIMIT WOULD DESTROY HAWAII'S SUGAR INDUSTRY

Mr. FONG. Mr. President, I am unalterably opposed to the Williams amendment to establish a ceiling of $10,000 for agricultural payments, including compliance payments to U.S. sugar growers.

There is no question that such a limit would destroy the sugar industry in Hawaii. This in turn would deal a staggering blow to Hawaii's economy, which is based heavily on the sugar industry.

Sugar, Hawaii's leading farm crop, yields more than 190 million dollars a year in income to the economy of our Islands. It provides full-time jobs for some 12,000 workers and pays them over 69 million dollars in wages. Hawaii's sugar workers are the highest paid agricultural workers in the world.

Hawaii's sugar producers comply with all the requirements of the Sugar Act in order to qualify for compliance payments. In other words, Hawaii's sugar producers comply with production restrictions, pay "fair" wages to workers, do not employ child labor, and if they are processors too, they pay "fair" prices for sugar cane. In so doing, Hawaii's sugar producers earn entitlement to payments out of a fund consisting of Federal excise taxes collected by the Treasury on all sugar, foreign and domestic, processed in the United States.

The purpose of the sugar excise tax is to provide funds to pay U.S. sugar producers or processors for maintaining good working conditions, promoting orderly development of the sugar industry, and stabilizing the price of sugar for our domestic consumers. Compliance payments, therefore, are not a subsidy.

However, compliance payments are an integral part of the U.S. sugar program designed to assure American consumers ample supplies of this essential staple at modest prices. If this amendment is approved to limit compliance payments to $10,000, the sugar industry in Hawaii could not survive. Hawaii would suffer tremendous disruption of her economy and of her economic growth.

Loss of Hawaii's sugar industry would not only inflict great damage on my State, it would also have very adverse consequences on the entire domestic production of sugar. For Hawaii produces about one-sixth of all U.S. sugar production. Compliance payments are therefore not only crucial to Hawaii but vital to the stability of the U.S. domestic sugar industry.

It should be remembered that these payments are made on a sliding scale; the lower the production, the higher the compliance payment per ton of sugar. In this way, small producers receive more per ton in compliance payments than large producers.

Only those growers who produce 350 tons of sugar or less are entitled to the maximum authorized compliance payment of $16 a ton. Large growers receive less per ton, with the largest paid $7 a ton.

The largest payment made to Hawaii's sugar producers in 1965 was $8.83 per ton, whereas compliance payments to producers in other domestic areas went as high as the maximum of $16.00 a ton.

Total compliance payments to Hawaiian companies ranged from a low of $54,600 to a high of $1,177,000, with the majority of companies receiving over $200,000. These large payments are necessitated by the special nature of sugar cane production. Unlike many other agricultural commodities, sugar cane needs vast acreages in order to attain high efficiency. Hawaii sugar producers must plant enormous acreage before they can produce a high output of cane and achieve the efficiency of labor that will make Hawaii's sugar competitive in the marketplace.

There are about 237,000 acres devoted to cane and at least one-half of this acreage must be irrigated. Because of Hawaii's mountainous terrain, expansion of acreage is limited and costly. Sugar producers have spent large sums of their own money—none Federal—to develop and operate wells, reservoirs, ditches, and tunnels of the elaborate irrigation systems now in use. Haiwaii's sugar industry also spends more than two and one-half million dollars annually on sugar research, an activity financed by the producers since 1895. As a resut of the Hawaii sugar industry's own efforts, Hawaii has one of the highest sugar yields per acre of any area of the world.

Efficiency per acre is a "must" for Hawaii's sugar producers, considering the cost of modern equipment, the cost of its skilled labor, and the great distance of Hawaii from Mainland markets. Hawaii's closest market for sugar is San Francisco, some 2400 miles away. Most of the Hawaiian sugar is refined at Crockett near San Francisco and is marketed in 26 western and mid-western States, including Alaska.

These are some of the compelling reasons for development and operation of large farming units in Hawaii. There are 25 large sugar plantations which produce some 93 per cent of Hawaii's sugar. The other seven per cent is produced by 750 small independent growers. The small producers receive higher compliance payments per ton than the large producers. Since compliance payments are based on total farm production and most Hawaiian sugar is produced on the large plantation company farms, many of the total payments are large.

I would like to point out, however, that in every year since the inception of the Sugar Act, the excise tax paid on sugar produced in Hawaii has substantially exceeded the compliance payments to our sugar companies. In 1965, the latest year for which I have figures available, the U.S. Treasury collected $11,607,060 in taxes on Hawaiian sugar, and paid back a total of $10,760,112 in compliance payments to Hawaiian sugar companies. Thus, in 1965 as in past years, Hawaii paid more in taxes that it received in compliance payments. Clearly, there is no net drain on the U.S. Treasury.

In fact, during the life of the Sugar Act, the Treasury has collected over $500,000,000 more in the sugar excise taxes than it paid out in compliance payments to U.S. sugar producers. This program has operated at a profit to the U.S. Treasury.

Over the period of the last ten years, a majority of the sugar producers in Hawaii would have operated at a net loss if there were no compliance payments. In fact, many of our companies were in the red even with these payments. No industry can survive if it is consistently in the red. Any lowering of the ceiling on compliance payments would sound the death knell for Hawaii's sugar industry. It would be an economic disaster for my State, which is the largest sugar producing State. There are no important alternative agricultural uses for the land now used for sugar cane.

Hawaii's sugar industry faces large new costs over the next few years as it cooperates in the nationwide drive against water pollution. It has agreed to prevent dumping of bagasse into streams and ocean, a process that will require substantial expenditures. The sugar industry also faces unknown, but undoubtedly large, expenditures in complying with Hawaii's water quality standards on turbidity and thermal pollution. Such added costs will put an extra financial drain on Hawaii's sugar producers.

To summarize, the sugar industry in Hawaii provides year-round employment for some 12,000 people. It pays over $69,000,000 in wages. Sugar workers in Hawaii are the highest paid agricultural workers in the world. Sugar represents a private investment of $200,000,000, with 12,500 individual stockholders, of whom more than two-thirds live in Hawaii.

The Williams amendment would destroy these jobs and this investment. It would deal a death blow to our sugar industry and plunge the economy of Hawaii into a tailspin from which it would be very difficult to recover.

Hawaii's sugar industry has been a world leader in sugar technology and mechanization. It has served our nation well in war and in peace, providing sugar so basic to human needs.

It would be unthinkable for the Senate to approve the pending amendment, which would surely destroy one of Hawaii's prime industries.

I am totally opposed to this amendment. I urge my colleagues to join me in voting against the Williams amendment.

Mr. PEARSON. Mr. President, I find myself in agreement with much of what the distinguished Senator from Delaware has said. I have studied the statistics which he placed in the RECORD last week, identifying the number of farms which received ASCS payments totaling $50,000 and over. And, like him, I find subsidies in this magnitude to be outlandish.

I am in full agreement with the proposition that there should be a limitation on subsidy payments to individual farm operations. However, I have voted against such limitations in the past, and I will vote against the $10,000-per-farm limitation proposed by the distinguished Senator from Delaware today.

I do so because, although I support the idea of a subsidy limitation, I am not at all satisfied in my own mind as to where and how that cutoff should be applied.

Indeed, if we are to have subsidy limitations, and I believe that we should, I do not think that an arbitrary, across-the-board limitation would be at all practical. There are just too many types of farming operations in our various agricultural regions to be fitted under one arbitrary cutoff figure without causing a great number of inequities.

Thus, we need to devise a formula which would be flexible enough to take into account the various farming operations. I would further suggest that the guiding goal in devising such a formula should be centered around the notion of what constitutes a family farm operation.

The great bulk of all our agricultural programs are based on the fundamental and nationally accepted policy of encouraging the family farm system. Therefore, in a very real sense, our agricultural programs can be considered failures to the extent that they do not serve to protect the family farm system and/or serve to encourage non-family-farm operations.

It is fairly obvious that a farm operation large enough to receive a $1 million subsidy payment is not a family farm. Payments of this size could, however, be justified if it could be demonstrated that there were certain beneficial side effects to legitimate family farmers. Indeed, many have argued this point in the past. They have said that if large, corporate-type farm operations were not brought into the production control program, thereby qualifying them for the subsidy payments, they would greatly increase their production on the acres which had been freed from control measures. This increased production then would tend to force a general decline in farm prices thus creating new economic difficulties

for the family farmer who would be participating in the control program.

This argument may have a certain validity, but I must confess I am finding it increasingly difficult to accept. I doubt that over the long run there would be any significant increase in production.

Thus the principle of a family farm cutoff certainly makes sense to me. But again from my study of the matter, I do not think we have the data and adequate farm classifications to reach agreement on this point at this time.

But one thing is clear: Something must be done. We must not simply continue to push this very legitimate issue aside.

Therefore, I very much hope that the appropriate committees of Congress, and the Department of Agriculture, as well, will undertake serious studies as soon as possible, aimed at coming up with some meaningful family subsidy cutoff formula.

Such studies would be timely. With the expiration next year of the Agriculture Act of 1965, farm commodity programs are already under intensive review and study, and this will continue into 1969.

Therefore, a new and thorough study of this pressing question would not only seem to be appropriate at this time but also absolutely necessary.

Mr. HOLLAND. Mr. President, all my time on the amendment has been used.

The PRESIDING OFFICER. All time on the amendment has been used. The question is on agreeing to the amendment of the Senator from Delaware. 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 Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. HARRIS], 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 Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Connecticut [Mr. DODD] are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from Oklahoma [Mr. HARRIS], would each vote "nay."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from North Carolina would vote "nay."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from South Carolina would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. MORTON], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from Nebraska [Mr. HRUSKA], and the Senators from California [Mr. KUCHEL and Mr. MURPHY] are necessarily absent.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from Nebraska [Mr. HRUSKA], and the Senators from California [Mr. KUCHEL and Mr. MURPHY] would each vote "nay."

The result was announced—yeas 19, nays 45, as follows:

[No. 169 Leg.]

YEAS—19

Bayh	Griffin	Proxmire
Boggs	Gruening	Ribicoff
Byrd, W. Va.	Hartke	Scott
Case	Hatfield	Tydings
Clark	Javits	Williams, Del.
Cotton	Nelson	
Gore	Pell	

NAYS—45

Allott	Hart	Pastore
Baker	Hickenlooper	Pearson
Bartlett	Hill	Percy
Bennett	Holland	Randolph
Bible	Jackson	Smith
Burdick	Jordan, N.C.	Sparkman
Byrd, Va.	Jordan, Idaho	Spong
Cannon	Mansfield	Stennis
Cooper	McClellan	Symington
Curtis	Metcalf	Thurmond
Dirksen	Miller	Tower
Dominick	Monroney	Williams, N.J.
Ellender	Moss	Yarborough
Fulbright	Mundt	Young, N. Dak.
Hansen	Muskie	Young, Ohio

NOT VOTING—36

Aiken	Hayden	McGee
Anderson	Hollings	McGovern
Brewster	Hruska	McIntyre
Brooke	Inouye	Mondale
Carlson	Kennedy, Mass.	Montoya
Church	Kennedy, N.Y.	Morse
Dodd	Kuchel	Morton
Eastland	Lausche	Murphy
Ervin	Long, Mo.	Prouty
Fannin	Long, La.	Russell
Fong	Magnuson	Smathers
Harris	McCarthy	Talmadge

So the amendment (No. 834) of Mr. WILLIAMS of Delaware was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. YOUNG of North Dakota. 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, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 24, line 1, strike out "$195,500,000" and in lieu thereof insert "$100,000,000".

Mr. WILLIAMS of Delaware. Mr. President, this amendment is one which those Senators who argued against the other measure should support.

Under the existing law we are paying about $3 billion a year to farmers not to produce crops.

The amendment just rejected would have limited those payments to $10,000 per farmer. There would still have left over $2.4 billion that would be paid out not to produce crops. That amendment was defeated.

We now have a situation where we will be paying out about $3 billion a year to American farmers not to produce.

Under this section of the bill the Bureau of the Budget asked for $100 million to pay the farmers to help improve the fertility of the soil in order that they could produce more crops. The committee has added $95,500,000 above what the Bureau of the Budget asked for. This is for commitments on the 1969 crop year. It does not affect 1968 in any way, shape, or form. These provisions are for all future commitments for the farming year, the calendar year 1969. All this amendment proposes to do is to roll it back to the budget figure.

Why should we add an extra $100 million to pay farmers to increase the fertility of the soil in order that they can increase their production on the one hand and then pay $3 billion a year not to cultivate the farms after they have increased the fertility?

This is just a round robin.

The pending amendment should by all means be accepted, especially in view of the fact that the other amendment was rejected. The amendment would merely go back to the budget figure.

Much has been said about cutting expenses. We plan to cut next year's budget authority by $10 billion. We also propose to decrease expenditures during the fiscal year 1969 by $6 million.

On the other hand if we reject the pending amendment, we are proposing here, to increase the budget by $95.5 million, or nearly double what the Budget Bureau asked for.

I hope that the amendment will be agreed to.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, the pending amendment does have some merit. However, with respect to the amendment that was just rejected, I think the record shows—and I refer this question to the manager of the bill—that had we placed a ceiling of $10,000 on the payments, we would have been actually impairing existing contracts, up to about $350 million.

Mr. HOLLAND. Mr. President, a large part of the $350 million, I will say to my distinguished friend, would be in payments above $10,000. The $350 million is shown by the report as being needed to liquidate contracts entered into during this fiscal year and payable in fiscal year 1969.

Mr. DIRKSEN. They are existing contracts.

Mr. HOLLAND. They are existing contracts, existing commitments of our Government.

Mr. DIRKSEN. And to place a ceiling on those would have been an impairment of contracts by legislative fiat.

Mr. HOLLAND. There is no question about it at all.

Mr. DIRKSEN. With respect to the amendment that my distinguished friend, the Senator from Delaware offers now, I think there is merit to it. Of course one can argue on the other side. We have to continue to conserve our greatest resource, our soil. But on the other hand, we are up against fiscal problems.

Frankly, I am willing to support the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the comments of the Senator from Illinois.

I understand the question in the minds of many Senators concerning the previous amendment. And without debating that subject further at this time, I state that I shall appear before the Committee on Agriculture and Forestry and urge that this provision be a part of the bill to be reported by that committee later.

Under the pending amendment none of the other arguments advanced against the preceding amendment would stand.

I do not understand how we can justify doubling the appropriation to increase the fertility of the soil while at the same time we pay $3 billion a year not to cultivate it.

I realize this will not all be used to increase the fertility. However, a lot of it would go for that purpose. Certainly this is not the time to double the amount requested by the Bureau of the Budget.

At some point, somewhere, not only will we have to hold the line but also we will have to roll back even beyond the budget figures.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I admit it is very clear that this would relate to a future operation. It does not contain some of the points that were very applicable to the amendment that was just rejected. However, that does not make the amount any more acceptable to me or to the committee.

In the first place, in our hearings we wanted to find out what the department thought about the program. They show, on pages 341 and following, that they regard it as one of the most necessitous programs for the enrichment of the soil and for the conservation of our natural resources that we have.

I asked why they were asking for more than $100 million. They were reluctant to reply. Finally, in an effort to bring out what they had asked for, I asked Mr. Godfrey, and it appears at the bottom of page 341:

Senator HOLLAND. What was your request?

Mr. GODFREY. $220 million.

Senator HOLLAND. What did the Department request?

Mr. GODFREY. $200 million.

So, this is just another year when we have received, as we have been receiving for 8 or 10 years, a recommendation from the Budget Bureau to cut the heart out of this large program.

This is a matching program under which the farmer, if he wants to increase the fertility of his soil, has to match the Federal contribution. It is also a program under which, due to amendments which we placed in the bill, the amount that can be paid to any one farmer is limited to $2,500. So this is not an extravagant program.

Mr. President, every year since I have been a member of this committee, the Budget Bureau has tried to cut this program to $100 million, and every year Congress has refused and put it back to $220 million. This year again our colleagues in the other body put back in the bill $220 million. The Senate went a good deal further into the matter. We found that under the resolution we had passed last year, this program was reduced to $195 million, and we found on inquiry of the agricultural groups that they accepted that in good faith. They would rather have had $220 million, but they realized they had to make some contribution to the saving. They all got along pretty well with the $195.5 million that was approved after our resolution of last December.

So, this year, rather than the full amount of $220 million, which the House had put in the bill, we reduced it to $195.5 million, believing that what the farmers had accepted as their contribution, or part of their contribution, to the fiscal stringency in which we exist, for this year, would be acceptable to them again.

Now, we have received some complaints. They would rather have $220 million. That is understandable. Even though they have to match it, they would rather have the $220 million.

There are literally hundreds of thousands of farmers who customarily cooperate with the Government in enriching and maintaining the fertility of the soil by cooperating under this program. They cannot cooperate for more than $2,500, as I have already said. This is a widespread program, and we have cut the program to $195.5 million.

Before I conclude on this point, I wish to point out that this is just a part of the huge cut that we have made in this bill. Senators will find on the first page of the report the fact that we have recognized the difficulty in these fiscal times, in that we are in this bill $1.615 billion-plus under the Appropriation Act of 1968, and they will find that we are $1.387 billion-plus under the budget estimates for this year.

I believe the committee has given most careful consideration to this matter. This is a very important cooperative program which should not be further impaired.

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

Mr. HOLLAND. I yield 2 minutes to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, I believe this is a much misunderstood program. I intend to support the committee and to support the chairman of the committee on this matter. But I believe it is much misunderstood.

I believe the ordinary concept is that the Government goes in and pays for fertilizer and things like this to go on a man's land. Nothing could be less true. It is true that under the act, as I understand it, they can participate in a liming process. I recently received a request to provide certain other things, not fertilizers, but in addition to lime, and the line was tightly drawn there.

What this measure does is to save, in my opinion, one of the most valuable resources this country has—its soil.

Unless people have been out in the great expanses of the West, where this is particularly true, where the soil must be saved from erosion, where you have to have leveling of fields, where you have to have irrigation, it perhaps is difficult to understand how significant this program is to the preservation of soil for the foods that we will need now and in the years to come.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. I yield 5 additional minutes to the Senator from Colorado.

Mr. ALLOTT. If you permit the soil to erode, if you permit the soil to go away once, you cannot come back and level off a field that has a gully 10, 20, or 30 feet deep in the middle of it.

I am sorry to say that, in my opinion, there has been too little emphasis placed in this entire area in the last 8 years. I applaud the efforts of the distinguished chairman of the committee and the entire committee for making this effort. It is not a giveaway, as the chairman has well said. It preserves and helps to preserve on an utterly fair basis, the most valuable resource we have left in this country, and that is our soil, and it has been given too little attention for many years.

Mr. HOLLAND. I thank the distinguished Senator. He has put his finger upon the value of this program.

In my own part of the country, one of the contributions that is made is that, if a farmer has, for instance, produced a crop of peas or a hay crop that could be cut and could be capitalized upon, and if instead the soil needs the mulching effect of that crop he permits it to go back into the soil, the Government will help him pay the loss that he incurs.

The same is true with reference to every feature. Anything that comes under this program must be matching and cannot exceed $2,500 so far as the Federal Government is concerned, in any case, to any farmer, big or small. This is one of the most democratic programs and one of the best programs we have.

While I have no fault with the distinguished Senator from Delaware, he is simply echoing an effort that the Budget Bureau has been making for the last 8 or 10 years to cut down this program. This effort by the Budget Bureau has been strongly opposed every year by the Department, and the Department this year testified, as I have already read into the RECORD, that they wanted the $220 million. But the Budget Bureau, proceeding as it has heretofore, wanted to cut it back to $100 million. I hope we will not permit them to do so.

Mr. WILLIAMS of Delaware. I yield myself 5 minutes.

Mr. President, I do not question for a moment that some of the bureaucrats could ask for more than is in the bill. But if we are going to start giving them all they ask for, we just cannot print enough money. They ask for twice the amount they expect to receive, and if they are given half of it they still have more than they really need.

The point is that it is not a case of what the Budget Bureau asked for. The Senate has gone on record as suggesting that we cut next year's appropriations by $10 billion. My question is, where are we going to make these cuts, and when are we going to start?

I agree with the Senator from Florida that they have reduced somewhat under this bill. And what I am going to say next is not in criticism of the Senator from Florida, because he has been one of the strongest advocates of what I am suggesting here. The primary reason why the amount in this bill is lower than the Budget Bureau request is that we are not reimbursing the Commodity Credit Corporation for all the losses it sustains during fiscal 1968 or projected 1969. The law required them to seek restoration, but they did not. We have accumulated unrestored losses in the Commodity Credit Corporation of approximately $6 billion, which will have to be faced by future administrations.

The reason why this bill indicates a reduction is that we are not paying our bills. The Senator from Florida has been one of the strongest advocates of this paying as we go, so what I am saying certainly is not in criticism of what he is doing here today. Quite the contrary.

Nevertheless, we will have to cut some of these programs. I agree with everything the Senator from Florida has said about the merits of this program. In my opinion, this is as meritorious a program as any under the farm program. It does much good. Merit can be found in any of these programs. But we come back to the question of whether we are going to hold the line or are going to double the amount. In my opinion, this is not the time to double this program, which is what would occur if the committee amendment is agreed to. It would practically double it, and I do not believe we can afford to do it. I believe this is one area in which we can roll back and save $95 million.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. The Senator does not mean double the program as it has existed, does he?

Mr. WILLIAMS of Delaware. Double the budget request.

Mr. HOLLAND. He means we would nearly double the recommendation of the Bureau of the Budget.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. HOLLAND. But it would continue the program as carried on last year on a requested basis of $220 million.

Mr. WILLIAMS of Delaware. Yes; but can we afford to double this and continue it on that basis?

As I said before, in order to get these reductions in expenditures we must cut our programs. The Government has been operating at a deficit. Our deficit for the last 5 years is about $60 billion more than our income. That means we have been running in the red $1 billion a month. The deficit for fiscal 1968 is about $20 billion; the deficit for fiscal 1969 is estimated at $28 billion.

This means that at the moment we are running in the red at the rate of about $100 million a day, putting the Government on a 5-day week.

At some point, somewhere, we will have to cut programs, and we will have to cut on programs which have merit because all of them have some merit and all of them have some supporters.

I recognize that this is just as meritorious as some other programs I know of, and perhaps more so, but we are going to have to cut somewhere. I think the least we can do is adopt this amendment.

I am willing to yield back the remainder of my time.

Mr. HOLLAND. Mr. President, I yield such time as he may require to the Senator from Louisiana, the chairman of the legislative Committee on Agriculture.

Mr. ELLENDER. Mr. President, I hope the pending amendment will be rejected.

I do not know of any other program that has been placed on the statute books in the past that has done more good to protect and preserve our soil than the soil conservation program.

As the distinguished Senator from Colorado said, this program protects and conserves our soil. He hit the nail on the head.

Many think this money is used in part to buy fertilizer to put on the crops. That is not true. It is true that in some instances lime is put on the land to sweeten it and make better crops. I am satisfied that the 109-bushel average in Illinois this year would never have happened except that soil conservation practices were put into effect in that State during the last 20 years. The same thing holds true for every other State.

Mr. President, I hope the amendment is rejected.

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

Mr. HOLLAND. I yield 2 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I do not know that there is much I can add. I associate myself with the statement the chairman has made. This is an old program.

The Senator from Delaware is saying that we are spending too much money. I think it is true that we are spending too much money, but not on this program. This program is beneficial to the present and to the future.

We are spending money in many areas where I am perfectly willing to join the Senator in making cuts.

However, of all the programs, this program deals with the productivity of our land, and it should be the last program to be prejudiced. I regret that the committee cut the program as much as it did from the House figure. Nevertheless, I realize they know more about it, and it is their duty to exercise judgment. I do not think it should be cut more.

I join the Senator from Delaware in his statement that we need to make certain cuts in Government spending. We have to have a sense of priority, however. All of these items are not equally affected. We know many items get into large budgets that are luxury items and they have no basis except in times of prosperity, and we are not in such times now. I hope the Senate will not cut this item.

ORDER OF BUSINESS

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

Mr. HOLLAND. I am glad to yield to the Senator from Arkansas such time as he may require.

Mr. McCLELLAN. Mr. President, I join with the views expressed by my distinguished colleague from Arkansas on the pending issue. I associate myself with his statements.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Policemen's Association of the District of Columbia expressing approval of the action of the Senate in the passage of the Omnibus Crime Control and Safe Streets Act of 1967 a few days ago, and with particular reference to those features that would aid the police in the performance of their duties.

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

POLICEMEN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA,
Washington, D.C., May 27, 1968.

Hon. JOHN L. McCLELLAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR McCLELLAN: At the regular monthly meeting of the Policemen's Association of the District of Columbia held on Tuesday, May 21, 1968, the members went on record in support of the overwhelming vote by the United States Senate in passing the Crime Bill sometimes known as the "Safe Streets" bill.

The view was expressed that this bill will give to the law enforcement officer many of the necessary tools which has been needed for a number of years in their effort to reduce the ever-increasing crime rate.

We sincerely hope that the conferees will abide by the Senate passed version of this bill.

Respectfully yours,
Sgt. CARL W. BEATTY,
President.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD a number of articles and editorials, as follows: An article entitled "Supreme Court Gaveled Down Confessions," by James J. Kilpatrick, published in the Washington Evening Star on May 28, 1968; an editorial entitled "Senate Backs Police Wiretaps," published in the St. Louis Globe-Democrat of May 24, 1968; an article entitled "Byrd Urges Crime Action," by Robert S. Allen and Paul Scott, published in the Chicago American of May 24, 1968; an editorial entitled "Nonenforcement of Law," published in the Mobile Register of May 22, 1968; an editorial entitled "City Streets Must Not Be Jungle," published in the Rochester, N.Y., Times-Union of May 24,

1968; and an editorial entitled "Whitcomb On Crime," published in the Indianapolis Star of May 25, 1968.

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

[From the Washington (D.C.) Evening Star, May 28, 1968]

SUPREME COURT GAVELED DOWN ON CONFESSIONS

(By James J. Kilpatrick)

The United States Senate last week dealt the Supreme Court the strongest rebuke that has been officially hurled at the court in more than 30 years. Not since the days of Roosevelt's court-packing proposal has a co-equal branch of government spoken in such unmistakable terms.

Roosevelt's scheme failed of adoption, of course, but it had its effect nonetheless. Chief Justice Hughes got the word. Many Americans, deeply concerned at the trend of Supreme Court decisions over the past ten years, will pray that Chief Justice Warren and his majority bloc prove equally attentive this time around. The Senate has said bluntly that it wants to see a balance restored between the rights of a defendant and the rights of society. The step is long overdue.

Specifically, the Senate approved section 3501 of the Crime Control Act of 1968. The section says that in Federal criminal prosecutions, a confession shall be admissible in evidence "if it is voluntarily given." Trial judges are to review the circumstances in the absence of a jury. If a judge determines that a confession was in fact voluntary, according to conditions laid down in the act, he is to admit the confession and instruct the jury to give it such weight "as the jury feels it deserves under all the circumstances."

Under the Senate bill, the presence or absence of a lawyer would be merely one factor, and not necessarily a conclusive factor, in determining the issue of voluntariness. Manifestly, this provision of the act is intended to override the high court's 5–4 decision in the famed Miranda case two years ago. The court then laid down such sweeping requirements for the advice of counsel that the use of confessions in evidence was rendered almost impossible.

As you might expect, the Senate's refusal has evoked moans of anguish from knee-jerk liberals who bleed for the rights of rapists. The Washington Post, which goes into hysterics whenever Earl Warren sneezes, has been regaling its readers with horror stories of confessions obtained by the third-degree. You would suppose that police routinely exact confessions by thumbscrews and rubber hoses.

Sure enough, instances of coerced confessions have occurred. Too many of them. But there is not one line in the Senate bill that would condone the abhorrent practice. It is an insult to the whole of the Federal trial bench to imagine that such confessions would be received in the future.

The more applicable horror stories go in precisely the other direction.

Two months after the Miranda decision, a Brooklyn housewife came on trial for the murder of her four-year-old son. She had taped his mouth and beaten him to death with a broomstick. She freely confessed. She had not had a lawyer. She went free. Miranda.

There was the case in New York of Jose Suarez, 22, a laundry worker. He killed his wife and five small children by stabbing them more than 100 times. Police arrested him. He confessed at once. No lawyer. Justice Michael Kern bitterly agreed that "even an animal such as this one, and I believe this is insulting the animal kingdom, must be provided with all the legal safeguards—but it makes my blood run cold to let a thing like this out on the street." Suarez walked out of court, a free man. Miranda.

Dozens of such fantastic miscarriages of justice have occurred by reason of the Supreme Court's excessive solicitude. As North Carolina's Sen. Sam Ervin has noted, the number of confessions in criminal cases has fallen drastically. The state's attorney of Baltimore remarks that "the confession as a law enforcement instrument has been virtually eliminated." If the House accepts the Senate bill, the trend may be reversed. It will all depend on whether Chief Justice Warren gets the word.

[From the St. Louis (Mo.) Globe-Democrat, May 24, 1968]

SENATE BACKS POLICE WIRETAPS

Crime fighters won another significant victory in the United States Senate Wednesday, for the second consecutive day, as Senators resoundingly defeated an attempt by Sen. Edward V. Long of Missouri to amend the wiretap and electronic eavesdropping section from the bill.

Senator Long first tried to delete from the bill a provision that would permit a judge authorizing a wiretap to postpone, on showing of good cause, a requirement that persons under surveillance be so notified within 90 days. His proposition lost 51 to 21.

Then the Missouri Senator sought to eliminate a section that would permit judges to authorize wiretaps or eavesdropping where there was a belief a crime was about to be committed. He contended that this authority should be granted only when it was believed that a crime already had been committed.

The Senator lost on this by a vote of 60 to 18.

Attorney General Ramsey Clark also was dealt a blow by these Senate actions. He has been a strong opponent of wiretapping and eavesdropping except in national security cases.

When the Senate had completed its work yesterday the crime control bill still authorized court-supervised wiretapping and electronic eavesdropping both by federal and state law enforcement officers.

These provisions, added to Tuesday's Senate reversal of the Miranda, Mallory and Wade decisions of the Supreme Court made the crime control bill the best to come through the Senate in years.

But these Supreme Court-curbing measures face a stiff fight in the Senate-House conference. House Judiciary Committee Chairman Emanuel Celler has claimed he would never accept these provisions, contending they take away power from the Supreme Court.

If the heavy support in the Senate for the bill is a barometer, Mr. Celler probably will have no choice but to accept the Senate version.

[From the Chicago (Ill.) American, May 24, 1968]

BYRD URGES CRIME ACTION

(By Robert S. Allen and Paul Scott)

WASHINGTON.—Fear and terror are stalking the capital. That is the grim pronouncement of the chairman of the Senate appropriations subcommittee in charge of the District of Columbia's annual budget of more than 500 million dollars. With characteristic bluntness, Sen. Robert Byrd [D., W. Va.] told his colleagues:

"One fools only himself if he attempts to believe that this city is not gripped in fear. It is time to quit temporizing with criminals. We need action, not words, from Mayor Washington and from the White House to prove that the reign of terror will be brought to a halt by whatever means are necessary."

For several weeks, Sen. Byrd has been vigorously urging that troops be returned to Washington to avert a repetition of the destructive violence that followed the murder of Dr. Martin Luther King. Byrd has argued troops are necessary because of the massing of the so-called "poor people's march."

FIRES, MURDER, ROBBERIES

He cited the virtually daily incendiary fires now running into the hundreds, the repeated slaying of business men, numerous rapes, and the scores of robberies of bus drivers, culminating with the slaying of one by a gang of Negro juveniles.

"I heard the President at the White House several months ago," declares Byrd, "speaking with reference to crime in this city, address himself to those who are responsible for enforcing the law. He told them in effect that if they did not get busy and reverse this trend, the fur would fly. I have not yet seen any fur fly, and I have not seen the crime trend reversed in Washington."

Making no bones that he deems the so-called "poor people's" encampment as a potential danger, Byrd stated, "I would not advise any [students] to come here while this 'campaign' is in progress, or while crime continues at the pace it does now.

"Look at the galleries today. Often they are only half or one-third full. There are no people standing in line, and the reason is obvious. People are fearful of coming to Washington."

BLAMES SUPREME COURT

The courts, and particularly the Supreme court, were singled out by Byrd as "greatly responsible for the spiraling crime rate." He held that while there is endless talk and reports about crime and criminals, "no word is ever said about how the federal courts are greatly responsible for the spiraling crime rate."

"If we really want to strike at the roots of crime in our country," declared Byrd, "we should start with the Supreme court. In making appointments to that court, they should be men who will not temporize with criminals. Yes, accord the criminal his constitutional rights; but let us not forget about the rights of innocent victims.

"Let us point the finger where we should. I say to the President of the United States, whoever he is or may be, 'Look at your Supreme court. Look at your appointees. If you really want to do something about crime, start there.' "

It is known that Sen. Byrd is making a thorough study of the handling of crime and other critical problems in Washington, and will report his findings in detail to the full Senate. No member of that chamber is more informed on Washington affairs than he is, nor more forthright in expressing his views and advocating forceful remedial measures.

[From the Mobile (Ala.) Register, May 22, 1968]

NONENFORCEMENT OF LAW

Sen. John L. McClellan of Arkansas read the riot act against lawlessness more alertly and more impressively than many of his colleagues in Congress.

He is also more alert and impressive than many in pointing to the serious mistake that is made by letting crime go unpunished or not sufficiently punished.

Crime is seldom curbed by turning criminals loose without penalty or without adequate penalty.

Yet many criminals escape what they have coming to them. Senator McClellan discusses this unfortunate state of affairs in terms that should hold interest for lawabiding citizens generally:

"According to the statistics, many crimes are not reported. How much, no one knows. Estimates are that from two to three times as many serious crimes are committed in this country as are reported.

"But of the serious crimes reported, seven of eight of (the) law violators who commit those crimes are not punished for their unlawful deeds.

"That is not law enforcement. I believe that if we had the true figures, taking into account the number of crimes that are not reported, the figure would not be seven of

eight. The figures probably would reveal that only one out of 15 criminals is punished for the crime he commits.

"We cannot have law and order in this country with that kind of law enforcement."

Senator McClellan warned forthrightly that the nation is headed for disaster if it continues to travel the route of non-enforcement of the law:

"We all suffer from lack of law enforcement. . . . No one profits from it except the criminal; no one except the criminal is profiting from crime today; and regrettably and tragically, too many criminals today are profiting from crime. . . . They are getting by with it because of the lack of law enforcement.

"I say it cannot go on. We are moving, moving rapidly, toward anarchy in America. Some say it cannot happen here."

Statements such as this by Senator McClellan should shake some of the apathy out of any American who remains apathetic about what lawlessness is doing to law and order.

And statements such as Senator McClellan's should speed-up public decision to clean house of office-holding politicians who have been too preoccupied in playing socialistic, welfare-state, "civil rights" politics to make their voices satisfactorily active in behalf of better protection for the lawabiding through law enforcement.

Senator McClellan is one of the best in business in Congress, or anywhere else in America, in throwing heavy punches at crime and at the appalling deficiency in law enforcement in the United States.

Two prime factors in the lack of law enforcement are nonsensical decisions of the courts, starting with the U.S. Supreme Court, and an oversupply of public-be-damned politics.

[From the Rochester (N.Y.) Times-Union, May 24, 1968]

CITY STREETS MUST NOT BE JUNGLE

News of continuing police determination to remove as many muggers and hoodlums from Rochester's streets as possible is heartening.

The tough roving Tactical Unit is working each night from 7 p.m. to 4 a.m. when the crime menace is greatest. And the other day, the unit put in some daytime hours clearing gangs of troublemakers from downtown stores, where they have harassed clerks and shoppers.

City police hope that the Tactical Unit will follow up the earlier success of a special anti-mugging squad.

But Police Chief Lombard exposed the Achilles heel of this anti-crime campaign when he complained of "too lenient" court treatment of some caught earlier by the anti-mugging squad.

It is not enough just to arrest those who would make Rochester's streets a jungle. Those convicted must understand that "society is not going to tolerate them," as Lombard said. That message won't get through, however, if the best efforts of the police are frustrated in the courts.

[From the Indianapolis (Ind.) Star, May 25, 1968]

WHITCOMB ON CRIME

Secretary of State Edgar D. Whitcomb, a candidate for Republican nomination for governor, has added his voice to the increasing criticism of the United States Supreme Court rulings on crime cases.

Whitcomb said crime continues to increase faster than the population increases and blamed a general attitude of irresponsibility and ". . . the very radical attitude of the Supreme Court toward the suspect in criminal cases."

Citing statistics, he showed that the majority of offenders who are released from prison get in trouble again and he called for a general review of rehabilitation programs. This sounds logical enough. If the majority of offenders get in trouble again then the "rehabilitation" programs are not doing much rehabilitating.

We are glad to see that a major candidate for governor is aware that rampant crime is what the people of Indiana are insisting on having curbed.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD an advertisement, entitled "An Appeal to the 200 Million People in This Great Nation—All of Whom Own a Share of Washington, D.C.—Have You Forsaken Us?" published in the Washington Evening Star of May 28, 1968.

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

AN APPEAL TO THE 200 MILLION PEOPLE IN THIS GREAT NATION—ALL OF WHOM OWN A SHARE OF WASHINGTON, D.C.—HAVE YOU FORSAKEN US?

For weeks now, even the heavens have been weeping at the tragedy that has befallen this once proud city.

Where are the tourists? Where are the shoppers? Where are the school children who came by the tens of thousands to discover their heritage?

But most important—where are you. All 200 million of you. Why are your voices stilled? Isn't this your Capital City, too?

Don't you know, or don't you care that the stunned and shattered business community is afraid to act.

Don't you know, or don't you care that the stricken and heart-sick residents are afraid to act.

Don't you know, or don't you care that many of your fellow Americans are afraid to open their doors at night; afraid to take public transportation at night; afraid to stroll the streets at night; afraid to do little else but scurry from home to office and back again as quickly as possible.

Of course you care! Then where is your storm of protest? Your outrage? If you fail to voice your concern soon, your share of Washington, D.C. will be worthless.

Our Mayor talks. Our police officials talk. Our Congress talks. Our President talks. But they have failed to dispel the current climate of fear.

It wasn't too long ago we flew our flags at half-mast. Unless you insist upon *action* now, we may have to do it again.

It's only fair to tell you—your nation's capital is dying.

(This message sponsored by The Committee for a Safer Washington, P. C. Ryan, Treasurer.)

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from more than 100 letters from people of all walks of life regarding and approving of the crime bill which was passed by the Senate last week.

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

CONFESSIONS

1. A citizen from California writes me the following concerning recent Supreme Court decisions:

"I was most pleased to read that you were going to attempt changes made by the Supreme Court over the past few years which have considerably lessened the authority of our law enforcement agencies and, I feel, have also caused a substantial increase in the crime rate."

2. A housewife from California expresses her concern in the following:

"We are glad you are fighting the crime problem. We also feel the Supreme Court has done much to protect the criminals and weaken our society."

3. An attorney from Los Angeles writes:

"A recent column in the Los Angeles Times by Bill Henry brought to mind again the tremendous job that you are doing almost single-handedly to combat crime in the United States and to eliminate those elements which seem to encourage rather than curb crime, including some of the absurd decisions of the Supreme Court of the United States."

4. Another California housewife writes:

"I wish to commend you on the stand you are taking against crime and the Supreme Court decisions! What can we—as law abiding citizens do in regard to these judges who are responsible for laws that coddle the criminals?"

5. A minister from California writes:

"I stand behind you in my prayers for an alleviation of the hodge-podge we are in in the areas of law enforcement.

"I know of many lawmen out here in California who are seeking other jobs because they are virtually handcuffed by the Court's decision."

6. A California housewife writes:

"We have criminals given a fair trial and given a sentence by a very responsible jury, only to find that 13 years later they are still fighting to overturn sentence and then of course . . . the Supreme Court sets them free!"

7. A California Chief of Police, one of many who have written concerning these decisions, has the following opinion:

"It appears to be well established that the *Escobedo* and *Miranda* decisions have had a decidedly adverse effect upon law enforcement.

"The number of convictions and guilty pleas has declined drastically since the pre-Escobedo days of 1963. This is in spite of the fact that felony arrests have increased 75% since 1963."

8. From another California Chief of Police:

"I earnestly request that you give serious consideration to legislation or even Constitutional Amendment to overcome the effect of some of the recent Supreme Court decisions in the field of criminal law.

"The Miranda decision has created many technical problems within the ranks of law enforcement. Arrests are being made by policemen but complaints are not issued by District Attorneys because of some purely technical errors."

9. An instructor in police science writes the following:

"I am distressed over the present trend of various United States Supreme Court decisions. The problem has grown to such proportions that attempting to understand, let alone try and explain same to a group of students, is extremely difficult.

"The indication is that the Court is more concerned with the 'rights' of the criminal and certain technicalities than they are of the welfare of the law abiding citizen."

10. Another California Chief of Police writes:

"As a career police officer and a Chief of Police, I feel that the United States Supreme Court has committed a great injustice to law enforcement."

11. A California police officer writes the following:

"As a veteran Police Officer with 32 years experience, I can attest to the fact that the recent decisions of the Supreme Court are resulting in the further handcuffing of the police officer and at the expense of the law abiding citizen."

12. The following is from a California Chief of Police:

"I would like to add my support to your bill (S. 674) [title II of S. 917]. It is my opinion, related on my personal experience, that the Supreme Court has gone past a reasonable man's interpretation of the Constitution. I think it is time the rights of the

victims of crimes be considered and society's right to be protected against violence and crime be brought to the forefront.

"Guilt or innocence no longer seems to be a factor in our courts. The contest now is to see if the defense can find any minute detail that may have been overlooked by the police to free a guilty person and return him to prey on society."

13. From a California Chief of Police:

"Wish to commend you for your efforts in trying to restore commonsense and reason in Court actions regarding criminals. It is, indeed, disturbing for Law Enforcement Officers to see guilty persons released on minor technicalities."

14. From a California Chief of Police:

"I believe the many Supreme Court decisions that have recently been handed down by that Body, have adversely affected law enforcement and justice more than anything I have seen in my twenty years as a peace officer."

15. Another California Chief of Police writes:

"May I join the thousands of other law enforcement officers in this country in giving you every possible support in this endeavor. We feel strongly that Supreme Court decisions in the area of *Escobedo, Miranda,* and others unnecessarily restrict the best efforts of law enforcement nationwide."

16. From a California detective:

"Speaking as a long time law enforcement officer, I wish to state that I am heartily in favor of S. 674, a bill with respect to the admissibility in evidence of confessions in criminal cases."

17. From a California Chief of Police:

"But, if the present dangerous trend of Supreme Court decisions is not stopped, and if possible, reversed, Law Enforcement will be dealt a crippling blow from which it may never recover."

18. This excerpt is from another letter from a California Chief of Police:

"We have, as have other law enforcement agencies, experienced instances where self-confessed persons have gone free due to an interpretation as to when suspicion had focused on those persons.

"To say that these decisions have not greatly affected the efforts of law enforcement officers in the battle against the rising crime rate would be to indulge in a costly form of vanity. These decisions, particularly the *Miranda,* have caused a great deal of confusion not only among law enforcement officers but among the Judiciary, each Judge in many cases having his own interpretation of its meaning and intent."

19. From a citizen in Illinois:

"We congratulate you on your stand to limit the powers of the Supreme Court. In our opinion they are doing all they can to destroy law enforcement not to aid it."

20. I received the following from an Illinois Chief of Police:

"Recent decisions of the Supreme Court have made an almost intolerable situation for police officers.

"Law enforcement's difficulties have become very burdensome with these decisions and will continue to be so and we are extremely worried about the future of crime which is now gaining momentum at an all too rapid pace."

21. From another Illinois Chief of Police comes the following:

"Your positive action in introducing Senate Bill 674 [title II of S. 917] with respect to the admissibility in evidence of confessions, is hailed by all law enforcement administrators as a possible roadblock—or at least a turning point—in stopping the downhill run of the "one-man majority", in the United States Supreme Court, to absolve criminals of their anti-social deeds, to disregard the civil rights of victims of criminal offenses, to pronounce retroactive rules in the fancied game between law enforcement and the criminal element—all under the guise of the administration of justice."

22. This quote is from a Superintendent of Police in Illinois:

"I am dismayed by recent U.S. Supreme Court decisions which are adversely affecting the ability of law enforcement agencies to fulfill their responsibilities to the citizens of their communities. My feelings are the same as, so many other law enforcement men, who feel the criminal has been given all rights, advantages and freedom to prey again on a victimized society."

23. From another Illinois Chief of Police:

"The Supreme Court of the United States has laid down rules that we as Officers must follow. We have been Handcuffed. Crime can be reduced. We as officers have the knowledge, ability and are willing to enforce the State laws and City Ordinances and assist each other of any department and the FBI. We are and there is no doubt every department has and is. The Handcuffs Must Be Removed from us."

24. From an Illinois attorney I received the following:

"Today's radio news told about a speech you made . . . in which you expressed views that the Supreme Court has gone much too far and has in effect encouraged crime. I want to commend you for this position."

25. From another Illinois lawyer:

"Our law enforcement agencies are today arresting thousands of dangerous criminals and bringing them before our courts, only to find these criminals turned back into the streets with complete disregard for the welfare of the rest of us.

"The breakdown in our battle against crime has come from our courts, and parole boards which have been infiltrated by persons who are either incompetent, corrupt or lacking in ability to understand that the major function of imprisonment for the criminal is not to punish him, is not to rehabilitate him, but to protect society from him."

26. From a State's Attorney in Illinois:

"I pass this on to you as an area that I see that the Miranda decision hampers tremendously, and this area of child abuse is becoming such a critical problem."

27. From another Illinois State's Attorney:

"I would say that the general feeling among these law enforcement people is that the Miranda decision and decisions of this nature have removed one of their most valuable tools in law enforcement investigation, and has substantially impaired their ability to be of service to the public at large."

28. From a Virginia sheriff I received the following:

"This Miranda decision has put the handcuffs on the policeman instead of the prisoner."

29. From a Virginia Chief of Police:

"I commend you for efforts to restore the confession as a tool of law enforcement and of justice.

"I have been an officer for thirty years, believe the current court rulings will contribute to a greatly increased crime rate despite expanded enforcement activities with greatly increased operating costs."

30. From another Virginia Chief of Police:

"It is indeed gratifying to learn that you have introduced legislation with respect to the admissibility in evidence of confessions."

31. This came from a Virginia citizen:

"Support your anti-crime bill to override some of the fantastic Supreme Court decisions which are protecting the criminal."

32. From a Virginia citizen:

"I fully agree with your committee's attempts in trying to deal with the problem of lawlessness and it's support by the Supreme Court."

33. This excerpt is from a letter from a Virginia circuit judge:

"I firmly believe that the *Miranda* case and others have placed too many safeguards around the criminals to the point that innocent people are no longer properly protected."

34. From another Virginia Chief of Police:

"I trust the legislation designed by your committee to restore the rule of reason in the admissibility of voluntary confessions will soon be adopted. This Miranda decision has put the handcuffs on the policeman instead of the prisoner."

35. This is a letter from a Virginia railway executive:

"I was very pleased to learn that some of our Senators and Representatives are concerned about the U.S. Supreme Court through technicalities freeing many hardened criminals and the effects of the *Miranda* decision upon Law Enforcement.

"The Miranda decision as well as others handed down by the Supreme Court have definitely had adverse affect on all law enforcement officers in fulfilling their responsibility. Through our association with local police executives, we also know these decisions have made it extremely difficult for them to recruit competent personnel to fill the ever increasing vacancies. A large percentage of these vacancies are brought about by people leaving the profession as they feel they have been shackled by the various Court decisions in the last few years, which makes it almost impossible for them to effectively enforce the laws."

36. From another Virginia sheriff, a member of the State Sheriff's Association:

"We feel strongly that the wiretapping, confessions and criminal procedure are a vital part of this bill."

37. From a Virginia Chief of Police:

"This decision has handcuffed Police Officers throughout the U.S. in fulfilling their obligations to the citizens in protecting their property, rights and person against lawlessness which has become the number one topic in society today."

38. From a Pennsylvania Chief of Police:

"As the Chief of Police of a small department, I have found that the *Miranda* decision has hampered our investigations seriously."

39. From another Pennsylvania Chief of Police:

"I agree with you and all of your policies, take the shackle off the police and let them perform their duties, to reduce the country's criminal population."

40. From a Philadelphia executive:

"The dedicated men and women of our police forces have been rapidly demoralized and disarmed by the Supreme Court decisions of recent years."

41. From a Pennsylvania Chief of Police:

"The recent Supreme Court decisions favoring the criminals at the expense of our citizens is shameful."

"I never arrested, or tried to convict an innocent man. Today I fear making an arrest because of the loopholes expressly put into the law by the courts to aid a criminal to avoid paying the penalty for his misdeeds."

42. From a Philadelphia citizen:

"Please be assured that I am in favor of amending Title 18, U.S.C. with respect to the admissibility in evidence of confessions."

43. From a Pennsylvania Police Chiefs Association:

"We agree wholeheartedly with your efforts to enact legislation as proposed in your Senate Bill 674." [Title II of S. 917].

44. From a Pennsylvania judge:

"It is my opinion that a voluntary confession and the information gathered by police as a result of a voluntary confession should be admitted in evidence in the trial of a case.

"I think I have the right to say that I believe that these decisions are based upon some rather fuzzy, mental, sob-sister gymnastics. I am very much interested in the rights of the individual, but I am also interested in the rights of society generally."

45. From a Pennsylvania Chief of Police:

"The psychological approach to some kind of utopian society which seems to be within the purview of the Supreme Court tomes and may seem ideal, nevertheless, lost sight completely of the practical approach to the ceaseless and never-ending conflict that al-

ways exists between crime and law and order."

46. From a New Jersey Chief of Police:

"I want to go on record against the deplorable conditions created by the *Miranda* decision and its adverse effect on responsible law enforcement.

"There is no question that the Miranda decision is responsible for criminals being returned to society to prey again on the community without fear of paying their rightful debt for their criminal acts.

"Morale, which is the crux of good law enforcement efforts, is dwindling as a direct result of the *Miranda* decision."

47. From a department store security manager in New Jersey:

"As a retail security executive and a member of the International Association of Chiefs of Police, I am in complete agreement with your remarks and support your bill."

48. From a New Jersey Police Chiefs Association:

"We greatly respect all laws of our country but feel that recent Supreme Court decisions have adversely affected the ability of local law enforcement agencies to fulfill their responsibilities, to the greatest degree possible."

49. From a New Jersey Chief of Police:

"I cannot express too emphatically the disastrous effect that recent decisions have had upon the morale of the police."

50. From another New Jersey chief of police:

"The most recent decisions have placed a severe hardship on the local enforcement officer and his supporting taxpayers.

"We do feel very strongly that the Supreme Court has overstepped its bounds, especially in the *Miranda* et al case."

51. From another New Jersey Chief of Police: (re *Miranda*)

"As a result of this decision we are having increasing difficulty, and we feel that there is a need for Congress to examine and modify the laws of arrest and search and seizure so that public interests may better be served by the Police."

52. From a member of a New Jersey Police Chiefs association:

"We whole-heartedly support your campaign in which illogical, short-sighted decisions reflect an unjustified and unprecedented concern for the law breaker.

"These decisions and rulings have handcuffed law enforcement agencies by requiring impossible procedures which will insure the release of the guilty to the detriment of the law-abiding people."

53. From another New Jersey Chief of Police:

"I am in full accord with your endeavors in introducing S. 674 [title II of S. 917], which is a bill to amend Title 18, U.S. Code, with respect to the admissibility in evidence of confessions."

54. From a New Jersey executive:

"I regard with dismay recent and not so recent U.S. Supreme Court decisions which prevent law enforcement agencies from protecting us from the murderer, rapist, robber and knife wielder.

"Please, do your best to nullify these bad U.S. Supreme Court decisions and as a member of the International Association of Chiefs of Police, I can vouch that we are 100% behind you."

55. From a New Jersey citizen:

"Each year the U.S. Supreme Court makes it harder and harder for our police and local courts, and easier for the criminals. As a result crime has been increasing at an alarming rate. The public, the press and radio keep protesting this high crime, but no one seems to pay attention to us."

56. From a New Jersey housewife:

"The investigations your Criminal Laws Subcommittee is making into the effect the Supreme Court's recent decision to disregard voluntary confessions by suspects is having on the administration of justice, you have my wholehearted support."

57. From a New Jersey Chief of Police:

"It appears in my opinion as a law officer for the past twenty-six years that the Supreme Court has read into the constitution in their majority decisions, opinions that were never meant to be, more recently in the *Miranda* decision."

58. From a New Jersey detective:

"I strongly urge the passage of Senate Bill No. 674 [title II of S. 917] amending Title 18 of the U.S.C. with respect to the admissibility of confessions. It has been my experience since the pronouncement in the *Miranda* case by the United States Supreme Court, the work of this office has met with considerable difficulty in the investigation endeavors of the personnel."

59. From a district judge in Kansas:

"Some of the recent Supreme Court decisions have weighted the scales too heavily in favor of the criminal and against the public."

60. From a Kansas Chief of Police:

"It is my opinion that the recent Supreme Court rulings have had an overly sharp, adverse effect in our efforts to clear felony cases, charge subjects implicated in such cases and to convict them in our courts after they have been charged.

"We have noted a marked decline in the area of interrogation of suspects of felony cases.

"In our preliminary court we find we are getting repeated dismissals of cases upon grounds that would indicate decisions far beyond the mandate of our Supreme Court and its new rulings.

"There is no question that the rulings have curtailed the efforts of all police officers in their efforts against crime to a very great degree."

61. From an Idaho housewife:

"Some of these decisions have almost wrecked our country, and have been the means of turning vicious criminals free to prey on society."

62. From the American Farm Bureau Federation:

"S. 674, [title I, S. 917] providing that a confession given voluntarily and without coercion shall be admissible, appears to us to be the most important of these bills. Society needs further protection from the adverse effects of recent Supreme Court rulings which have freed self-confessed criminals because of some technical inadequacy of the procedures used. The test of admissibility should be, as provided in S. 674 [title II, S. 917], whether or not the confession was in fact, in the light of all circumstances, voluntary or not voluntary."

63. From a Washington, D.C. Political Study Club:

"We deplore the Rulings of the Supreme Court, and trust that the finished Bill will this time be acceptable to the President."

64. From a doctor at Saint Elizabeth's:

"Those of us who have been at this business for a number of years are convinced beyond any question that Court opinions can and do influence the thinking and behavior of some of the criminals in the District of Columbia."

65. From two Louisiana judges:

"We wish to join other Judges, District Attorneys, Law Enforcement Officers and Law Abiding Citizens in expressing our disapproval of the *Mapp, Gideon, Escobedo, Miranda* and other recent Supreme Court decisions destroying our criminal laws."

66. From the Louisiana Department of Public Safety:

"Law enforcement agencies join you and the other Senators and Representatives in your concern with regard to recent U.S. Supreme Court decisions which are adversely affecting the ability of those agencies to fulfill their responsibilities."

67. From a Tennessee Police Commissioner:

"We urgently need support, and new laws of search and seizure, and something definite on defining rules on confessions, and the admissibility of confessions. This is also true on interrogations."

68. From a Tennessee Chief of Police:

"As Chief of Police, I should like to express our sincere appreciation for your introduction of Senate Bill 674 [title II, S. 917] and to assure you of our support of any legislation designed to free Law Enforcement from the shackles of recent Supreme Court decisions."

69. From an officer in the Colorado State Highway Patrol:

"In recent years the law enforcement profession has been confronted with problems stemming from decisions handed down by all court jurisdictions from the lowest to the highest, but no case decision has had such a pronounced effect as the recent decisions handed down by the U.S. Supreme Court in the *Miranda* and *Escobedo* cases, along with other case decisions based upon the same general conceptions.

"Although the decisions in question here were handed down in crimes classified as felonies, the effects of these decisions are permeating the entire gamut of law enforcement from simple misdemeanors to murder."

70. From the National Sheriff's Association:

"In recent years the various trial courts throughout the nation have been hampered in the trial of criminal cases as the result of Supreme Court decisions, both State and Federal, wherein the admissibility of a criminal's confession of having committed an alleged crime has all but been outlawed."

71. From a Wyoming Chief of Police:

"I wish to commend you in your efforts to restore some logic in the handling of statements taken from defendants and evidence obtained during investigation through interrogation."

72. From a New Mexico Chief of Police:

"I am convinced that recent United States Supreme Court decisions have put a burden on police in the nation and have affected every law abiding citizen of this country."

73. From an Oklahoma Chief of Police:

"The Court has confused the understandable desire of the framers of the Constitution to escape oppression at the hands of a foreign king with the right of a housewife to escape assault in the parking lot of a supermarket."

74. From a West Virginia police officer:

"The plight of the law enforcement officer whose duty it is to protect life and property is becoming more and more difficult. The law enforcement effectiveness is being curtailed by some recent U.S. Supreme Court rulings.

"The citizens in many parts of the United States are now paying because of some of the recent Supreme Court rulings that seem to serve the purpose of throwing protection around the criminal."

75. From an Iowa Chief of Police:

"In a series of rulings during the past nine years, the Supreme Court has handed down increasingly unreasonable decrees on police procedure. The trend has been toward strengthening the rights of the accused, and limiting the powers of law enforcement."

76. From a North Carolina Chief of Police:

"I am sure that I only speak the sentiment of all law enforcement officers that we appreciate your and Senator Ervin's efforts to assist law enforcement officers to do their job. Recent Supreme Court decisions have handicapped us to some extent and the situation certainly needs clarifying."

77. From another North Carolina Chief of Police:

"As one who has been in law enforcement work for seventeen years, I wish to protest the U.S. Supreme Court decisions affecting local law enforcement.

"The *Miranda* decision has practically paralyzed the Police Departments efforts to make

an honest investigation and is an insult to American intelligence."

78. From a Connecticut Captain of Police:

"As Captain of Detectives and a veteran police officer, it is my opinion that certain decisions made by the Supreme Court have given the criminal an unwarranted 'Supreme Court Robe of Protection.' "

"Unless a perpetrator is apprehended in the commission of a crime, it is almost impossible to convict him because of the *Mapp* and *Miranda* decisions."

79. From another Connecticut Chief of Police:

"It is with a deep feeling of respect and admiration for you that I ask that you do everything within your power to have S. 674 [title II, S. 917] (passed).

"All police departments are having a very difficult time in recruiting men to the departments and it is all due to the decisions which have been handed down by the Supreme Court."

80. From a Maryland State's Attorney: (Charles Moylan, Baltimore)

"The very best recollection of our existing staff of Assistant State's Attorneys would indicate that at least 72 indictments have been adversely affected by *Miranda*. 64 of those indictments are now closed, with the State either entering a stet or a nolle prosequi in the case because of insufficient evidence with a confession rendered inadmissible by *Miranda* or a verdict of not guilty being entered against the State with the inadmissibility of a confession being a very significant factor in that verdict. 8 other indictments are still open, but the Assistant State's Attorney assigned to the case has indicated to me that because of Miranda there is no hope whatsoever of the State winning the case."

81. From a Maryland judge:

"However, in addition to supporting legislation which would make reasonable modifications to the Miranda Ruling of the Supreme Court, I reiterate that Congress should enact legislation limiting the present practice of the Federal Courts in acting as Appellate Courts of State Courts."

82. From the Maryland Chiefs of Police Association:

"The Maryland Chiefs of Police Association would like to go on record supporting S. 674 [title II, S. 917]. We feel very strongly in support of any legislation lessening the restrictions placed upon law enforcement officers in ther efforts to perform their duties within the framework of the Constitution."

83. From a Maryland police officer:

"I cannot help but wonder, however, at the necessity of some decisions, particularly where there has been a close division in opinion on the part of Justices when such decisions obviously favor the rights of an individual over the seemingly more important rights of society, particularly with respect to the protection of society against the actions of criminal and subversive elements."

84. From an Ohio Chief of Police:

"It seems to me that the Supreme Court has worried too much about the criminal's rights and has forgotten that there are quite a few million honest people in this great country that have rights, too, against lawlessness and crime."

85. From an Ohio Director of Police:

"*Miranda* has produced two definite problems in law enforcement. In the first instance, the day of the suspect admitting his criminal action is almost gone.

"The detectives feel that the *Miranda* decision definitely caused lack of prosecution in 128 cases.

"Miranda has hurt in a second instance as to the clearing of complaints. Prior to this decision, we could question a suspect as to related offenses, thus clearing more complaints. Today we are fortunate to clear one offense with the reflecting decrease in Part I crimes cleared."

86. From an Ohio citizen:

"I hope your bills pass that will 'counteract' some of the recent Supreme Court decisions that favor criminals over the public."

87. From an Ohio Chief of Police:

"The Miranda decision is a great deterrent to effective law enforcement. I feel that the law-abiding citizens of our great country should be able to expect and receive better protection from those who commit crimes than the Miranda decision permits."

88. From another Ohio Chief of Police:

"My honest feeling is that we are going overboard to protect the criminal in recent decisions and it is about time to protect the honest and law abiding citizen. It is about time the cases were tried on the merits of the cases instead of technicalities."

89. From another Ohio Police Chief:

"With respect to your proposed legislation S. 674 [title II, S. 917], I would like to offer the support of our small municipal police agency.

"The resultant theory to the recent Escobedo, Miranda, Mapp and other Supreme Court decisions, that police investigations must rest basically upon scientific evidence is, in my opinion, a gross injustice to the law abiding American citizen. It is unreasonable to believe that the majority of law enforcement agencies can equip, train, or hire personnel so as to conduct criminal investigations with the same professional approach as that of the Federal Agencies or the large metropolitan departments."

90. From an Ohio Police Chief:

"I join with you in expressing dismay at the recent Supreme Court decisions which are adversely affecting the ability of law enforcement agencies to fulfill their responsibilities. In our own Department (66 men) we have had several cases wherein we were forced to release a guilty person because of the fact that he refused to sign the so-called 'Miranda Waiver'. Cases such as these do much to undermine the morale of members of the Police Department."

91. From a Wisconsin Police Chief:

"I wish to take this opportunity to express my views and objections to the problems fostered on the police by the Supreme Court decisions in the Escobedo and Miranda decisions.

"We have experienced a great deal of difficulty in clearing cases involving criminals with previous records. These persons, when apprehended, are hiding behind their so called rights and refuse to answer questions, consequently only cases with physical evidence and witnesses are being cleared. We are not having any problems with the first offenders. These persons willingly waive their rights and confess to their crimes."

92. From a Wisconsin Police Chief:

"As a representative of law enforcement, I strongly support a change in the law regarding the admissibility of confessions. The quagmire produced by recent court decisions is affecting police operations because of the lack of operational guidelines."

93. From a Wisconsin Sheriff:

In regard to the Supreme Court's Miranda decision Title 18 U.S.C., your amendment S. 674 [Title II, S. 917], would be greatly appreciated by all of us who are trying to keep the protection of honest people."

94. From a Wisconsin Police Chief:

"I heartily endorse any legislation that will lift some of the burdensome restrictions brought about by the Miranda decision.

"The full impact of this decision cannot be adequately assessed by merely comparing the number of confessions obtained before and after the decision was rendered. A more realistic picture is presented when one considers the following:

"Witnesses and other people with pertinent information are now reluctant to cooperate with investigators, especially after the required warnings are recited."

"I honestly feel that unless some of the restrictions on questioning suspects prior to arrest are removed, crime figures will soar and conviction rates will drop."

95. From a Wisconsin police chief:

"My purpose in corresponding with you is to commend you for your concern relative to recent U.S. Supreme Court decisions that have literally handcuffed professional and dedicated law enforcement personnel. Recent decisions involving Miranda and Escobedo have certainly tipped the scales of justice directly in favor of the criminal element."

96. From a Michigan city official:

"We appreciate your efforts relative to the U.S. Supreme Court decisions affecting Local Law Enforcement and give your Senate Bill S. 674 [title II, S. 917] our wholehearted support."

97. From a Michigan chief of police:

"Even in our small communities, Law Enforcement is feeling the confusing affects of recent U.S. Supreme Court decisions."

98. From a Michigan citizen:

"Attached hereto is a petition from residents of my community. I am hoping that in some small way I am furnishing you with some ammunition to fight against the Supreme Court and their very unpopular rulings which affect the protection of our families from criminals that are being released."

99. From a Michigan police chief:

"I am very pleased, and in accord with your dismay in regard to the U.S. Supreme Court decisions of late. That this affects the ability of local law enforcement is certainly very disturbing. In the relatively short time that these decisions have been in effect, they have had adverse effects on even the very smallest police agency.

"Many of our laws refer to 'reasonable and prudent person', but it certainly appears that some of the most recent decisions of the Supreme Court have disregarded reason."

100. From a Michigan chief of police:

"In common with many other law enforcement officials, I am delighted that you have introduced legislation to amend Title 18, U.S.C. with respect to the admissibility in evidence of confessions.

"The Miranda decision has placed an almost intolerable burden on law enforcement personnel, and has made the efficient discharge of our duty toward society most difficult.

"The ultimate loser in all the situations whereby conviction is made impossible is society itself."

101. From the Dallas Crime Commission:

"Dallas Crime Commission believes critical crime situation resulted from Supreme Court decisions such as Miranda."

102. From a Texas citizen comes this wire:

"As a J.P. in this west Texas community of 10,000, I meet head on constantly with the damaging affectations of the Miranda case. If some change is not made soon, enforcement will be at a standstill."

103. From a Houston lawyer: (Member of the President's Crime Commission Leon Jaworski)

"As a member of the President's Crime Commission, I joined in the filing of an addendum to the report in which several of my fellow commissioners and I pointed out the adverse effects of *Miranda* on law enforcement and the need for remedial action."

104. From a Texas chief of police:

"The number of offenses and property losses have constantly increased, since the advent of the Supreme Court Rulings and the restrictive measures passed by our Texas legislature, based upon those rulings. In contrast, the percentage of cases solved and property recovered has consistently declined."

105. From a Representative of Florida:

"Your recommendations to the Senate in connection with the recent decisions of our Supreme Court are commendable. I hope that Congress can and will find the solutions to reverse the trend of our High Court."

106. From a Florida housewife:

"I am taking the liberty of writing to express my concern over the ruling of the Su-

preme Court in connection with releasing self-confessed criminals, citing in particular the New York article regarding the release of Jose Suarez who admitted killing his wife and 5 children, though there have been many news items in the past several months of similar cases."

107. From a Florida chief of police:

"As a member of the Law Enforcement profession, with almost forty years experience in this field, I am truly amazed by the decisions in the above cases (Mapp, Mallory, Miranda, Escobedo) along with others that have handcuffed police throughout our nation."

108. Another Florida chief of police writes:

"We, in law enforcement, feel that the time has come when we must speak out on the subject of too much protection for the 'rights of the criminal' and not enough for society."

"It has gotten to the point where court trials have receded to where the only questions that are argued are the ones on admissibility of evidence. The actual fact of guilty or innocent does not enter the case. The police officers, testifying often suffer more harrassment than the person being tried."

109. From a former Attorney General in Arkansas:

"Since the *Escobedo* decision and others wherein the United States Supreme Court has either modified or completely overruled its previous decisions, the law is in a state of considerable confusion and uncertainty, and apparently will remain so if left entirely to the Court."

110. From a Rhode Island detective:

"The recent Supreme Court decisions not only hamper police with investigations, but it has dealt a serious blow to the morale of police across the country. The Supreme Court's interpretation of the Constitution is certainly misconstrued as it not only allows criminals to escape punishment; it allows them to remain a threat to free society."

111. From a Rhode Island Chief of Police:

"I am in complete favor with the provisions of S. 674 (title II, S. 917).

"In their zeal to protect a defendant's constitutional guarantees in accordance with their measure of these rules, justices, particularly in the lowest municipal courts, are handing down decisions that are virtually crippling the traditional investigative procedures of the police."

112. From a Massachusetts chief of police:

"I whole-heartedly endorse your legislative bill S. 674 (title II, S. 917) . . .

"Since the *Ohio* v. *Mapp, Escobedo* v. *Illinois* and *Arizona* v. *Miranda* decisions, this Department has lost some of its cases in Court due to these decisions."

113. From a Massachusetts chief of police:

"We are all very disturbed about the many recent one-man decisions made by the Supreme Court of this country."

114. From a Massachusetts police chief:

"With respect to recent United States Supreme Court decisions which are adversely affecting the ability of local law enforcement agencies to fulfill their responsibilities, it is my judgment that in this total protection and insurance of a defendant's 'rights' as required by these decisions, we are forgetting and neglecting the rights of an innocent victim, and his constitutional rights also as a citizen."

115. From a Massachusetts police chief:

"It is gratifying to know that someone knows about the problems of Law Enforcement Agencies and is doing something about it. You are to be congratulated for your stand in reference to the recent U.S. Supreme Court one-man majority decisions.

"I do find from my own personal experience, as a law enforcement officer, that many cases have been lost in court as the result of these decisions and that some cases did not even reach the court because the police were unable to interrogate the suspect."

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 16913) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

Mr. HOLLAND. Mr. President, are there further requests for time?

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

Mr. HOLLAND. I am delighted to yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I wish to ask a few questions.

It is my understanding that the amount that was included by the Committee on Appropriations is designed primarily for soil conservation purposes. Is that correct?

Mr. HOLLAND. The Senator is correct; in pursuance of the ACP program. There is a reduction from $220 million, which has been the amount for 10 or 20 years, to $195 million, which was the amount left this year after the reduction under Public Law 90–218, adopted last fall and it was generally acceptable.

Some would like to have the $220 million but we were looking for places to cut and this was one place.

Mr. DOMINICK. I congratulate the Senator from Florida. I think this is one of the most essential programs we have. Unless we keep up the soil conservation practice in this country we could find ourselves in bad shape agriculturally, such as other countries have found themselves in.

This, of course, is one of our strong points in our ability to produce, not only domestically, but overseas. So I congratulate the Senator from Florida. I am happy to support him.

Mr. HOLLAND. I thank the distinguished Senator from Colorado.

Mr. President, unless I have further requests for time, I shall be glad to yield back such time as I have remaining.

Mr. CURTIS. Mr. President, I should like to be yielded some time.

Mr. HOLLAND. I will gladly yield time to the Senator from Nebraska.

Mr. CURTIS. I may not be on the Senator's side.

Mr. HOLLAND. That is all right. I am glad to have Senators express their views.

Mr. CURTIS. I am a strong supporter of soil conservation. But I think the erosion of the dollar is worse than the erosion of the soil.

As I understand this particular item, it does not, in the main, go to the personnel. Perhaps a little of it does. But there is another item in the bill which does not affect soil conservation districts per se, nor small watersheds.

Mr. HOLLAND. If the Senator will yield, this provision applies, in the main, to the individual farmer. It would meet the limitation of $2,500. Payments may not exceed $2,500 to any one farmer.

Mr. CURTIS. Yes. The reason I should like very much to stay with the committee is that I have voted for cuts in expenditures. But I have got to vote for some things that affect my area, things in which I am very much interested. Any cut we make, anywhere, will be hard and disappointing.

The landowner can avail himself of a provision of the Internal Revenue Code, that I sponsored, which permits him to spend his own money for soil conservation and treat it as a business deduction.

One of my reasons for proposing that provision, at the time it became law—and I worked on it for a number of years—was that it was not only right, just, and in line with the taxing of business, but that it would also get away from paying the farmer to improve his own property.

I find myself very much in sympathy with everything that has been said in favor of the committee position. But I come back to the point that these expenditures are fixed and are long range. In the last dozen years, a hundred new programs have been started, costing $350 million in the first year.

In the 1969 budget, it will be over $15 billion. The budget submitted to us for 1969 is not an austerity program. It calls for eight or 10 new programs which will grow and grow and grow. On the long-range commitments we have to keep faith with them. We cannot refuse to pay the national debt. We have got to win the war. We cannot default on veterans' pensions. There are so few places we can cut because of the long-range effect of what we would do.

Again, I say, I do not want a word that I have said to be termed critical of the committee or anyone who has spoken on behalf of it. I am almost persuaded to be with it but in the last few months, I am a little bit more concerned about the erosion of the dollar than I am concerned over additional soil erosion which may come about if, for a while, we reduce the amount of payments direct to the farmers for saving their own land.

I say this as a representative of one of the most conservation-minded States in the Union.

I do not like to do it, but I shall support the amendment.

Mr. HOLLAND. Since the Senator from Nebraska was not on the floor when it was discussed, I want him to know that the committee has reduced——

Mr. CURTIS. I was here.

Mr. HOLLAND (continuing). The total of the budget by $1,387 million and that while, as the Senator from Delaware has properly said, perhaps part of that is due to the failure to reimburse the Commodity Credit Corporation, there is between $300 and $400 million of that which is an actual cash reduction, so that if other bills are reduced in proportion, we will be able to reach the level we are talking about. Of course this is not one of the larger bills. I want the Senator to know, as I indicated a while ago——

Mr. CURTIS. I understand.

Mr. HOLLAND (continuing). That I want him to do what his conscience dictates. Here is a cost-sharing program under which the farmer does not call upon the Federal Government to put Federal money into his land without his cooperation. He has to match it——

Mr. CURTIS. I understand.

Mr. HOLLAND (continuing). And only

for approved practices that very clearly preserve and enrich the fertility of the soil.

Mr. CURTIS. And the value.

Mr. HOLLAND. In my judgment, the committee has gone about as far as it can go in reducing the program from the $220 million level, at which it has been every year since the Senator has been a Member of the Senate—to $195.5 million. I think that is coming to grips with the problem. Again I say, I want the Senator to vote as his conscience dictates.

Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back.

The question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. HARRIS], 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 Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from Oklahoma [Mr. HARRIS] would each vote "nay."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from North Carolina would vote "nay."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from South Carolina would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. MORTON], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from Nebraska [Mr. HRUSKA] and the Senators from California [Mr. KUCHEL and Mr. MURPHY] are necessarily absent.

The Senator from Utah [Mr. BENNETT] is detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Arizona [Mr. FANNIN], the Senator from Nebraska [Mr. HRUSKA] and the Senators from California [Mr. KUCHEL and Mr. MURPHY] would each vote "nay."

The result was announced—yeas 16, nays 47, as follows:

[No. 170 Leg.]

YEAS—16

Baker	Griffin	Pell
Boggs	Hansen	Percy
Case	Hartke	Proxmire
Cotton	Hickenlooper	Williams, Del.
Curtis	Javits	
Dirksen	Pastore	

NAYS—47

Allott	Hatfield	Randolph
Bartlett	Hill	Ribicoff
Bayh	Holland	Russell
Bible	Jackson	Scott
Burdick	Jordan, N.C.	Smith
Byrd, Va.	Jordan, Idaho	Sparkman
Byrd, W. Va.	Mansfield	Spong
Cannon	McClellan	Stennis
Clark	Metcalf	Symington
Cooper	Miller	Thurmond
Dominick	Monroney	Tower
Ellender	Moss	Williams, N.J.
Fulbright	Mundt	Yarborough
Gore	Muskie	Young, N. Dak.
Gruening	Nelson	Young, Ohio
Hart	Pearson	

NOT VOTING—37

Aiken	Hayden	McGovern
Anderson	Hollings	McIntyre
Bennett	Hruska	Mondale
Brewster	Inouye	Montoya
Brooke	Kennedy, Mass.	Morse
Carlson	Kennedy, N.Y.	Morton
Church	Kuchel	Murphy
Dodd	Lausche	Prouty
Eastland	Long, Mo.	Smathers
Ervin	Long, La.	Talmadge
Fannin	Magnuson	Tydings
Fong	McCarthy	
Harris	McGee	

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JORDAN of North Carolina. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I want to address an inquiry to the chairman of the subcommittee.

Mr. HOLLAND. Mr. President, I yield the remaining 2 minutes I have to myself.

Mr. STENNIS. I call attention to the item "Flood Prevention," which is covered in the report on page 12, and point out that the House figure is greater than the budget recommendation, but the Senate figure is $2.5 million under the House increase.

I want to point out that this is a highly important item. The so-called watershed projects have been very successful. I know they apply in California and Mississippi, and I think they apply in the State of Georgia, as well as others.

I am not going to offer an amendment, but I know the ch. irman thinks this is an important item. My request is that, as to the difference between the Senate figure and the House figure, the chairman will consider this matter in conference in the light of what may develop there, as well as any other meritorious information that may be submitted. I know he is in sympathy with the projects.

Mr. HOLLAND. Mr. President, in reply, I certainly am in sympathy with the watershed projects. The budget figure was $12.395 million. The House applied $20 million. Our committee recommended $17.5 million, this being more than $5 million over the budget amount, and one of the few items where we have gone over the budget. We did not do this until we discovered that there was a $6 million carryover. We think that the program is well funded, but I will be glad to consider any matter in conference that the Senator is concerned with and will do what I can to bring about what I think is a sound result.

I am sure that other members of the conference committee will take the same position.

Mr. STENNIS. I thank the chairman, I know he is not adamant on this matter, but will have an open mind on any facts in connection with it.

Mr. JAVITS. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 19, it is proposed to strike out everything beginning on line 16 through line 4 on page 20.

Mr. JAVITS. Mr. President, I yield myself 10 minutes.

The provision sought to be stricken is the provision which relates to the use of section 32 funds, or at least the restriction on their use which is contained in the appropriation bill. The language sought to be stricken reads as follows:

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, and (3) not more than $2,950,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

The reason why I have moved to strike this language is the present very strong controversy going on between the Secretary of Agriculture and many of us, who are deeply concerned with the problem of starvation, or malnutrition equivalent to starvation, in the United States.

It will be remembered that the record of the Senate on this issue is very good. The Senate took up the bill of the Sena-

tor from Mississippi [Mr. STENNIS], passed it, and has done its utmost to bring about action by the House of Representatives on the bill, without success. That is a distressing thing to say; nevertheless it is true.

Then along comes a film produced by the Columbia Broadcasting System, purporting to show in a most heart-rending fashion, the situation of starving people in our own country, including children and babies. Indeed, I am informed by many Senators, and it has been said publicly, including statements made at a hearing as recently as this morning, that they have never received an amount of mail on any issue equal to the mail they are receiving on the question of starvation in the United States.

When the Secretary of Agriculture is pressed upon this matter—and he has gotten into quite a controversy with CBS and others who have made strong statements about the subject—this is what he says. I now read from his testimony given before the Committee on Education and Labor in the House of Representatives just a very few days ago, on May 22, 1968. Chairman PERKINS asked him:

> What amendments would you suggest, Mr. Secretary?

That is in trying to find some way of introducing the ability of the Secretary to deal with this subject in a flexible and selective way.

The Secretary said, as recorded at page 210 of the hearings:

> The one that seems to be at issue here, and was all morning more than any other point was the authority of the Secretary of Agriculture on section 32. I would welcome, as I said this morning, action by the Congress that would say that those funds can be used for any food programs at the discretion of the Secretary, to wit: the school lunch and the food stamp programs in addition to the direction programs, regardless of whether it involves surplus commodities or not.

What the Secretary, in effect, is saying, is that he is inhibited in his freedom of action in dealing selectively with conditions of starvation in the United States by this particular provision in the appropriations act, a provision, incidentally, which we have carried in appropriations acts before. I am a member of the Appropriations Committee, and I have never objected, because it never seemed to me that there was any real import to this provision, as I read the law, or at least that it was a doubtful question. But the Secretary makes this the one set piece that he says makes it absolutely impossible for him, because we have said so, to do the things that need to be done about hunger. I do not agree that the language so inhibits him, but will assume for purposes of discussion that it does. I would note that $227 million, according to my information, in these section 32 funds will be returned to the Treasury this year.

By way of explanation, we all know that section 32 funds are made up of 30 percent of the U.S. customs levies, and may be used for a wide variety of purposes, including feeding the poor. Incidentally, we have provided in this bill, in the special milk program and the school lunch program, authority to use section 32 funds. This is not at all unusual.

Another aspect of the matter, Mr. President, that is important, is that we have written, as a matter of law, into the Food Stamp Act a prohibition against utilizing any of these permanently appropriated section 32 funds. We have limited the food stamp program specifically to the amounts we have appropriated. That is contained in Public Law 90-91. It will be noted that the food stamp program is appropriated for the pending appropriation bill. My amendment would not change that.

The Secretary would not be able to use this money for food stamps, unless we changed the substantive law, which obviously we cannot do on an appropriation bill. But what he would be free to do would be to use it for commodities or cash transfers to all his other food assistance programs. He could use it to provide additional funds for school lunches, for example. The evidence indicates that a good many poor children cannot afford to pay whatever they have to pay to get these lunches. A woman testified this morning that she had seven children in school, and they had to pay 30 cents a day, which would be $2.10 a day, and she just could not pay it.

Therefore, we should seek to alleviate the situation now, until we may later reconsider our position on the food stamp program, by using section 32 funds to expand other programs, to wit, the direct distribution program, school lunches, the OEO emergency food programs, and other existing efforts or any new programs he might create. He could use these funds either to buy commodities for use in these programs, or he could transfer section 32 funds directly. The Secretary seeks to have Congress free his hands with respect to his construction of the law. I do not necessarily agree with it, but that is his construction of the law. That is one reason why we have had these terrible rows with the Secretary. We have asked, "Why cannot the bureaucracy somehow or other free itself so as to deal with the situation of starvation, or of such serious malnutrition as to amount to starvation?" His answer is, "My hands are tied by what Congress has written into appropriation bills"—I am trying to untie his hands with respect to this matter and accept his interpretation of the law, a law which apparently he feels is absolutely binding.

That is the issue, Mr. President. If we do untie his hands, it does not mean that he will spend all the $200 million, but it does mean that he will no longer have a reason—call it an excuse if you will; that is what it may be—for not applying it in a massive way to situations which seem to be causing so much pain and anguish to the country, which constitute a big factor in the agitation in Washington now, by the so-called Poor People's March, and which are producing such a violent reaction in terms of mail being sent to all Members of Congress.

As to the way in which the poor are dealt with in terms of food, it is well known, that the food stamp programs are local option programs in many counties. The Secretary cannot institute them over local objections.

There has also been, of course, a tremendous complaint that, in the case of commodity distribution, there is a very sharp limitation as to the kind of commodities which people get. That is very restrictive and harmful to any kind of a sound dietary practice.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for an additional 5 minutes.

Mr. JAVITS. Mr. President, in the case of food stamps, we have the problem that some people do not even have the minimal amount of money that is required to pay for food stamps. It might be as low as 50 cents. Still, they do not have even that much.

This is not an easy issue. We have the findings of the Citizens Committee on Hunger, which claims that roughly 300 counties in the hunger category, out of the poorest 1,000, have no program. We have the counter argument of the Secretary that if they do not have it now, they will have it by July 1.

It seemed to me that the only way in which I could see that we could try today to touch the focal point of the issue was by at least freeing the hands of the Secretary in respect of this pool of section 32 funds, so that he could at least deal with the direct situation of starvation and malnutrition where it exists until we could actually unravel this ball of wool in order to see what ought to be done and what ought not to be done in terms of substantive legislation.

I point out as the author of the amendment, and by way of legislative history, that we would expect it to be used only by the Secretary in cases of serious hunger or in cases of malnutrition such as to represent a serious peril to health.

I do not wish the manager of the bill to have any idea that this is some open ended authorization to the Secretary of Agriculture. And I am not even trying to argue the big issues which are involved in the food stamp plan, et cetera. But I am confining myself to a situation that is appalling to us, no matter what are ideological views—the fact that a Secretary of Agriculture in the United States, with a tremendous pool of funds available, claims that he cannot move into a situation as desperate as hunger and malnutrition equivalent to hunger. Therefore, I have made my effort in the best way I can define it—artistic or inartistic as it may be, and without necessarily agreeing with him on the law—to strike those shackles from his hands.

This thing has been going on for months. We had a terrific row with the Secretary of Agriculture. He got very angry at me, as some Senators may have seen on television, months ago.

Yet, in the intervening time, not enough progress has been made. The situation continues. He makes the same point that he made before when he got so angry at me—the fact that he cannot see his way under the law as being able to do what needs to be done, but which he says he cannot do, because his hands are tied by this provision.

I am a member of the committee. I could have brought this matter up on

Monday. However, unfortunately I could not be present on Monday.

In the meantime the arguments against it have burgeoned and boiled up in the last few days. The Secretary of Agriculture has been very put out at the broadcasting companies, and he had a press interview which has been placed on the front page of the newspapers. It is this situation that I am trying to contend with in the amendment.

I hope the manager of the bill will accept it as a good faith explanation. I was unable to be here on Monday to explain this to the committee.

Mr. HOLLAND. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 minute.

Mr. HOLLAND. Mr. President, I will yield first to the Senator from North Dakota [Mr. YOUNG], and next to the Senator from Georgia [Mr. RUSSELL].

The Senator from Georgia was chairman and the Senator from North Dakota was ranking minority member of the subcommittee back in the years when the provision in the bill was first put into effect, in the fiscal year 1964 Appropriation Act. It has been carried every year since. It has been a salutary measure.

I want the Senate to have the background from these two great Senators.

I yield first to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I think it would be a serious mistake to use section 32 funds for any other purpose than that for which they are now being used. I refer to their use to help the producers of perishable commodities and the hungry people of the United States. I see no need to use these funds to increase the USDA payroll.

I do not know of any State that cannot afford to hire welfare directors. My own State does this. Every county in my State has a welfare director. Five-twelfths of the sales taxes collected are dedicated to welfare purposes. I assume every other State tries to take care of the poor people as we do.

I did not see that great film that the Senator talks about, but I did read the book, "Hunger, USA," on which it was based. And I never read a book as inaccurate as that book. For example, in my State the book lists eight counties as starvation counties.

I checked with welfare directors there. They said that there was no truth to it. Any hungry person can get food if he wants it.

I do not know of a county in the United States that cannot get surplus food or food stamps if they need them.

I will give some figures as to what is contained in the bill and what we are doing with section 32 funds under the Department of Agriculture appropriations to help poor people and schoolchildren.

In the bill there is contained $225 million for the food stamp program. For the school lunch program, there is $237,674,000. For the special milk program, there is $104 million. For the food distribution, there is an estimated amount of $168 million. The total amount is $734,674,000 as against $666,725,000 last year.

I do not know of a county in the United States, if they are able to present a case on behalf of their poor people and if the poor people are really in need of food, that cannot get it under the present system.

There never was a time when the Federal Government did more to help poor people than now.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the tabulation to which I referred.

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

	Fiscal year 1968	Fiscal year 1969
Food stamp	$185,000,000	$225,000,000
School lunch	227,825,000	237,674,000
Special milk	104,000,000	104,000,000
Food distribution	[1] 149,900,000	[1] 168,000,000
Total	666,725,000	734,674,000

[1] Estimate.

Mr. HOLLAND. Mr. President, I yield now such time as he may need to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, I recall very well the insertion of the item in the fiscal year 1964 Agricultural Appropriation Act.

The item was placed in the bill because the committee wished to retain some semblance of congressional surveillance and control over spending in the executive branch.

Section 32 is a very loosely drawn section of the bill. In passing may I say that a great deal of the money is now being spent for the benefit of poor people in the purchase of surplus commodities for distribution to the school lunch program and to food programs in various counties of the States.

The item was inserted in the bill because the Department was proposing to use $285,000 of the section 32 funds for the administrative expenses of other agencies of the Department of Agriculture.

As I recall, it was the old Agricultural Marketing Service for which they wished to use the funds. Some of it was for the employment of personnel and for traveling expenses and per diem payments to a number of experts.

Mr. President, the item was put into the bill so the Senate committee as an agency of the Senate, and the House committee as an agency of the House of Representatives, might have surveillance of these funds. A great deal of money is involved. As I recall, some $700 million is allocated to this fund each year.

They do not always use all of it. Some of it goes back to the Treasury, and the idea of any money reverting to the Treasury is, of course, very painful to some people.

This provision should not be stricken without having some hearings as to the reasons for this action and the effect it will have on the overall program of the Department of Agriculture.

There is too much at issue here to strike this limitation on such a sketchy testimony as was afforded by the statement of the Senator from New York. With all deference to him, he does not go into nor consider its possible impact upon other programs of the Department of Agriculture.

These section 32 funds should not be used for administrative expenses throughout the Department, and if this provision is stricken from the bill, they can and will be used for this purpose.

I believe this matter should be the subject of committee hearings, before any such drastic action as proposed by the Senator from New York is taken.

Mr. JAVITS. Mr. President, will the Senator allow me to ask for the yeas and nays, by yielding momentarily?

Mr. HOLLAND. I yield.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, I object strongly to this amendment, for several reasons.

The first reason I cite is that the distinguished Senator from New York, who offers this amendment on the floor, is a member of our subcommittee, is a member of our full committee, and did not attend the hearings when this matter was before the committee. Until this morning, he has not suggested anything be done along the line of this amendment. I do not believe that is playing quite fair with the other members of the committee, who have worked hard, who have attended the hearings, who have attended the markups. I do not believe that is the way to go about getting legislation.

The second point is this: This provision was placed in the bill long before I became chairman of the subcommittee. I was a member of the subcommittee. And it was done so because misuses of section 32 funds were being made and others were being suggested which the committee felt should not be made without having some kind of congressional supervision.

The particular feature that was suggested was the payment of per diem and mileage expenses to the amount, as I recall—and the clerk has just told me it also is his recollection—of approximately $285,000 that year, which they wanted to use in that way.

Mr. President, I do not believe that is the proper way for Federal money to be used. I do not believe it is a proper exercise of our own discretion, to allow that kind of practice or to allow a situation under which that kind of practice could result.

The next point to which I wish to call attention is the fact that the Senator makes his proposal at a very dangerous time. The Kennedy round reductions of tariff go into effect as of July 1. We do not know what the result will be by way of reduction of tariff receipts; and Senators know, of course, that the amount of section 32 funds in any one year depends upon the amount of tariff receipts, 30 percent of which is dedicated to this fund, which, in the first instance, is earmarked for use in preventing surpluses in highly perishable crops—fruits, vegetables, meats, poultry, and the like—from tearing down the value of the production which is needed by our country.

There is a limit upon how much can

be used in any one commodity. That limit has had to be approached 3 times since I have been a Member of the Senate—always for meat. I believe once it was for red meat, and twice for pork, or vice versa. Approximately $100 million a year had to be used to prevent surplus production of those important meats from tearing down the value of the rest of the meat which was needed by our Nation.

The fact is that this amendment, as it has been continued in this bill for the last 6 years, simply provides that except as authorized annually in this bill, and except for certain permanent transfers out of section 32, which we have agreed to by legislation—one for the aid of the fishery people and one for the formulation and administration of marketing agreements. We feel that marketing agreements, as applicable to perishable commodities, is one of the pieces of machinery allowed by law which should help to avert surpluses. So we have allowed by law the use of $2,950,000 for the administration and development of marketing agreements and orders.

We have allowed other sums which are mentioned in this bill, which have some relation to the general subject matter. We have allowed $104 million a year to be directed for the special school milk program. We have no objection to that continuing. Over the years, we have allowed $45 million a year for the school lunch program, and that is stepped up this year to $64,325,000.

We are not insensible to the thought that the school lunch program needs help. The surplus purchase program, as a matter of fact, has been one of the great contributors to the school lunch program. When commodities are taken off the market by a section 32 purchase, the first and dearest objective for the use of those commodities is their being placed into the school lunch program.

So we believe that the continuation of this program is wise and has proved necessary. It would be unwise to discontinue the program at the very time when we need to transfer, at the end of the year, all that is not really needed for section 32 purposes. This would be the most unwise time we could move to take this provision out of the law.

This provision insists upon the use of section 32 funds for approved section 32 purposes, as approved by Congress; and then the remainder of it, with the exception of a carryover of $300 million as provided for by law, goes into the general revenue fund each year.

Mr. President, we have not had as much use for section 32 funds in the last 2 or 3 years as we sometimes have had, because there have not been huge surpluses that were selling at a loss to people in the fields of perishable commodities, such as has sometimes existed in the past. Frankly, looking at the picture as it is now developing, I believe we will have more need for section 32 purchases this year than we have had for the last 2 or 3 years. When I look at the price of meat, when I look at the price of poultry, when I look at the price of some fruits and vegetables, I believe we will have real need for this provision.

I believe we have been careful and even generous in caring for other needs that are not strictly section 32 objectives, and I have mentioned some of them already.

I hope that we shall not disturb this salutary provision of the law, which has been carried forward for the last 6 years; or, if we seriously believe it should be disturbed, that we will make it the subject matter of proper hearings at the proper time in our committee, so that we can know what is happening, rather than have something simply thrown into the lap of the Senate on the floor of the Senate, at the time of consideration of the bill, by a member of the subcommittee, who is also a member of the full committee and who has never previously suggested that such a course would be followed.

The committees have, therefore, not had a chance to consider it. I hope the amendment will be rejected.

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

Mr. HOLLAND. I yield.

Mr. ALLOTT. Do I understand there was no testimony before the committee on this amendment?

Mr. HOLLAND. If there is any testimony I have no recollection of it. There is much testimony in the hearings as to the use of the section 32 fund and our desire to continue that. We even showed a desire to enlarge the use of it for the school lunch program and we have been rather generous in allocating for it. We allocated $15 million this year for some research programs, as the Senator may recall. We do not want to be stingy in any way and this committee cannot be charged with being insensitive to the needs of the poor or insensitive to the needs of schoolchildren.

To the contrary, we have gone far beyond the action of the other body in those fields. My feeling is that this is a very meritorious provision, long continued in the bill, and this is the very worst time to discontinue it, when we need money to be saved, when we need congressional supervision of spending, and when we do not need to turn loose to a governmental official large sums as this might involve, as large as $230 million, for spending in any direction that the Secretary or his people may require.

Considering the fact that the tariff revenues will certainly go down beginning July 1, this is the worst time possible to suggest a depletion of section 32 funds.

I hope the amendment is rejected.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, Secretary Freeman told the House Committee on Education and Labor that section 32 of the Agriculture Act of 1935 prevented him from feeding the hungry. I do not think he is right, but if he is right, and he might be, let us take section 32 out of the way so that the hungry can be fed. I can think of no better time to do it than now, right after that extraordinary documentary film produced for television by CBS, entitled "Hunger in America," which incidentally will be shown in 15 minutes in the Senate auditorium in the New Senate Office Building, and again at 3 o'clock.

Hunger in America is beginning to get through to the American people, and it is high time it did. It is also high time that bureaucrats—and I exclude Mr. Freeman from that invidious description—were given a clear green light to feed the hungry.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point three editorials as follows: An editorial entitled "A Morsel for the Starving," published in the Philadelphia Evening Bulletin, an editorial entitled "Hunger in the Nation," published in the Philadelphia Evening Bulletin, and an editorial entitled "Inexcusable Hunger in America," published in the Philadelphia Inquirer.

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

A MORSEL FOR THE STARVING

More than 13 months have gone by since the first general disclosures of starvation in the Deep South and now the first trickle of funds to alleviate the condition is just beginning to flow out.

Aside from the shame of permitting starvation in the world's most affluent nation and the added shame of taking so long to do something about it, the prime realization required at the moment is that the present effort is nowhere near enough and must be substantially augmented by Congress this year.

After Congress last year amended the Economic Opportunity Act to provide $25 million this year and $50 million next for relief of those needing food, the Senate Appropriations Committee chopped the first-year allocation to $10 million. The first $5 million of that—for dispersal of food and medicine by the Office of Economic Opportunity in 256 counties in 21 states—is just now beginning to be paid out.

Of the remaining $5 million, about half will go into the food stamp program, which has lately run out of funds, and the remainder will go to a variety of programs, including some payments to families who cannot afford to buy the food stamps, no matter how great a bargain they are.

This has been a situation encountered by the poor all over the country, including Philadelphia, and should prompt a restudy of the program.

Not only are the programs skimpy, the information about starvation in America is rudimentary. At last year's Senate subcommittee hearings, it was revealed that no agency of the Government knew how extensive the condition was. Provision was then made in the Partnership for Health Act for a study to find out, but the Bureau of the Budget allocated no funds for it and no study has been started.

The conclusion must be: not only do we tolerate starvation, we don't want to know much about it.

HUNGER IN THE NATION

The gap in the Federal Government's knowledge about the extensiveness of hunger and starvation in the United States has now been bridged—not by the Government, but by a private organization, the Citizens' Board of Inquiry into Hunger and Malnutrition. It is one more chapter in our questionable record of dealing with this national problem.

Ten million people, at least—more than the total population of Belgium—are victims of hunger, the Citizens' Board found. Federal food programs cover only 5.4 million of the 9 million poor, and not the poorest

of the poor, at that. The Citizens' group calls the surplus food and food stamp programs of the Department of Agriculture a failure, much of the blame resting with influential members of Congress who have prevented the programs from being effective. They recommend that emergency food programs and free food stamps based on income tax returns be handled by either the Department of Health, Education and Welfare or the Office of Economic Opportunity.

To a small degree, this is the direction in which government already has begun turning. The tiny trickle of emergency food funds that began to flow out of Washington last month—a good year after the first general disclosures of starvation and hunger—went out through the OEO. Except for the physical fact that food was being handled, there never has been any fundamental reason for the Department of Agriculture to administer the programs. They are, in fact, quite apart from the department's prime mission.

It is high time that the Federal Government seriously undertook to eliminate hunger in this affluent land. A proposal by Senator George McGovern for a special and searching inquiry by the U.S. Senate into all aspects of the programs now supposedly dealing with this problem certainly appears to merit immediate approval.

INEXCUSABLE HUNGER IN AMERICA

The charge by a committee of private citizens that there is detailed and explicit evidence of chronic hunger of a "desperate" nature in many parts of the United States, but primarily in the South and Southwest, in spite of the vast abundance of this Nation's food production and largesse to the needy both at home and abroad, demands immediate attention from State and local agencies and the Federal Government.

A principal blame for this situation is fastened by the committee on misconceptions in the handling of Federal food programs administered by the Department of Agriculture and funded by Congress. The committee charges these are "designed and administered" to maximum agriculture income. All other objectives, it says, "always yield to this one."

About the actual existence of large scale suffering there seems little reason for doubt. The Citizens' Board of Inquiry into Hunger and Malnutrition has spent nine months studying the evidence and touring the country. It found 256 "hunger counties" in 20 States where a total of millions of people "must go without food for days each month." It describes the prevalence of hunger and malnutrition among the poor in such counties, particularly in Georgia and Mississippi, as "desperate and shocking."

It reported a second group of counties in other States, including eight in Pennsylvania, where a "serious hunger problem" exists primarily because food and welfare programs reach less than 25 percent of the poor.

More study may be needed to find a permanent remedy, but while people suffer, the inescapable immediate need is for corrective steps. Congress might well heed the Board's advice that Federal food programs be removed from the administration of the Agriculture Department. Responsible agencies in our own Commonwealth should forego the usual indignant denials and concentrate on eliminating the horrible conditions found by the Committee.

Mr. CLARK. Mr. President, I also ask unanimous consent to have printed in the RECORD a transcript of the CBS program "Hunger In America," as broadcast over CBS Television on May 21, 1968.

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

CHARLES KURALT. Hunger is hard to recognize in America. We know it in other places, like Asia and Africa. But these children, all of them, are Americans. And all of them are hungry.

Hunger is easy to recognize when it looks like this. This baby is dying of starvation. He was an American. Now he is dead.

(Announcement.)

ANNOUNCER. Here for CBS Reports is Charles Kuralt.

KURALT. Food is the most basic of all human needs. Man can manage to live without shelter, without clothing, even without love. Poverty, unpleasant as it is, is bearable. But man can't remain alive without food.

America is the richest country in the world, in fact the richest country in history. We spend a colossal amount of money—one and a half billion dollars a year—to feed the rest of the world. But this spring a private agency, The Citizens Board of Inquiry, consisting of distinguished leaders in many fields, released an exhaustive report claiming that serious hunger exists in many places in the United States.

Out of a total population of 200 million, the report states, 30 million Americans are impoverished, with family income below $3,000 a year. Five million of these people are helped by two existing Federal Food Programs. Now a new figure must be added: Of the 30 million who are impoverished ten million Americans, whether or not they are reached by Federal aid, are hungry. That's just the arithmetic. Unfortunately, the problem is all too human.

CBS News has spent the last ten months investigating hunger in America. We selected four areas of the country to examine closely. Tonight we present our results.

San Antonio, Texas, is celebrating its 250th birthday with an international exposition, HemisFair '68. Thirty-two foreign countries with pavilions, restaurants, amusements and exhibits are helping San Antonio congratulate itself on its growth and progress. There is a skyride, a monorail, and, of course, the usual 600-foot tower with the revolving restaurant on top. Texas Governor John Connally says HemisFair has turned the downtown area "from slum to jewel box."

But the jewels don't glitter very brightly on the other side of town where 400,000 Mexican-Americans live, half the city's population. Most of them are crowded into what city officials refer to as "poverty tracks." Mexican-Americans face a language barrier, and like most poor people, they suffer from lack of skills and unemployment. A hard time earning means a hard time eating. A quarter of San Antonio's Mexican-Americans, 100,000 people, are hungry all the time.

CBS News Correspondent David Culhane found out how hungry from a woman with six children and an unemployed husband.

CULHANE. Do you have any food in the house now?

Mrs. MEDRANO. No, sir. I haven't got anything.

CULHANE. What do you tell your children when they come home and there is no food?

Mrs. MEDRANO. That we haven't got anything to eat and they just have to lay down like that until the next day and see if we can find something to eat.

CULHANE. And that's it?

Mrs. MEDRANO. Yes, sir. They just come in and drink some water and go to bed.

KURALT. Father Ralph Ruiz, a Catholic priest, lives and works with the poorest of San Antonio's Mexican-Americans. He is a missionary among his own people. Father Ruiz gives out food as often as he does Communion. Prayer, Father Ruiz knows, is not what a man wants when his stomach is empty.

RUIZ. Many people expect to see hunger in the faces of children or of other people. Hunger is felt and when you begin to see hunger in the faces of people, it is because they no longer feel that hunger. I've asked them, "Are you hungry? How are you doing?" "No, no, Father, we're doing fine." "What did you have to eat?' I asked them. "We had beans and tortillas." "When?" "This morning." "And this afternoon?" "We had beans and tortillas." "And what are you going to eat tonight?" "Beans and tortillas."

I am a Mexican-American myself and I love beans and tortillas and chile, but I also love meat, milk, cheese. And if anybody thinks the poor eat tortillas and beans and that alone because they love it, they are naive.

Many times children get pennies, nickels, dimes, and the first thing they do is run to the store and buy junk like candies, potato chips, things like that, and we criticize them. Look at those kids running to the store and buying that junk. But these little fellows instinctively go and buy these sweets and so on because it will do away with their hunger. It will mitigate their hunger. For these people—my people—education is a luxury. The mind comes in second place when the stomach is empty.

Y tu? Jerry, Pasa a escuela?

JERRY. Si.

RUIZ. Hablas Ongles?

JERRY. Poquito.

RUIZ. OK. What school do you go to?

JERRY. Southside.

RUIZ. Southside. How far is school from here?

JERRY. Eight.

RUIZ. Eight what?

JERRY. Eight miles.

RUIZ. Is it a high school, or a junior high school?

JERRY. Junior high.

RUIZ. Junior high. When you go to school there, do you take lunch with you?

JERRY. No, sir.

RUIZ. And what do you eat at noon then?

JERRY. Nothing.

RUIZ. Do they have—do they have a cafeteria there?

JERRY. Yes, sir.

RUIZ. Do they know that you eat nothing at noon?

JERRY. I guess not.

RUIZ. How much does lunch cost over there?

JERRY. Thirty-five.

RUIZ. Do you have 35 cents to buy your food with?

JERRY. No, sir.

RUIZ. In the mornings when you go to school, do you always have breakfast here at home?

JERRY. Yes, sir.

RUIZ. What do you have for breakfast here at home?

JERRY. Beans.

RUIZ. Beans. What time do you quit school every day?

JERRY. Three-thirty.

RUIZ. Till three-thirty. So from morning till three-thirty, you have nothing else to eat?

JERRY. No, sir.

RUIZ. Besides beans?

JERRY. Yes.

RUIZ. How are you able to work, in school, and to study if you have nothing to eat at noon?

JERRY. I don't know.

RUIZ. They don't know what it is to have meat at least once a week. They don't know what it is to have milk at least once a day for their children. They don't know what it is to have a dessert. They've never had a dessert. All these things to them are like a star, able to be seen, unable to be attained.

KURALT. San Antonio's answer to hunger for the last fourteen years has been surplus commodities. Surplus commodities are foods that farmers cannot sell and nobody else wants. The U.S. Department of Agriculture buys surplus crops from farmers and gets rid of them by giving them to the poor. For farmers and the Government, commodities

are a convenience; for the poor they are simply an inadequate dole. The program consists largely of dumping excesses rather than providing essentials. In April, for instance, the Department of Agriculture distributed 1,400,000 pounds of peanut butter. The program has not changed since it was conceived of in the 1930's. Commodities are still given to three and a half million Americans in 1,272 counties. Commodities are most notable for the foods they do not include: there are no green vegetables, no eggs, no fresh meat, fresh milk or fruit. No one claims that surplus commodities are anything but a diet supplement, but for all too many of those who receive them, commodities are the entire diet.

The poor are alive because they eat; they are malnourished because of what they eat. Fat people can be hungry people.

CULHANE. I understand that you've been ill. Can you tell me about it?

WOMAN. Well, it started when I was expecting my baby, about nine months—almost a year. I got sick and the doctor said that I had to stay in bed for quite a while, which I did and, well, I was supposed to be in so many ways on a diet, but I couldn't afford them on account that my husband is not making enough money to support a family, which is nine in the family.

CULHANE. What did he say that you should eat?

WOMAN. Well, he—he recommends that I had to eat—either I eat these things or if I keep on gaining—The truth is, if I keep on gaining and eating starch things, I won't last long.

KURALT. Hunger is never so devastating as in a child. Never so horrifying as in what it may drive a child to do. Social Worker Mary Garcia sees many such children.

CULHANE. Miss Garcia, why is this girl being detained?

Miss GARCIA. She was picked up for soliciting for prostitution.

CULHANE. How old is she?

Miss GARCIA. She's eleven.

CULHANE. Eleven. Is this an unusual case?

Miss GARCIA. Well, yes, unusual because of her age; but I do have quite a number of girls that are involved in it.

CULHANE. Why would a girl of this age go into prostitution?

Miss GARCIA. Well, in talking to them, the reason they give me is that they do it so that they can get the money to buy food. Because they don't have any at home.

KURALT. San Antonio has four County Commissioners, and their opinions vary. A. J. Ploch is the Senior Commissioner. He has served five successive terms—for the last 18 years. David Culhane asked Commissioner Ploch about the children in San Antonio who are not getting enough food.

PLOCH. Well, why are they not getting enough food? Because the father won't work and I mean won't work. If they won't work, do you expect the taxpayer to raise all the kids? First let's do something with their daddies, and then, yes, take care of the kids.

CULHANE. I wonder whether these children who are not getting a proper diet are going to be able to learn properly in school?

PLOCH. Well, what do you mean "learn properly in school?" Do you really need school? Other than, say, an eighth grade education? That's another thing people keep talking about—this education—college education. It's not necessary.

CULHANE. What do you do about the children who are not getting enough to eat?

PLOCH. Well, I don't know about that, because that's really the problem of the father. Now, what to do about the man, I don't know, but you'll always have that condition, because if you don't have that condition, then you'll never have Indians and chiefs and you've got to have Indians and chiefs.

CULHANE. I'm not sure I understand what you mean. You mean that you'll always have hunger?

PLOCH. Not necessarily—yes, you'll always have it, because some men just ain't worth a dime. You'll always have hunger, yes.

KURALT. San Antonio has one charity hospital, The Robert B. Green. David Culhane talked with Mrs. Vera Burke, who is director of Social Services at this hospital.

CULHANE. Mrs. Burke, how many of these people would you say are malnourished?

Mrs. BURKE. Well, I would say in one way or another all of them are malnourished and we see in this clinic 300 patients every day during the week and about 200 every single day of the week in the emergency room. Many of our patients arrive here without having had breakfast; all of them we know have inadequate food budgets and inadequate diets, and one of the problems in treating patients with inadequate diets is that you have a prolonged period of recovery due to inadequate food intake and inadequate protein. Specifically these patients eat a high starchy diet which is not conducive to good—speedy recovery.

Perhaps because of the malnutrition and their hard lives, many of them look 10, even 20 years older than they really are. Many of these patients will be told that they must have certain foods. None of them will be able to buy even the basic diet that the doctors tell them to have. As a social worker, the first impact that the hospital in San Antonio made on me was one of great shock, because in the ten years that I worked at Bellevue Hospital in New York, I never saw patients with as much malnutrition as I encountered here. Most particularly this occurs in the pediatric service.

KURALT. Three wards at the Robert B. Green Hospital are constantly filled with babies admitted because of malnutrition and diarrhea. In a small child who is poorly nourished to begin with, diarrhea can be fatal. These babies are from six months to more than a year old.

Mrs. BURKE. Think, if you will, of a baby over a year old weighing less than five pounds. They come here weighing less than they did when they were born. But the awful fact is that after these months of treatment, we send these babies back home where there is no milk and the nutrition is so poor that they return to the hospital again and again and again.

KURALT. Because of malnutrition, the wards for premature babies are also constantly filled. Malnutrition—a problem for the mother—can become a tragedy for her baby.

Mrs. BURKE. There is a distinct correlation between the food that a mother receives during pregnancy and the kind of a delivery she is going to have. With inadequate nutrition, there is also a strong risk that the baby will be premature or will be of premature weight—less than five pounds—even if born at full term.

KURALT. Many of these babies born of malnourished mothers weigh as little as a pound and a half. They must be fed intravenously and they require constant medical attention. Some have to remain in isolets for more than eight months, still weighing less than a baby should at birth.

Mrs. BURKE. Their lives are constantly in jeopardy. They have a very hard time making it to live, but with the special care that they get, many do manage to survive.

KURALT. Some of the babies do not survive. (Announcement.)

ANNOUNCER. Here again is Charles Kuralt.

KURALT. Loudoun County, Virginia, is anything but a poverty pocket. It is headquarters for the so-called horsey set. The county contains hunt clubs, private schools, and aristocratic race meets that mingle the pedigrees of the horses with those of their owners. The trappings of wealth are everywhere. Loudoun County is only 25 miles outside Washington, D.C. It is the home of distinguished legislators like Senator Everett Dirksen, celebrities like Arthur Godfrey. Society here is studded with American nobility—names like du Pont, Mellon and Whitney.

Hunger is the last thing an outsider would expect to find; indeed it might be the last thing he would find. Yet hidden away in Loudoun County are thousands of shacks where tenant farmers lead a marginal existence. Loudoun County, like one-third of the counties in America, has no Federal Food Program.

Dr. Stephen Granger, the Loudoun County Medical officer, knows and treats many of the tenant families. Dr. Granger told us the households have too many members and too little food.

Dr. GRANGER. In Loudoun County the families of the tenant farmers tend to be large, and the children get neither the right food nor enough food. Their diet is heavy on starch, mainly potatoes, and very light on protein. The physical effects of this poor diet are striking. The children have kind of a hollow lifeless look—stringy hair, a pasty complexion, a dead look about their eyes. There is a hopeless feeling that springs almost physically from these children. But bad diet affects brain tissues as well, a child's ability to think and to learn. Perhaps the worst damage is done during infancy when the child is completely dependent and helpless. The brain damage is not reversible. It can't be changed. Not by Christmas baskets, not by hot lunches when he starts school, or anything else, one year from now or five years from now.

KURALT. Dr. Granger's staff of Public Health Nurses has to spend a good deal of time figuring out ways for these families to eat a little bit better—how to get the right kind of food, and how to make the best use of it.

Mrs. BARRETT. I see the youngsters are all up aren't they? Has she had her lunch?

Mrs. HOPKINS. Not yet.

Mrs. BARRETT. What does she eat for lunch?

Mrs. HOPKINS. She eats from the table.

Mrs. BARRETT. What she going to have for her lunch today?

Mrs. HOPKINS. Well, we don't know.

Mrs. BARRETT. You don't know what's being prepared yet?

Mrs. HOPKINS. No.

Mrs. BARRETT. Do you have any baby food in the house?

Mrs. HOPKINS. Not yet.

Mrs. BARRETT. And this one is two weeks old.

Mrs. HOPKINS. Yes.

Mrs. BARRETT. And you haven't started feeding her her cereal yet?

Mrs. HOPKINS. No.

Mrs. BARRETT. Well, I would start that. And this child eats all together from the table?

Mrs. HOPKINS. Yes.

Mrs. BARRETT. What did she eat for her breakfast this morning?

Mrs. HOPKINS. She ate gravy.

Mrs. BARRETT. She ate gravy for breakfast. Anything else besides gravy?

Mrs. HOPKINS. No.

KURAT. There is an additional problem in Loudoun County. The pride of the people. Even if surplus food were available—and it's not—most of them would probably reject it. David Culhane talked to a tenant farm worker and his wife.

Mr. JONES. You've got to admit to the fact that you're poor and you can't be—look down on yourself because you're poor. You've got to be proud of it, and we're poor and we're proud of it. Some people are rich and they're proud of it. It's just a way of—a way of life.

CULHANE. Do you think that you need help?

Mr. JONES. No, I don't need no help. God only helps those that help themselves. Now a man—so long as a man has got two hands, two feet and a brain, nothing—there's no limit.

CULHANE. Granted that you try, but really now, doesn't it sometimes happen that you can't afford something that you know they should have?

Mrs. JONES. Well, usually when it comes right down to that we usually get what we need for the kids first, then if we have to go without juice, or we have to go without some little extra, we have to buy less potatoes for ourselves, or less something for ourselves, we'll do that in order to get for the kids.

CULHANE. What would you say about people who say they want help?

Mr. JONES. I would consider them kind of people—well, to put it in plain words, leechers, because if they can't help themselves, they've got no business being married. They've got no business having children. I want to take care of my family myself. I didn't marry—they didn't marry me. I married my wife and I have two children and it's up to me to take care of them, not receive handouts. That's a bum. If I want to be a bum, I'll go to Washington. There's plenty of them.

KURALT. Dr. Granger also sees the slow but certain human erosion caused by the kind of life the tenant families lead, the kind of food they eat.

GRANGER. One of our patients, a woman with dignity and perseverance, is only 39 years old. She looks to be much older than that. This is not rare among our families. It can be caused by a number of medical problems, but malnutrition certainly plays a big part. There are about 7,000 households in the area that have severe nutrition problems. They rarely, if ever, eat a complete meal. Their lives are borderline in every sense. These people, with no past to be proud of and no hope for the future, seek immediate forms of enjoyment. This is why we frequently see a late model television set in the living room of a family that's not tasted meat for six weeks. This is why we frequently see a late model baby in the crib. This is why we often see empty pint bottles in the yard. All these things are signs of the short term. With no real prospects in life, they turn to the few pleasures they can find. Often the only creative thing a woman can do in these circumstances is to have a baby, and then to have another one. And so they do. The children grow into the image of their parents, and like their parents, they will be old before they should be.

Surrounded by prosperity, these people share in none of it. The misery in their lives is a constant. The sameness stretches from one day to the next, one year to the next, one generation to the next.

KURALT. The deserts of Arizona and New Mexico are nice places to visit, but the Navajo Indians have to live there.

Living in a desert, just staying alive, is very hard for the 125,000 members of the largest tribe in the United States. The West was theirs once. They were nomads and their home was vast. Now they have an arid reservation.

Dr. Jean Van Duzen of Tuba City, Arizona, has practiced among the Navaho Indians for the past 14 years. She continually faces the medical problems caused by lack of food.

Dr. VAN DUZEN. Right now they look like they're kind of low on food. When they run out of food, what kind of foods do they eat?

WILSON. (Dialect). Flour and lard and coffee.

Dr. VAN DUZEN. In other words, fried bread and coffee.

WILSON. That's right

Dr. VAN DUZEN. The children too?

WILSON. (Dialect). The children—

Dr. VAN DUZEN. Everybody eats the same?

WILSON. Everybody eats the same.

Dr. VAN DUZEN. The people that I see every day look like they are fed mostly on starches. The older people tend to be rather fat and dumpy. The children are just plain undernourished. They're shorter than they should be. They're thinner than they should be. They're less resistant to infection.

Mr. KURALT. Half the Navajos make less than $1,500 a year. There is not enough water to farm here, so they try to be shepherds. But it takes ten of their dry acres to produce enough food for one sheep—and when sheep are hungry, so are their owners.

Surplus commodities are given to the Navajos every month by the Department of Agriculture. The tribe has trucks that deliver the commodities to trading posts, but the Navajos often have to walk as far as 25 miles to pick them up.

Dr. VAN DUZEN. Surplus commodities are not meant to act as the entire diet for the Navajo, or for anybody else. It's only 40 percent of the caloric needs of the people. It does not make any allowance for protein needs, for vitamin needs, for mineral needs. It does have mostly starch. It's what I would call a white diet and this is actually a very, very, poor diet.

I've been out in the hogans and I've seen what the women have to make. It's usually lard, flour, sugar, salt, some tea, coffee, maybe a few potatoes. In fact, I very seldom have seen vegetables in the hogan of any kind. They talk about mutton stew, but in fact, they do butchering only every other week, and then they share it with the whole camp. So no matter how you figure it, they couldn't possibly get meat more than once every two weeks. The main diet is starches with fried bread or sometimes store bread, potatoes, very little else.

KURALT. The Public Health Service Hospital for the Navajo Reservation is in Tuba City, Arizona. Dr. Van Duzen showed David Culhane some of the babies brought to this hospital because of malnutrition bordering on starvation.

Dr. VAN DUZEN. Let me show you one of the real kwashiorkors.

CULHANE. This child is representative of the sort of thing you find here?

Dr. VAN DUZEN. He still shows some of the signs of kwashiorkor.

CULHANE. What is—you keep using that word "kwashiorkor." What exactly is that?

Dr. VAN DUZEN. Kwashiorkor is the most severe form of protein calorie malnutrition. This is a disease that was seen first in South America and Africa. It's not supposed to exist in the United States, but it does.

CULHANE. How much of it do you get here?

Dr. VAN DUZEN. I've seen about four cases a year and right now I've got four cases on the ward. I've seen several other cases, so there's lots of it.

CULHANE. How about this child now? What's this child's condition at this point?

Dr. VAN DUZEN. He's much improved. When he first came in, the skin was much looser and hung in folds. It still is not normal. You can't feel a good muscle mass and the thighs show a lot of flabbiness. The child's face shows a lot of things to us. The corners of the lips and then we look at the gums. Very frequently we even see scurvy. I can tell about the hair. This is not normal hair for a Navajo child. Much too thin. It's red.

CULHANE. What would the normal condition be?

Dr. VAN DUZEN. Oh, Navajo babies have beautiful black, silky hair and lots of it. This is not normal.

CULHANE. What did this child look like when he came into the hospital?

Dr. VAN DUZEN. When they arrive they're usually so weak that they can't suck. They can't lie, they really don't even cry. Some of them are sick enough so that you think they're going to die in a day or two. But he's much better. Can you stand up? No, not real—

CULHANE. Is it possible that this child will ever really catch up?

Dr. VAN DUZEN. It depends whether or not he goes back to a home with a normal diet or not. It also depends upon how long the bad diet was before and how severe. Most of them recover, but there's some question that they may be always shortened and they may have permanent damage to the brain and ability to learn how to read and write and learn in the usual schooling situation.

The disease that I'm worried about the most though is the marasmus which is in the very young baby.

CULHANE. What is marasmus?

Dr. VAN DUZEN. Marasmus to total, total calorie and protein malnutrition. This is where a child gets nothing, practically nothing but water, and very quickly they get into great trouble and frequently they die. When you make the diagnosis of marasmus, you know a third of them is going to die. That's one-third.

Marasmus children usually lose the fat padding in their cheeks and so they don't have strength enough to suck even if they want to. The problem is that many times they don't want to. Mothers will tell me that the baby doesn't cry and they don't. They just lay there. This baby had marasmus mainly because the mother's milk dried up and she didn't have any other way to feed it. If you don't have the money, well, you don't buy milk. And after a few weeks or months living on nothing, why, yes, he starves.

The baby came in, it had lost all the fat that it was born with. The skin hangs particularly on the legs, doubles over on the knees, the face is wrinkled and looks like a very, very old person without any teeth. We decide how they're getting well just by how young they look. When they look 60 years old rather than a 100 years old, they're getting better.

We lost a little girl last week with marasmus. When I talked to the mother afterwards she said she had lost eight other children, all of them under a year of age when they died. She wanted this little girl. Little girls are prized in the Navajo culture. She's up in the Tuba City Cemetery now. It's a little mound. The little short mounds are for the little short caskets, and the larger ones are for the older people. I think more of them are little than they are big. I don't go there any more. There are too many people up there that I know.

ANNOUNCER. CBS Reports: "Hunger in America" will return in a moment.

(Announcement.)

ANNOUNCER. CBS Reports: "Hunger in America" continues.

KURALT. It has never been easy to be a Negro in Alabama. Times have often been bad, and they've never been good. But there's always been cotton—to plant, to chop, to pick and to plough. Cotton has been a misery, but at least it's been a meal ticket. Now it's not even that. The machines have taken over, and a field that once needed 100 Negroes today barely supports three. Ten years ago machines harvested only two percent of Alabama's cotton. This year they will harvest more than 80 per cent.

The Negroes must look elsewhere for jobs, and the jobs are not in Alabama. Some go North. Many others remain, often because they are so poor, so tired and so hungry that they can't even get up and go. In the long history of Black Belt deprivation there have never been times as bad as these.

Last spring the field Foundation sent six prominent doctors to investigate hunger in Mississippi. One of these was Dr. Raymond Wheeler, who has lived and practiced in the South all his life. We asked Dr. Wheeler to visit Hale County, Alabama.

Dr. WHEELER. Slow starvation has become part of the Southern way of life. The apathy and the violence, the ironic but brutal con-

trasts that pass for Southern traditions are impossible to believe until you have seen them.

You have how many children to feed?

Mrs. ZANDERS. Ten.

Dr. WHEELER. Ten children.

Mrs. ZANDERS. Yes.

Dr. WHEELER. Are there times when you don't have enough food in the house to go around?

Mrs. ZANDERS. Yes, sir, lots of times.

Dr. WHEELER. There are times when——

Mrs. ZANDERS. I just have to make out with what I have. Give each one of them a little of what I have.

Dr. WHEELER. What did you have for dinner today?

Mrs. ZANDERS. I didn't have any dinner.

Dr. WHEELER. You're going to have a baby before long?

Mrs. ZANDERS. Yes, sir.

Dr. WHEELER. What kind of food do you eat?

Mrs. ZANDERS. Rice; chicken sometimes.

Dr. WHEELER. What else do you eat?

Mrs. ZANDERS. That's all, and water.

Dr. WHEELER. Mrs. Zanders, what does your husband do for a living?

Mrs. ZANDERS. He gets jobs in hay fields.

Dr. WHEELER. In hay fields?

Mrs. ZANDERS. Yes.

Dr. WHEELER. How much does he make when he's working?

Mrs. ZANDERS. From three to four dollars a day.

Dr. WHEELER. Three to four dollars a day?

Mrs. ZANDERS. Yes, sir.

Dr. WHEELER. And he hasn't worked now in three or four weeks?

Mrs. ZANDERS. Yes.

Dr. WHEELER. Do you get food stamps?

Mrs. ZANDERS. No, sir, because I'm not able to get them.

Dr. WHEELER. Why not?

Mrs. ZANDERS. I ain't got them this month. They cost $70 and I don't have it.

Dr. WHEELER. Have you asked for any help from anyone in raising the money to buy those stamps?

Mrs. ZANDERS. No, sir, there ain't no need.

Dr. WHEELER. Why?

Mrs. ZANDERS. They ain't going to give it to you.

Dr. WHEELER. Have you been down to the Welfare Department and talked to them, or has your husband?

Mrs. ZANDERS. No, sir, the last time I went to Welfare the lady told me—said if you have a living husband that they can't give you no help.

Dr. WHEELER. Even if he's not working?

Mrs. ZANDERS. Yes, sir.

KURALT. Three weeks after talking to Dr. Wheeler, Mrs. Zanders gave birth to a severely malnourished baby. Two days later the baby died.

Alabama's solution to hunger in 15 counties is the Federal Food Stamp Program. The U.S. Department of Agriculture sponsors the program, but it is administered locally by the states and counties. Each county has a central office where the stamps are sold. Food stamps are a means of giving a family a bonus. For a cash payment—$25 for instance—a family receives food stamps worth much more money, perhaps $70 or $80. The stamps, in other words, are worth much more than the cash paid for them. The cost of stamps varies from family to family. Coupons worth $80, for instance, may cost one family $40 and another only $15. This cost is set by local officials. Many factors affect the cost, such as the size of the family, income, and how much the family usually spends each month for food.

Food stamps can be used at local grocery stores and supermarkets. They allow a family to purchase whatever it wants in the way of food. If the family uses them wisely, stamps can provide a more balanced diet than surplus commodities. But a family may not buy food stamps a day at a time or a week at a time. They must buy a month's supply or a half month's supply all at once. For many Alabamans it is difficult to accumulate any sum of money, even as little as $5 or $10 on a given day. What little money they do get must go immediately to pay an urgent debt or to feed an urgently hungry mouth.

Dr. Wheeler examined the children of a family that can't afford food stamps. Their father had not worked in five weeks.

Dr. WHEELER. When children don't get enough to eat, their initial response to the world is mistrust. The children here get up hungry, go to bed hungry and never know anything else in between. They are hungry all the time. They can't even feel the depth of their own hunger.

Even a superficial examination of these children reveals the unmistakable effects that their skimpy, monotonous meals must inevitably produce. In the first year of their lives, these children fall behind. In each subsequent year they fall further behind, and they never catch up. Malnutrition impairs their performance for life.

Hi, Charles.

CHARLES. Hi.

Dr. WHEELER. How old are you?

CHARLES. Fourteen.

Dr. WHEELER. You go to school?

CHARLES. Yeah.

Dr. WHEELER. Do you get breakfast at home before you go?

CHARLES. Yeah. Some mornings we have peas.

Dr. WHEELER. You have peas?

CHARLES. Yeah.

Dr. WHEELER. Well, when you get to school what do you have to eat there?

CHARLES. Nothing.

Dr. WHEELER. You don't have anything to eat when you're at school?

CHARLES. No.

Dr. WHEELER. Isn't—is there any place at school where you can buy something to eat or get something to eat? Do they—do they cook a meal for you there?

CHARLES. Yeah.

Dr. WHEELER. Well, why don't you have some?

CHARLES. I don't have any money to buy it.

Dr. WHEELER. You don't have any money to buy it.

CHARLES. Yeah.

Dr. WHEELER. How much does it cost?

CHARLES. Twenty-five cents.

Dr. WHEELER. It costs twenty-five cents to have something to eat at school?

CHARLES. Yeah.

Dr. WHEELER. Well, what do you do while the other children are eating?

CHARLES. Just sit there.

Dr. WHEELER. Where do you sit?

CHARLES. I sit where all the children be seated.

Dr. WHEELER. How do you feel toward the other children who are eating when you don't have anything?

CHARLES. Be ashamed.

Dr. WHEELER. Are you ashamed?

CHARLES. Yes, they haunt you.

Dr. WHEELER. Why are you ashamed?

CHARLES. Because I don't have the money.

KURALT. Dr. Wheeler talked to a woman whose family has been sharecroppers ever since they stopped being slaves. The woman and her husband and 14 children and grandchildren still live on the farm, but it does not support them any more.

Dr. WHEELER. Mrs. Carlile, why don't you raise your own food?

Mrs. CARLILE. Well, we raise what we can. We raise that okra, we raise all stuff like that in the garden when we can, but not no corn. That's the only food we can grow.

Dr. WHEELER. Why no corn?

Mrs. CARLILE. Because we don't have no corn acres.

Dr. WHEELER. What do you mean?

Mrs. CARLILE. The landlord said he sold the corn acres to the Government. And we can't have no corn.

Dr. WHEELER. So then who plants the corn?

Mrs. CARLILE. Don't nobody plants none. Just the land for the corn lays up and it's nothing.

Dr. WHEELER. The lands' there.

Mrs. CARLILE. That's right.

Dr. WHEELER. But nobody plants it.

Mrs. CARLILE. That's right. Can't plant it, when you sell it to the Government. Whoever sell it get a check off it. Can't raise nothing on it. Just have to stay there. I've always been raised on corn. Having corn, raised hogs, chickens, turkeys. But I can't raise them 'cause I don't have food to feed them. I can't raise corn and I can't buy it.

Dr. WHEELER. Now that you can buy food stamps, aren't you able to get more food for your family?

Mrs. CARLILE. I can't buy them every two weeks because I don't have the money. I don't have the $33 every two weeks. I don't have anybody to get it from. My husband don't make but three dollars and a half a day for the city and that's all. He don't make over $20–$22 or $23 a week and I couldn't get the food stamps. They sets the price what they want you to pay and if you ain't got that price, why, you don't get no food stamps. But I just have to go along with it because I can't do no better.

None of them white people—they don't care how you live. You can work for them all right but the livin' problems, they don't care too much for it.

Dr. WHEELER. Why's that?

Mrs. CARLILE. They don't treat us like they used to treat us. They did used to treat us a lot better than they do now. But they don't do it, and I imagine—I feel like it's because the children go to school together and do a little voting, something we never have did. I never known them to do. And the younger group can speak a little more clear and a little more for themselves than we used to could. That's why the young people is leaving, leaving home, going North, where they've been all their life. Some of them have been nowhere all their life, but they leaving Alabama goin' North. They getting better jobs and they getting better treatment, the younger people. But, see, the older people, we still here in it. We ain't like the young ones. I figure they don't care whether we go or stay.

Dr. WHEELER. Why do you think they don't care?

Mrs. CARLILE. I know they don't care. I don't have to think they don't care. I know they don't care.

KURALT. The families we have visited tonight are, sadly, more typical than unique. Hunger can be found many places in the United States—too many places. Ten million Americans don't know where their next meal is coming from. Sometimes it doesn't come at all.

More than one thousand counties in need of food programs have no program whatsoever. States and counties often keep out Federal Food Programs. Surplus commodities means less food purchased in local stores. And states and counties must share in the cost of food stamps. There is also the failure of these programs themselves. Surplus commodities are free but do not contain the right foods. Food stamps are not free and too often, the people who need them most can't afford them.

The Department of Agriculture has emergency power to bring food to hungry people in any county in the United States. So far, it has been reluctant to exercise this power. In the last two years, the Department of Agriculture has quietly turned back to the Treasury $408 million that could have been used to feed hungry Americans. CBS NEWS has learned that this year the Department plans to turn back to the Treasury another

$227 million, more money than ever before. According to the Department of Agriculture, the existing food programs are run as efficiently as possible without this money.

Meantime, American farmers, in recent weeks, have slaughtered and buried 14,000 hogs because, they say, there is no market for them. The Department of Agriculture protects farmers, not consumers, especially not destitute consumers. The Federal Food Programs might be better administered by the Department of Health, Education and Welfare, or by a special commission whose only concern would be to see that hungry Americans are fed.

We are talking about 10 million Americans. In this country the most basic human need must become a human right.

This is Charles Kuralt for CBS Reports.

(Announcement.)

ANNOUNCER. Today in Washington the House Committee on Education and Labor began hearings on the problem of hunger. On Thursday the Senate Subcommittee on Employment, Manpower and Poverty will also begin an investigation of hunger in America.

Mr. CLARK. Mr. President, the television program entitled "Hunger in America," has brought home to millions of Americans the fact that there are millions of hungry people in America and that we are doing nothing about it. We are doing nothing adequate about it.

Thanks to the cooperation of the manager of the bill, the Senator from Florida [Mr. HOLLAND], and my colleague from Michigan [Mr. HART], some slight amelioration in the terms were made which will make it a little more available to feed the hungry in America. However, the amount available falls short by several hundred millions of dollars from what is needed. If the Javits amendment is agreed to there would be $200 million available to feed the hungry.

I suggest that our national priorities require us as a matter of first importance to feed the hungry.

We who serve on the Subcommittee on Employment, Manpower, and Poverty, of which I have the honor to be chairman, have held hearings all over the country, from Mississippi to Rhode Island, and from New York to New Mexico and California. We have established beyond any doubt that there are thousands, tens of thousands, hundreds of thousands, millions of Americans suffering from malnutrition and hunger, many who are little children, and some who are unborn children whose condition is being prejudiced by malnutrition for life before they are even born.

Surely, the conscience of America should be aroused in this cause. Surely, we should not let technicality stand in the way. I heard what the Senator from Florida said about the Senator from New York, and it may be the procedure utilized was not the procedure which one ordinarily follows. However, I say that hunger comes first with me. I think it is high time that we gave Secretary of Agriculture Freeman the authority he thinks he needs, whether he needs it or not, to stop this business of diverting funds passed by Congress, so that the hungry can be fed, as was done by the Senator from Mississippi [Mr. STENNIS] last year.

I believe hunger in America is one of the most critical matters facing our country.

It is deplorable for the richest country in the world to be unable to feed its people with an adequate and nutritious diet.

I support the amendment.

I yield back whatever time I have remaining.

Mr. JAVITS. Mr. President, I yield myself 3 minutes for the purpose of referring to the arguments made by the distinguished Senator from Florida [Mr. HOLLAND].

First, I thank the distinguished Senator from Pennsylvania [Mr. CLARK] for his support in respect to this amendment.

Mr. President, I ask unanimous consent that the name of the Senator from Michigan [Mr. HART] be added as a cosponsor of the amendment.

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

Mr. JAVITS. Mr. President, with respect to the matter of protocol, it will be remembered, although I believe the Senator from Pennsylvania did not hear me when I spoke originally, I said the reason I had not brought the matter before the Committee on Appropriations—and I charge myself with it, mea culpa—was that it had not burgeoned at that time into a burning issue. We did not have the Secretary's testimony or the CBS film.

Therefore, I had the choice of following that protocol, which I respect, or not following it, and it makes me a little uncomfortable not to follow it. Under normal conditions, I think the Senator from Florida would be right in that respect.

I had the choice of following that protocol and not bringing this matter up. My conscience would not permit me to do that in view of the publicized report on hunger, the evidence that there is hunger in the United States, and the assertion of the Secretary of Agriculture that it is this provision which is tying his hands and preventing him from doing what needs to be done.

Inasmuch as I am a Senator, and it is a public duty, and not only a situation between Senators working in committee, although that is critically important to me and I respect it, I felt I must proceed.

I only ask the indulgence and the forgiveness of the distinguished Senator from Florida under the circumstances.

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

Mr. JAVITS. I yield.

Mr. RIBICOFF. I thank the Senator for bringing up the amendment. I ask that my name be added as a cosponsor.

Mr. JAVITS. I thank the Senator.

Mr. President, I ask unanimous consent that the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the amendment.

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

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

Mr. JAVITS. I yield.

Mr. COTTON. Mr. President, I wish to ask the Senator whether under the Senator's amendment, which I believe is not printed, it is permissive for the Secretary; in other words, he does not have to divert these funds.

Mr. JAVITS. I thank the Senator. Not only is it permissive but it would be confined only to those cases where he needs this money to relieve starvation, hunger, and malnutrition.

I have no illusions about vast sums of money being spent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. JAVITS. Mr. President, with respect to the assertion by the Secretary that it is this which is tying his hands, I think the provision was put in for totally different purposes, as has been said, dealing with per diems and other aspects of the Agriculture Department, but without in any way contemplating that the Secretary of Agriculture would invoke it now for this purpose. So I say, if that is what is tying the hands of our Secretary, we will strike it and let us see what he does now.

Finally, on the point that is the argument of the Senator from Florida [Mr. HOLLAND], that this is a bad time to do it, this is a 1-year appropriation bill. The fact is that the Secretary is turning back over $200 million this year—the Senator says $227 million—so that this is, therefore, a good time to do it and not a bad time to do it. The money will go back into the Treasury in large amount. A relatively small part of it can be used for this purpose which cries out to the conscience of the country, if we let the Secretary do it.

This is the one thing we should permit to be done. After all, we are not dealing with all appropriations in Congress. The question is how do we spend $180 million, not the fact that we are going to appropriate it. We appropriate for everything under the sun in regard to agriculture. I do not begrudge it. But when we have as deserving a demand as this, and it takes a relatively small amount to honor it, we should put the Secrtary in the position that he can do it. We have plenty of restraints on the Secretary. There is the Senate Committee on Agriculture, and the Appropriations Committee, so that no Secretary will go wild with these funds, I am pretty sure of that, in the face of the legislative history.

I hope very much that this will be understood, that the Senate must move to put the Secretary in the position that he does what we want him to do.

I hope the Senate will adopt the amendment.

Mr. HOLLAND. Mr. President, I yield myself 3 minutes, and then I shall be ready to vote.

The PRESIDING OFFICER. The Senator from Florida is recognized for 3 minutes.

Mr. HOLLAND. Mr. President, the Secretary of Agriculture has done a humanitarian job in this regard. Congress has furnished him with the material to do that fine job, and we are proposing to do even more this year. The Secretary asked for funds for the food stamp program, including reappropria-

tion authority to meet excess program costs this year. It is $2.5 million. We are providing that amount in the bill.

The Secretary asked me personally to see if we could provide him with that sum, to allow him to take care of the overexpenditure for this year. We found that $2.5 million would take care of it. I had a conference with the Senator from Pennsylvania and others, and we find that in the bill.

We have tried to be sensitive to this whole situation but, after all, we are representing agriculture and we want to save good agricultural programs and we want to save the Senate, too, and Congress, from having it said that we are turning over about $200 million to be spent as someone at his own discretion might provide. We have carefully stayed away from that kind of situation for the past 6 years through this provision; I hope that the language that is in the bill will be sustained and that the amendment offered by the Senator from New York will be rejected.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I yield myself 1 minute, then I, too, shall be ready to vote.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, on May 23, 1968, the Secretary of Agriculture wrote a letter to Dr. Abernathy and he wrote as follows—it is more eloquent than anything I can say:

> We, too, are concerned that our food programs do not reach as many people as they should, but today, they are reaching 5.9 million people.
>
> We, too, are concerned that even the 50-cent minimum payment may keep some poor people from participating in the food stamp program, though 200,000 people were benefited when this minimum requirement was reduced from $2 last year.
>
> We, too, would like to broaden the variety and increase the nutritional value of the foods available under the commodity distribution program and we have taken action to add canned chicken, dried eggs, fruit juice, instant hot cereal, and vitamin-enriched instant mashed potatoes to the items already distributed.
>
> And, we, too, worry that there are needy school children who do not have equal access to school lunch or breakfast programs, even though more than 2 million needy children now receive a free or reduced price lunch and over 100,000 participate in the breakfast program.

Then he wrote the following, which is the only argument that needs to be made for the amendment:

> We cannot expand food stamp programs into additional counties until the start of the next fiscal year, July 1, because we have committed all the money available. Further, we will not have the resources to expand into additional counties after July 1 unless Congress raises or eliminates the $225 million ceiling on funds authorized for the food stamp program and appropriates additional money.
>
> The problem of the hungry poor in America is not a shortage of food. American agriculture is producing all the food that Americans can consume and more. The problem is that the poor lack the purchasing power to buy the food they need. And this is the problem we are trying to meet through our food stamp and commodity distribution programs.

Mr. President, all I am saying is that in order to do what he recognizes needs to be done, which he says is inhibited by the provisions of law, is to strike the shackles from his hands and have him do it, especially as it is de minimis and we are not talking about vast sums of money or vast grants of authority.

Mr. President, I yield back the remainder of my time.

Mr. HOLLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from New York.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from Michigan [Mr. HART], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. HARRIS], 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 Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from Oklahoma [Mr. HARRIS] would each vote "yea."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from North Carolina would vote "nay."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from South Carolina would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Nebraska [Mr. HRUSKA], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. MORTON], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], and the Senators from California [Mr. KUCHEL and Mr. MURPHY] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is absent to attend the funeral of a friend.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], and the Senator from California [Mr. MURPHY] would each vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Nebraska would vote "nay," and the Senator from California would vote "yea."

On this vote, the Senator from Arizona [Mr. FANNIN] is paired with the Senator from Kentucky [Mr. COOPER]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Kentucky would vote "yea."

The result was announced—yeas 31, nays 30, as follows:

[No. 171 Leg.]

YEAS—31

Baker	Hartke	Percy
Bayh	Hatfield	Proxmire
Boggs	Jackson	Randolph
Burdick	Javits	Ribicoff
Byrd, W. Va.	Jordan, Idaho	Scott
Case	Moss	Symington
Clark	Muskie	Tydings
Cotton	Nelson	Williams, N.J.
Dominick	Pastore	Young, Ohio
Griffin	Pearson	
Gruening	Pell	

NAYS—30

Allott	Hansen	Russell
Bartlett	Hayden	Smathers
Bennett	Hickenlooper	Smith
Bible	Holland	Sparkman
Byrd, Va.	Jordan, N.C.	Spong
Cannon	Mansfield	Stennis
Curtis	McClellan	Thurmond
Dirksen	Miller	Tower
Ellender	Monroney	Williams, Del.
Fulbright	Mundt	Young, N. Dak.

NOT VOTING—39

Aiken	Harris	McCarthy
Anderson	Hart	McGee
Brewster	Hill	McGovern
Brooke	Hollings	McIntyre
Carlson	Hruska	Metcalf
Church	Inouye	Mondale
Cooper	Kennedy, Mass.	Montoya
Dodd	Kennedy, N.Y.	Morse
Eastland	Kuchel	Morton
Ervin	Lausche	Murphy
Fannin	Long, Mo.	Prouty
Fong	Long, La.	Talmadge
Gore	Magnuson	Yarborough

So Mr. JAVITS' amendment was agreed to.

Mr. JAVITS. Mr. President, as a member of the Agriculture Appropriations Subcommittee, I want to express my support of the action taken by the committee in dealing with certain programs within the Department of Agriculture. I think the committee has shown its wisdom in restoring the funds for both the Extension Service and the Cooperative State Research Service. I also support the funding for the watershed protection program, allowing that program to move forward immediately. In addition I am particularly pleased to note that the bill contains some funding for two new programs.

First is a badly needed study of the economic indicators of change in the rural economy. We have become more aware that a determined effort is needed to provide for a strong economically viable rural economy to offer reason to stem the vast migration of rural people into our already overcrowded cities.

Another study to be begun will assist in identifying the kinds of agricultural development that would be appropriate in the undeveloped countries. This will help to accelerate the self-help requirements which I feel are so vital to world agriculture development.

I am also pleased to note our committee has restored the budget requests for both domestic farm labor housing and rural housing direct loans. We must make every effort to improve our rural environment and anyone familiar with the pitiful condition of such migrant housing will know how much still needs to be done.

Finally although I regret the Senate did not see fit to adopt the full budget request for non-food assistance in the Consumer and Marketing Service, I was glad to join with the Senator from Michigan [Senator HART] to increase the funds from the House for the school breakfast program and special assistance for needy schools.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

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

The bill (H.R. 16913) was read the third time.

Mr. MONRONEY. Mr. President, will the Senator from Florida yield 2 minutes, so that I may ask him a question on the bill?

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may have 2 additional minutes for that purpose.

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

Mr. MONRONEY. Mr. President, I ask the distinguished chairman of the subcommittee if funds to finance the inspection of kennels for the care of laboratory animals are contained in the bill this year, as they were last year.

Mr. HOLLAND. Mr. President, my answer is as follows: Last year the line amount in the bill was $300,000. The conference report provided that up to $1,200,000 could be used for that purpose, and provided that any amount above the $300,000 which could be found in lower priority work could be transferred to this item.

In the last 4 months of fiscal 1968, the program has been increased to a size that will require an additional amount of $300,000 to operate it through fiscal 1969. A letter from the department shows that, and the amount has been increased accordingly. Our bill provides an amount of $607,800, which will enable the carrying out of this effort on exactly the same level as it has operated in the last quarter of fiscal year 1968.

Mr. MONRONEY. I thank the distinguished chairman for this information. This is one of the best expenditures, I believe, of public money that we make in any bill. By the careful supervision the committee has given it, and by insistence on the use of enough men to fulfill the requirements, we have made great strides toward humane care and the elimination of untold, unprecedented cruelty that formerly went on in countless laboratories throughout the country.

The use of the veterinarians of the Department of Agriculture to do this job has been indeed a credit to the Department and a credit to their diligence, and justifies the faith the distinguished members of the committee have had in seeing that the program was not starved to death, and seeing that the enemies of the program did not sabotage it by turning the supervision of the quarters and the conditions in which these animals live over to the very men who are conducting the experiments, and have had no interest, in the past, in their humane care.

So I thank the distinguished committee members for this very great forward step in eliminating cruelty and advancing the cause of humane care and treatment of the animals that contribute so much in giving their lives for medical research.

Mr. HOLLAND. Mr. President, in behalf of the committee I thank my distinguished friend. I want the RECORD to show that we all know of his continuing interest in this very highly worthy objective.

The PRESIDING OFFICER. The bill having been read the third time the question is, Shall it pass?

The bill (H.R. 16913) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLAND, Mr. RUSSELL, Mr. STENNIS, Mr. ELLENDER, Mr. HRUSKA, Mr. YOUNG of North Dakota, and Mr. MUNDT conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, it is always a pleasure to be able to witness the handling of a measure when the task is performed by the senior Senator from Florida [Mr. HOLLAND]. He is truly not exceeded in ability, in persuasiveness, in generally the high caliber of the effort that is applied to such a job. Through the years Senator HOLLAND has contributed immensely to the betterment of this Nation. In the field of agriculture he has excelled. The passage of the Agriculture appropriations measure for 1969 simply adds another outstanding achievement to his already abundant record.

Joining Senator HOLLAND was the senior Senator from Nebraska [Mr. HRUSKA], the ranking minority member of the Appropriations Subcommittee. Senator HRUSKA, like Senator HOLLAND, has consistently applied his broad knowledge and abiding dedication to the achievement of agriculture funding measures that serve well to enhance the status of the Nation's farmers. We are in his debt.

Also to be singled out for their deep interest and splendid contributions to the consideration of this measure were the Senators from Delaware [Mr. WILLIAMS] and Michigan [Mr. HART]. They offered their own strong and sincere views on some of the features of our agriculture program. They offered amendments. And they are to be commended. The same may be said of the Senator from New York [Mr. JAVITS], the Senator from North Dakota [Mr. YOUNG], and the many others who participated in the discussion.

The Senator may be proud of another fine accomplishment toward the improvement of our agricultural community.

REVIEW OF U.S. GOVERNMENT OPERATIONS IN SOUTH ASIA

Mr. ELLENDER. Mr. President, Senators will find on their desks a copy of Senate Document No. 77 of the 90th Congress, second session, which is the report of my findings on our U.S. Government operations in the countries of south Asia. As in the past, this inspection tour of our operations in this area of the world was made at the direction of the Senate Appropriations Committee, of which I am a member. It was my purpose to observe and evaluate our many governmental programs in the area, as well as our Embassy and consulate facilities, and then make known my findings and recommendations to the Appropriations Committee of the Senate, to the Congress, and to the American people.

The material dealt with in this report was gathered by me between November 23 of last year, when I left the United States and December 24, when I returned to this country. The report discusses and analyzes the operations of our embassies, the service attachés, our U.S. Information Agency, agricultural attachés, the military assistance program, the Peace Corps, and the Agency for International Development, as well as other miscellaneous missions which we are maintaining in that area of the world.

It was my intention to be as comprehensive and objective as possible and to visit and inspect every activity I possibly could within the time allotted. During the month devoted to my tour, I was able to spend several days in each of the countries of south Asia. These included Iran, Afghanistan, East and West Pakistan, India, Nepal, Burma, and Ceylon. Because of its importance in terms of geography, population, and potential, I devoted much of my time to India, and fortunately was able to tour by motorcar, as well as by air, much of this very large country.

Because of the cooperation extended by the State Department and our other officials in the field, I was able to inspect conditions on both of the seacoasts of

India, and visit the interior regions of both north and south India. I am frank to say that I gained an appreciation of the vast subcontinent that I never had before, and I will discuss my conclusions as to its future further in these remarks.

Seven years before my visit last year, in 1960, I last made an inspection tour of the countries of Pakistan, India, Nepal, and Ceylon. I had been in Iran 10 years previously, in 1957, and in 1956, I visited our facilities in Afghanistan and Burma. For those unfamiliar with the manner in which these tours are conducted and my reports compiled, I wish to say that each of my visits to a specific country is preceded by a questionnaire sent to our embassy in each country. Our U.S. ambassador or the head of our country team is then requested to distribute the sections of the questionnaire to those in charge of each of the specific programs, such as the Peace Corps or AID, and so forth. Material is then collected by the country team to supply the information requested in the questionnaire. Then, upon my arrival, I am able to go over the responses with those in charge of our actual operations in the field.

I have found this to be a very useful approach. As a matter of fact, several of our ambassadors have informed me that it was only by going over the material supplied at my request that they were able to realize the scope of our Government's activities in the country to which they are assigned. Several have also indicated that because of the material which was compiled and brought together in one place, they expect and hope some consolidation of functions can be obtained, and economies in Government effected. Needless to say I share this hope.

Before drafting my 1967 report, Mr. President, upon my return to the country, I went back and reviewed my findings and recommendations of 1960, which I presented to the Senate in 1961, and which dealt with many of the same countries I visited last year. That report also dealt with the general situation facing the United States in its international affairs, particularly the foreign aid program and our balance of payments. I dealt with this question at length in the conclusions and recommendations contained in the volume on each Senator's desk.

I shall not go into this here again at length. Suffice it to say that I expressed grave criticism of the course in which our Nation was heading because of its failure to meet and deal with the deteriorating balance-of-payments problem. I pointed out that in 1960 we still had on hand roughly $19 billion in gold and there was ample time to correct the situation had the reasonable and realistic approach I advocated been adopted.

I further pointed out that by 1960 our foreign policy had become to a large degree outmoded. I felt it placed too great a reliance on the military and economic strength of the United States and paid scant attention to the great increase in European prosperity. As I need not remind Senators, this prosperity was brought about by American largess, and I felt it to be time, indeed past time, for our administrators to expect that the newly strengthened countries of Western Europe should begin to bear a fair share of the economic and military defense of the Western way of life.

I did not feel, for instance, and again this is in 1960, that there was any good reason requiring the maintenance of 300,000 American troops as a garrison in Western Europe. I felt this to be particularly true, as I also pointed out, that the United States was virtually the only NATO ally to fulfill its NATO commitment.

At the same time I advocated the use of international and multilateral agencies to fulfill whatever obligations the United States might have to the less developed areas of the world. I felt strongly that bilateral aid programs should be phased out or brought down to an absolute minimum, and I returned home from this trip reenforced in that view.

In a study of U.S. policy toward south Asia, Norman D. Palmer of the University of Pennsylvania states as follows:

> Although the old adage, "it is more blessed to give than to receive", may still have general validity, it is particularly difficult for governments and for people either to give or to receive. Those who give often do so with bad grace, sometimes for the wrong reasons, and they expect more in the way of tangible and intangible returns from the recipients than they ever get. Those who receive also often do so with bad grace, with doubts and suspicions, and they sometimes seem to assume that they are receiving only what is due them or that the giver is making help available only for some very selfish or even Machiavellian reason. Undoubtedly there are grounds for such reservations and suspicions, especially when foreign aid is used as a "cold war" weapon or when it is received in lieu of maximum effort on the part of the recipients.

As a footnote pointing up the dangers of bilateral assistance, Palmer quotes B. K. Nehru, an Indian Ambassador to the United States saying that:

> Foreign aid is often rung out of unwilling hands with a lack of grace that is truly remarkable; it is often given the color of charity so that there is almost invariably resistance to the acceptance of it. Furthermore, it is on occasion overtly and often covertly sought to be used to ensure that recipient nations do not depart in their external policies from the line taken by the donor country.

In my view, the points made by Mr. Palmer and by Ambassador Nehru are both valid. If it is indeed in our national interest to have a foreign assistance program, not just in south Asia, but throughout the underdeveloped world, I am firmly convinced that our interests would be better served by adhering strictly to the multilateral approach. It seems to me that too often foreign assistance mixes politics and economics resulting all too often in inept political achievements and poor economic benefits.

Turning to south Asia specifically, there is a great need for reliance on a multilateral approach to the problems of these nations. Their problems are serious ones and I, for one, am willing to extend a measure of assistance to their solution. I am firmly convinced, however, that any American aid should be strictly relegated to international and multilateral programs. Where bilateral assistance is considered necessary and advisable, such assistance should be of a minimal amount and confined to technical assistance only; that is, the paying of salaries for technicians and experts as needed. We should by no means engage in any further capital development projects, and I include in this a phasing out of our development loan program in the area.

I ask unanimous consent to have printed at this point in the RECORD, Mr. President, two tables bearing on the question of foreign aid funds derived from the industrialized countries of the world and the membership of these same countries in aid groups formed on a multilateral basis.

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

TABLE 1.—FLOW OF FINANCIAL RESOURCES FROM DAC COUNTRIES TO DEVELOPING COUNTRIES AND MULTILATERAL INSTITUTIONS, 1966

DAC country	Per capita income	Total net official flow (millions)	Flow as percent of national income		Percent of total official commitments	
			Official	Total (including private)	At 3 percent or less	At 25 years or more
Australia	$1,660	$129	0.67	0.71	100.0	100.0
Austria	1,030	37	.49	.66	24.4	15.6
Belgium	1,520	81	.57	1.24	100.0	94.3
Canada	1,990	209	.52	.66	91.2	91.2
Denmark	1,800	26	.30	.28	100.0	62.5
France	1,520	723	.95	1.70	85.5	84.7
Germany	1,520	490	.54	.81	86.5	70.6
Italy	940	121	.24	1.28	73.1	13.4
Japan	780	285	.37	.70	41.5	41.5
Netherlands	$1,380	$66	0.38	1.31	98.1	88.1
Norway	1,570	13	.23	.29	100.0	100.0
Portugal	380	25	.70	1.14	39.7	82.0
Sweden	2,140	56	.34	.64	100.0	70.7
United Kingdom	1,520	501	.61	1.16	93.1	95.4
United States	3,100	3,634	.59	.74	87.5	84.1
Total, DAC average	1,870	[1] 6,397	.57	.87	85.0	78.2
DAC target				1.00	81.0	82.0

[1] Total DAC.

Source: Revised figures of 1967 DAC Chairman's report.

DAC COUNTRIES

[Donor country assistance [1] as a percent of national income, 1966]

	Percent		Percent
France	0.95	Canada	0.52
Portugal	.70	Austria	.49
Australia	.67	Japan	.37
Belgium	.64	Sweden	.34
United Kingdom	.60	Denmark	.30
United States	.60	Italy	.24
Netherlands	.55	Norway	.23
Germany	.54		

[1] Bilateral and multilateral official flows, net.

TABLE 2.—MEMBERSHIP IN CONSORTIA AND CONSULTATIVE GROUPS [1] AND 1966 NET DISBURSEMENTS

[In millions of U.S. dollars]

	Consortia				Consultative groups										Aid group, IBRD, Ceylon
	IBRD		OECD		IBRD									IDB, Ecuador [2]	
	India	Pakistan	Greece	Turkey	Colombia	Korea	Malaysia	Morocco	Nigeria	Peru	Sudan	Thailand	Tunisia		
IBRD	−12.9	3.9		26.7	21.6		22.5	11.6	27.5	13.8	7.3	14.6	3.4		−1.2
IDA	154.2	62.1		17.0	2.6				3.2		1.6		1.3	0.1	
IDB					12.1					2.0				1.9	
EEC			18.7	6.6											
Australia						0.3	2.3					3.3			1.1
Austria	4.5		1.1	1.0											
Belgium	.1	(3)	(3)	1.4	.1		(3)	.3	.1	.4		(3)	.8	(3)	
Canada	110.7	31.7				.1	4.1	.1	3.6			.7	.6		5.2
China						(4)									
Denmark				.3	(3)		(3)					.2	.5		
Finland										(4)			(4)		
France			4.5	7.5				49.1					29.5		
Germany	55.4	35.6	7.8	17.1	1.5	6.0	1.2	2.2	10.6	15.5	2.1	17.6	4.4	.6	6.0
Italy	1.4		.5	4.2	−.3	5.3	(3)	−.3	9.7	.8	−.7	.1	−1.3		
Japan	49.5	21.3			.1	31.2	.4		.2	(3)	(3)	3.7		.1	6.9
Kuwait													(4)		
Netherlands	10.5	2.9		1.0	.7				.3		1.0		1.7		
New Zealand							(4)					(4)			
Norway															
Spain					(4)					(4)			(4)	(4)	
Sweden				1.1							.7		1.9		
Switzerland					(4)		(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	
United Kingdom	89.4	24.0		19.3	.2	.4	13.2	(3)	16.0	.5	4.3	.6	.1	.3	6.6
United States	744.0	198.0	6.0	117.0	58.0	166.0	6.0	47.0	30.0	30.0	2.0	21.0	39.0	20.0	5.0
Total	1,206.8	379.5	38.6	220.2	96.6	209.3	49.7	110.0	101.2	63.0	18.3	61.8	81.9	23.0	29.6

[1] The IMF and UNDP participate in most of the consortia and consultative groups, as well as CIAP, the EEC, and regional development banks, as appropriate. The IBRD is a member of all consortia and consultative groups and the Ceylon aid group.

[2] Other countries participating include Argentina, Brazil, Chile, Colombia, Israel, Mexico, and South Africa.

[3] Less than $50,000.

[4] Data not available.

Source: AID justifications for fiscal year 1969.

Mr. ELLENDER. Mr. President, the first of these tables is headed "Flow of Financial Resources From DAC Countries to Developing Countries and Multilateral Institutions 1966." These are the latest figures currently available.

The first table lists the 15 so-called developed countries in the world, ranging from Australia to the United States, and indicating the per capita income for each country and the amount of assistance expressed in dollars flowing from these sources to the underdeveloped nations of the world. I point out that in 1966 the total net official flow from all the industrialized countries was estimated to be $6.397 billion. Of that amount, the United States supplied $3.634 billion. Of the total official commitments, that is, loans made by our Government in that year, 87.5 percent of the dollar value was on terms of 3 percent interest or less.

The average for all the industrialized countries was 85 percent. Also, 84.1 percent of our commitments were made on terms of 25 years or more. The average of all developed countries was 78.2 percent.

The second table deals with membership in consortia and consultative groups and 1966 net disbursements shown in U.S. dollars. The second table indicates conclusively that we are carrying far more than our share of the burden. For instance, under the International Bank of Reconstruction and Development consortia to assist India, the United States supplied a total of $744 million out of a total consortia commitment of $1206.8 million. In Pakistan, another country I visited, in 1966 we supplied $198 million out of a total consortia program of $379.5 million.

In the aid group lending assistance to Ceylon, another country on my itinerary, the aid group formed to assist that nation disbursed $29.6 million in 1966. Of that amount, we supplied $5 million, a more modest figure and perhaps slightly below the guidelines that I, myself, would advocate as our contribution to such groups. It seems to me that in all cases we should not supply more than one-third of the total assistance granted by way of the multilateral approach.

In this regard, Mr. President, I made a special effort to obtain a full listing of the amount of assistance, aside from that supplied by the United States, flowing into the South Asian nations. The listing that I obtained is fairly complete and, although it appears in my report beginning on page 7, I ask unanimous consent that it be made a part of the RECORD at this point.

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

THIRD-COUNTRY AID

It has always been my contention that other nations, particularly in Western Europe, Japan, in Asia, and the U.S.S.R., should do a great deal more than has been done in extending aid to the less-developed nations of the world. Some improvements have been made in this regard, particularly since the late 1950's and early 1960's when the United States found itself virtually alone as far as rendering tangible assistance.

I believe, however, that much more could be done in this regard, through utilizing various international agencies or international consortia. Large amounts of consortia aid are now flowing into Pakistan and an aid group has combined to extend assistance to Ceylon ond other nations of Southeast Asia.

I believe this approach offers many advantages to all of the nations involved. In the first place, it has the effect of removing political implications and charges of political interference from the recipients of international and consortium programs. In the second place, it has the effect of reducing the overall overhead charges primarily incurred because of personnel employment.

In each country that I visited in south Asia, I requested information as to the amount of third country assistance flowing into that nation. The data that I gathered follow.

AFGHANISTAN

The U.S.S.R. has been the primary source of most of Afghanistan's loan assistance. I was informed that most of this assistance consists of credits extended at 2½ percent interest with from 10 to 20 years to repay. This is considerably less liberal than our own development loan program, even for a country bordering on Russia's southern boundary and forming a buffer state.

The United Kingdom and West Germany also have programs of loan assistance here.

As to grant aid, we have approximately doubled the amount the U.S.S.R. made available to Afghanistan cumulative from 1957. The figures are $87.9 million by the U.S.S.R. and $160.3 million by the United States.

Table 1 sets out detailed information.

TABLE 1.—AFGHANISTAN LOAN ASSISTANCE

[In thousands of dollars]

Country and purpose	Amount	Disbursed	Available
U.S. total [1]	68,187	67,387	800
U.S.S.R.:			
Economic development	100,000	100,000	
Do	12,000	12,000	
Do.[2]	115,556	72,000	43,556
Salang and Jalalabad Canals	19,484	19,484	
Fuel and goods [3]	81,109	36,200	44,909
Natural gas development	38,898	13,200	25,698
Bagram Airport	3,800	3,800	
Petroleum exploration	13,626	13,626	
Kabul housing	11,110	4,800	6,310
Commodities	11,110	7,688	3,422
Do	11,110	7,400	3,710
Do	11,110	4,300	6,810
Road equipment	2,970	2,970	
Naglu Dam	5,000	[4] 1,500	3,500
Total	436,883	298,968	137,915
Czechoslovakia:			
Cement and fruit plants	1,030	1,030	
Cement factory (Ghazni)	2,853	2,853	
Puli Charkhi workshops	5,040	5,040	
Total	8,923	8,923	
United Kingdom:			
Edible-oil plant (Bost)	1,820	1,820	
Baghlan sugar factory	616	616	
Trucks	560	560	
Total	2,996	2,996	
West Germany: [5]			
Mahipar hydroelectric dam	23,750	19,227	4,523
Kabul electric distribution	4,080	4,080	
Grain storage	7,000	200	6,800
Gas tanks, service station	2,820	130	2,690
Telephone exchanges	5,375	4,411	964
Textile plant	7,500	7,500	
Radio station	1,825	1,825	
Consumer goods	2,500	2,500	
Consultation: Health clinics	100	100	
Hospitals	3,650	200	3,450
Kabul water system	1,600		1,600
Total	60,200	40,173	20,027
Mainland China: Agricultural and light industrial projects	28,000	(6)	(6)

[1] See pt. VII, sec. 8 of exhibit B: Afghanistan for itemized list of U.S. dollar-financed loans.

[2] Gas exploration; Doshi-Sherkhan Bandar Rd.; technicians, Mazar-i-Sharif; electrical transmission line, Naglu-Kabul; Naglu construction; gas pipeline; canal maintenance; technicians' salaries.

[3] Equipment, Sherkhan Bandar; fertilizer plant; powerplant; Sardeh Dam (Ghazni); powerline (Kunduz); farm equipment and Nangahar Canal; mineral survey; polytechnic institute; technicians, Jongalak; irrigation; Kabul-Jabul-Seraj Rd.

[4] Estimate.

[5] Following agreements not yet signed:

Industrial estates	$175,000
Electric power	4,500,000
Power supply services	125,000
Total	4,800,000

[6] Not known.

Total grants received by Afghanistan, 1957–58—1966–67

	Millions
U.S.S.R. [1]	$87.9
United States [2]	160.3
West Germany	4.2
United Nations	12.2
France	0.1
Japan	0.3
Total	265.0

[1] Majority of Soviet and United States grant aid has been for highway construction.

[2] See pt. VII, sec. 5, 6, 7 of exhibit B (Afghanistan) for itemized list of U.S. grant projects.

BURMA

Burma receives aid from several Communist and Western countries. According to information presented to me in the field, there have been four Soviet projects here: a technical institute and a hotel in Rangoon, a hospital in Taunggyi, and an irrigation and flood control dam at Kyetmauktaung. All have been completed. Although the projects have been called gift projects by the Soviets, the Burmese Government has been paying for their costs by shipping rice to the Soviet Union.

An $84 million Chinese loan, extended in January 1961, was the largest single Communist credit in Burma. It was utilized to build a bridge over the Salween River at Kunlong, a textile mill at Meiktila, and a sugar factory at Bilin. Other projects begun but not completed are a plywood factory at Swa, a papermill at Sittang and a second bridge over the Sittang River at Takaw. Following the sharp deterioration of relations between Burma and Communist China in June 1967, Chinese aid was stopped and Chinese technicians in Burma were recalled to Communist China. Trade between Communist China and Burma has also ceased.

Japanese aid, which has been for the most part grants, has been used to set up assembly plants for trucks, small cars, agricultural machinery, and household appliances. In addition, the Japanese are building a nitrogen fertilizer plant.

West Germany and India have also extended fairly large loans to Burma. Assistance has also been received from the International Bank for Reconstruction and Development and the International Monetary Fund. The detailed figures are set forth in table 2.

TABLE 2.—FOREIGN AID TO BURMA

[Million U.S. dollars]

	Agreement through calendar year 1966	Expended through calendar year 1966	Agreements since calendar year 1966	Expended in 1966 (Burmese fiscal year, unless noted)	Expended in 1967
Yugoslavia:					
Grant	1.1	1.1			
Loan	8.0	.546		1.366	1.786
East Germany: Loan	14.0				1.681
Poland: Loan	10.0				
Czechoslovakia:					
Grant	.1	.1			
Loan	1.4	1.4			3.151
U.S.S.R.: Loan	13.7	12.9		.210	
China: Loan	84.0	21.4		5.7	6.1
West Germany:					
Loan	12.5	1.125		1.125	5.48
Guarantee-fund	25.0	5.0		.89	(1)
India: Loan	42.0	42.0			
Israel: Grant	1.0	1.0			
IBRD: Loan	33.30	32.75		.42	.21
IMF: Drawings	15.0	15.0	15.0		
Japan:					
Grant	340.0	208.3		10.29	15.3
Loan	30.0	(1)		(1)	(1)
International organizations:					
Grant	12.86	11.01		4.76	1.7
Colombo plan: Grant	13.525		(1)		(1)

[1] Not available.

CEYLON

The major portion of free world aid to Ceylon since the present Government came to power has been granted under the auspices of the IBRD, which has acted as a catalyst and channel for aid to Ceylon. The IBRD has provided analyses of Ceylon's economic situation and aid requirements, and it has convened three meetings of aid donors; July 1965 in Washington, May 1966 in London, and April 1967 in Tokyo. The summary of aid below is divided into (a) pre-1965 aid, and (b) post-1965 aid. It should be noted that all countries provided technical assistance before 1965 except the United States have continued to do so after that time and that values of technical assistance are not available.

The information I received from the field appears in table 3.

"TABLE 3

"Australia

"(a) Two million dollars in gifts of equipment and materials; $6 million in gifts of wheat flour, with rupee counterpart funds being used for development projects; technical assistance in the form of scholarships and experts.

"(b) Three grants totaling about $3 million to finance purchases of wheat flour. As of mid-1967, Australia had provided scholarships and training facilities for 361 Ceylonese and had supplied 74 experts to Ceylon.*

"*These figures are totals for the period since the inception of the country's aid to Ceylon."

"Canada

"(a) Dollar grants of $14 million primarily for an aerial resources survey, power transmission lines, railway equipment, and runway extension at Katunayake Airport; $13 million in wheat flour gifts, with rupee counterpart funds being used for development projects; dollar loans of $10 million for wheat flour and hydroelectric equipment; technical assistance in the form of scholarships and experts.

"(b) Three $4.2 million aid programs, consisting of $5½ million as wheat flour gifts, $4½ million as 50-year interest-free development loans, and $2½ million as capital grants. As of mid-1967, Canada had provided scholarships and training facilities for 167 Ceylonese and has supplied 167 experts to Ceylon.

"Federal Republic of Germany

"(a) Two million dollars in grants for a tile factory and bus workshop; $10 million in loans for a cement factory and equipment for the Colombo Port; technical assistance in the form of scholarships and experts.

"(b) $17 million in the form of three 20-year 3 percent interest commodity loans; $6 million grant for technical assistance; $4.5 million grant for capital assistance. As of mid-1967 the Federal Republic of Germany had provided scholarships and training facilities for 112 Ceylonese and had supplied seven experts to Ceylon.

"France

"(a) $1.5 million in 5-year 4½ percent credits for a water supply scheme.

"(b) $8 million in guarantees of commercial suppliers credits for commodity purchases. As of mid-1967 France had provided scholarships and training facilities for 17 Ceylonese and had supplied two experts to Ceylon.

"Great Britain

"(a) $1 million in grants of equipment and material; $8 million loan for the purchase of telecommunications equipment; technical assistance in the form of scholarships and experts.

"(b) Three $10 million 25-year-interest-free commodity loans. As of mid-1967 Great Britain had provided scholarships and training facilities for 867 Ceylonese and had supplied 146 experts to Ceylon.

"India

"(a) Technical assistance in the form of scholarships and experts.

"(b) $4 million in 3-year credits for the purchase of foodstuffs and $7 million 10-year 5½ percent loan for the purchase of capital equipment. As of mid-1967 India had provided scholarships and training facilities for 338 Ceylonese and had supplied 45 experts to Ceylon.

"Japan

"(a) $2 million for the establishment of a fisheries training center; technical assistance in the form of scholarships and experts.

"(b) Three $5 million 7-year 5½ percent interest commodity loans. As of mid-1967 Japan had provided scholarships and training facilities for 169 Ceylonese and supplied 104 experts to Ceylon.

"II. Other Free World Aid

"Israel

"Technical assistance in the form of scholarships and experts.

"New Zealand

"In capital grants $2.5 million, used primarily in the field of agriculture. As of mid-1967 New Zealand had provided scholarships and training facilities for 135 Ceylonese and had supplied 30 experts to Ceylon.

"Sweden

"For a family planning pilot project, $1 million. As of mid-1967 Sweden had provided scholarships and training facilities for five Ceylonese.

"III. Communist Countries

"Communist China

"In grants $26 million ($15 million utilized) over the period 1958–67 for the purchase of commodities, which have included railway rolling stock, textiles, and textile machinery and equipment; two 10-year-interest-free loans—$10 million (all utilized) in 1958 and $4 million ($1 million utilized) in 1964. Projects for the construction of a textile mill and of an international conference hall were nominally initiated 3 years ago, but no work has been undertaken since then.

"Czechoslovakia

"A 1950 agreement provided for credits (4 years at 3 percent interest) in an unspecified amount for the purchase of capital goods, $1.5 million of these credits has been utilized for purchases by various state corporations. Czechoslovakia has provided 22 scholarships to Ceylonese.

"East Germany

"An agreement was signed in 1965 for a $42 million line of credit (10 years at 2½ percent interest), under the terms of which a contract was signed in late 1966 covering about half of the $42 million for the construction of a large integrated textile mill. East Germany has provided 27 training courses for Ceylonese and the services of one expert.

"Poland

"A line of credit of $8 million (8 years at 2½ percent interest) was granted in 1963 for financing the foreign exchange costs of agreed upon development projects. Drawings of less than $1 million have been utilized primarily for the construction of a hardware factory. Poland has provided six scholarships to Ceylonese.

"Soviet Union

"Under the terms of a 1958 agreement for a $30 million line of credit (12 years at 2½ percent interest), 10 projects have been agreed upon: Iron and steel factory, tire and tube factory, preparation of land for sugar plantation, preparation of land for cotton plantation, flour mill, cold storage plant, peat deposit utilization study, river basin study, reservoir headworks study, and preparation of land for pasture. The first nine projects have been virtually completed, and it is expected that the utilized $10 million of the line of credit will be used for advanced stages of the iron and steel factory and the tire and tube factory. The Soviet Union has provided 159 training places for Ceylonese and an unspecified number of experts, all as part of the 10 projects.

"Yugoslavia

"A line of credit of $15 million was extended in 1959 for the purchase of capital goods. Drawings of $1.5 million have been used primarily for the purchase of stern trawlers. Yugoslavia has provided 11 scholarships and training places for Ceylonese."

INDIA

Although 19 nations have been involved in extending loans to India and 10 nations have made grants available, the United States is by far the largest contributor. For instance, in the third 5-year plan which was completed in 1966, the United States extended loans amounting to $1.765 billion to India, not including Public Law 480 commitments. The nations which came closest to our contribution were Germany with $647 million and Britain with $508 million. The U.S.S.R. extended credits of only $211 million to this Nation which must rank of prime importance to the success of its Asian policies.

As to the grant program, the United States has extended $310 million in grant assistance for the last three 5-year plans while the U.S.S.R. has extended only $10 million in grants.

The detailed breakdown appears in table 4.

TABLE 4.—GRANTS AND OTHER ASSISTANCE TO INDIA

[In millions of dollars. 5-year total]

	Agreements signed			Utilized		
	1st plan (Apr. 1, 1951, through Mar. 31, 1956)	2d plan (Apr. 1, 1956, through Mar. 31, 1961)	3d plan (Apr. 1, 1961, through Mar. 31, 1966)	1st plan (Apr. 1, 1951, through Mar. 31, 1956)	2d plan (Apr. 1, 1956, through Mar. 31, 1961)	3d plan (Apr. 1, 1961, through Mar. 31, 1966)
A. Grants:						
Australia	23	5	26.0	11	16	15
Britain	1	1	2.0		1	2
Canada	68	120	181.0	41	127	114
Czechoslovakia			1.0			1
Germany		4	1.0		1	4
Japan		1	.3		1	
New Zealand	4	4	2.0	1	6	1
Sweden			8.0			5
Norway	1	4	5.0	1	4	5
U.S.S.R.		2	8.0		2	8
United States of America (TCA)	181	93	36.0	88	160	52
U.N. Special Fund		8	9.0			4
Ford Foundation	12	22	10.0	5	20	13
B. Other assistance:						
Public Law 480 imports		2,337	946.0		1,083	1,791
Public Law 665 imports	36	31		11	56	
3d-country currency assistance		6			5	1

LOANS TO INDIA

[In millions of dollars]

Country	Agreements for loans signed					Loans utilized				
	1st plan (Apr. 1, 1951, through Mar. 31, 1956) (5-year total) [1]	2d plan (Apr. 1, 1956, through Mar, 31, 1961) (5-year total)	3d plan (Apr. 1, 1961, through Mar. 31, 1966) (5-year total)	1966–67 (Apr. 1, 1966, through Mar. 31, 1967) (full year)	1967 (Apr. 1, 1951, through Sept. 30, 1967) (half year)	1st plan (Apr. 1, 1956, through Mar. 31, 1956) (5-year total) [1]	2d plan (Apr. 1, 1961, through Mar. 31, 1961) (5-year total)	3d plan (Apr. 1, 1961, through Mar. 31, 1966) (5-year total)	1966–67 (Apr. 1, 1966, through Mar. 31, 1967) (full year)	1967 (Apr. 1, 1967, through Sept. 30, 1967) (half year)
Austria		18	5					10	5	2
Belgium		24		1				10		
Britain	258	508	99	53			256	358	121	59
Bulgaria				15						
Canada	33	65	55	23			33	24	16	8
Czechoslovakia	49	84						26	18	4
Denmark		5	4					1	4	3
France		120	17					44	3	20
Germany	292	647	59				263	461	85	24
Hungary			33							
Italy		171	33					24	1	
Japan	56	290	45	70			34	185	40	49
Netherlands		46	9	8				20	9	14

See footnote at end of table.

LOANS TO INDIA—Continued

[In millions of dollars]

Country	Agreements for loans signed: 1st plan (Apr. 1, 1951 through Mar. 31, 1956) (5-year total) [1]	2d plan (Apr. 1, 1956, through Mar, 31, 1961) (5-year total)	3d plan (Apr. 1, 1961. through Mar. 31, 1966) (5-year total)	1966–67 (Apr. 1, 1966, through Mar. 31, 1967) (full year)	1967 (Apr. 1, 1951, through Sept. 30, 1967) (half year)	Loans utilized: 1st plan (Apr. 1, 1956, through Mar. 31, 1956) (5-year total) [1]	2d plan (Apr. 1, 1961, through Mar. 31, 1961) (5-year total)	3d plan (Apr. 1, 1961, through Mar. 31, 1966) (5-year total)	1966–67 (Apr. 1, 1966. through Mar. 31, 1967) (full year)	1967 (Apr. 1, 1967. through Sept. 30, 1967) (half year)
Poland		30	57					24	1	2
Sweden			5	4					2	1
Switzerland		14	38	—4				13	10	2
U.S.S.R.	136	670	211	344			157	435	48	26
United States (other than Public Law 480)	220	712	1,765	383	112	194	323	1,672	354	140
Yugoslavia		40	5	80				20	8	1
IBRD	120	548	304	29	23	71	468	259	34	15
IDA			585	304				421	180	117

[1] Includes amounts authorized and utilized prior to 1st plan.

IRAN

Little information was available as to the third country grant assistance extended to Iran. I was informed that almost all of such assistance would be in the form of salaries paid to technicians. There were about 200 U.N. personnel stationed in Iran at the time of my visit; the French were said to have about 45 technical advisers involved in bilateral programs and the German technicians numbered about 37.

About $1 billion in loan aid has been extended to Iran from countries other than the United States over the last decade. The largest amounts have come from the Soviet Union ($348 million) and from France ($259 million).

The pertinent information is presented in table 5.

TABLE 5

	Millions
USSR: A $286,000,000 loan, of which about $209,000,000 is for the steel mill at Isfahan with the balance divided equally between a machine-tool plant at Arak and the Soviet share in the gas pipeline, plus loans for dams on the border of the Aras River and for the construction of silos, for a total of about	$348
Romania: About $34,000,000 for sundry projects plus $32,000,000 for a tractor plant, for a total of about	66
Czechoslovakia: Sundry supplier credits plus a Government loan of $15,000,000 for Tabriz machine-tool plant	20
Poland: Government credit for industrial projects	15
Bulgaria: Government credit for industrial projects	10
Hungary: Government credit for industrial projects	10
Total for Soviet bloc (very little expended to date)	469
International Bank (most of which expended)	173
France: Almost entirely supplier credits, of which about $142,000,000 are covered by Government guarantees	259
Germany: Government credits of $50,000,000 and $10,000,000 plus supplier credits	89
Japan: A $10,000,000 loan for pipes and steel plate for the gas pipeline, a $17,000,000 loan for telecommunications project, plus sundry	28
United Kingdom: A Government loan of $11,200,000 for development projects, a Midland Bank loan of $12,000,000 for a transmission line to Tehran plus sundry supplier credits	25
Austria	10
Italy	9
Other	7
Total	1,069

NEPAL

The largest portion of third country aid to Nepal has been in the form of grants with only a few loans being involved. The principal donors, aside from the United States, are India, Communist China, and the U.S.S.R. Communist China is emphasizing impact projects in public works and especially road building. A road from Kathmandu, the capital of Nepal, to Kodari on the Tibetan border was begun by the Chinese in the middle of 1967. The Soviet Union is concentrating in public works and, again, primarily road construction. Some attention has also been given to industrial projects. No figures were available in the field concerning contributions from Western European countries, although Great Britain, West Germany, Switzerland, and Israel were said to have small programs underway. Table 6 sets forth the contributions of the three largest contributors, aside from the United States, from 1952 to 1968.

TABLE 6

	Millions
India	$83.2
Mainland China	21.9
U.S.S.R.	18.7
Other	8.7

PAKISTAN

Pakistan is being assisted by a consortium of nine Western nations and there are several bilateral programs in existence. According to Pakistani Government sources, as of March 31, 1967, there was $964.1 million available from consortium sources and $386.8 million available on a bilateral basis, including some food shipments.

All of the current U.S. assistance is being made available through the consortium and again we are the largest single contributor, supplying $276 million of the total. The Ex-Im Bank and the World Bank are also heavily involved. The complete picture appears in table 7.

TABLE 7.—AVAILABILITY OF ECONOMIC ASSISTANCE FROM CONSORTIUM AND NONCONSORTIUM SOURCE DURING THE 3d 5-YEAR PLAN

[In millions of dollars]

Countries	Uncommitted pledges as on June 30, 1965	Pledges during 3rd plan: 1965–66	1966–67	Total availability up to Mar. 31, 1967
Consortium sources:				
Belgium	9.5		0.5	10.0
Canada	[1] 30.4	25.4	25.4	81.2
France	17.1	10.0	10.0	37.8
Germany	48.4	40.0	38.8	127.2
Italy	14.7	20.0	30.0	64.7
Japan		30.0	30.0	60.0
Netherlands		4.8	4.4	9.2
United Kingdom		22.4	22.4	44.8
United States	86.0	50.0	140.0	276.0
Eximbank	66.0			66.0
IBRD/IDA	38.2	49.0	100.0	187.2
Total	311.0	251.6	401.5	964.1
Nonconsortium sources:				
A. Project aid:				
Australia		.9		.9
China	30.0			30.0
Czechoslovakia	14.0	1.5	28.0	43.5
Denmark		2.2		2.2
Japan (textile credit)	10.0			10.0
New Zealand		.9		.9
Poland	14.0			14.0
Sweden		4.8		4.8
Switzerland	10.0		4.5	14.5
U.S.S.R.	50.0		84.0	134.0
Yugoslavia	10.7	40.8	30.0	80.8
Suppliers' credits		1.0	29.9	30.9
Subtotal (project)	138.7	52.1	176.4	367.2
B. Nonproject aid:				
Australia		2.2		2.2
Canada (wheat)		3.7	6.8	10.5
China (food grains)			6.9	6.9
Subtotal (nonproject)		5.9	13.7	19.6
Total	138.7	58.0	190.1	386.8

[1] Includes surrenders and savings which have become available for reprograming to date from earlier allocations.

Note: A sum of $13,300,000 has been pledged by France ($10,000,000), Italy ($2,000,000) and Germany ($1,100,000) outside the consortium.

Mr. ELLENDER. Mr. President, frankly, I do not believe that the multilateral principle can be stressed too much. It seems to me that any objective observer must agree that its many advantages far outweigh the supposed disadvantage of reducing any credit which our Nation might receive from the aid recipient.

The biggest advantage seemed to me to be that the multilateral approach works, and it works well. A prime example is the Indus River Basin development project undertaken under the auspices of the World Bank for the mutual benefit of India and Pakistan. In this instance, the World Bank was instrumental in bringing these two antagonistic neighbors together in a cooperative effort to improve the Indus River Valley. I saw much of the work underway and it holds great promise for the entire area.

Conversely, the experience of our bilateral aid program in Afghanistan might be said to represent the worst example of the bilateral approach. There we have constructed a large and modern international airport which is now being bypassed by international flights, and which promises to turn into a white elephant on the hands of the Government. Also in Afghanistan, we undertook a project in the Helmand Valley. To date, this development has fallen far short of expectations. In this venture, as well as in the airport construction, the United States is bearing the blame for expensive mistakes which have been made.

As I examined both of these on my inspection tour, it was easily apparent that we were being blamed unjustly, particularly in the Government valley project. Yet, this is one of the dangers of bilateral assistance programs. You may rest assured that had these two projects turned out eminently successful, the host government would have claimed and received the credit due.

There are two other considerations involved in the multilateral versus bilateral foreign assistance argument. The first is by far the most important.

The underdeveloped areas of the world are in great ferment at the present time and this is likely to continue for years into the future. To a large extent, particularly in South Asia, the underdeveloped nations of the world form an ideological battleground between the forces of Western democracy and Russian and Chinese communism. Because of this, governments inclined to be friendly toward the West are put on the spot. On the one hand they must fiercely defend their neutrality, while on the other hand they must take action to meet the needs of the people if the governments themselves are to survive. The multilateral approach would allow this conflict to be resolved. And, if Russia saw fit to cooperate in the development effort through these various consortia or other multilateral groups, I, for one, say all the better. It seems to me we should welcome such cooperation and not fear it. Furthermore, I believe that such cooperation would be forthcoming, for Russia has a much greater stake in the stability of South Asia than does the United States.

Returning to my discussion of Senate Document 18, Senators will find that it contains a wealth of information concerning the general condition of the South Asian countries today, as well as specific information on all of our many governmental programs carried on in the area. I have attempted to organize this report in a manner to make this information easily available to all concerned.

Senators will note that the first section of the report contains my conclusions and recommendations which I drafted upon my return to the States. Here, as I have already indicated, is to be found a brief recapitulation of my past views on the course of our international affairs as well as a discussion of the course which should be followed in the future. Next comes a section devoted to "third country aid," which I have already placed in the RECORD.

While I am on this subject, I believe it should be reiterated that I found, once again, that our country's assistance is extended on terms more liberal than the assistance provided by other industrialized areas of the world. Our loans are usually made at the rate of 2½-percent interest with a grace period of up to 10 years. Germany, for instance, extends development loans at rates ranging from 1- to 5½-percent interest; Italy's loan program is marked by interest rates of from 2½ to 7 percent. Japan makes development loans available at rates of 3½- to 5½-percent interest, and the rates of the United Kingdom range up to 7½ percent in interest charges. This information is contained in exhibit A of my report, and I ask unanimous consent that it be made a part of the RECORD at this point, with my conclusion and recommendations.

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

CONCLUSIONS AND RECOMMENDATIONS

It has been 7 years since I last toured south Asia to inspect and evaluate our Nation's operations in this area on behalf of the Senate Appropriations Committee. At the conclusion of that trip, I reported to the Senate that I had returned to the United States—

"Much disturbed at the harvest our aid effort has reaped, alarmed at the future consequences in store for our Nation unless significant basic changes were made in our program, and that what began as a nourishing broth of 'international cooperation for peace' has become a witches' brew—a serious threat to our own economic stability and growth."

I have come back and reviewed my recommendations of 1960 as to the course of our Nation's policy in international relations. Frankly, I find them extremely pertinent today in light of the situation which our country faces. Further, I cannot resist expressing the opinion that if our policies had been examined and brought more closely into line with what I saw as reality at the time, our Nation as a whole would be much better off than it is today. For those interested in going over my comments of 1960, I have included paragraphs taken from my report of that year, dealing with an evaluation of our foreign operations and the balance-of-payments problem, as appendix A.

As a brief recapitulation of my earlier views, I might merely point out one or two principles which became obvious to me at the time, but which, for some reason, could not be made obvious to our policy planners and administrators.

First, I pointed out that by 1951 Europe's economic and industrial programs had begun to exceed prewar averages. In light of this development, which was brought about primarily through the largesse of our Nation through the operation of the Marshall plan, I saw no reason to continue assistance on a grant basis to the nations of Western Europe.

By the same token, I saw no reason for us to continue maintaining as many as six divisions of American troops in Western Europe. I was particularly insistent upon this when it became clear to me that the United States seemed more concerned with providing for the defense of Western Europeans than they were themselves. In effect, we were providing a military defense "umbrella" for our allies. This allowed them to concentrate on developing their own domestic economies while we bore the defense burden.

It also allowed them to accumulate large dollar holdings, because of our extensive expenditures abroad, as obligations against our country. At the end of 1959 we still had on hand $19.5 billion in gold and there was ample time to correct the dollar flow while we could still act from a position of strength. Unfortunately, as is well known, we are now being forced to act from a position of weakness.

As a corollary to the increasing economic strength of the hard currency countries of Western Europe, I recommended more than 8 years ago that every effort be made to induce those countries with strong economies to assist us by sharing in the aid efforts aimed at the less-developed countries of the world. To this end, I recommended the greatest possible use of international and multilateral agencies. I feel that our contribution to these agencies should not average more than one-third of the total commitments made.

I continue to favor this position today, and I believe it has become more reasonable and valid with the passage of time. This is particularly true when we consider the case of India. The record indicated that for the implementation of India's third 5-year program, the United States supplied grants amounting to $982 million, including Public Law 480 assistance. The country coming closest to our own total was Canada, which supplied grants of $181 million during the period. Australia supplied $26 million but all of Western Europe contributed only $16 million.

When we turn to the loan program, we see a somewhat different picture. During the third 5-year plan, the United States supplied India with loans amounting to $1.765 billion, but substantial contributions were also forthcoming from several Western European sources. These loans were usually made on terms much more businesslike than our own commitments. Complete details on these terms are contained in exhibit A.

The leader among these contributors was Germany, with loans amounting to $647 million. Great Britain supplied $508 million and the Netherlands $290 million. Several other hard-currency countries contributed as well including Austria, Belgium, Denmark, France, Italy, Japan, and Sweden.

In my estimation, we are still carrying far too large a part of the burden. This is particularly true concerning the task of feeding the Indian population. We owe nothing to India. Helping to feed her people to prevent starvation is a humanitarian problem and all countries of the world should participate, especially the rich countries. Here, our contributions outshadow the rest of the world's. In 1966 we provided about 80 percent of India's deficit. If the industrialized countries are unable to assist in making direct gifts of food to India, I believe they should

be asked to buy foodstuffs for shipment to the ill-fed masses or supply her with fertilizer, pesticides, and farm machinery, so that her hard currency reserves could be used to buy food from us.

Aside from this assistance, of course, both by way of agricultural commodities and loans and grants for technical developments, India must continue to make every possible effort to assist its own economy. One area that comes to mind is the possibility of an educational campaign to change the attitude of the Hindu population toward many of the thousands of cattle presently roaming the countryside. In my country report on India, I point out that from 1918 we in the United States have been able to free 26.6 million acres of land which were formerly devoted to producing hay and grain to support our workhorses and mules.

I realize that this is a sensitive area, and certainly any efforts to coerce the people should be avoided. At the same time, however, if some way could be found to decrease the number of cattle, many economic benefits could be derived therefrom. Since cattle are not used for food, some way should be devised to control the cattle population.

In this connection, I believe that the Government of India should also be encouraged to direct more of its attention to the production of fish, to further improve the people's diet. This is true throughout most of south Asia, for most of the nations have long and productive coastlines. Particularly in the case of India, however, it might be well to follow the example of the Japanese, who have learned to "farm" fish in the ponds used to store water for the irrigation of rice paddies. The fish harvest now forms an important part of the Japanese food production and it seems to me that the technique could well be applied in India.

I also recommended a phaseout of our bilateral assistance programs as we shifted to the multilateral approach. I shall have more to say in this regard in a moment.

By and large, I find these principles especially pertinent to south Asia today. Neutralism is the primary ideology throughout the entire area, with the exception of Pakistan. Since most of the south Asian nations border directly on the U.S.S.R., and Red China, there is a great deal of pragmatism involved, as well as ideology. Our cooperation in a multilateral policy would bring many benefits to the aid recipients and to ourselves, and, carrying the projection one step further, to the world of the future.

Fortunately, important multilateral programs are already underway. The Indus Basin is being developed as a cooperative venture among Pakistan, India, and the United States. The administration of the work is carried on under the International Bank for Reconstruction and Development. The program is discussed in full in my country report on Pakistan, and I am frank to say that I am optimistic as to the outcome of the project.

Here we have two nations who have allowed themselves to be drawn into positions of rivalry, cooperating to bring economic benefits to both. In the process, one of the prime causes of the rivalry—the division of the Indus River waters—has been brought to a negotiated settlement. The World Bank, as the Inernational Bank for Reconstruction and Development is commonly known, played an important part in bringing the two nations together to solve the question of water rights and to cooperate in putting that water to the best use of both parties. Here is an example we should strive to have imitated throughout south Asia, and, for that matter, throughout the rest of the world where such conditions exist.

Across the breadth of the Indian subcontinent we have a similar undertaking underway in Ceylon, where an aid group has been formed to extend long-range assistance to the Ceylonese. Here again, we have another promising example of what can be accomplished by nations working together.

On the other hand, the perils of a bilateral aid policy are many. One need only turn to my comments concerning Afghanistan in the country reports to find a prime example of what occurs all too often. There we have gone to great expense to develop an international airport at Kandahar, which has turned into a white elephant on the hands of the government. We participated on a bilateral basis in developing the Helmand Valley for Afghanistan and this development has fallen far short of its planners' hopes. In both of these instances, our Nation, rightly or wrongly, has been blamed for expensive mistakes.

Regardless of the economic effects of bilateral aid, programs and projects of this nature leave us open to charges of seeking political influence over the internal and external policies of the recipient nations. Resort to other methods would do much to remove that propaganda ploy from the hands of our enemies.

Accordingly, I am recommending, if possible more strongly than before, that we relegate our entire efforts in the future to projects and programs undertaken on a multilateral basis. This can be accomplished through our participation in various consortia and through aid groups. As a corollary I would recommend that the administration of the programs be placed under the auspices of the World Bank, which has developed the expertise necessary to provide the planning and management.

I believe that our entire bilateral development loan fund should be phased out and liquidated as soon as possible.

Many recipient nations in the underdeveloped areas of the world are already finding it difficult to meet the payments due us from past development loans. This is true even though the loans have been made on the most liberal of terms and are usually repayable in the currency of the recipient nation. Still, many authorities feel that pressures are building up which will someday require us to write off a large part of the development loan repayments, especially in those instances where the loans are repayable in dollars.

Aside from our participation in multilateral and international assistance programs, our own foreign aid should be devoted entirely to a small amount of technical assistance. By this, I mean the payment of salaries for technicians and perhaps some simple experimental and demonstration projects in the hope that the uneducated masses can learn by seeing and doing. Our technical cooperation can be carried on in important aspects through the currencies generated from the Public Law 480, or "Food for Peace" program.

Concerning another feature of the Public Law 480 operation, I have found that all too often our Nation is treated as a residual supplier of agricultural commodities by the recipients of our sales for local currency and our gifts abroad. To some extent this may be due to the fact that with the beginning of the program in 1954 and for several years thereafter, our warehouses and storage facilities were bulging at the seams with surplus commodities. The tendency of our administrators was to dispose of our surplus on almost any terms. Many abuses of the program had their roots during this period.

Conditions have changed in recent years, however, and we have been successful in bringing our agricultural surpluses under control. We can no longer look upon "Food for Peace" as a surplus disposal program. It has become an important adjunct of our total aid effort, and although it does much good, it also costs us much money on which we receive very little return.

Foreign governments should be made to understand that while they may not consider the sale of American agricultural commodities as direct foreign aid, because we permit them to pay for them with their own currencies, the fact of the matter is that our food shipments impose an additional drain on our already hard-pressed Treasury. Therefore, it would seem to me obvious that we should no longer allow the United States to be treated as a residual supplier of commodities. A recipient nation should not spend its hard-currency reserves and foreign exchange earnings with suppliers such as Australia and Canada, as well as some of the Western European nations, and then expect to receive the balance of their needs from the United States on a soft-currency basis. Recipient governments should be compelled through contractual arrangements or otherwise to make hard-currency purchases of food from us in proportion to the amount of soft-currency agreements and gifts made by other countries and that which we make available to them. In this way, we would assist our balance-of-payments problem and receive a greater return on our cash investments.

There are two areas which I believe should come in for special attention. These are population growth and increased agricultural production. These two go hand in hand. The Agency for International Development is already moving to provide more assistance in the first area, and in fiscal 1967, better than $4 million was devoted to this purpose in South Asia alone. This is quite an increase from fiscal 1965, when the sum of only $10,000 was so earmarked for the entire region.

More needs to be done, however, as our demographers are already forecasting dire consequences if meaningful steps are not taken in the near future. Those nations willing to assist themselves in this regard should be given every possible encouragement. In my estimation, here is an area where the local currencies generated through Public Law 480 sales could be put to extremely good use. I believe that not less than 5 percent of the local currency available should be devoted to population control. Where possible, the percentage should be higher. I believe that this resource should be placed at the disposal of our technicians and the government planners of any of the recipient nations requesting such assistance, on a voluntary basis, or for family planning programs.

In agriculture, we are also assisting in efforts to bring about meaningful increases in production in what appears to be a losing battle against the population increase. I have devoted one section to the agricultural situation in India. The comments found there will have bearing on other countries in the area as well.

In addition to my comments above concerning the need to have other industrial nations engage in assistance programs, I think we must look to the U.S.S.R. for greater activities in this regard. Again, this can be done most easily through the multilateral system, for I would see no reason to discourage Russian participation in these areas. Further, it seems to me obvious that Russia has a very real stake in maintaining the status quo in south Asia. This is particularly true regarding India. It is in the U.S.S.R.'s own interest to see that India becomes an economically strong and viable state, able to provide a counterbalance to mainland China.

A glance at the aid figures for India contained in the later section devoted to "Third Country Aid" will indicate how far our own contributions to India outstrip Russia's. In my view, this is almost the reverse of what the picture should be. We are acting in India primarily on humanitarian grounds, I repeat, although we do have an interest in seeing that India does not fly apart into a number of weak and divided states. On the other hand, Russia has a very real and pragmatic self-interest.

EXHIBIT A

TERMS OF LOANS MADE BY DAC COUNTRIES AND U.S.S.R. TO LESS-DEVELOPED COUNTRIES

Country	Percent of aid program which is grant	Range of interest	Range of years to maturity	Weighted average for 1966	
				Interest	Years
Australia	100.0				
Austria	16.0	Development loans, 3½ percent Export credits, 6½ percent	20 maximum 10 maximum	5.7	6.5
Belgium	94.0	Development loans, 3 percent; export credits, none	20 maximum	2.8	14.0
Canada	77.0	Development loans, none Export credits, 6 percent	50 maximum 5 to 17	2.4	34.0
Denmark	63.0	Development loans, none; export credits, none	25 maximum	0	18.7
France	83.0	Development loans, 1 to 6 percent; export credits, none	1 to 25	3.6	15.0
Germany	42.0	Development loans, 1 to 5½ percent Export credits, 5¾ to 6 percent	5 to 25 5 to 10	3.3	21.0
Italy	13.0	Development loans, 2½ to 7 percent Export credits, 3 percent	5 to 20 1 to 10	3.7	8.0
Japan	41.5	Development loans, 3½ to 5½ percent Export credits, 5½ to 6 percent	20 maximum 7 to 18	5.2	14.0
Netherlands	75.0	Development loans, none to 6 percent; export credits, none	10 to 25	2.0	23.6
Norway	100.0				
Portugal	23.0	Development loans, none to 7 percent; export credits, none	5 to 30	3.6	25.0
Sweden	71.0	Development loans, always 2 percent (new law allows no interest, 50 years); export credits, none.	20	2.0	20.0
United Kingdom	50.0	Development loans, none to 7½ percent; export credits, none.	5 to 40	1.0	24.0
U.S.S.R.		2½ percent	12		

Mr. ELLENDER. Mr. President, the third section of Senate Document 77 is devoted to a discussion of the agricultural situation in India. As I said previously, because of its importance, I devoted the bulk of my time and attention to the Indian subcontinent.

Generally speaking, I left India feeling more optimistic toward its future than I have at any time in the past. We are providing much assistance in improving the Indian agricultural plant, and at long last, the Indian Government is coming around to the view that the agricultural sector is fully as important as the industrial sector of the nation's economy. Of course, in my view, the agricultural sector is more important because of the base it provides, and must provide, for any meaningful economic development in any of the less-developed nations of the world.

I was informed that the Government is now putting a far greater percentage of its resources into agriculture and that agricultural education and research are being stressed. For my part, I was pleased to note that a large part of our assistance has been directed to the development of demonstration farms. I have long felt that this was one of the best ways that we could make American technology available to the people who need it so badly. To make our technical knowledge and assistance worthwhile the people must be motivated to change the old ways, and in my estimation, no one method is as effective in achieving this end as the establishment of demonstration plots and farms.

The United States and Indian Governments are not the only agencies involved in the desperate effort to improve Indian agriculture. I was fortunate enough to be able to visit several programs undertaken by private groups from the United States, including some of our large foundations, and I was very much impressed by all that I saw. This, of course, is described in detail in my country report on India found in Senate Document 77.

Before leaving this subject, I would like to make one final point that was graphically brought to my attention on my tour; that is, the need for more adequate sources of agricultural credit. I was informed that for more than 60 years, efforts have been made to establish ways and means to serve the credit needs of the Indian farmer at reasonable interest rates. So far, I was informed, approximately 200,000 rural credit socities have been established, but their success has been limited. Because of this limited success, many of the local farmers continue to rely upon the village moneylenders for the financial help they need.

As might be expected, exorbitant interest rates are charged for production loans. It is easy to understand that a poor Indian farmer would be very hesitant to borrow additional funds to purchase fertilizer or expensive farm machinery before he is absolutely convinced that the new and expensive improvement will yield additional returns.

It seems to me that if credit were made available to the farmers when it is needed, and at a reasonable rate of interest, it would greatly help in modernizing the entire agricultural plant. Given the availability of credit, it would be far easier to encourage the local farmers to adopt improved practices, such as the purchase of improved seed, fertilizer, pesticides and the other requirements of a modern farming operation. Accordingly, I am firmly convinced that more attention should be given to developing ways and means of using the local currencies credited to U.S. accounts in India to provide adequate sources of credit to Indian farmers. Our own Nation has developed a wealth of experience in this field and its benefits are well known here. This is one field where we could export the American experience to the long range benefit of foreign lands. Although I realize there are many obstacles, I am sure that they could be overcome with time and the cooperation of the Indian Government.

The fourth division contained in my report is devoted to a country-by-country discussion of the observations made on my tour. These country reports in turn are divided into several sections.

The first section is made up of thumbnail sketches of each country's history and development, and a listing of some of the most serious problems to be found therein. I have also included portions of my day-to-day impressions while traveling through the area.

This is followed by detailed comments on the operations of all of our governmental programs including, as I said, our U.S. embassies, the service and agricultural attachés, the Peace Corps, the military assistance groups and, of course, the U.S. Information Service and the Agency for International Development. Of these, the programs carried out by AID are the most important and I have gone into considerable depth in analyzing the AID program in each country.

I have tried to be, again, as objective as possible in listing both the successes and failures as they appeared to me. Also in this connection, each country report contains a complete breakdown of all American assistance activities to that particular country. This includes not only moneys going to the country through the Agency for International Development, but also the assistance rendered by such means as the Export-Import Bank and Public Law 480. In other words, I have attempted to bring together in one place all of our involvement in each of the developing countries' economy.

Finally, the report contains two appendixes. The first, or appendix A, is a reprint of my 1960 recommendations which I had discussed previously. The second appendix is an analysis of our mammoth Public Law 480 operation in India, and it includes several recommendations as to how the operation might be improved.

In conclusion, I would like to commend this report, "A Study of U.S. Government Operations in South Asia," to all Senators, to the staffs of the Appropriations and Foreign Relations Committees, and, most particularly, to the administrators of our agencies engaged in the area. I believe that our entire Government operations would benefit from many of the thoughts, recommendations, and suggestions expressed herein.

I would also like to commend the report to the American public. South Asia is a frontier of American foreign policy, and it is a frontier that too many of our citizens know too little about. The changes that are taking place throughout the region hold great importance to the course of our foreign policy, and the position we hold in the world today. This importance is likely to grow in the future.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement showing the number of Americans employed in each of those countries and the number of local people employed. This information was extracted from the answers to my questionnaire. In those seven countries we have 2,189 employees.

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

U.S. EMPLOYEES IN SOUTH ASIA, FISCAL YEAR 1968

AFGHANISTAN

	Americans	Locals	Total
Embassy	52	67	119
Defense attachés	18	7	25
USIS	5	18	23
Agriculture attaché			
Military group			
Peace Corps	12	2	14
Peace Corps volunteers	200		
Agency for International Development	265	[1] 344	609
Total, United States and locals	[2] 352	438	790

BURMA

	Americans	Locals	Total
Embassy	39	95	134
Defense attachés	22	5	27
USIS	5	42	47
Agriculture attaché			
Military group	21	25	46
Peace Corps			
Agency for International Development	7	27	34
Total, United States and locals	94	194	288

CEYLON

	Americans	Locals	Total
Embassy	24	57	81
Defense attachés	4	3	7
USIS	4	34	38
Voice of America	1	4	5
Agricultural attaché			
Military group			
Peace Corps	5	1	6
Peace Corps volunteers	59		
Agency for International Development	3	2	5
Total, United States and locals	[2] 41	101	142

INDIA

	Americans	Locals	Total
Embassy	146	490	636
1. Consulates (3)	50	231	281

U.S. EMPLOYEES IN SOUTH ASIA, FISCAL YEAR 1968—Con.

INDIA—Continued

	Americans	Locals	Total
2. Miscellaneous agencies:			
(a) USAF postal and career service	6		6
(b) Library of Congress regional office	3	74	77
(c) Military Airlift Command	2	15	17
(d) Refugee Migration Service	2		2
(e) General Accounting Office	7		7
Defense attaché	27	13	40
USIS	70	630	700
Agriculture attaché	5	9	14
Far Eastern Regional Research Office (ARS)	5	11	16
Military group	10	9	19
Peace Corps	41	13	54
Peace Corps volunteers	950		
Agency for International Development	314	548	862
Total, U.S. and locals [2]	688	2,043	2,731

IRAN

	Americans	Locals	Total
Embassy [3]	82	198	280
1. Special civilian components:			
(a) Regional communications center	27		27
(b) Agriculture (regional pulse improvement project)	5	17	22
(c) Federal Aviation Administration	5		5
(d) Bureau of Public Roads	[4] 7		7
2. Special military missions:			
(a) STRATCOM	68	2	70
(b) GENMISH	24	22	46
(c) Army Gulf District	5	[5] 4	9
(d) Marine guard	16		16
(e) Military liaison	9		9
(f) USA-RU-20	30	15	45
Defense attachés	17	9	26
USIS	23	114	137
Agricultural attachés	2	2	4
Military group	450	265	715
Peace Corps	14	11	25
Peace Corps volunteers	328		
Agency for International Development [6]	25	45	70
Total, United States and locals [2]	809	704	1,503

U.S. EMPLOYEES IN SOUTH ASIA, FISCAL YEAR 1968—Continued

NEPAL

	Americans	Locals	Total
Embassy	34	43	77
Defense attaché	3	2	5
USIS	4	33	37
Agricultural attaché			
Military groups	3	3	6
Peace Corps	15	17	32
Peace Corps volunteers	240		
Agency for International Development	83	[7] 190	273
Total, U.S. and locals [2]	142	288	430

PAKISTAN

	Americans	Locals	Total
Embassy [8]	119	507	626
Defense attachés	20	8	28
USIS	36	297	333
Agricultural attaché	3	2	5
Military group	6		6
Peace Corps			
Agency for International Development	181	495	676
Total, U.S. and locals	365	1,309	1,674

[1] Includes 34 3d country nationals under contract.
[2] Total does not include Peace Corps volunteers.
[3] Includes employees at 4 consulates.
[4] Salaries and expenses paid by GOI.
[5] Includes 2 3d country nationals.
[6] As of Nov. 30, 1967, program to be phased out by June 30, 1968.
[7] Includes 3 3d country nationals under contract.
[8] Includes personnel at 4 consulates.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of my expenses abroad. I usually do that with respect to every report. The local currencies withdrawn for my personal expenses amounted to $350; whereas I was entitled to reimbursement at the rate of $50 per day, under the law.

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

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, U.S. SENATE, BETWEEN NOV. 23 AND DEC. 24, 1967

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Allen J. Ellender:											
Iran, Afghanistan, Pakistan, India, Nepal, Burma, and Ceylon	Deutsche mark					8,076.82	2,018.70			8,076.82	2,018.70
Pakistan	Rupee					45.00	9.35	140.00	20.00	185.00	29.35
India	do					1,335.15	175.68	1,748.00	230.00	3,083.15	405.68
Ceylon	do							591.00	100.00	591.00	100.00
Total											

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	2,553.73

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

Mr. ELLENDER. I yield.

Mr. PASTORE. Mr. President, I wish to take this occasion to salute the distinguished Senator from Louisiana. I marvel at his stamina and his agility in getting around the way he does and in the way he does it. As a matter of fact, he travels by himself, very economically, as he has pointed out. He writes his own reports.

The Senate of the United States and the country as a whole are very fortunate to have his type, his character, and his devotion to duty in this body.

Mr. ELLENDER. I thank the Senator.

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

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, I wish to join in the comments of the distinguished Senator from Rhode Island. Over the years, I have always found the reports of the distinguished Senator from Louisiana worthwhile, full of information one cannot get anywhere else, and representative of down-to-earth reporting, based on personal observations conducted on a very meticulous basis.

I believe the Senator does the Senate and the American people a distinct service, and I hope he continues this custom year after year.

Mr. ELLENDER. I thank the Senator.

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

Mr. ELLENDER. I yield.

Mr. GRUENING. Mr. President I share the view that has been so well expressed by the senior Senator from Rhode Island and the senior Senator from Montana. I believe that the senior Senator from Louisiana has through the years rendered a tremendous service in enlightening the American people, and particularly Congress, to what is going on in the foreign world. It is a service that deserves to be fully recognized for its great value.

Mr. ELLENDER. I thank the Senator.

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

Mr. ELLENDER. I yield.

Mr. JAVITS. Mr. President, I, too, would like to congratulate the Senator from Louisiana. He at least goes and sees, and although one may differ with his conclusions, one cannot say he did not even trouble to find out. I congratulate him on what he does in these wonderful trips.

Mr. ELLENDER. I thank the Senator.

Mr. President, I ask that all the reports that were placed on the desk of each Senator be sent to the office of each Senator.

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

Mr. ELLENDER. I yield.

Mr. BYRD of Virginia. Mr. President, I should like to join my colleagues in commending the distinguished Senator from Louisiana. I note from his report that this is his 13th formal report concerning our Nation's foreign operations.

I note, also, that the Senator from Louisiana devoted more than a month of his time to his foreign observations. He left this country on November 23 and did not return until Christmas Eve, December 24.

I note, also, although I have not had an opportunity to read the report as yet, that it contains 380 pages. My guess is that there is more information concerning this Nation's foreign operations in this report than perhaps has been presented to the Senate in any other report.

In my opinion, the Senate and the American people owe a debt of gratitude to the distinguished senior Senator from Louisiana.

Mr. ELLENDER. I thank the Senator.

ORDER FOR RECOGNITION OF SENATOR MILLER ON MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the junior Senator from Iowa [Mr. MILLER] be recognized to speak for not to exceed 30 minutes on Monday next after the conclusion of the morning hour.

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

THE AUTHORITY TO RECEIVE MESSAGES AND SIGN DULY ENROLLED BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment of the Senate until June 3, 1968, and that the Vice President or the President pro tempore be authorized to sign duly enrolled bills.

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

INAUGURAL ARRANGEMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 73.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The assistant legislative clerk read as follows:

SENATE CONCURRENT RESOLUTION 73

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1969.

The PRESIDING OFFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MANSFIELD. Mr. President, this resolution was reported unanimously by the Committee on Rules and Administration. It meets with the approval of the distinguished minority leader. It seeks to set up the groundwork for the inauguration of the next President of the United States on January 20, 1969.

I urge its approval.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 73) was agreed to.

SUSPENSION OF CAMPAIGN EQUAL TIME REQUIREMENTS

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1138, Senate Joint Resolution 175.

The PRESIDING OFFICER (Mr. SPONG in the chair). The joint resolution will be stated by title.

The BILL CLERK. A joint resolution (S.J. Res. 175) to suspend for the 1968 campaign in equal time requirements of section 315 of the Communications Act of 1934 for nominees for the office of President and Vice President.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum, without losing my right to the floor.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. PASTORE. Mr. President, Senate Joint Resolution 175 is designed to suspend beginning August 31, 1968, for the period of the 1968 presidential and vice presidential campaign with respect to the nominees for the offices of President and Vice President of the United States a part of section 315(a) of the Communications Act of 1934, as amended. That part requires a licensee of a broadcast station who permits any legally qualified candidate for a public office to use a broadcasting station to afford equal opportunities to all other candidates for that office in the use of the broadcasting station. However, the resolution also states that the suspension is not to be construed as relieving broadcasters from the obligation imposed upon them under the Communications Act to operate in the public interest.

Finally, this joint resolution would also provide that the Federal Communications Commission shall make a report to the Congress not later than March 1, 1969, with respect to the provisions of this joint resolution and any recommendations the Commission may have for amendments to the Communications Act of 1934 as the result of experience under the provisions of the legislation.

In all other respects, section 315 continues to apply to the use of broadcast facilities by nominees for the offices of President and Vice President. This means that the prohibition against censorship as presently contained in section 315 would remain intact as it applies to the presidential and vice presidential nominees who appear on any program made available as a result of the suspension provided by this joint resolution. This legislation does not affect that provision.

In addition, the committee desires, as it did in 1960, to make it crystal clear that in recommending this legislation it does not diminish or affect in any way the FCC policy or existing law which holds that a licensee's statutory obligation to serve the public interest is to include the broad encompassing duty of providing a fair cross section of opinion in the station's coverage of public affairs and matters of public controversy. This standard of fairness applies to political broadcasts not coming within the coverage of section 315, such as speeches by spokesmen for candidates as distinguished from candidates themselves. In fact, the committee has endeavored to point this up by inserting the following language in the resolution:

> Nothing in the foregoing shall be construed as relieving broadcasters from the obligation imposed upon them under this act to operate in the public interest.

As to all legally qualified candidates for other offices, section 315 continues to apply in its entirety.

Mr. President, for the purpose of the RECORD, I merely wish to clarify one statement. Before the committee acted on this legislation in legislative session, we invited the presidents of NBC, CBS, and ABC to meet with us. We had quite an informal talk with those gentlemen as to the possibilities of a format and what they might have in mind.

There was a report by one of the wire services which I think left the wrong impression in the minds of many persons, because it stated that we had agreed or that the networks had agreed, that the format would be a three-way debate among the three leading candidates for the office of President. No such agreement was made. It would have been presumptuous on the part of the committee and it would have been presumptuous on the part of the networks to presuppose any kind of format without consultation with the principals who are to participate.

The only agreement we reached and wanted was that the networks would be fair and operate in the public interest, and that they would call in the principal

candidates, talk this matter over, negotiate among themselves, and reach an agreement upon which all could agree, and if there was any difference of viewpoints, the difference would not be used to the embarrassment or detriment of any candidate.

Mr. President, as a matter of fact, this resolution is being proposed at this time to enhance public interest and not to embarrass any candidate.

It was our firm conviction at the time that we should do all this, and that is why we are anxious to do it today, before even the primaries are ultimately resolved, so it cannot be argued that we have any personalities in mind and that this applies to all of them. If they wish to agree to it, they can; and if they do not wish to agree to it, then that is their choice.

All we are doing is opening the door so that these men can walk through and give light to the public on the issues and problems of the day.

This resolution was resisted a little by the Senator from Ohio [Mr. LAUSCHE], who had a personal complaint of his own, which was justified in every respect. I want the RECORD to show that I have discussed this with him and he knows that I am bringing up this resolution in his absence. He has no objection. The matter meets with his approval although if he were here he might vote against it. Outside of the foregoing, the action of the committee was unanimous.

I wish to add that this matter has been discussed with the majority leader and the minority leader and the action we are taking today meets with the approval of both sides.

Mr. SCOTT. Mr. President, as the ranking minority member of the Subcommittee on Communications, I would simply like to say that the statement made by the distinguished senior Senator from Rhode Island fully covers the situation as we found it, and subject to the one concern which he has noted, I believe the action of the committee was unanimous and it was well and thoroughly discussed.

All we are anxious to do is to open the doors to such appearances as the several candidates may find available to them by reason of the action of the television and radio networks and stations.

I think that what will result will be in the public interest and that what will be worked out will be areas of equal time, and perhaps in other areas, of equitable time; but whatever is done now is a matter between the future candidates of political parties and the TV networks and radio stations.

I would add simply for the future that I hope the day will come when we will permanently remove the inhibitions of section 315 that are imposed on broadcasters with respect to major candidates, so that we do not have to consider it over and over again, and so that we can save future incumbents of the Presidency the possible embarrassment of having to make these decisions for themselves with regard to possible future enactment.

I urge adoption of the resolution.

Mr. PASTORE. I merely want to add that it also means free time.

Mr. SCOTT. Indeed, it does. It means free time. That is a matter of great gratification to those who have to find the means to fund activities of political candidates.

Mr. PASTORE. Mr. President, I am happy to yield to the Senator from Indiana.

Mr. HARTKE. Mr. President, I want to congratulate the Senator from Rhode Island for his diligence and leadership in this field, and especially to pay special tribute to the Senator from Pennsylvania [Mr. SCOTT] for his leadership in this field. Both Senators have demonstrated their concern for a better informed public in the field of election campaigns for 1968.

I believe that the time has come when we must make a permanent change in this provision of the law. Section 315, which provides for equal time on the basis only of time without reference to any other element, certainly has demonstrated its ineffectiveness in presidential campaigns of being a proper deterrent to those people who think it is abused.

On the other hand, there is a tendency on the part of radio and television stations today to hide behind section 315. Local stations, in effect, will say that if they provide free time for one candidate, they will have to provide free time for every candidate, that some of the candidates are not of major importance and are therefore not entitled to consideration.

This kind of hiding will be eliminated so far as President and Vice President are concerned.

To me, the law should be not alone modified as we are doing today, to suspend it for this election year, but ultimately the time will come for permanent change which would permit decisions on a fairness doctrine principle, to decide what stations are acting in the public interest.

I would also hope that when that time comes, we will get the opportunity to provide this privilege to other candidates, including Senator, Governor, possibly all the way down to the local level. I would hope that the law, which had been suspended twice within three presidential elections, instead of being suspended each time, would be repealed.

Radio and television stations are responsible and responsive. They are mature organizations. I know that we can trust them to exercise maturity of judgment and responsible action in the public interest; otherwise, we should have more severe regulations other than the one merely pertaining to time.

I urge adoption of the resolution. I think it is worthwhile, and I congratulate the committee on its action.

Mr. PASTORE. I thank the Senator from Indiana very much for his kind comments.

Mr. SCOTT. Mr. President, let me add briefly that I want to thank the Senator from Indiana [Mr. HARTKE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Kansas [Mr. PEARSON], and all who had a hand in this measure. I believe it bears the imprimatur of the entire Committee on Commerce.

I appreciate very much the comments made by the distinguished Senator from Rhode Island.

The PRESIDING OFFICER. The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

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

S.J. RES. 175

Resolved by the Senate and House of Representatives of the United Satets of America in Congress assembled, That that part of section 315(a) of the Communications Act of 1934, as amended, which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for any public office to use a broadcasting station to afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, is suspended beginning August 31, 1968 for the period of the 1968 presidential and vice-presidential campaign with respect to nominees for the offices of President and Vice President of the United States. Nothing in the foregoing shall be construed as relieving broadcasters from the obligation imposed upon them under the Communications Act of 1934 to operate in the public interest.

SEC. 2. The Federal Communications Commission shall prepare and submit a report to the Congress, not later than March 1, 1969, with respect to the effect of the provisions of this joint resolution and any recommendations the Commission may have for amendments to the Communications Act of 1934 as a result of experience under the provisions of this joint resolution.

Mr. PASTORE. Mr. President, let the RECORD show that the joint resolution was passed without a dissenting vote.

Mr. SCOTT. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. BYRD of West Virginia. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. SCOTT. Mr. President, I am pleased that the Senate has today passed legislation which I introduced to suspend temporarily the section 315(a) "equal time" provisions of the Federal Communications Act for the 1968 presidential and vice-presidential campaigns.

Increasingly, the forthcoming presidential contest looms as the most important in our history. This year, a record 120 million Americans will be of age to vote in an election which ultimately will influence the course this Nation takes in efforts to resolve a baffling array of problems ranging from war in Southeast Asia to demands for a better life for our poorer citizens at home. This situation demands, as never before, that the electorate make an intelligent choice based on a full understanding of the problems and the solutions which the presidential candidates propose.

A maximum use of broadcast time can help immeasurably in this process. The bill we have passed today is designed to make this possible. By freeing broadcasters of an "equal time" obligation to minor party candidates who have no real chance to occupy the White House, it will lead to greater broadcast exposure for those candidates from whom the choice of President will finally be made. The views of the minor parties will con-

tinue to be protected under the fairness doctrine and its required "reasonable opportunity for the discussion of controversial issues of public importance."

Legislation, similar to this, made possible the famous Kennedy-Nixon debates of 1960. While the bill we have passed today does not guarantee debates this year, it does make this a possibility, and it also leaves the candidates and broadcasters free to experiment with other program innovations in keeping with the unusually high level of interest which can be expected in this year's campaign.

Mr. MANSFIELD. Mr. President, the Senate has again called upon the expert services of the senior Senator from Rhode Island [Mr. PASTORE] to perform a task of utmost importance. I refer, of course, to his handling of the measure suspending equal time broadcasting provisions of the Communications Act. Both in the Committee on Commerce and just now in this Chamber, he obtained overwhelming approval of this vitally important measure. Indeed, it was largely through his persuasive and articulate capacity that such prompt and efficient action was forthcoming. I commend Senator PASTORE—I also commend the Senator from New Hampshire [Mr. COTTON]—for again leading the way in applying the "rule of reason" to television time used by candidates for office in a presidential election year; and for doing so with wide bipartisan support. Their efforts, the efforts of the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Indiana [Mr. HARTKE], were greatly appreciated by the Senate and by the Nation as well.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 1137, Senate Joint Resolution 106.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The BILL CLERK. Senate Joint Resolution 106, regarding the status of the Trust Territory of the Pacific Islands.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 6, after the word "as" where it appears the second time, strike out "possible, and not later than June 30, 1972," and insert "possible"; on page 3, line 3, after the word "members," insert "at least two of whom shall be members of the Committee on Interior and Insular Affairs,"; at the beginning of line 6, insert "at least two of whom shall be members of the Committee on Interior and Insular Affairs,"; at the beginning of line 13, strike out "shall consult as appropriate with representatives of the people of Micronesia.", and, in lieu thereof, insert "shall, as appropriate, meet and consult with representatives of the people of Micronesia and with the Commission established by Senate Joint Resolution No. 25 (August 5, 1967) of the Congress of Micronesia."; and in line 18, after the word "than" strike out "eight months after funds for the Commission are appropriated and made available to the Commission," and, in lieu thereof, insert "twelve months after its first meeting"; so as to make the joint resolution read:

S.J. RES. 106

Whereas the United States is the administering authority of the Trust Territory of the Pacific Islands, pursuant to the trusteeship agreement between the United States of America and the Security Council of the United Nations; and

Whereas the United States, in the trusteeship agreement, undertook a solemn obligation to "foster the development of such political institutions as are suited to the trust territory" and to "promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its people and the freely expressed wishes of the people concerned;" and

Whereas the United States, in the trusteeship agreement, further undertook a solemn obligation to promote the economic, social, and educational advancement of the inhabitants of the trust territory; and

Whereas the United States is dedicated to the principal of government by consent of the governed; and

Whereas the Congress of Micronesia has petitioned the President to "establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia; and

Whereas the President has proposed to establish a commission in response to such petition and has invited congressional participation; and

Whereas the Congress, by enacting Public Law 90-16, has evidenced its support for an intensive program to promote the political, economic, social, and educational advancement of the trust territory: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that whatever steps may be necessary shall be taken to provide for such a degree of self-government as will permit the people of the trust territory freely to express their wishes as soon as possible on the future status of the trust territory.

SEC. 2. In addition to eight members of the Commission to be appointed by the President, the appointment of eight Members of Congress to serve on the President's Commission on the Status of the Trust Territory is hereby authorized. Four of such members, at least two of whom shall be members of the Committee on Interior and Insular Affairs, shall be appointed by the President of the Senate, and four, at least two of whom shall be members of the Committee on Interior and Insular Affairs, shall be appointed by the Speaker of the House of Representatives. An additional member shall be appointed by the President, and shall serve as Chairman.

SEC. 3. The Commission shall study and assess all factors bearing upon the future of the trust territory and shall, as appropriate, meet and consult with representatives of the people of Micronesia and with the Commission established by Senate Joint Resolution Numbered 25 (August 5, 1967) of the Congress of Micronesia. The Commission shall, no later than twelve months after its first meeting submit recommendations to the President and to the Congress of the United States concerning the best means to obtain the objective set forth in section 1.

SEC. 4. The Commission is authorized to appoint and fix the compensation of such personnel as may be necessary to enable it to carry out its functions. Employees of the executive branch may be detailed to assist in the work of the Commission, with or without reimbursement. Any member of the Commission who may be appointed by the President from among the public shall be compensated $100 per diem for his services when engaged on Commission business, and all members shall be entitled to reimbursement for actual travel and per diem in lieu of subsistence when engaged on Commission business, as authorized by law for persons employed intermittently. The Commission is authorized to procure services as authorized by section 3109 of title 5, United States Code.

SEC. 5. There is authorized to be appropriated out of moneys in the Treasury not otherwise appropriated, such funds as may be necessary for the purpose of carrying out the provisions of this joint resolution, but not to exceed $200,000, to be available until expended.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1153), explaining the purposes of the joint resolution.

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

PURPOSE

The primary purpose of Senate Joint Resolution 106, introduced by Senator Jackson and cosponsored by several other Senators, is to express the sense of Congress that the citizens of the Trust Territory of the Pacific Islands should have an early opportunity to express their wishes on the future status of the territory. The resolution further provides for congressional participation on a Commission to be appointed by the President. Senate Joint Resolution 106 was introduced as a result of a communication from the President of the United States to the President of the Senate dated August 21, 1967. The Congress of Micronesia, by House Joint Resolution 47, adopted in 1966, requested the President to appoint a Status Commission to ascertain the political desires of the people of Micronesia.

BACKGROUND

The islands which form the trust territory lie in three major archipelagoes to the north of the Equator in the western Pacific. The land area totals less than 700 square miles, but it is scattered over almost 3 million square miles of open ocean. About 97 of the more than 2,000 islands are inhabited; they range from low-lying coral atolls to high islands of volcanic origin. The Marianas Islands, which stretch to the north of Guam, and the western Caroline Islands, are typically high islands, although coral atolls, such at Ulithi, do occur. The eastern Caroline Islands are similarly a mixture of high islands and coral atolls. The Marshalls are entirely low coral atolls, usually a loose string of narrow sandy islands surrounding a lagoon.

These islands were governed between World War I and World War II by the Japanese as a League of Nations mandate. Converted into military bases by the Japanese, they were captured by allied forces during World War II and placed under Navy military government. Japanese colonists and military personnel were returned to their homeland after the war and in July 1947 the United States placed their former mandate under the newly established United Nations trusteeship system. In recognition of the defense value of these islands, the provisions of the United Nations Charter relating to strategic areas were brought into play, and the trusteeship agreement was concluded between the United States and the Security Council. Under the trusteeship agreement, the United States has undertaken to promote the educational, social, political, and economic development of the people of the territory.

Administrative responsibility was first

vested by the President in the Navy but was transferred to the Secretary of the Interior on July 1, 1951. In 1952, administrative responsibility for the northern Mariana Islands was reassigned to the Navy, and the duel administration continued until July 1, 1962. On that date the Marianas were returned to Interior supervision, and the headquarters of the trust territory government were moved to Saipan as provisional capital of the territory.

U.S. authority is vested in a High Commissioner, who is presently appointed by the Secretary of the Interior. The High Commissioner's legislative authority was granted to the Congress of Micronesia on the day of its first session in 1965, but the High Commissioner retains veto power over measures passed by the Congress of Micronesia.

Six administrative districts, which roughly conform to geographic and ethnic divisions, have been established and have formed basic elements in American administration of the area.

During the period of July 1, 1951, through the end of fiscal year 1968, a total of $165 million has been appropriated to the Department of the Interior for administration of the area, including capital improvements. (This total is exclusive of funds appropriated to the Navy for the northern Mariana Islands during the years 1953–62.) For fiscal years 1952 through 1962 the annual appropriation ranged from $4,271,000 to a high of $6,304,000 in fiscal year 1962. These funds were within the $7.5 million authorization approved in 1954, and provided minimal basic services to a people who were largely on a subsistence economy.

Enactment of Public Law 87–541 in 1962 increased the Federal appropriation authorization for the trust territory from $7.5 to $15 million for fiscal year 1963 and $17.5 million thereafter. The funds which have been appropriated and expended under this authorization made possible an appreciable start toward bringing the physical facilities and the level of services to a minimum standard acceptable in an American community.

Enactment of Public Law 90–16 in 1967 further increased authorization for the territory from $17.5 to $25 million for fiscal year 1967 and to $35 million for fiscal years 1968 and 1969. Unfortunately, it has not been possible to obtain all of the funds authorized in recent years.

On May 27, 1968, the Committee on Interior and Insular Affairs reported to the Senate S. 3207 which, if enacted, would increase the ceiling authorization for the trust territory from the present level of $35 million for fiscal year 1969 to $120 million for the 3 fiscal years 1970, 1971, and 1972. The favorable consideration of this measure to again increase authorized funds for capital improvements and administrative purposes is further evidence of Congress' deep interest in carrying out the responsibilities assumed by the United States under the trusteeship agreement and recognition that an enormous amount still remains to be accomplished if the United States is to fully discharge its responsibilities in the Pacific.

NEED

Developments have reached a point where the clarification of the status of the trust territory would be in the interest of both the United States and Micronesia. After more than two decades of trusteeship, it has become clear that a more definitive status for the territory is necessary and desirable. Moreover, article 6 of the trusteeship agreement states in part that:

"In discharging its obligations under article 76(b) of the charter the administering authority shall—

1. Foster the development of such political institutions as are suited to the trust territory and shall promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the people concerned; * * *"

To date the United States has not formally sought to elicit the wishes of the people of Micronesia as to the political status they would prefer. However, much has been done and is being done to foster the development of political institutions and self-government in the territory.

In January 1968 three members of this committee, Senator Burdick, chairman of the Territories Subcommittee, and Senators Metcalf and Moss, made an inspection trip to Micronesia. Discussions were held at that time with the special committee of the Congress of Micronesia appointed to study political alternatives open to the territory. In addition, committee members heard many points of view from political leaders throughout the territory on this important issue. In some cases they suggested that the time had already arrived in which the Micronesians should make a decision. In other cases, it was suggested that the people were not sufficiently informed of the alternatives open to them, and that a thorough educational program should be undertaken before a plebiscite is held.

The committee believes that the Commission to be appointed by the President, including congressional representation, is the proper manner in which to study in detail the political alternatives which are realistically available to the Micronesians. The trusteeship agreement makes no provision concerning the procedure for its termination. However, in the past, it has been customary practice to conduct plebiscites in trust areas to ascertain the wishes of the inhabitants. If the people of the trust territory opt for political association with the United States, the form of that association is a matter that will require congressional action.

In order that the executive branch, the legislative branch, and the government of the trust territory may have a better understanding of the meaningful status choices open to Micronesia, it is proposed that the Commission study and critically assess the available political alternatives. Following the submission of Commission recommendations, it is contemplated that a plebiscite will be held. The resolution, as reported, does not specify a date by which such action shall be taken; however, it is intended that it be done as soon as practicable. The committee believes the date for a plebiscite is a matter on which the Commission should make a recommendation, but that the timing of the plebiscite need not necessarily be after the date (June 30, 1972) specified in Senate Joint Resolution 106, as introduced.

ANALYSIS OF THE RESOLUTION, AS AMENDED

The joint resolution begins with a series of seven recitals, the first four of which reflect the basic relationship of the trust territory to the United States and our obligations to the trust territory. The fifth acknowledges the request of the Congress of Micronesia that a Commission be created; the sixth announces the desire of the President to create such a Commission and to invite congressional participation; and the seventh recognizes the recent congressional action in support of an intensive program to promote the political, economic, social, and educational advancement of the trust territory.

Section 1 states that "it is the sense of Congress that whatever steps may be necessary shall be taken to provide for such a degree of self-government" as will permit the Micronesians to participate meaningfully in the foreseen plebiscite. Apart from insuring consistency with the trusteeship agreement, this language means that, on the day they go to the polls to vote on their political future, the Micronesians must know what the consequences of their vote will be. If they vote to associate with the United States, they must know with reasonable certainty the terms of that association.

Section 1, as amended, also provides that this plebiscite, this occasion on which the people of the trust territory will "express their wishes * * * on the future status of the Trust Territory," will be held "as soon as possible".

Section 2, as amended, provides that in addition to eight members of the Commission to be appointed by the President, there shall be eight congressional members, four to be designated by the President of the Senate and four to be designated by the Speaker of the House of Representatives. At least two of the four Members of each House shall be members of the Committee on Interior and Insular Affairs. The section also provides that the President shall appoint an additional member who shall be the chairman.

Section 3, as amended requires the Commission to study and assess all factors bearing upon the future of the trust territory; to meet and consult with representatives of the people of Micronesia and the Commission established by Senate Joint Resolution No. 25 of the Congress of Micronesia; and to submit recommendations to the President and to the Congress of the United States concerning the best means to obtain the objective set forth in section 1. Section 3 requires that the submission must be made within 12 months after the Commission's first meeting.

Section 4 provides for the detail of employees to the Commission, the hiring of technical or expert personnel, and the payment of travel expenses of the Commission members, and per diem in lieu of subsistence.

Section 5 authorizes the appropriation of not to exceed $200,000 to be available until expended, for the purposes of the Commission. This amount should permit necessary travel to, from, and through the trust territory by members of the Commission, travel to and from Washington by public members, assuming that there will be such, and by Micronesian members of the Commission, if any; a small staff for approximately 12 months; and all other necessary expenses of the commission such as communications, printing, and supplies. The committee strongly recommends that the Commission's findings and recommendations be translated, to the extent possible, into the major Micronesian languages, and distributed widely throughout the territory.

COST

Enactment of Senate Joint Resolution 106 will authorize an appropriation of $200,000 for use by the Status Commission.

Mr. MANSFIELD. Mr. President, I move that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc; and, without objection, the joint resolution (S.J. Res. 106) is passed.

The preamble was agreed to.

OKLAHOMA HIGH SCHOOL STUDENT TV STAR

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my remarks, a statement by Mr. Jeff Krumme, president of Teleview Cable, Inc., of Holdenville, Okla., on the local origination capabilities of his CATV channel 7 and an example of the opportunities it offers to communities in the way of local service.

Mr. Jimmy Cofer, a 17-year-old high

school student, is the producer, director, and star of a weekly presentation on Holdenville CATV channel 7, which offers interviews with students and teachers, and which has become a source for the dissemination of school news and events. I think he is to be congratulated on his achievements in this field. This kind of community service offers the high school student a fine opportunity to learn all facets of the television industry and at the same time makes him aware of his community and its problems.

Mr. Krumme's CATV channel 7 brings to the city of Holdenville news and events of local interest that might otherwise not be offered.

Mr. Krumme's operation is an example of how CATV can be used to its fullest capability, and I am proud of the outstanding community service being displayed in the State of Oklahoma.

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

OKLAHOMA HIGH SCHOOL STUDENT TV STAR

A seventeen year old high school senior has his own television show in Holdenville, Oklahoma. Jimmy Cofer produces, directs and performs weekly on Holdenville CATV channel 7, presenting interviews with students and teachers, news of events at the school, guest appearances by high school musical groups, and reading unusually good essays by fellow students. Holdenville is the first place in Oklahoma and neighboring states where a high school student has this opportunity, and Jimmy Cofer is the first student to take advantage of it.

Because of modern television economics, such training can be given high school students only in a small community and through community antenna television (CATV) companies such as the Holdenville Cable Company. Metropolitan communities are served by TV broadcast stations with multi-million dollar annual budgets tied to national network programming, and do not have time available for such activities. CATV can fill the program vacuum for the smaller communities across America. Subscribers have the opportunity to see their friends, neighbors, children and local events on television through the closed circuit television service by CATV.

Jimmy Cofer is a regular star, and has made tremendous personal development as a result of his regular performances on Holdenville channel 7. Other high school students give performances on a special schedule basis. These include not only musical groups, but the complete spectrum of school activities. Football and baseball games are replayed by video tape so that the players can observe and improve their performances as well as experience the fun of seeing themselves on television. Of course, the parents and relatives enjoy seeing the kids on TV playbacks also. Viewers have a large choice of programs by Cable TV service so local programs have to be worthwhile.

The Holdenville Cable Co. never tries to compete with a network program, but offers the local interest programming which the network can't possibly offer. Local church services are carried each Sunday morning and replayed by video tape Monday evening at 6:30. Thus many elderly and infirm persons are able to take part in local worship services and enjoy the inspiration of familiar hymns. A local news show Monday through Friday is given at 6:00 p.m., and late news specials are available through announcements on Holdenville CATV weather channel 3, which operates 24 hours a day. Such news is often reported first by cable television when the local radio station is off the air and the newspaper has gone to press. Election results, fires, and tornado alerts are examples of news given first by Holdenville CATV company. Other local interest programs on channel 7 are Indian Arts and Crafts Presentations, Saturday afternoon "man on the street" interviews, Wednesday and Saturday night western jamborees.

Jimmy Cofer is an unusual young man who seized the opportunity to express his creative abilities in the medium of television. He is on his way to a great future. The same opportunity is available to other high school students through CATV in Holdenville, Oklahoma.

AMENDMENT OF NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965—CONFERENCE REPORT

Mr. PELL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11308) to amend the National Foundation on the Arts and the Humanities Act of 1965. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The bill clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11308) to amend the National Foundation on the Arts and the Humanities Act of 1965, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SECTION 1. Section 3(f) of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

"'(f) The term "workshop" means an activity the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants, or to promote scholarship and teaching among the participants.'

"SEC. 2. (a) Section 5(c) and section 5(f) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows:

"'(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of contracts with, or grants-in-aid to, groups or, in appropriate cases, individuals of exceptional talent engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

"'(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

"'(2) productions, meeting professional standards or standards of authenticity, irrespective of origin, which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

"'(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

"'(4) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

"'(5) other relevant projects, including surveys, research, and planning in the arts.'

"'(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for the purposes of subsection (c) for any fiscal year may be available for grants and contracts in that fiscal year without regard to such limitation.'

"(b) Section 5(j) and section 5(k) of the National Foundation on the Arts and the Humanities Act of 1965 are amended by inserting after the words 'or individual' wherever they appear in such subsections the following: 'of exceptional talent'.

"SEC. 3. Section 5(h)(3) and section 5(h)(5) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows:

"'(3) Funds appropriated to carry out the purpose of this section 5(h) for any fiscal year shall be equally allotted among the States.'

"'(5) All amounts allotted under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c).'

"SEC. 4. Section 6(b) and section 8(f) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows:

"'(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of any application involving $10,000 or less, the Chairman may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairman, and provided that each such action by the Chairman shall be reviewed by the Council.'

"'(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve nor disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of any application involving $10,000 or less, the Chairman may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairman, and provided that each such action by the Chairman shall be reviewed by the Council.'

"SEC. 5. Section 10 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by:

"(a) repealing paragraphs (2) and (3) of subsection (a) and inserting in lieu thereof the following:

"'(2) in the discretion of the Chairman of an Endowment, after receiving the recommendation of the National Council of that Endowment, to receive money and other property donated, bequeathed, or devised to

that Endowment with or without a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act;'

"(b) redesignating paragraphs '(4)', '(5)', '(6)', '(7)', and '(8)' as paragraphs '(3)', '(4)', '(5)', '(6)', and '(7)'.

"(c) amending the text following subsection (a)(8) to read as follows:

"'In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment and each Chairman of an Endowment shall have authority to receive such property. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction, such property shall be deemed to have been donated, bequeathed, or devised to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.'

"SEC. 6. Section 11 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

"(a) amending subsection (a) to read as follows:

"'(a) For the purpose of carrying out section 5(c) and the functions transferred by section 6(a) of this Act, there is hereby authorized to be appropriated to the National Endowment for the Arts $6,000,000 for the fiscal year ending June 30, 1969, and $6,500,000 for the fiscal year ending June 30, 1970; for the purpose of carrying out section 7(c) of this Act there is hereby authorized to be appropriated to the National Endowment for the Humanities $8,000,000 for the fiscal year ending June 30, 1969, and $9,000,000 for the fiscal year ending June 30, 1970. In addition, there is hereby authorized to be appropriated to the National Endowment for the Arts for the purposes of section 5(h) the sum of $2,000,000 for the fiscal year ending June 30, 1969, and $2,500,000 for the fiscal year ending June 30, 1970. Sums appropriated under the authority of this subsection shall remain available until expended. For each subsequent fiscal year such sums may be appropriated as the Congress may hereafter authorize by law to carry out the provisions of this subsection.'

"(b) amending subsection (b) to read as follows:

"'(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that the amount so appropriated for the fiscal year ending June 30, 1969, and the amount so appropriated for the fiscal year ending June 30, 1970, shall not aggregate more than $13,500,000. Amounts appropriated to an Endowment under this subsection shall remain available until expended. For each subsequent fiscal year such sums may be appropriated as the Congress may hereafter authorize by law to carry out the provisions of this subsection.'

"(c) repealing subsection (c).

"(d) redesignating subsections '(d)' and '(e)' as subsections '(c)' and '(d)'.

"SEC. 7. Section 3(a) and section 3(b) of the National Foundation on the Arts and the Humanities Act of 1965 are amended to read as follows:

"'(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classical; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; those aspects of the social sciences which have humanistic content and employ humanistic methods; and the study and application of the humanities to the human environment.

"'(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of such major art forms, and the study and application of the arts to the human environment.'"

And the Senate agree to the same.

CLAIBORNE PELL,
RALPH W. YARBOROUGH,
HARRISON A. WILLIAMS, Jr.,
JACOB K. JAVITS,
GEORGE L. MURPHY,
Managers on the Part of the Senate.

CARL D. PERKINS,
FRANK THOMPSON, Jr.
HUGH L. CAREY,
JAMES SCHEUER,
JOHN BRADEMAS,
WILLIAM H. AYRES,
CHAS. GOODELL,
JOHN M. ASHBROOK,
OGDEN REID,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PELL. Mr. President, this was an uncomplicated conference. The House and Senate had four areas of disagreement.

The House receded from its position on that portion of the Senate bill which changed the definition of "the arts" and "the humanities."

The Senate receded from its position and accepted with an explanatory phrase the House-passed language limiting the authority of the National Endowment for the Arts to make individual grants.

The House and Senate both receded and agreed to a compromise on the authority of the chairman of each endowment to make grants.

The House receded from its position and accepted with qualifying phrases the Senate-passed language on the level of authorization for fiscal years 1969 and 1970.

Mr. President, I believe that this unanimously signed conference report is eminently fair and equitable, and that the Senate can accept it in good conscience. I move the adoption of the conference report.

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

The conference report was agreed to.

MEETING AT WHITE HOUSE WITH JOINT CONGRESSIONAL LEADERSHIP

Mr. MANSFIELD. Mr. President, last evening, the President called in the joint leadership of both Houses to meet with Ambassador Cyrus Vance, Secretary of Defense Clark Clifford, Under Secretary of State Nicholas Katzenbach, and others, to discuss the situation in Paris and in Vietnam.

Ambassador Vance briefed the leadership on developments in Paris. And while I did not find the results encouraging, as of now, neither are they discouraging. In view of the jockeying for propaganda position up to this time, the lack of tangible results is hardly surprising.

Ambassadors Harriman and Vance have been persevering and patient. They are aware and wary of the pitfalls which confront them during the conference. They are determined to persist in their efforts to find reasonable solutions which will bring the war in Vietnam to an honorable conclusion. It is to be hoped that, once the propagandistic preliminaries are out of the way, it will be possible for the representatives of both countries to meet together in private to discuss in detail ways and means of getting the actual negotiations underway.

That will not be an easy process. In this regard, there is a need for those of us in Congress and for the American people as a whole to recognize the importance of flexibility. Our representatives should be able to work with the greatest possible leeway. The stakes are high. The objectives sought call for understanding and patience.

If I judge accurately the reaction of the joint leadership at the meeting last night, it was one of understanding of the position of the President and his agents and of satisfaction with Ambassador Vance's report. The Ambassador was frank in his statements. He answered all questions to the best of his ability in the context of the present situation in Paris.

If I may, I would like to make a plea for continued patience. The road is extremely precarious. The pitfalls will be many during the difficult days ahead. The President and his negotiators need and warrant every confidence, support, and encouragement which can be given to them. I would hope, therefore, that there will be a continuance of the reflection and reserve in the discussion of the issues of Vietnam which have been so marked up to this time. The need for restraint is especially acute because questions may arise in the heat of the

political campaign during the weeks and months ahead.

May I repeat what I have said before: In taking himself out of the campaign for the office of President, President Johnson, in my judgment, has taken the political content out of Vietnam. Let us hope that the rest of us will continue to act to keep Vietnam out of a political context. The negotiation of a peace in Paris takes priority over the negotiation of a political victory in November.

Mr. DIRKSEN. Mr. President, some weeks ago, when Hanoi had agreed to a meeting in Paris, our negotiators were appointed, and the President requested that the majority leader and I come to the White House to sit with him and also with the Secretary of Defense, the Secretary of State, and others, for the purpose of a round-robin discussion of what might lie ahead.

At that time, I remember he gave us full assurances that from time to time he would make it possible for those who represented this country in these very delicate proceedings to come back, if possible, and to give information to the leadership.

It was pursuant to that assurance that Secretary Vance returned from Paris, and the reason for summoning the joint leadership, together with the Under Secretary of State, the Secretary of Defense, General Wheeler, and others, was so that all of us might have the benefit of Secretary Vance's report.

As the majority leader has so well said, the report was neither grim nor gay. We did not expect it to be more than it was, as a matter of fact; and we have the experiences of Korea and Panmunjom long years ago as indications of how slow and sometimes painful and tortuous these negotiations can be.

So it is for us to be patient, because truly the stakes are high. Last night, after Secretary Vance had delivered his report, the President called on everyone who sat around that table in the Cabinet room for any questions or any remarks that he would care to make. It was somewhat reminiscent of the time, years ago, when, during the Eisenhower administration, it appeared that we might have to send a contingent of marines out to the Levantine Coast because of troubles in Syria, Lebanon, and elsewhere. I remember that meeting well. John Foster Dulles was Secretary of State, his brother was Chief of the CIA, and both of them first gave the joint leadership a briefing, which was followed by a statement by the President, who then insisted that everyone who attended that conference give whatever reaction he felt inclined to give.

It was at the time when the late Sam Rayburn was the Speaker of the House of Representatives. I remember, and I think the distinguished Senator from Montana will also remember, that he was the first to be called upon for any comment he had to make with respect to what was then proposed. I having sat in that meeting, an inquiry was addressed to me as well as to everybody else who attended the meeting.

Last night's meeting was somewhat in that context and that frame; everyone had a chance to respond and make whatever uninhibited comment he cared to make.

I am very glad that Secretary Vance came back and that he made this report. I am confident that from time to time, as the negotiation proceeds, there will be other reports, as well; that they will not be obscured; and that we will be able to comment and state to the country that the procedural aspects of the matter have been fairly well disposed of. It is anticipated that the conferees will get down to substantive issues before too long.

Let us, then, be patient, because so much is at stake. Wherever and whenever I can. I shall counsel patience as this very delicate undertaking is carried on.

CONGRESS AT MEMORIAL DAY

Mr. MANSFIELD. Mr. President, with only 2 months remaining in this session of Congress, I shall take this opportunity to assess our progress and itemize that which we must do before adjourning sine die.

For the first time in history, this session of Congress has enacted legislation to provide—

An effective Federal law against discrimination in the sale and rental of housing which will cover 80 percent of all dwellings by 1970;

Criminal penalties for forcible interference with persons seeking to exercise specifically enumerated civil rights;

Federal penalties for persons who traveled in interstate commerce or used the facilities of interstate commerce with intent to incite, organize, encourage, or take part in a riot or assist others to do so and who performed any overt act to incite, organize or further a riot;

A "bill of rights" for Indians prohibiting tribal governments from making or enforcing laws which violate specified constitutional rights;

Federal penalties for persons who teach the use, application or making of a firearm or explosive with the knowledge or intent that the firearms or explosive would be used in a civil disorder which would obstruct commerce;

A "truth-in-lending" bill requiring lenders and retail creditors to disclose the cost of the credit to the consumers as an annual percentage rate, and establishing a Federal limit on the garnishment of wages to satisfy debts;

A prohibition against discrimination on the grounds of race, color, religion, sex, national origin, or economic status in the selection of Federal grand and petit juries;

Compensation for law enforcement officers not employed by the U.S. Government who are killed or injured while apprehending persons suspected of committing Federal crimes;

Two million dollars for the Secretary of Transportation to conduct a 24-month study and investigation of the automobile insurance system;

Reorganization Plan No. 1, creating a new and powerful Bureau of Narcotics and Dangerous Drugs in the Department of Justice so the Atorney General will have full authority and responsibility for enforcing the Federal laws relating to narcotics and dangerous drugs;

For a National Visitor Center in the District of Columbia at the site of the Union Station to serve as a central clearinghouse where visitors to the Nation's Capital can obtain information about our monuments, museums, and government buildings;

For the election of an 11-member nonpartisan School Board in the District of Columbia instead of selection by a Federal court;

For the creation of a National Commission on Fire Prevention and control and providing for a national research and safety program;

Federal support of $32 million for a 3-year period for lunches, to children in public or private nonprofit child-care institutions;

Federal criminal penalties for making certain obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia;

That any agricultural producer cannot be discriminated against because of membership in an association of producers or interference with his right to join; and

For consolidated pretrial proceedings in multidistrict civil suits in Federal courts where a large number of lawsuits involved one or more common questions of fact.

In addition, the Congress has enacted into law—

A $2.6 billion authorization for the Atomic Energy Commission for fiscal 1969;

A bill to strengthen the regulation of the commodity futures markets including livestock and livestock products;

A 5-year extension of the Export-Import Bank of the United States; increased to $13.5 billion the limitation on the amount of loans, guarantees, and insurance permitted to be outstanding at any one time; increased to $3.5 billion the Bank's authority to issue export credit insurance and guaranties; and banned financing exports to Communist nations but allowed the President to waive the ban if he finds a transaction to be in the national interest;

Authority for the U.S. Governor of the Inter-American Development Bank to vote in favor of a $1 billion increase in the Bank's authorized callable capital stock and to agree on behalf of the United States to subscribe to our share of the increase;

An extension of 3 years in the pilot breakfast program in schools in impoverished areas and authorized $6.5 million for fiscal 1969, $10 million for fiscal 1970, and $12 million for fiscal 1971;

A bill to provide increases in railroad retirement benefits to approximately 653,000 retirees;

An authorization of $24.556 million for fiscal 1969 for the saline water conversion program;

Legislation to protect veterans by providing that increased social security benefits would not affect their pensions until 1970 when pensions would be gradually adjusted to take into account the increased social security benefits;

A 2-year extension in the authority to grant an extra 30 days leave and round-

trip transportation to those members of the uniformed services in a hostile fire area who voluntarily extend their periods of service;

Authority to establish the 143,000-acre San Rafael Wilderness in California as a part of the National Wilderness Preservation System;

The removal of the 25-percent gold cover requirement;

A 2-year extension of the Federal Reserve Board's authority to purchase public debt obligations directly from the Treasury up to a limit of $5 billion outstanding at any one time;

The authorization of $9 million through fiscal 1969 for the Public Broadcasting Corporation to further educational television;

Additional Federal control over savings and loan holding companies;

The establishment of the Saugus Iron Works national historic site in Massachusetts as a unit of the national park system;

An increase to $25 million in the annual authorization for the Indian adult education program and on-the-job training;

An additional $28 million for unemployment compensation for Federal employees and ex-servicemen;

An authorization of $18.5 million for fiscal years 1969 and 1970 for the Arms Control and Disarmament Agency, and limited external research to $7 million for these years;

An amendment to the National Traffic and Motor Vehicle Safety Act temporarily exempting limited production motor vehicles—less than 500—from certain safety standards required under the National Traffic and Motor Vehicle Safety Act of 1966;

A raise from $7,500 to $12,500 in the maximum amount of guarantee for a GI home loan and authorized the Veterans' Administration to set interest rates at levels high enough to meet local mortgage conditions;

An increase of $59 million in the authorization for continuing reclamation work on the Missouri River Basin project;

A resolution authorizing the Commodity Credit Corporation to make advances to the emergency credit revolving fund up to $30 million for loans by the Farmers Home Administration to farmers and ranchers where a natural disaster has caused a general need for agricultural credit which cannot be met by local sources;

An authorization of $136 million for the capital requirements of the Coast Guard for fiscal 1969; and

A 4-year extension of the civil defense authorities.

Passed Senate and waiting for conference or final action are—

The Omnibus Crime Control and Safe Streets Act authorizing $100.1 million for the first year of operation and $300 million for the second year for law enforcement block grants to States and cities of 25,000 and over to help cope with crime; granting authority for wiretapping by Federal, State, and local police officers acting under court authority; and prohibiting interstate mail-order sales of handguns and over-the-counter sales to nonresidents of a State and to minors;

Extended the 7-percent excise tax on automobiles and the 10 percent on telephone communications through December 31, 1969; accelerated corporate tax payments; passed a 10-percent surtax; provided for an expenditures reduction of $6 billion and a $10 billion reduction in obligated authority; and terminated as of May 1, 1968 the tax-exempt status of industrial revenue bonds of more than $1 million;

A 3-year extension of the food-for-peace program encouraging greater use of local currency funds for population control and broadening the authority for using foreign currencies for educational activities—House passed a 1-year extension;

A recommendation to the States that absentee registration and voting procedures for Federal, State, and local elections be extended to all U.S. citizens temporarily residing abroad;

Authority to construct the central Arizona project in Arizona and New Mexico;

A bill extending to December 1, 1970, the time by which the Interoceanic Canal Study Commission must complete its study and make recommendations concerning a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans;

Authority to appropriate $19.25 million for fiscal 1969 and $21.5 million for fiscal 1970 for the National Endowments for the Arts and Humanities;

A bill authorizing an appropriation from general revenues to make the total annual income into the land and water conservation fund amount to $200 million for each of fiscal years 1969–71 instead of $100 million under existing authority; and

An appropriation totaling $536,050,300 for fiscal 1969 for the Department of Agriculture and related agencies.

The Senate has passed and sent to the House—

An omnibus Housing and Urban Development Act authorizing $300 million through fiscal 1971 for construction and rehabilitation of rental housing for low-income families; extending the public housing and rent supplement programs through fiscal 1971; establishing a new Government bond insurance system to help finance the acquisition and development of new communities; establishing a new neighborhood development program as part of urban renewal; extending urban planning to cover rural districts; authorizing the creation of federally chartered, privately funded corporations to mobilize private investment and the application of business skills in the job of creating low- and moderate-income housing in large volume; establishing the National Insurance Development Corporation to provide reinsurance to insurance companies for losses paid by them resulting from riots or civil disorders; and establishing a program of national flood insurance as a joint venture between the Federal Government and the private insurance industry;

An authorization increase of $900,000—to $1.9 million—for the construction of an experimental and demonstration plan to develop fish protein concentrate;

A bill to provide for the control of alewife, smelts, and similar fish in the Great Lakes;

A bill increasing the vehicle weight and width which a State may lawfully permit on the Interstate Highway System;

The second addition to the National Wilderness Preservation System designating 36,000 acres of the Angeles National Forest in California as the San Gabriel Wilderness;

An authorization of $21,341,738,000 for fiscal 1969 for the procurement of missiles, aircraft, naval vessels, tracked combat vehicles, and research and development;

A bill to reimburse owners of fishing vessels for any losses incurred through their seizure by foreign governments;

An authorization of $112.8 million for fiscal 1969 for the Peace Corps;

A 3-year extension of the migrant health program through June 30, 1971, authorizing $9 million for fiscal 1969, $15 million for fiscal 1970, and $20 million for fiscal 1971;

A resolution declaring as the sense of the Congress that the President call a White House Conference on Aging in 1970 to make recommendations for further action and research in aging and related fields;

An increase from $225 million to $245 million in the food-stamp program authorization for fiscal 1969;

A bill authorizing the National Gallery of Art to construct a building or buildings on a previously reserved site with all costs to be paid from private trust funds;

Legislation authorizing the Secretary of Transportation to prescribe safety regulations for the transport of natural gas by pipeline; and

A resolution suspending for the 1968 campaign the equal time requirements of section 315 of the Communications Act of 1934 for nominees for the Office of President and Vice President.

The Senate must take action on all but one of the appropriation bills. In addition, a few of the items which claim our attention in the months before adjournment include a military construction authorization; amendments to the Higher Education Act; vocational rehabilitation amendments; Defense production extension; Renegotiation Act extension; Federal Aid Highway Act amendments; foreign aid authorization; extension of the Juvenile Delinquency Act; numerous health bills; extension of our farm programs; wholesome poultry and fish acts; Bank Protection Act; Recreational Boat Safety Act; District of Columbia revenue measure; Child Health Act; Special Drawing Rights Act; reorganization authority extension; and the Water Quality Improvement Act.

The following is a complete summary of Senate legislative activity through May 29:

SENATE LEGISLATIVE ACTIVITY THROUGH MAY 29, 1968—SENATE DEMOCRATIC POLICY COMMITTEE, 90TH CONGRESS SECOND SESSION

Days in session: 91.

Hours in session: 485:32.

Total measures passed: 218.
Treaties ratified: 4.
Confirmations: 20,050.
Public Laws: 71.
Symbols—P/H: Passed House; P/S: Passed Senate.

Following is a brief summary of major Senate activity. Presidential recommendations and bills in accord with the President's program are indicated by (PR).

AGRICULTURE

Commodity Exchange Act: Amended the act to require that commodity futures markets meet specified minimum standards, to increase the penalties for certain violations such as manipulation and embezzlement, to add livestock and livestock products as regulated commodities, and to authorize the issuance of cease-and-desist orders. Public Law 90–258 (PR).

Crude pine gum price support: Provided for production goals and compliance payments for a period of 3 years, 1968 through 1970. S. 2511. Passed Senate, February 7, 1968.

Emergency farm loan funds: Authorized the Commodity Credit Corporation to make advances to the emergency credit revolving fund up to $30 million. The Commodity Credit Corporation will be reimbursed with interest out of a subsequent appropriation. Senate Joint Resolution 168. Public Law 90–____.

Fair trade practices: Made it unlawful to discriminate against any agricultural producer because of membership in an association of producers or interference with his right to join. Public Law 90–288 (PR).

Food for peace: Extended the Food for Peace Act for 3 years; encouraged greater use of local currency funds for population control; and broadened the authority for using foreign currencies for education activities. S. 2986. Passed Senate, April 3, 1968. Passed House, amended, May 14.

Food-stamp program: Increased from $225 million to $245 million the Food Stamp program authorization for fiscal 1969. S. 3068. P/S, May 17 (PR).

Orange juice futures: Amended the Commodity Exchange Act to add frozen concentrated orange juice to the list of commodities subject to regulation under the act. S. 3143. P/S, May 17.

School lunch-pilot breakfast: Expanded the National School Lunch Act to provide Federal support for lunches to children in public or private nonprofit child-care institutions and authorized $32 million a year for fiscal 1969–71; extended for 3 years the pilot breakfast program in schools in impoverished areas and authorized $6.5 million for fiscal 1969, $10 million for fiscal 1970 and $12 million for fiscal 1971. Public Law 90–302 (PR).

ANTICRIME

Omnibus crime control and safe streets: Authorized $100.1 million for the first year and $300 million for the second year for law enforcement block grants to States and cities of 25,000 and over to help cope with crime; granted authority for wiretapping by Federal, State, and local police officers acting under court authority; and prohibited interstate mail-order sales of handguns and over-the-counter sales to nonresidents of a State and to minors. H.R. 5037. P/S, amended, May 23 (PR).

APPROPRIATIONS

FOR 1968

Supplemental, 1968: Appropriated an additional million for unemployment compensation for Federal employees and ex-servicemen. Public Law 90–286 (PR).

Urgent supplemental: Appropriated a total of $1,213,980,863 for various departments and agencies for fiscal 1968. H.R. 15399. In conference (PR).

FOR 1969

Agriculture: Appropriate a total of $536,050,300 for fiscal 1969 for the Department of Agriculture and related agencies. H.R. 16913. In conference (PR).

ATOMIC ENERGY

AEC: Authorized $2,174,550,000 for operating expenses and $443,751,000 for plant and capital equipment making a total of $2,618,301,000 for the Atomic Energy Commission for fiscal 1969. Public Law 90–289 (PR).

CIVIL RIGHTS

Federal jury selection: Provided improved judicial machinery for the selection, without discrimination, of Federal grand and petit juries in order to assure all litigants that potential jurors will be selected at random from a representative cross section of the community and that all qualified citizens will have the opportunity to be considered for jury service. Public Law 90–274 (PR).

Federal Voting Assistance Act amendments: Revised procedures under the Federal Voting Assistance Act to facilitate absentee balloting by members of the Armed Forces and Federal civilian employees on duty away from home. S. 1581. P/S, July 17, 1967; P/H, amended, May 20, 1968.

Protection against interference with rights; fair housing; incitement to riot; and Indian bill of rights: Punished forcible interference with persons seeking to exercise specifically enumerated rights; provided punishment for persons who travel in or use the facilities of interstate commerce with intent to incite, organize, promote, encourage, participate in or carry on a riot; created a "bill of rights" for Indians; prohibited discrimination on account of race, color, religion or national origin in the sale or rental of housing; and added a new civil obedience title relating to firearms or explosives. Public Law 90–284 (PR).

Voting procedures: Recommended to the States that absentee registration and voting procedures for Federal, State, and local elections be extended to all U.S. citizens temporarily residing abroad. S. 2884. P/S, April 8, 1968; P/H, amended, May 20, 1968.

CONGRESS

Code of ethics: Adopted a code of ethics for Senators, officers, and Senate employees—making in excess of $15,000—covering restrictions on outside employment, contributions, political fund activity, and disclosure of financial interests. Senate Resolution 266. Senate agreed to, March 22, 1968.

Joint Economic Committee study: Authorized the Joint Economic Committee to study the distribution of population between urban and rural areas of the United States. Senate Concurrent Resolution 33. P/S, January 24, 1968.

Senate Office Building: Authorized $1,250,000 for the purchase of land as an addition to the site for an extension of the New Senate Office Building. S. 2484. P/S, April 30; House Calendar.

DEFENSE

Civil defense authorities: Extended for 4 years the following three civil defense authorities which would otherwise expire June 30, 1968—50 percent contributions to States and local governments toward the cost of personnel and administrative expenses, donations of radiological instruments to the States, and contributions for the travel and per diem expenses of trainees attending civil defense schools. H.R. 15004. Public Law 90–____ (PR).

Military procurement—defense reserves: Authorized for fiscal 1969, a total of $21,341,738,000 for procurement of aircraft, missiles, naval vessels, tracked combat vessels, for research, development, text, and evaluation; and authorized the personnel strengths for fiscal year 1969 for the Selected Reserve of each of the Reserve components of the Armed Forces. S. 3293. P/S, April 19, 1968 (PR).

Special leave for military: Extended for 2 years the authority to grant an extra 30 days' leave and round-trip transportation to the United States or another place of the member's choosing to those members of the uniformed services who voluntarily extend their service in a hostile fire area. H.R. 15348. Public Law 90–____ (PR).

Stockpile disposals (PR): Beryl, 988 short tons, H.R. 14367, P/S, amended, April 26; magnesium, 55,000 short tons, H.R. 5785, P/S, amended, April 26; platinum, 115,000 troy ounces, H.R. 5789, P/S, amended, April 26.

DISTRICT OF COLUMBIA

Air pollution: Created the District of Columbia Air Pollution Control Board to investigate and control causes of air pollution in the District through standards and regulations. S. 1941. P/S, December 14, 1967; P/H, amended, May 27.

District-owned buildings: Authorized the District to enter into contracts with private concerns for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods up to 3 years. S. 2017.P/S, April 24.

Elected School Board: Provided for the election of an 11-member School Board in the District of Columbia at the time of the presidential election in November. Public Law 90–292 (PR).

Land-Grant College: Amended the Public Education Act to name the Federal City College as the Land-Grant College for the District of Columbia. S. 1999. P/S, December 8, 1967; P/H, amended, May 24.

Liens: Provided that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds. Public Law 90–263.

National Visitor Center: Authorized the Secretary of Interior to enter into an

agreement with the Washington Terminal Co. for the use of the Union Station for a National Visitor Center in the District of Columbia. Public Law 90–264 (PR).

Police-firemen pay bill: Established a minimum base salary for police and firemen of $7,800 retroactive to October 1, 1967, and effective July 1, 1968, increased the base to $8,000. Proportionate increases were provided for all police and firemen. Public Law 90–320 (PR).

Presidential inaugural ceremonies: Broadened the category, under the Presidential Inaugural Ceremonies Act, the number and kinds of employees for whom compensation for travel and related expenses may be allowed during the Inaugural period, to cover sanitarians and municipal employees. Public Law 90–251.

Psychology: Provides for the protection of the public from the unqualified practice of psychology and from unprofessional conduct of persons practicing psychology in the District of Columbia by requiring all persons who offer psychological services to the public for a fee to obtain a license from the District of Columbia government. S. 1864. P/S, April 24.

Reciprocal agreements: Authorized the District of Columbia government to enter into reciprocal agreements with governmental units in Maryland and Virginia to provide police mutual aid when emergencies threaten or occur. S. 2496. P/S, April 8, 1968.

Teachers pay increase: Provided an overall increase of approximately 8.3 percent in the salaries of all professional personnel in the public school system retroactive to October 1, 1967, and a second increase of approximately 10.9 percent effective July 1, 1968. Public Law 90–319 (PR).

Uniform gifts: Amended the District of Columbia Uniform Gifts to Minors Act to provide that monetary gifts to minors in the District may be deposited in savings and loan associations, credit union, and related institutions, as well as in banks. Public Law 90–290.

ECONOMY AND FINANCE

Export-Import Bank Act Amendments of 1968: Extended the life of the Export-Import Bank of the United States for 5 years, to June 30, 1973; increased from $9 to $13.5 billion the limitation on the amount of loans, guarantees, and insurance permitted to be outstanding at any one time; increased from $2 billion to $3.5 billion the Bank's authority to issue export credit insurance and guarantees; and banned financing exports to Communist nations but allowed the President to waive this if he finds a transaction to be in the national interest. Public Law 90–267 (PR).

Gold cover: Removed the requirement that each Federal Reserve Bank maintain reserves in gold certificates not less than 25 percent against its Federal Reserve notes in circulation, and eliminated the $156 million gold reserve for U.S. notes and Treasury notes of 1890. Public Law 90–269 (PR).

Savings and loan holding companies: Provided a comprehensive statutory framework for the registration, examination, and regulation of holding companies controlling one or more savings and loan associations, the accounts of which are insured by an agency of the Federal Government, the Federal Savings and Loan Insurance Corporation. Public Law 90–255 (PR).

Treasury obligations: Extended for 2 years the authority of the Federal Reserve Board to purchase public debt obligations directly from the Treasury up to a limit of $5 billion outstanding at any one time. Public Law 90–300 (PR).

Truth-in-Lending Act of 1968: Required creditors to disclose to consumers the full cost of credit expressed in terms of dollars and cents, and for most forms of credit, as an annual percentage rate. S. 5. Public Law 90 —— (PR).

EDUCATION

Educational TV: Extended through fiscal 1969 the authorization of $9 million for the Corporation of Public Broadcasting. Public Law 90–294 (PR).

Fire Research and Safety Act: Provided for a national fire research and safety program and created a National Commission on Fire Prevention and Control in order that more effective measures may be taken to protect against the hazards of death, injury, and damage to property as a result of fire. Public Law 90–259 (PR).

National Science Foundation Act: Amended the act by authorizing $525 million for fiscal year 1969 for the Foundation and by making reforms in the organization and operation of both the Foundation and its governing body, the National Science Board. H.R. 5404. P/H, April 12, 1967; P/S, amended, May 24, 1968.

FEDERAL EMPLOYEES

ASCS county office employees: Recognized periods of employment service in the county offices of the Agriculture Stabilization and Conservation Service for the purposes of salary adjustment, annual and sick leave, and reduction in force for former county office employees who are appointed to positions as Federal employees in the Department of Agriculture. S. 1028. P/S, June 28, 1967; House Calendar.

GENERAL GOVERNMENT

Arts and humanities: Authorized $19.25 million for fiscal 1969 and $21.5 million for fiscal 1970 for the National Endowments for the Arts and Humanities. H.R. 11308. Conferees agreed, May 28 (PR),

Civil government for Trust Territory of Pacific Islands: Authorized increased appropriations for the Trust Territory of the Pacific Islands for civil works and administrative programs; increased the present authorization of $35 million for fiscal 1969 to $120 million for fiscal years 1970, 1971, and 1972; and authorized up to $10 million for any single disaster, principally typhoons, that strikes the territory. S. 3207. P/S. May 28.

Economic development of Trust Territory of Pacific Islands: Established a Trust Territory of the Pacific Islands economic development loan fund to promote the development of private enterprise and private industry in the trust territory; and would bring the total economic development authorization fund to a $5 million level. S. 3073. P/S, May 28.

Guam Governor's election: Provided for the popular election of the Governor and Lieutenant Governor of the Territory of Guam. S. 449. P/S, May 9, 1967; House Calendar (H.R. 7329) (PR).

National Gallery of Art: Authorized the National Gallery of Art to construct a building or buildings on a previously reserved site with all costs to be paid from private trust funds. S. 3159. P/S, May 14. H.R. 16358. House Calendar (PR).

Public lands: Provided for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission. Public Law 90–276.

U.S. historical documents: Extended for 5 years the authorization to make appropriations for allocations and grants for the collection and publication of documentary sources significant to the history of the United States. S. 2060. P/S, May 3.

Virgin Islands: Provided for the popular election of the Governor of the Virgin Islands. S. 450. P/S, July 18, 1967; House Calendar.

HEALTH AND WELFARE

Migrant Health Act: Extended the migrant health program for 3 years and authorized $9 million for fiscal 1969, $15 million for fiscal 1970, and $20 million for fiscal 1971. S. 2688. P/S, May 6 (PR).

White House Conference on the Aging: Declared as the sense of Congress that the President call a White House Conference on Aging in 1970 to make recommendations for further action and research in aging and related fields. Senate Joint Resolution 117. P/S, May 6.

HOUSING

Housing and Urban Development Act of 1968: Authorized $300 million through fiscal 1971 for construction and rehabilitation of rental housing for low-income families; extended the public housing and rent supplement programs through fiscal 1971; established a new Government bond insurance system to help finance the acquisition and development of new communities; established a new neighborhood development program as part of urban renewal; extended urban planning to cover rural districts; authorized the creation of federally chartered, privately funded corporations to mobilize private investment and the application of business skills in the job of creating low- and moderate-income housing in large volume; established the National Insurance Development Corporation to provide reinsurance to insurance companies for losses paid by them resulting from riots or civil disorders; and established a program of national flood insurance as a joint venture between the Federal Government and the private insurance industry. S. 3497. Passed Senate May 28 (PR).

VA and FHA interest rates: Removed until October 1, 1969, the statutory 6-percent interest rate ceiling requirement and authorized the Secretary of Housing and Urban Development to set the ceiling for FHA mortgages; continued the VA au-

thority to set interest rate ceilings but limited it to the rate set by HUD; and increased the maximum amount of the guarantee on VA-guaranteed home loans from $7,500 to $12,500. Public Law 90–301 (PR).

INDIANS

Adult vocational education: Increased the annual authorization from $15 to $25 million for the Indian adult education program and on-the-job training. Public Law 90–252 (PR).

Apache Tribe of the Mescalero Reservation: Authorized consolidation of judgment funds awarded to portions of the Apache Tribe of the Mescalero Reservation and use of the $8.5 million already recovered. Public Law 90–266.

Cherokee Nation: Authorized the conveyance of 2,668 acres of land in Oklahoma to the Cherokee Nation upon payment by the nation of $3.75 per acre to the Federal Government. Public Law 90–279.

Cheyenne-Arapaho Tribes: Provided for the donation of approximately 116 acres of Federal land to the Cheyenne and Arapaho Tribes of Oklahoma. Public Law 90–310.

Colville-Yakima: Conferred jurisdiction of the Court of Claims to determine the respective rights of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of the Yakima Reservation of the State of Washington in and to a joint judgment fund. Public Law 90–278.

Crow: Granted mineral rights to the Crow Indians on certain lands of the Crow Reservation, Mont. Public Law 90–308.

Crow Creek and Lower Brule Indian Reservation: Amended existing law, which provided for the legislative taking of certain lands of the Crow Creek and Lower Brule Indian Reservations needed for the Big Bend Dam and Reservoir, by extending to September 1, 1969, the time in which an individual Indian who was not willing to accept the amount offered for his property to obtain a judicial determination of just compensation. S. 203. Passed Senate, May 27.

Flathead Reservation, Mont.: Authorized the disposal of certain isolated tracts of land on the reservation presently owned by the Salish and Kootenai Tribes of the Flathead Reservation and authorized the tribes to acquire Indian- or non-Indian-owned lands to be held in trust for tribal use or conveyance to tribal members in trust. S. 2701. Passed Senate, May 27.

Gifts for the benefit of Indians: Permits the Secretary of Interior to accept and use donations of property in furtherance of any program authorized by other provisions of law for the benefit of Indians. H.R. 14672. Public Law 90–——.

Higher education: Removed the prohibition against appropriation of Federal funds for the higher education of Indian children in any sectarian school. Public Law 90–280.

Navaho Indian Reservation: Broadened the provisions of existing law governing the use of revenue from oil and gas leasing on a portion of the Navaho Indian Reservation in Utah. Public Law 90–306.

Navaho-Ute Mountain Tribes: Authorized the Navaho Tribe of the Ute Mountain Tribe to commence litigation to determine the location of a part of the common boundary between their two reservations. Public Law 90–256.

Northern Cheyenne Indian Reservation, Mont.: Provided for a reservation in perpetuity for the benefit of the Northern Cheyenne Indian Tribe of the minerals on or underlying the allotted lands on the Northern Cheyenne Indian Reservation. H.R. 5704. Passed Senate, amended May 27.

Pawnees-Oklahoma: Conveyed certain lands embraced in the Pawnee School and Agency Reserve to the Pawnee Indian Tribe of Oklahoma. H.R. 5910. In conference.

Spokane Indian Reservation: Provided general authority to acquire and hold in trust for the Spokane Indian Tribe land within its reservation, to dispose of tribal land, and to enter into long-term leases of tribal or allotted land, all for the purpose of consolidating landownership patterns within the reservation and making the maximum utilization of the reservation land base. H.R. 3299. Public Law 90——.

Spokane Tribe: Provided legislative authority for the Spokane Tribe of Indians to use the claims judgment of $6,029,831.78 for any purpose that is authorized by the tribal governing body and approved by the Secretary of Interior. H.R. 15271. Public Law 90——.

Tiwa Indians of Texas: Recognized the Tiwa people of the pueblo of Ysleta del Sur in El Paso County, Tex., as a band of American Indians and to transfer to the State of Texas any responsibility the United States may have for them. Public Law 90–287.

Ute Mountain Tribe: Permitted the Ute Mountain Tribe to use its portion ($1,441,002.24) of an Indian Claims Commission judgment in favor of the Confederated Bands of Ute Indians. H.R. 14922. Public Law 90——.

INTERNATIONAL—GENERAL

Arms control: Authorized $18.5 million for fiscal years 1969 and 1970 for the Arms Control and Disarmament Agency, and limited external research to $7 million for these years. Public Law 90–314 (PR).

Claims: Amended the International Claims Settlement Act to provide for an orderly liquidation of the Bulgarian and the Rumanian claims programs. H.R. 9063. In conference.

Inter-American Development Bank: Authorized the U.S. Governor of the Inter-American Development Bank to vote in favor of a $1 billion increase in the Bank's authorized callable capital stock and to agree on behalf of the United States to subscribe to our share of the increase, amounting to $411,760,000. H.R. 15364. Public Law 90—— (PR).

International Union for the Publication of Customs Tariffs: Authorized the appropriation of such sums annually as may be necessary for the payment by the United States of its share of the expenses of the International Union for the Publication of Customs Tariffs and of its Bureau, but not to exceed 6 percent of such annual expenses. S. 1578. Passed Senate, May 1968.

Passport law changes: Provided that a passport shall be valid for 5 years without renewal instead of 3 years with a renewal period of 2 years; provides for a uniform fee of $15; and eliminates the necessity of successive personal appearances by individuals who have already been issued passports. S. 1418. Passed Senate, April 8, 1968.

Peace Corps authorization: Authorized $112,800,000 for the Peace Corps for fiscal 1969. S. 2914. Passed Senate, April 30 (PR).

Warsaw: Recognized the 25th anniversary of the Warsaw ghetto uprising. House Concurrent Resolution 655. Passed House, April 23; Passed Senate April 25.

World weather watch: Expressed the sense of Congress that the United States should participate in and give full support to the world weather program and that the President shall transmit to Congress before March 1 of each year a statement of the proposed participation, activities to be conducted in connection with it, department or agency to carry out these activities, and appropriations needed. Senate Concurrent Resolution 67. Senate adopted, April 1, 1968; Passed House, amended, May 20 (PR).

TREATIES (PR)

Convention on International Exhibitions: Established the Bureau of International Expositions to maintain oversight over the location, timing, cost, purposes, and quality of international expositions in which its members are invited to take part. Executive P, 90th Congress, first session. Resolution of ratification agreed to, April 30, 1968.

Convention on International Hydrographic Organization: Gives treaty status to an existing international organization known as the International Hydrographic Bureau whose purpose is to make navigation easier and safer by improving nautical charts and documents. Executive O, 90th Congress, first session. Resolution of ratification agreed to, May 13.

Organization of American States: Protocol to the Charter of the Organization of American States made substantial revisions in the OAS organs and the powers of certain OAS organs to increase its capacity to function more effectively. Executive L, 90th Congress, first session. Resolution of ratification agreed to, April 10, 1968.

Safety of life at sea amendments: The six amendments are designed to improve the standards of ship safety. Executive C, 90th Congress, second session. Resolution of ratification agreed to, May 13.

JUDICIAL

Abusive and harassing telephone calls: Made it a Federal offense to make certain obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia. Public Law 90–299.

Additional circuit judges: Provided for the appointment of eight additional circuit judges as follows: one for the third, two for the fifth, four for the ninth, and one for the 10th; made permanent the four additional judgeships for the fifth

circuit created by the act of March 18, 1966. S. 2349. Passed Senate, November 17, 1967; House Calendar.

Local law enforcement officers: Provided compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes. Public Law 90–291 (PR).

Multidistrict litigation: Provided formal machinery to transfer, for coordinated or consolidated pretrial procedures, civil actions pending in different judicial districts, that have one or more common questions in fact. Public Law 90–296.

U.S. Court of Military Appeals: Provided that the present Court of Military Appeals be redesignated the U.S. Court of Military Appeals. S. 2634. Passed Senate, November 28, 1967; House Calendar.

LABOR

Railroad retirement: Amended the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide increases in railroad retirement benefits to approximately 653,000 persons in amounts equal to 110 percent of the amounts they would have received had they been social security beneficiaries. Public Law 90–257 (PR).

MEMORIALS AND PARKS

Cradle of Forestry in America: Established the Cradle of Forestry in America in the Pisgah National Forest in North Carolina to promote knowledge about forestry education and forest land management. S. 2837. Passed Senate May 17.

Robert S. Kerr Center: Established the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, to promote learning about nature and forest land management. H.R. 15822. Public Law 90–——.

Saugus Iron Works: Established the Saugus Iron Works National Historic Site in Massachusetts; provided for its administration as a unit of the national park system; and authorized $400,000 for rehabilitation and construction work. Public Law 90–282.

PROCLAMATIONS

Safety Patrol Week: Designated the second week of May of 1968 as National School Safety Patrol Week, and requested the President to issue a proclamation calling upon all people of the United States to observe such week with appropriate ceremonies. Public Law 90–277.

Save Your Breath Month: Authorized the President to proclaim National Jewish Hospital Save Your Breath Month. Public Law 90–281.

Treaty of peace: Authorized the President to issue a proclamation designating the calendar year 1968 as the centennial of the signing of the 1968 treaty of peace between the Navajo Indian Tribe and the United States. Public Law 90–309.

REORGANIZATION

ICC: Permits the Interstate Commerce Commission to refer to individual qualified employees for decision those matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits. The bill specifically provides for a right of appeal from these individual employee decisions to the Commission and the courts. S. 758. Passed Senate, May 14.

Plan No. 1: Transferred the Bureau of Narcotics from the Treasury Department and the Bureau of Drug Abuse Control from HEW and created the Bureau of Narcotics and Dangerous Drugs in the Department of Justice. Effective April 8, 1968 (PR).

Plan No. 2: Transferred urban mass transportation programs to the Department of Transportation and established an Urban Mass Transportation Administration within the Department. Effective May 7, 1968 (PR).

Plan No. 3: Brought recreation programs under the authority of the District of Columbia Commissioner and abolished the present Board and the Office of the Superintendent of Recreation. Effective May 23, 1968 (PR).

Plan No. 4: Strengthened the District of Columbia Commissioner's authority to initiate and guide the administration of urban renewal by authorizing him to appoint the five members of the Redevelopment Land Agency Board and to prescribe the rules and regulations of the Redevelopment Land Agency. Effective May 23, 1968 (PR).

RESOURCE BUILDUP

Alewife control: Authorized $5 million for the control of the alewife, smelts and other fish and aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes. S. 2123. Passed Senate, April 4.

Cape Hatteras: Authorized the necessary appropriations to satisfy civil judgments for acquisition of lands for the Cape Hatteras National Seashore in North Carolina. S. 561. Public Law 90–——.

Central Arizona project: Authorized $768 million for the construction of the central Arizona project in Arizona and New Mexico; and $360 million for five projects in the upper basin. S. 1004. Passed Senate, August 7, 1967; Passed House, amended, May 16 (PR).

Eklutna project, Alaska: Makes nonreimbursable the cost of the work which was necessary to rehabilitate the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the earthquake of March 27, 1964. S. 224. Passed Senate, May 28.

Feasibility investigations: Authorized the Secretary of Interior to engage in feasibility investigations of certain water resource developments in the States of Oklahoma, North Dakota, Arizona, and Oregon. Public Law 90–254.

Fish protein concentrate: Increased the authorization to $1.9 million for the Secretary of Interior to develop, through the use of an experiment and demonstration plant, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate. S. 3030. Passed Senate, April 2 (PR).

Foss Reservoir: Authorized the Secretary of the Interior to conduct feasibility studies of ways and means of alleviating the problems encountered by the Foss Reservoir Master Conservancy District associated with the poor quality and supply of water stored in Foss Reservoir, Washita River Basin, Okla., and afforded relief to the district from the burden under its repayment contract wherein it is obligated to pay for water that is unusable. Public Law 90–311.

Land and water conservation fund: Authorized an appropriation from general revenues to make the total annual income into the fund amount to $200 million for each of fiscal years 1969 to 1971. S. 1401. Passed Senate, April 30; Passed House, amended, May 23 (PR).

Migratory birds: Replaced the Secretary of Commerce with the Secretary of Transportation as a member of the Migratory Bird Conservation Commission. Public Law 90–261.

Missouri River Basin project: Authorized an additional $59 million for fiscal 1969 and 1970 to continue the program of the Bureau of Reclamation for investigation and construction of the comprehensive plan for the Missouri River Basin project. Public Law 90–315 (PR).

Navaho Reservoir, N. Mex.: Granted authority to the Secretary of the Interior to enter into three repayment contracts for water for industrial purposes from the Navaho Reservoir in New Mexico. Public Law 90–272.

Saline water conversion: Authorized $24.556 million for fiscal 1969 for the saline water conversion program. Public Law 90–297 (PR).

San Gabriel Wilderness: Designated 36,000 acres of the Angeles National Forest in California as the San Gabriel Wilderness. Public Law 90–318 (PR).

San Rafael Wilderness: Designated as the first addition to the National Wilderness Preservation System since its establishment in 1964, 143,000 acres of land located in the Los Padres National Forest, Santa Barbara County, Calif., as the San Rafael Wilderness. Public Law 90–271 (PR).

Watershed project contract procedure: Amended the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture, upon request of the local organization, to contract for the construction of works of improvement. S. 2276. Passed Senate, May 20.

TAXATION

Chinese gooseberries: Made fresh gooseberries subject to a tariff rate equivalent to the general tariff level applied to berries rather than the tariff level applied to "other" fruits, which would change the rate from 17.5 percent ad valorem to 0.75 cent per pound. H.R. 2155. Passed Senate, amended, April 11.

Excise: Continued until May 1, 1968, the existing excise tax rates on automobiles and communication services. Public Law 90–285.

Excise-surtax-expenditure reductions: Extended the 7-percent excise tax on automobiles and the 10 percent on telephone communications through December 31, 1969; accelerated corporate tax payments; imposed a 10-percent surtax on individuals effective April 1, 1968, and on corporations effective January 1, 1968; provided for an expenditures reduction of $6 billion and a $10 billion

reduction in obligated authority; and terminated as of May 1, 1968, the tax-exempt status of industrial revenue bonds of more than $1 million. H.R. 15414. Conferees agreed, May 9 (PR).

TRANSPORTATION AND COMMUNICATIONS

Automobile insurance investigation: Authorized $2 million for the Secretary of Transportation, in cooperation with other Federal agencies, to conduct a comprehensive 24-month study and investigation of the automobile insurance system. Public Law 90–313 (PR).

Cargo containers: Prevented the application of discriminatory policies or practices by any Government agency against any carrier by giving preference as between them on the basis of length, height or width of cargo container cells, except when required by military necessity. Public Law 90–268.

Coast Guard: Authorized $136 million for the capital requirements of the Coast Guard for ships, planes, shore facilities, aids to navigation, and bridge construction for fiscal 1969. H.R. 15224. Public Law 90–—— (PR).

Equal time: Suspended for the 1968 campaign the equal time requirements of section 315 of the Communications Act of 1934 for nominees for the Office of President and Vice President. Senate Joint Resolution 175. Passed Senate, May 29.

Fishing vessel seizure: Authorized reimbursement to the owners of fishing vessels for losses incurred through their seizure by foreign governments. S. 2269. Passed Senate, April 3.

Freight charge refunds: Empowered the Federal Maritime Commission to authorize common carriers by water in foreign commerce to make voluntary refunds to shippers and to waive the collection of a portion of freight charges where it appears that there is an error in a tariff of a clerical nature, or where, through inadvertence, there has been a failure to file a tariff reflecting an intended rate. Public Law 90–298.

Interoceanic Canal Study Commission: Extended to December 1, 1970, the time by which the Commission must complete its study and make recommendations concerning a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans. H.R. 15190. In conference (PR).

Loan insurance: Removed the 6-percent statutory interest ceiling on loans and mortgages insured under title XI of the Merchant Marine Act, and authorized the Secretary of Commerce to approve such interest rates as he determines to be reasonable. S. 3017. Passed Senate, May 27.

Masters' liens for wages: Granted to the master of a vessel documented, registered, enrolled, or licensed under the laws of the United States the same lien for his wages against such vessel, and the same priority therefor, as any other seaman serving on such vessel. Public Law 90–293.

National Traffic and Safety Act: Amended the National Traffic and Motor Vehicle Safety Act of 1966 to temporarily exempt limited production motor vehicles—less than 500—from any motor vehicle safety standard if compliance would cause the manufacturer substantial economic hardship and would not result in undue hazard to the public. Public Law 90–283.

Ocean cruises: Permitted any U.S.-flag passenger ship receiving operating subsidy payments to engage in cruise trade off its assigned trade route for up to 8 months of the year if the Secretary of Commerce finds that such off-route cruising will not prevent adequate service on the vessel's assigned trade route nor substantially adversely affect an existing U.S.-flag operator's services. H.R. 12639. In conference.

Passenger vessels: Postponed for 2 years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards. S. 3102. Passed Senate, April 10.

Pipeline safety: Authorized the Secretary of Transportation to prescribe safety regulations for the transport of natural gas by pipeline. S. 1166. Passed Senate, November 9, 1967; House Calendar (PR).

Vehicle weights and dimensions: Amended the Federal-Aid Highway Act to increase the vehicle weight and width which a State may lawfully permit on the Interstate Highway System. S. 2658. Passed Senate, April 4.

Water carrier financing: Made equipment trust certificate financing available to the water carrier industry by extending the same recordation and limited bankruptcy benefits now available to the railroads and the airlines. S. 913. Passed Senate, April 25.

VETERANS

Pensions' Protection Act: Provided that increased social security benefits would not affect veterans' pensions until 1970, when pensions would be gradually adjusted to take into account the increased social security benefits. Public Law 90–275 (PR).

TRIBUTE TO SENATOR HRUSKA

Mr. DIRKSEN. Mr. President, recently when the safe streets, crime control, and gun control bill was before the Senate, and after we had completed action upon it, I completely overlooked making what I feel is a richly deserved tribute to the very distinguished Senator from Nebraska, Mr. ROMAN HRUSKA.

He is a member of the Committee on the Judiciary. He is also a member of the subcommittee of which the distinguished Seantor from Arkansas [Mr. MCCLELLAN] is the chairman. I cannot state how many weeks, months, yes, even years that Senator HRUSKA has devoted to these questions of gun control and crime control. He certainly deserves the thanks and gratitude of the American people for the diligence and devotion that he displayed in working toward the ultimate enactment of what I regard as a truly great piece of legislation. So I salute him for the part he played therein.

LEGISLATIVE PROGRAM—AUTHORITY TO REAPPOINT CHAIRMAN OF JOINT CHIEFS OF STAFF

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is anticipated that when we return on Monday next, we will take up Calendar No. 1115, House Joint Resolution 1224, to authorize the reappointment of the Chairman of the Joint Chiefs of Staff. I ask unanimous consent that at this time the bill be laid before the Senate and made the pending business.

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

The BILL CLERK. A joint resolution (H.J. Res. 1224) to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1968.

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

There being no objection, the Senate proceeded to consider the joint resolution.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, that will be followed, though not necessarily in this order, by the following measures:

Calendar No. 1104, H.R. 15189, to authorize maritime appropriations.

Calendar No. 1001, S. 1316, to amend the Bankruptcy Act and civil service retirement laws.

Calendar No. 1082, S. 3218, concerning Eximbank loans.

Calendar No. 1119, H.R. 15856, the NASA authorization. That will very likely come up on Wednesday.

Then, I understand that early next week, the appropriate committees will report out certain measures which will very likely be called up during the week, such as the special drawing rights measure from the Committee on Foreign Relations and the legislation having to do with recapturing and relicensing and the deceptive sales measure, both to be reported by the Committee on Commerce.

That is the extent of the legislative program for the time being. I think the Senate should be advised that there may well be rollcall votes on Monday next, and should plan to be present accordingly.

BILL ORDERED TO LIE ON THE TABLE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 1055, S. 438, to provide additional assistance for areas suffering a major disaster, be ordered to lie on the table.

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

CONTRADICTORY POSITION OF UNITED STATES IN THE UNITED NATIONS ON RHODESIA AND VIETNAM

Mr. BYRD of Virginia. Mr. President, former Secretary of State Dean Acheson was blunt but accurate, I think, in his speech Friday before the American Bar Association.

He accused Great Britain and the United States of conspiring to overthrow the Government of Rhodesia.

The former Secretary of State under President Truman assailed the United Nations Security Council's demand for economic sanctions against Rhodesia,

saying that Government "has done us no harm and threatened no one."

Noting that the U.S. representative to the United Nations took the leadership in seeking economic sanctions against the government of Ian Smith, Mr. Acheson called this action "barefaced aggression, unprovoked and unjustified by a single legal or moral principle."

Mr. Acheson added that "the United States is engaged in a national conspiracy, instigated by Britain, and blessed by the United Nations" to overthrow the Rhodesian Government.

Mr. Acheson did not defend Rhodesia's decision to progressively extend the voting franchise to Africans but to stop short of majority rule. He said such a decision "was not everyone's cup of tea but neither was it anyone's business. It is a matter relating solely to the internal affairs of Rhodesia—in which the United Nations was forbidden by its charter to meddle—and to the political relation between Rhodesia and Britain."

The former Secretary of State indirectly extended his arguments to Vietnam by suggesting that the United States is in a contradictory position.

Mr. Acheson, I feel, is so right.

For 18 months, the Senator from Virginia has been pointing out the absurd position in which the United States finds itself.

On the one hand our representatives to the United Nations have demanded and obtained economic sanctions against Rhodesia—a nation at peace—and yet has done nothing about seeking economic sanctions against North Vietnam, a nation at war and a nation at whose hands the United States has suffered 168,387 casualties.

Not only are we in the foolish and absurd position of demanding sanctions against a nation at peace while doing nothing about seeking to shut off supplies going to a nation with which we are at war, but, as Mr. Acheson points out, there is no legal or moral justification for our unprovoked attack on Rhodesia.

The controversy is one between Rhodesia and Great Britain.

Rhodesia is seeking its independence from Great Britain just as the American people did in 1776.

The Senator from Virginia does not pass judgment on whether Rhodesia should be independent or whether she should continue her relationship with Great Britain.

But I submit, as did Mr. Acheson, that that is a matter to be decided between the two countries involved, Great Britain and Rhodesia. The American Government has no business interfering in this matter one way or the other.

My feelings about the United Nations has been recorded many times: As a naval officer having returned from Okinawa to San Francisco at the time the United Nations was formed in 1945, the formation of that organization held for me high hopes that another generation of Americans would not be called upon to offer their lives for their country in time of war.

But let us consider the attitude of the United Nations toward American involvement in Vietnam.

The Senator from Virginia put this question to our then Ambassador to the United Nations, Arthur Goldberg: "Does the United Nations consider North Vietnam an aggressor nation?"

He replied that the United Nations "has taken no formal position on the Vietnamese war."

My next question to Ambassador Goldberg: "Has the delegation of the United States to the United Nations officially sought United Nations military help in Vietnam?"

Ambassador Goldberg replied thusly: "Because of the sharply divided opinions of United Nations members, it is not realistic to seek a United Nations military role."

So the U.S. Government, while committing 500,000 troops to Vietnam, and while paying 31 percent of the cost of the United Nations, has not persisted in efforts to brand North Vietnam an aggressor nation, saying "it is not realistic to seek military help from the United Nations."

Our representatives do not even ask for United Nations help. They do not take to the floor of the U.N. Assembly or stand in the councils of the United Nations Security Council and officially demand that this world organization, which was designed to keep the peace, give some help to the United States.

The next question the Senator from Virginia asked Ambassador Goldberg was this: "Has the United States delegation advocated economic sanctions against North Vietnam?"

His answer amounted to, no.

The U.S. representative to the United Nations has, however, demanded economic sanctions against Rhodesia.

Our Government has not sought sanctions against North Vietnam through whose ports flow many of the war materials killing Americans in South Vietnam. No, we have not done that.

But our representative in the United Nations has demanded sanctions against the peaceful little country of Rhodesia. The Socialist Government of Great Britain cracked the whip, and the representative of the U.S. Government at the United Nations jumped to his feet and demanded that sanctions be applied against Rhodesia, whose only crime is that she is seeking independence from Great Britain, the same offense—if that's how we choose to regard it—that the United States itself committed in 1776.

In discussing this, Ambassador Goldberg said: "The United Kingdom, which has primary responsibility for this problem, has turned to the United Nations for assistance."

I ask this question, Mr. President: "Why does not the United States seek United Nations assistance in Vietnam?"

Because, Mr. Goldberg says, of "sharply divided opinions of United Nations members" concerning Vietnam.

So, because of "sharply divided opinions of United Nations members," our representative remains officially silent about economic sanctions against North Vietnam, yet speaks out for economic sanctions against a country that is threatening no other nation.

Is it logical to demand sanctions against a country at peace while being unwilling to demand the same sanctions against a country at whose hands the American people have suffered 168,000 casualties and the very lives of our sons are involved?

While a worldwide embargo has been put on the flow of oil to Rhodesia, the oil for war continues to flow freely to North Vietnam.

Perhaps this makes sense, but the Senator from Virginia finds it difficult to reach that conclusion.

Another question I put to Ambassador Goldberg was this: "Does the U.S. delegation to the United Nations think the United Nations should adopt sanctions against North Vietnam?"

Ambassador Goldberg said: "We would naturally welcome such a decision, but as a practical matter we know that this cannot be done."

I say, Mr. President, that whether or not this objective can be accomplished, our representative has an obligation to strive constantly for it.

But why does he not demand a rollcall vote? Let us see where Great Britain stands. Let us see if Great Britain is willing to vote sanctions against North Vietnam after demanding that we vote sanctions against Rhodesia. Ships flying the British flag carried on a brisk trade with North Vietnam during 1966 and 1967, and it continues during 1968. In fact, 36 ships flying the flag of Great Britain carried cargo to North Vietnam during January through April of this year.

Why should not the other U.N. members be called on to cast a vote of "yea" or "nay" on a proposal to adopt sanctions against North Vietnam?

On Tuesday, October 10, 1967, I introduced in the Senate an amendment to the State Department Appropriation Act. The amendment reads as follows:

> It is the sense of the Congress that the United States Government through its representatives in the United Nations, having advocated economic sanctions against Rhodesia, should initiate and support in the United Nations economic sanctions against North Viet Nam at whose hands the United States has suffered 55,888 casualties during the first nine months of 1967.

The Senate approved that amendment by a vote of 74 to 15. It was supported by both the majority leader and the minority leader of the Senate. The Senate took that action nearly 8 months ago; yet no action has been taken by either the President or the American representative to the United Nations.

In the meantime, supplies continue to pour into North Vietnam, and U.S. casualties in Vietnam continue to increase. During the past 2 weeks the United States suffered more casualties than during any other 2-week period in the history of the entire Vietnamese war. So I sometimes wonder whether our troops in Vietnam have become the forgotten men.

THE NEED TO REDUCE FEDERAL SPENDING

Mr. BYRD of Virginia. Mr. President, in the last several weeks there has been a refreshing air of candor from the administration in regard to the need to reduce Federal spending.

Two months ago Under Secretary of the Treasury, Mr. Joseph W. Barr, told the Senate Foreign Relations Committee that this country cannot continue indefinitely fighting a costly war in Vietnam and simultaneously expanding domestic spending.

More recently Arthur M. Okun, Chairman of the President's Council of Economic Advisers, asserted that the Federal Government was the major cause of recent inflation because it was pouring so much money into the economy. He said this spending policy was inappropriate to the economic conditions that exist.

Now we hear from Treasury Secretary Henry Fowler. Speaking before a bankers' meeting in Puerto Rico, Mr. Fowler is reported to have said that the $2 billion difference between the spending cuts which President Johnson has agreed to and the $6 billion reductions which the Congress has demanded "must not be allowed to stand between the Nation and the early reestablishment of a responsible fiscal policy."

What Mr. Fowler is saying, as I read his statement, is that all the scare stories about what would happen should the $6-billion reductions be made are exaggerated and are only delaying the day when we can begin to put our fiscal house back in order.

At this point I want to mention a telegram I received from a representative of one of our national publishing houses who objects to the $6-billion cut because he claims it would lead to the "virtual destruction of our Federal education and library programs."

This is typical of some of the scare stories making the rounds these days. I say it is pure bunk.

There are dozens of programs which can be cut and should be cut and have been cut without impairing Federal assistance to libraries.

This session I have voted to cut nearly $1 billion out of Defense Department appropriations and I supported today reductions of $1.3 billion in agriculture appropriations. These are only two examples of what can be done to bring Federal spending under control.

Narrow business interests must not be allowed to obscure the larger interest involved here, and that is the economic stability of this country. This $6-billion reduction is the minimum necessary to prevent run-away inflation and the possible collapse of the American dollar in world money markets.

Most businessmen with whom I have had contact stand to suffer some losses as a result of these reductions. Despite this, they have recognized the need for these reductions, and they have favored the action taken by the Senate and the House, and the action which I understand the House took today in refusing to go along with a $4 billion reduction, but demanding a $6 billion reduction.

I believe all of us must put the best interests of this country ahead of our own personal desires.

I would like to commend Secretary Fowler whom I regard as one of the finest men ever to have held the difficult job as Secretary of the Treasury, for his forthright and courageous statement.

His statement is especially noteworthy coming as it does in opposition to the public position on this question taken by the White House.

At this point in my remarks, I ask unanimous consent to have printed in the RECORD an editorial published in the Washington Daily News of May 28, 1968, commending Secretary Fowler for saying what needed to be said.

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

[From the Washington Daily News, May 28, 1698]

FOWLER'S VALEDICTION?

Treasury Secretary Henry Fowler talked about resigning "before much longer" when he said it. But at least he said it.

He said—to a bankers' meeting in Puerto Rico—that the $2 billion difference between the $4 billion spending cuts President Johnson reluctantly has agreed to and the $6 billion spending rollback written into the pending tax increase bill "must not be allowed to stand between the nation and the early re-establishment of a responsible fiscal policy."

In other words, Mr. Johnson's top fiscal officer would stop squawking about the horrors the Administration imagines in a $6 billion spending cut, accept it, get the tax increase on the books and get on with the show. Which is what should be done—as even such liberal economists as Dr. Walter W. Heller have advocated.

It's a rare thing for the Administration's top fiscal officer to depart openly and strongly from the Presidential position on a major money matter. Maybe it could only happen in the closing days of an Administration, and with the Cabinet officer ready to resign.

But, even in such circumstances, Secretary Fowler deserves commendation for saying what needed to be said.

EXPANDED EFFORT TO INCREASE THE ACCURACY AND EXTEND THE TIME RANGE OF WEATHER PREDICTIONS

Mr. TYDINGS. Mr. President, I ask that the Chair lay before the Senate a message from the House on Senate Concurrent Resolution 67.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution from the Senate (S. Con. Res. 67) requesting the President to take action to insure the United States will derive maximum benefits from an expanded and intensified effort to increase the accuracy and extend the time range of weather predictions which was, on page 4, line 10, strike out "and seek appropriations therefor."

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

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

The motion was agreed to.

EXPLANATION OF VOTE ON HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Mr. STENNIS. Mr. President, I voted against the housing bill yesterday. I regret very much that I had to do so because the bill included many worthwhile programs which I have strongly supported in the past.

The FHA insurance program, the college housing program, and FNMA have proved to be sound, solid programs which help the people to help themselves and repay their cost to the Federal Government. They can stand alone on their own merit, but when programs such as these are lumped together with riot insurance and unlimited subsidies to almost half the families in the country, then the bad features of the bill so outweigh the good that I am compelled to vote against it.

Title I of the bill, the new mortgage subsidy program, is not a housing measure at all but a major step toward setting up a Federal guaranteed minimum income scheme on a piecemeal basis. This is not only highly objectionable in principle but is particularly unwise at this time. Federal spending is soaring, inflation is steadily eating away at personal income, and the people are being asked to take on a bigger tax burden. Considering the heavy load the hard-working, taxpaying citizens of this country are already carrying, it is just plain unreasonable and unfair to require them to pay a still larger bill for those who do not pay their own way.

Title I authorizes the appropriation of $300 million for the first 3 years of a program to subsidize mortgage payments on private homes. This $300 million sounds like a small sum as Federal spending goes, but this is just the tip of a huge iceberg. This $300 million is just the initial cost, the first payment on mortgages which the Federal Government will be paying for a period of 35 years. Even if the program is held to its present size and not increased or expanded in the future, the Federal Government will be obligated to pay $10.5 billion on the mortgages assumed by this first payment of $300 million.

The average monthly Federal subsidy is estimated to range from $17.63 to $76.20, depending on the size of the buyer's family, his income, and the amount of the mortgage. These are relatively small sums when considered on a monthly basis, but they rapidly mount up when calculated for the total life of a 35-year mortgage. For example, on a $15,000 mortgage of a home buyer having an income of $3,600 after deducting $300 for each child, the Federal Government would pay a monthly subsidy of only $57.15. Over a period of 35 years, however, the Federal Government would pay a total subsidy of $23,998.

It is estimated that 46 percent of the families in the Nation will be eligible for a Federal subsidy under this program. They are not all families that are ordinarily considered poor; families with incomes in excess of $7,800 after allowing $300 for each child will be eligible. The kind of houses that will be eligible, are not all modest dwellings but may range up to $20,000 homes.

I just do not believe the American people are willing to undertake such a gigantic welfare program, nor do I think it wise. It is another serious blow to individual initiative and responsibility. It penalizes the productive members of society and destroys their incentive to work and produce, earn and save, to create the wealth out of which these subsidies are to be paid. It is getting closer to the point when it will be to their advantage also to abandon the effort and join the ranks of the nonproductive.

ATTEMPTED TAKEOVER OF COMMERCIAL CREDIT CORPORATION BY LOEW'S OF NEW YORK REQUIRES FULL-SCALE CONGRESSIONAL AND SEC INVESTIGATION

Mr. TYDINGS. Mr. President, I want to bring to the attention of the Senate a situation which I believe to be potentially dangerous to the entire American economy because of precedents it is setting in violating the spirit of our laws.

I refer to the attempted takeover of 56-year-old Commercial Credit Corp. of Baltimore, the Nation's second largest independent finance company, by Loew's Theaters, Inc., of New York, a hotel, motel, and motion picture chain with one-twelfth its assets. This proposed financial coup may be completed next week if Loew's plans continue unchecked.

Briefly, what has happened to date is that Loew's surreptitiously acquired more than 1 million shares of Commercial Credit, which with more than $3 billion in assets is the largest company headquartered in the State of Maryland. Then 4 weeks ago Laurence Tisch, the chairman of Loew's, informed CCC's top management that Loew's intended to make an exchange offer for all of the remaining shares of CCC. Meanwhile trading activity in Commercial Credit stock stepped up to a fever pitch.

Reports have been received that Loew's proposed tender offer to Commercial Credit stockholders was disclosed several days before the public announcement on April 25 to large investors, including mutual funds, and to certain brokerage houses. It was reported that the disclosure to these investors pointed out that a purchase of Commercial Credit stock would give a call on Loew's stock through the proposed exchange of Loew's convertible debentures for Commercial Credit stock. The recommendation of this manner of getting into Loew's was pursued even prior to the filing of a registration statement with the SEC on May 1—registration statement which has not yet become effective. Clearly, those reports warrant an investigation for possible violations of the Securities Act of 1933.

The increase in the volume of trading on the New York Stock Exchange, which began about April 10, lends support to these reports. The volume reached very substantial proportions late in the afternoon of April 25, the day on which the proposed tender offer was made public, and has continued since. Commercial Credit was the most actively traded stock for some 9 trading days after April 25 and the aggregate shares traded during that period was equivalent to about one-third of Commercial Credit's outstanding stock. Commercial Credit closed on April 5 at $33, and on April 24, the day before the announcement, at $37⅞. At the close of business on April 25, it had risen to $40, and by May 10 it had risen to $47⅛.

If, as has been reported, mutual funds acted on advance information to buy up large blocks of Commercial Credit stock, they, too, will have used their financial strength to assist in the takeover.

I understand the SEC is looking into this matter. These reports, however, warrant a full investigation by the SEC and by the Congress with use of subpena powers to determine whether there have been any violations of any of the securities laws including the Investment Company Act. I have already asked the appropriate Senate and House committee to begin an immediate investigation of this matter to determine what new legislation might be required to protect innocent companies and shareholders from unscrupulous outside attack.

Mr. President, I have today addressed a letter to the Honorable Manuel F. Cohen, Chairman of the Securities and Exchange Commission, requesting a full-scale investigation of this matter with subpenaed witnesses.

I have also discussed this matter with members of the House Commerce Committee, which is now considering SEC legislation, and they are very interested in pursuing this matter.

I ask unanimous consent that several recent newspaper articles describing this matter be inserted in the RECORD.

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

[From the Baltimore Sun]

LOEW'S OFFER PLANNED FOR CREDIT FIRM—COMMERCIAL CREDIT'S OFFICERS SURPRISED BY PROPOSAL

(By Jesse Glasgow)

Loew's Theatres, Inc., notified Commercial Credit Company's management late yesterday that it plans to make an exchange offer to shareholders of the Baltimore-based firm.

Commercial Credit's officers, admittedly caught by surprise, said they had no immediate comment on the apparent takeover move.

Laurence Tisch, Loew's chairman and president, said his firm expects to offer $45 principal amount of 25-year convertible subordinated debentures in exchange for each share of Commercial Credit common stock.

Commercial Credit, traded heavily in yesterday's action on the New York Stock Exchange, closed at 40, up 2⅛ for the day, and a new high for the year. Previously, the stock had traded in 1968 within a range of 31½ to 37½.

Loew's Mr. Tisch said his firm would act shortly to file the necessary registration statement covering the issuance of debentures with the Securities and Exchange Commission.

TISCH CALLED HERE

His company, which has hotel and motel investments as well as its theater interests, now holds about 1,000,000 of the approximately 10,500,000 shares of Commercial Credit common stock now outstanding.

Mr. Tisch called Commercial Credit's new president, Donald S. Jones, late yesterday afternoon to read a statement which Loew's later released to the press.

Michael Sheehan, a Commercial Credit vice president, said the diversified Baltimore-based company could not comment on the proposed offer until it had more information.

"The first time we heard about Loew's plans was this afternoon when Mr. Tisch . . . called . . . and read us a release saying Loew's was planning to acquire us," Mr. Sheehan said.

[From the Wall Street Journal, May 2, 1968]

FINANCE CONCERN SPURNS ACQUISITION BID FOR LOEW'S—COMMERCIAL CREDIT DIRECTORS SAY THE DEBENTURE OFFER WOULD AID LOEW'S HOLDERS—SWAP VALUED AT $430 MILLION

Commercial Credit Corp. directors at a board meeting yesterday in Baltimore rejected the offer of Loew's Theatres Inc. to acquire the sales finance company. Commercial Credit also reported a drop in first quarter profit.

The rejection of the Loew's offer followed yesterday morning's announcement by Loew's in New York that it will offer a debenture issue that will be convertible into one Loew's common share for each two common shares of Commercial Credit, under a previously announced tender plan.

Because it filed a registration statement, Loew's said it isn't in a position to comment on Commercial Credit's rejection of the exchange offer.

Donald S. Jones, president of Commercial Credit, said the board, "could only view the exchange offer as one designed to benefit Loew's stockholders at the expense of Commercial Credit Stockholders."

He said that in essence, the proposal would change the status of Commercial Credit stockholders into subordinated creditors of Loew's.

Mr. Jones urged stockholders not to react too quickly to recent unusual trading activity in the stocks of the two companies and cautioned them not to be stampeded into either selling their Commercial Credit stock or accepting the Loew's offer. He stressed that the Loew's offer wasn't definitive and was subject to revision.

The board listed six reasons for rejecting the Loew's offer:

The small size of Loew's relative to Commercial Credit.

The incompatibility of Commercial Credit's business with hotels, motels, and motion picture theaters, Loew's principal business.

The exchange of Commercial Credit common stock for debentures that would be subordinated to the present and future debt of Loew's.

The wide swings that have occurred in the market price of Loew's stock, which they said makes the convertible feature of the debenture speculative.

The fact that market trading operations accounted for a substantial portion of Loew's increase in earnings last year.

Loew's dividend record. The first time in Loew's history that a dividend was paid was in November 1967, and that amounted to 10 cents a share.

Loew's already owns 1,000,700 of the 10,538,029 Commercial Credit shares outstanding. It is seeking to acquire the remaining 9,537,329 publicly held shares.

Those 9,537,329 Commercial Credit shares, if acquired by Loew's, would be convertible into a total of 4,768,664 Loew's common shares.

At yesterday's closing price on the New York Stock Exchange of $90.25 a share, down $1.25, the 4,768,664 Loew's shares would have a market value of about $430.4 million. Commercial Credit, also traded on the Big Board, closed yesterday at $46.50, up 37½ cents.

In the announcement, Laurence A. Tisch, chairman and president of Loew's, said the hotel and theater chain will offer a $45 principal amount 5½% 25-year debenture for each Commercial Credit common share. That debenture will be convertible into Loew's common at one share for $90 of debentures. Thus, for each two Commercial Credit shares, holders would receive debentures convertible into one Loew's common.

Loew's filed a registration statement with the Securities and Exchange Commission covering the proposed issuance of $438.8 million of debentures. The exchange offer is to become effective after required approval of a majority of Loew's outstanding stock at a special meeting to be held in June.

Mr. Tisch said Loew's doesn't have any plans for a reorganization or change in the existing corporate structure of Commercial Credit.

Holders of Commercial Credit common on May 31 will receive the 45-cent quarterly dividend that is payable July 1 even if they turn in their shares under the exchange offer, Loew's said.

Lehman Brothers will act as dealer manager of a group of securities dealers who will solicit exchanges. Dealers will receive 85 cents

a share for each share exchanged through their efforts.

Commercial Credit reported earnings of $4.9 million, or 46 cents a share, for the first quarter, down from $6 million, or 56 cents a share, a year earlier. Gross income was $90.2 million, up from $87.6 million.

Mr. Jones, president, said the company's reduced earnings were "entirely the result of losses sustained by a group of manufacturing subsidiaries," two of which were closed during much of the first quarter due to labor difficulties.

Five of the company's eight manufacturing subsidiaries showed improved profit in the quarter, Mr. Jones said, adding that Commercial Credit is considering disposing those units that seem likely to continue unprofitable.

Mr. Jones said Commercial Credit's finance subsidiaries continued to show good growth, with earnings about the same as a year earlier. Receivables outstanding, he said, increased by $150 million to $2.87 billion. Deferred income rose by $23 million to more than $265 million.

He said the company's insurance subsidiaries produced about the same profit as in last year's quarter and had shown a "marked increase" in written premiums and a $5 million growth in unearned premium reserves.

[From the New York Times, May 2, 1968]

CREDIT COMPANY FIGHTS LOEW'S BID—COMMERCIAL CAUTIONING ITS STOCKHOLDERS ON DECIDING TO SELL THEIR SHARES

(By Clare M. Reckert)

The Commercial Credit Corporation yesterday termed the proposed tender offer made by Loew's Theatres, Inc., as "unfavorable," and cautioned shareholders yesterday not to make a hasty decision in selling their stock.

The large independent finance company, based in Baltimore, also issued its first-quarter report, which showed that net earnings fell to $4,880,379, or 46 cents a share, from $5,983,316, or 56 cents a share, in the first three months of last year. Gross income rose to $90,150,635 from $87,601,518.

The decline resulted from losses by the manufacturing subsidiaries, two of which were closed down by labor disputes, Donald S. Jones, president and LeBaron S. Willard Jr., chairman, explained. Also, an unprofitable German printing machinery company was sold on April 4 of this year, they disclosed.

Here, meanwhile, Laurence A. Tisch, chairman and president of Loew's, announced that the company will offer Commercial Credit stockholders $45 principal amount of 5½ per cent convertible subordinated debentures due 1993 in exchange for each Commercial Credit common share. Loew's also filed a registration statement yesterday with the Securities and Exchange Commission covering the proposed issue of the $438,817,900 in debentures.

EXCHANGE OFFER TERMS

The new debentures will be convertible in Loew's common stock at $90 a share. Based on terms of the exchange offer, Commercial Credit stockholders would receive for each two shares of common stock, debentures convertible into one common share of Loew's.

Loew's and Commercial Credit stocks reached new highs on the New York Stock Exchange yesterday. After reaching 92¼, Loew's closed at 90¼, down 1⅓ points. Commercial Credit, the most actively traded stock with 334,800 shares traded, closed at 46½, up ⅜ point after hitting 47¾.

Loew's with 1,000,700 shares of Commercial Credit's 10,538,029 shares outstanding, is the largest holder of Commercial stock.

The exchange offer is expected to become effective following required approval of a majority of Loew's shareholders at a special meeting set for June.

Holders of Commercial Credit common stock on May 31 would receive 45 cents quarterly dividend of Commercial Credit payable on July 1, notwithstanding the acceptance of their shares under the exchange offer, Mr. Tisch explained.

Directors of Commercial Credit listed several factors which they said made the exchange offer "unattractive." These were the "small size of Loew's relative to Commercial Credit;" incompatability of the company's business with hotels, motels and motion picture theaters; exchange of Commercial stock for a debenture subordinated to the present and future debt of Loew's; the wide swings in the market price of Loew's stock; and the dividend record of Loew's which paid its first dividend, which was 10 cents last November.

[From the Baltimore Evening Sun, Apr. 26, 1968]

(By John T. Ward)

COMMERCIAL CREDIT CO. RECEIVES SURPRISE TAKEOVER OFFER FROM LOEW'S

Management of Commercial Credit Company was completely surprised by the overnight announcement that Loew's Theaters, Inc., intends to make an offer to stockholders of the Baltimore firm, a holding company which is one of the nation's leaders in credit financing of all types.

STOCK JUMPS 1.5 POINTS

The Stock Market made a quick response today. A block of 30,000 shares of Commercial Credit was sold at 41½, up 1½ points from yesterday's close when 67,700 shares were recorded during the day.

During the first hour 114,000 shares of Commercial Credit were traded, the price dropping back to 41¼.

Donald S. Jones, president of Commercial Credit, said a telephone call late yesterday from Lawrence Tisch, chairman of Loew's, was the first intimation of the proposed takeover offer. Mr. Tisch requested a meeting soon so that he may discuss the matter with Baltimore officials.

IS MERGER MINDED

Loew's is aggressively merger minded, its business in recent years being radically different from the time when it was strictly a movie-making and movie theater concern.

The offer is said to involve a $45 principal amount of 25-year convertible subordinate debentures in exchange for each share of Commercial Credit. There are around 10,500,000 shares of the latter outstanding.

CALLED TAXABLE OFFER

There are intriguing sides to the offer through convertible subordinated debentures. Acceptance would deprive stockholders of voting rights. Generally, such debentures are convertible into common or preferred stock of the successor corporation. Details were not spelled out in the brief news concerning the Loew offer.

No rate on the debentures was mentioned, nor a conversion price into stock.

Furthermore, financial men said it would be a taxable offer, in that the seller would be liable for taxes on his profit on the shares, quite unlike most recent share exchanges not been subject to income taxes.

NOT LOOKING FOR MERGER

Loew's already owns 1,000,000 shares of Commercial Credit, making it the largest individual holder. The shares, which pay $1.60 annual dividend, closed yesterday at 40. The range in 1967 was from 25⅝ to 35⅞, and finished the year at 32.

Loew's closed yesterday at 81¼. It had a low of 26¾ last year and a high of 145, closat 140½.

"We are not looking for a marriage partner," Mr. Jones said. "At the same time, we will have to look at the proposition as it affects our stockholders and our employees. We cannot look at the offer emotionally. We cannot prevent the offer being made. We must look at it from all angles.

TO BE FILED WITH SEC

Commercial Credit was founded in 1912, rapidly grew as automobiles were financed on time payment plans; then expanded over the years in varied other forms of credit financing.

During World War II, it absorbed a number of manufacturing companies, and in the last twenty years has made extensive acquisitions of finance companies dealing in both individual and corporate lending.

The proposed financing offer by Loew's will be filed with the Securities and Exchange Commission.

Only in the last few months, Commercial Credit has joined with Radio Corporation of America in a venture to advance time-sharing in computer service. This had been under study for some time, and the possibilities of success and profit are considerable in a field which is becoming more competitive day by day. Both companies are giants in different fields, and are prepared to proceed vigorously.

THE 1969 EARNINGS PICTURE

Commercial Credit last year had gross income of $316,972,282, up from $307,395,684 in 1966.

Net income was $27,215,927, at the rate of $2.41 per common share, compared with $25,404,417 and $2.24 in 1966. The book value per share at year-end was $29.73 against $29.36.

Assets employed by the company amounted to $3,067,439,130, up from $2,960,451,849 in 1966.

LOEW'S OPERATIONS

Loew's is a holding company in hotels and theaters. It has been expanding interests in hotels in leading cities in recent years, and owns, leases or has management operations of more than 60 theaters in the United States and Canada. Through various subsidiaries, it exhibits motion pictures.

CHARTERED IN NEW YORK

Loew's was incorporated in New York in 1954 to take over theater properties of Loew's Inc., a move forced by Federal court order.

The latter changed its name in 1960 to Metro-Goldwyn-Mayer and continues as a motion picture producing corporation.

Loew's once was the owner of a leading theater in Baltimore, the Century on Lexington street, torn down in the rehabilitation of the center of the city in the last decade.

LOEW'S 1967 RESULTS

For its fiscal year ended August 31, 1967, Loew's Theatres, Inc., had revenues of $136,764,660 and a profit of $15,755,024. This compared with $114,260,289 revenues and net income of $5,818,639 in 1966. The earnings per common shares were $8.26 against $2.94.

Retained earnings at the end of its fiscal year were $89,423,245. Its total assets were $209,725,666.

DEBT STATUS

Commercial Credit could be attractive to Loew's because it has a large reservoir of funds available. Money is the muscle with which finance companies operate.

The Baltimore concern also has a large debt, a total of $1,350,493,850 having been due this year, some of it already paid off. Included are $1,079,003,099 of open market notes in the United States, $57,814,323 in Canada, and bank loans in the United States amounting to $162,110,000.

Senior long term notes total $738,500,000. Subordinated long term notes and junior subordinated long term notes, according to its annual report, amounted to $255,000,000. The grand total due subsequent to one year was $993,500,000.

Not counting the shares of Commercial Credit which Loew's had been accumulating,

the offer would amount to $425,000,000 more debt for Loew's.

At the end of its fiscal year, that company had a long-term debt of $88,775,856.

[From the Baltimore (Md.) Evening Sun, May 16, 1968]

ANATOMY OF A FINANCIAL COUP

(By John T. Ward)

Late in the afternoon of Thursday, April 25, shortly after the 3:30 o'clock Stock Market closed, there was a telephone call from New York to Commercial Credit Company in Baltimore. On the line was Laurence A. Tisch, chairman of Loew's Theatres, Inc., telling Donald S. Jones, president of the Baltimore finance company, that Loew's owned 1,000,700 of the 10,614,100 shares of Commercial Credit common stock. It was prepared to make an exchange offer to holders of the remainder.

The move to take over was on, but what a takeover this is. A financial minnow is gobbling at a financial whale twenty-five times its size—Maryland's largest corporation headquartered in Baltimore.

That the headquarters offices on St. Paul place were surprised, perhaps shocked, goes without saying. Commercial Credit Company has been reliably described as having an "unsecured debt bigger than all but eight nations in the world." It has weathered crises before and feels itself powerful enough to survive this one without help from anyone.

And yet, how did an outsider acquire this 1,000,700 shares without arousing Commercial Credit's suspicions?

Secrecy wasn't hard. True, a holder of 10 per cent of a company's stock must register the fact with the Securities and Exchange Commission. But Loew's holdings in Commercial Credit are just under that 10 per cent, apparently accumulated gradually in this year's sliding market without giving away its intentions. Besides, stock may be held in nominee names, or shielded through brokerage houses acting for the buyers (held in "street names" the saying is). Loew's game was not known until it chose to tell.

But what emboldened this pygmy to beard this giant?

Only 10 per cent of ownership is often enough to control a company. Commercial Credit itself controls very little of its own stock. Its board of sixteen directors, six of whom are management men, owned in March only a total of 73,325 shares—although in various fiduciary capacities one was responsible for 750,000 shares. On May 1, after Mr. Tisch's requested conference here with management had been held, the directors unanimously rejected the offer as unfavorable to Commercial Credit's owners. Its assets are 25 times those of Loew's: does a giant run from a pygmy? A whale flee from a minnow? Loew's, too, was unfazed. It filed its formal loan program, of which the 25-year debentures would be exchanged for the remaining Commercial Credit stock—provided it is rounded up.

Here lay Loew's financial equalizer: the debentures eventually would be convertible into Loew's common stock and so Commercial Credit, once captured and generating profits over the years, would in effect be paying for its own takeover. Humiliating, perhaps, but the postwar years have seen several such happenings in the financial world.

Meanwhile, the fight is on. Seeking to smoke out more shares, Loew's obtained the services of Lehman Brothers, one of the more astute New York investment counselors, to act as dealer manager, in effect, as strategist. That they are being successful is suggested by the frantic churning on Wall Street. From April 26, when the bid became known, through May 10 Commercial Credit led the trading volume on the New York Stock Exchange in eight of the eleven sessions, and at rising prices. On one day, 648,000 shares changed hands. The volume through these days—3,300,000 shares—exceeded by 1,000,000 all the 1967 trading and was three times that of 1966.

Commercial Credit is fighting back with spirit if largely in public silence. And yet a curious dualism appears. On its board of directors are two leading Baltimore bankers—one commercial, one investment—plus men of financial or legal weight in New York and Boston. The point is, however, that stockholders are the actual owners of a company and can do as they choose with their shares. To represent them, they elect directors who in turn choose the management. But which is the directors' first love—the company they direct or the stockholders they represent?

Here arises what could be an interplay of dual loyalties. Commercial Credit is a case in point. The directors voted unanimously to reject the Loew's offer. But it immediately became known that some of the shares sold as a result of the Loew's bid came from a Baltimore bank. This complication reflects stockholders' motives, stockholders who perhaps had bought at $35 a share and who found $45 too attractive to pass up.

The pattern is growing sadly familiar. Baltimore has seen takeovers and mergers of other sorts, losing several company headquarters in recent years. The Baltimore & Ohio Railroad was a willing partner with the Chesapeake & Ohio, but the battle for shares went as far as Switzerland.

W. R. Grace & Company got control of Davison Chemical Company, highly successful in its own right. The Security Insurance Group of Hartford, Conn., waged a winning fight for control of New Amsterdam Casualty Company here. Maryland Casualty Company fought hard but in vain in the courts to prevent takeover by the American General Insurance Group, of Houston. The age of merger goes on.

Just how Commercial Credit's management intends to fight the Loew's takeover attempt remains to be seen. It has been quietly biding its time. In matters of this sort, time can be on the side of the persistent and resourceful. But the financial district has taken note of the diligence of the Lehman Brothers' solicitation. There are lines of influence spread everywhere and nearly 10 percent of the stock already is in the hands of Loew's. Money men believe a solid block of Commercial Credit stock is accumulated for a sudden thrust.

TRANSACTION OF ROUTINE BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine business and that statements therein be limited to 3 minutes.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY, AND ARMY GENERAL STAFF

A letter from the Under Secretary of the Army, transmitting, pursuant to law, a report of the number of officers on duty with headquarters, Department of the Army and the Army General Staff on March 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT OF GRANTS FOR BASIC SCIENTIFIC RESEARCH MADE BY THE DEPARTMENT OF DEFENSE

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report showing grants for basic scientific research made by the Department of Defense to nonprofit institutions during the calendar year 1967 (with an accompanying report); to the Committee on Armed Services.

MAP OF MAJOR NATURAL GAS PIPELINES

A letter from the Chairman, Federal Power Commission, transmitting for the information of the Senate a copy of the map "Major Natural Gas Pipelines," dated December 31, 1967 (with an accompanying map); to the Committee on Commerce.

DISTRICT OF COLUMBIA INSURANCE PLACEMENT ACT

A letter from the assistant to the Commissioner, executive office, government of the District of Columbia, transmitting a draft of proposed legislation to establish a basic property insurance placement plan and joint underwriting association to improve the availability of basic insurance protection for residential and business properties against fire and other perils through the cooperative efforts of the District of Columbia and the private property insurance industry; to authorize the District of Columbia to assume a portion of insurance losses resulting from riots and other civil disorders; and for other purposes (with an accompanying paper); to Committee on the District of Columbia.

DISTRICT OF COLUMBIA UNIFIED COURT ACT OF 1968

A letter from the assistant to the Commissioner, executive office, government of the District of Columbia, transmitting a draft of proposed legislation to establish in the District of Columbia a unified court system in order to provide increased attention to family problems, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of opportunities for reducing the cost of providing Federal agencies with certain supplies, General Services Administration, dated May 24, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need for Government-wide standardization of allowances under Federal fellowship and traineeship grants programs, dated May 24, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need to improve requirements computations for expensive missile repair parts, Department of the Army, dated May 27, 1968 (with an accompanying report);

to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of cost reductions available to civil agencies by purchasing rather than leasing two-way radio equipment, dated May 27, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of proposed revision of law governing financing of salary costs of retired Civil Service annuitants reemployed by Federal agencies, dated May 28, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need for improving reviews of designs of Federal buildings to achieve better utilization of space, Public Buildings Service, General Services Administration, dated May 28, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the opportunity to reduce expenditures for map revision and accelerate mapping through changes in map revision practices, Geological Survey, Department of the Interior, dated May 28, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need to improve the system for managing capitalized equipment in the Bureau of Indian Affairs, Department of the Interior, dated May 28, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a survey of program loan assistance to Chile, Agency for International Development, Department of State, dated May 29, 1968 (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONTRACT BETWEEN UNITED STATES OF AMERICA AND MECHANICAL TECHNOLOGY, INC.

A letter from the Acting Director, United States Bureau of Mines, transmitting a copy of a proposed contract with Mechanical Technology, Inc., of Lathan, N.Y., to conduct a research program for increasing the reliability of process fluid lubricated brayton cycle turbomachinery with broad power range (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PUBLIC LAWS ENACTED BY NINTH GUAM LEGISLATURE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the ninth Guam Legislature in 1968 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON THE NARROWS UNIT, MISSOURI RIVER BASIN PROJECT, COLORADO

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Narrows unit, Missouri River Basin project, Colorado, dated January 1967 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT OF AWARDS OF YOUNG AMERICAN MEDALS FOR BRAVERY AND SERVICE FOR 1966

A letter from the Attorney General of the United States, reporting, pursuant to law, the awards of the Young American Medals for Bravery and Service for 1966; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"SENATE JOINT RESOLUTION 1

"Joint resolution to physical therapists

"Whereas, The State of California has by far the most outstanding laws in the United States for the sanctioning of the legalized practice of physical therapy in any state (Chapters 5.6 and 5.7 of Division 2 of the Business and Professions Code); and

"Whereas, The Legislature of the State of California has established high educational requirements and qualifications for all physical therapists in the state through the enactment of such laws; and

"Whereas, The Department of Health, Education and Welfare has denied over 1,200 physical therapists in the State of California the right to serve the public in their professional capacity under the Medicare Act by its rules and regulations defining physical therapists qualified to participate under the Medicare Act; and

"Whereas, Senate Bill No. 1538, enacted as Chapter 1344 of the 1967 Statutes of the State of California, recognizes the fact that there is an acute shortage of physical therapists in the State of California, and the elimination of so many qualified physical therapists from the medicare program is decidedly contrary to the public interest; and

"Whereas, The restrictive administrative definition of a qualified physical therapist promulgated by the United States Department of Health, Education, and Welfare will only serve to make the shortage of physical therapists in the State of California more critical, will deprive many patients in the medicare program of physical therapy treatments, and will be contrary to the concept of total health care because many well-qualified physical therapists licensed or registered by the Board of Medical Examiners are not eligible to participate in the program as a result of such restrictive definition of a qualified physical therapist; and

"Whereas, The 89th Congress recognizes the important contribution of physical therapy services to total health care in the passage of Public Law 89-97, the 'Medicare Act'; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to direct the Department of Health, Education and Welfare to reexamine its present definition of physical therapists qualified to participate in the medicare program as it applies to the State of California and the impact it will have upon the provision of services in California; and be it further

"Resolved, That the United States Department of Health, Education, and Welfare be directed to amend its definition of qualified physical therapists to be inclusive of all physical therapists legally sanctioned to practice physical therapy in the State of California so that such legally sanctioned physical therapists are not excluded from serving the public in their professional capacity under the medicare program; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Health, Education and Welfare."

A resolution of the House of Representatives of the State of Pennsylvania; to the Committee on Foreign Relations:

"HOUSE RESOLUTION 245

"The United States intends to have a major celebration upon the occasion of the two hundredth anniversary of the United States of America in 1976. Major participation by foreign countries in such a celebration is dependent upon the approval of the Bureau of International Expositions.

"Those nations which are parties to the treaty creating the Bureau of International Expositions are given preference in such approval. The United States is not a party to that treaty; therefore be it

"Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Senate of the United States to ratify the Paris Convention of 1928, establishing the Bureau of International Expositions, as recommended by the President for United States accession in the Paris Convention of 1928, which will enable the United States to participate as a voting member of the Bureau of International Expositions; and be it further

"Resolved, That copies of this resolution be transmitted to the presiding officer of the Senate of the United States, and to the Chairman of the Foreign Relations Committee of that body."

The petition of Paul W. Nelsel, of Marquette, Mich., praying for a redress of grievances; to the Committee on the Judiciary.

Resolutions adopted the National Association for Community Development, Atlanta, Ga., praying for the enactment of legislation relating to antipoverty and community development programs; to the Committee on Labor and Public Welfare.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. 3504. A bill to amend section 11 of an act approved August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" (Rept. No. 1156).

S. Res. 291. Resolution authorizing expenditure from the contingent fund of the Senate;

S. Res. 292. Resolution authorizing the printing of additional copies of part 5 of Senate hearings on competitive problems in the drug industry (Rept. No. 1158);

S. Res. 294. Resolution authorizing the printing of additional copies of part 6 of Senate hearings on competitive problems in the drug industry (Rept. No. 1159);

S. Res. 295. Resolution authorizing the printing of the study entitled "Automatic Data Processing and the Small Businessman" as a Senate document (Rept. No. 1160);

S. Res. 296. Resolution to authorize additional funds for the Committee on Interior and Insular Affairs;

H. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of a veterans' benefits calculator (Rept. No. 1161);

H. Con. Res. 614. Concurrent resolution to provide for the printing of 1,000 additional copies of anticrime program hearings (Rept. No. 1162); and

H. Con. Res. 702. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs (Rept. No. 1163).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Res. 286. Resolution to employ additional clerks for the Committee on the District of Columbia (Rept. No. 1157).

EIGHTEENTH ANNUAL REPORT OF THE SELECT COMMITTEE ON SMALL BUSINESS—INDIVIDUAL VIEWS (S. REPT. NO. 1155)

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Florida [Mr. SMATHERS], I submit the committee's 18th annual report, and ask that it be printed, together with the individual views of the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Montana.

BILLS INTRODUCED

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

By Mr. GORE:

S. 3563. A bill for the relief of Marble International, Inc.—Alexander Marble & Tile Co.; to the Committee on the Judiciary.

By Mr. McCLELLAN (by request):

S. 3564. A bill to amend title 18 of the United States Code to prohibit enterprises of gambling; to the Committee on the Judiciary.

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

By Mr. GRUENING:

S. 3565. A bill for the relief of Kwok Yuen Wong; to the Committee on the Judiciary.

By Mr. MONRONEY (for himself and Mr. MAGNUSON):

S. 3566. A bill to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes; to the Committee on Commerce.

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

By Mr. KENNEDY of Massachusetts:

S. 3567. A bill for the relief of Laura Pinna; to the Committee on the Judiciary.

By Mr. JAVITS (for Mr. KUCHEL):

S. 3568. A bill for the relief of Jack Edward Cooley; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 3569. A bill to amend title VI of the Civil Rights Act of 1964 with respect to the use in good faith by State and local authorities of freedom of choice systems for the assignment of students to public elementary and secondary schools; to the Committee on the Judiciary.

S. 3570. A bill relating to the use in good faith by State and local authorities of freedom of choice systems for the assignment of students to public elementary and secondary schools; to the Committee on Labor and Public Welfare.

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

S. 3564—INTRODUCTION OF BILL TO PROHIBIT ENTERPRISES OF GAMBLING

Mr. McCLELLAN. Mr. President, I introduce, by request, a bill to prohibit business enterprises of gambling.

Gambling is the principal source of income for the elements of organized crime and it is the purpose of this bill to seek to shut off this flow of revenue by making it a crime to engage in a substantial business enterprise of gambling.

We have tentatively scheduled hearings on this bill and several other anti-organized crime bills during the month of July before the Subcommittee on Criminal Laws and Procedures.

The scope of those hearings and the bills to be considered will be announced at a later date.

Mr. President, I ask unanimous consent that the bill, along with a letter of transmittal from the Attorney General to the Vice President be printed in the RECORD.

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

The bill (S. 3564) to amend title 18 of the United States Code to prohibit enterprises of gambling, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 95 of title 18 of the United States Code is amended by inserting after section 1953 thereof a new section as follows:

"§ 1953A. Prohibition of business enterprises of gambling.

"(a) The Congress finds that—

"(1) Illegal gambling involves widespread use of and effect upon interstate commerce and the facilities thereof which existing Federal controls over such gambling do not adequately enable the Federal Government to prevent;

"(2) Illegal gambling is dependent upon facilities of interstate commerce for such purposes as making and accepting wagers, obtaining odds, laying off bets and other illegal gambling operations;

"(3) Money derived from or used in illegal gambling frequently moves in interstate commerce or is handled through the facilities thereof in the course of illegal gambling operations;

"(4) Paraphernalia used in illegal gambling moves in interstate commerce for the purpose of establishing or facilitating, illegal gambling;

"(5) Profit from illegal gambling is the largest single source of revenue for organized crime; organized crime operates on a nationwide basis; and members of organized crime in different States frequently carry on and coordinate their activities through the use of interstate commerce and the facilities thereof.

"(b) Whoever participates in a substantial business enterprise of gambling shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(c) As used in this section the term 'substantial business enterprise of gambling' means an enterprise that, within any period of sixty consecutive calendar days, either engages in gambling or twenty days or more or engages in gambling in which the aggregate amount of $2,000 or more is wagered.

"(d) This section does not apply to—

"(1) gambling which is lawful under the law of the State in which it is conducted, or

"(2) any drawing conducted by an organization exempt from tax under sections 501 and 521 of the Internal Revenue Code of 1954, as amended, if no part of the proceeds derived from such drawing inures to the benefit of any private shareholder or individual.

"(e) Nothing contained in this section shall be construed as indicating any intent on the part of Congress to preempt, to the exclusion of State or local laws on the same subject matter, the field in which any provision of this section operates nor shall any provision of this section be construed to invalidate any provision of State or local law.

"(f) Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving a violation of this section, or any conspiracy to violate this section, is necessary to the public interest, he, upon the approval of the Attorney General or an Assistant Attorney General designated by the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this subsection, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled or evidence so produced be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this subsection from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this subsection."

SEC. 2. The table of contents preceding chapter 95 of title 18 of the United States Code is amended by inserting after the reference to section 1953 the following:

"1953A. Prohibition of business enterprises of gambling."

The letter, presented by Mr. McCLELLAN, is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal "to prohibit business enterprises of gambling."

The purpose of the bill is to make it a federal crime to engage in a substantial business enterprise of gambling. Four considerations call for the enactment of this legislation.

First, gambling is largely the creature of organized crime and is its principal source of revenue. If we can diminish this revenue materially, we will strike a significant blow at the nation-wide underworld empire which prays upon the American people.

Second, gambling both involves and affects interstate commerce. People, information, funds and paraphernalia, without which gambling could not function, move regularly across State lines. These interstate aspects of gambling make it an appropriate subject of concern to the Federal government.

Third, an inevitable companion of flourishing gambling activity is bribery and corruption of local law enforcement officials, often on an aggravated scale which stulifies local law enforcement as an effective weapon against illegal gambling and organized crime. The criminal activity which flourishes under such conditions affects not only the local community in which it occurs but also other parts of the country, thus becoming a matter of federal concern.

Fourth, existing federal statutes dealing with the interstate aspects of gambling (Sections 1084, 1952 and 1953 of Title 18 of the United States Code) are not broad enough to reach all gambling activity which is of legitimate concern to the United States. Despite these statutes and despite efforts made to date by both the federal and the several State governments, gambling continues to exist on a large scale to the benefit of organized crime and the detriment of the American people. A more effective effort must be mounted to eliminate illegal gambling. In that effort the federal government must be able not only to deny the use and facilities of interstate commerce to the day-to-day operations of illegal gamblers—as it can do under existing statutes—but also to prohibit directly substantial business enterprises of gambling.

The proposed statute would not bring all illegal gambling activity under federal cognizance. It deals only with those who are engaged in a substantial business enterprise of gambling, as distinguished from those whose operations are relatively small. A substantial business enterprise of gambling is defined to mean one which, within a period of 60 days or less, engages in gambling on 20 days or more or in the amount of $2000 or more. It is anticipated that cases in which this standard is met will ordinarily involve gambling operations of considerably greater magnitude because it is usually possible only to prove a relatively small proportion of the total operations of a gambling enterprise. Thus, the statute does not apply to gambling which is sporadic or of insignificant monetary proportions. It seeks to reach only those who prey systematically upon our citizens and whose operations are so continuous and so substantial as to be a matter of national concern. Even as to these, the federal government's enforcement effort will necessarily have to be centered on selected targets of special significance because of manpower limitations.

The federal government will not preempt the field of gambling regulation if this statute is enacted. Rather, it will play its traditional role of cooperating with local law enforcement authorities who will continue to have major responsibility in this area. The purpose of the statute is simply to make the federal government a more effective member of the established state-federal law enforcement partnership which has long been waging a common war on organized crime and illegal gambling.

Because it is important that we mount a more effective coordinated federal-state attack on illegal gambling, I urge the introduction and prompt enactment of this legislation.

The Bureau of the Budget has advised that submission of this legislation is in accordance with the President's program.

Sincerely,

——— ———,
Attorney General.

S. 3566—INTRODUCTION OF BILL TO AMEND THE FEDERAL AVIATION ACT OF 1958—NOTICE OF HEARINGS

Mr. MONRONEY. Mr. President, yesterday the Supreme Court, equally divided, 4 to 4, with Justice Marshall taking no part, affirmed the decision of the Second Circuit Court of Appeals which struck down the inclusive tour authority of supplemental airlines granted by the Civil Aeronautics Board for international operations which had been approved by the President of the United States. The issue centered on the intent of Congress when it passed Public Law 87–528.

To clarify Congress' intent, I introduce, for appropriate reference, a bill to, first, authorize the Civil Aeronautics Board to grant to supplemental air carriers inclusive tour charter authority; second, define inclusive tour charter trips to insure that they would not involve individually ticketed service; and third, validate and ratify the existing certificates of public convenience and necessity for inclusive tour charters and authorizations issued by the Board, notwithstanding any contrary determination by any court.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3566) to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes, introduced by Mr. MONRONEY (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. MONRONEY. Mr. President, in 1962 there were over 30 irregular carriers—some that were flagrant violators of Civil Aeronautics Board rules and regulations, some that were not financially fit, and some that had questionable operating practices and abilities. The legislation enacted by the Congress, Public Law 87–528, was necessarily designed to be somewhat restrictive and to insure that the Civil Aeronautics Board had the authority to certificate only those carriers which met the highest fitness standards and which the Board considered were essential to the public convenience and necessity.

In 1962 the financial status of the supplemental industry was not good. In fact, there were those who thought there was no need for a group of charter specialists. However, there were others who believed that the public convenience and necessity and the defense needs required at least some of the carriers currently operating to be designated as charter specialists.

Whereas in 1962 these carriers, to a large degree, were almost totally dependent on military business, the supplemental carriers have now developed substantial commercial business of which the inclusive tour charter is an ever-increasing part of the commercial operation. For example, during the period 1962 through 1967 total revenues of the supplemental carriers increased 174 percent whereas commercial revenues increased 474 percent. The development of commercial markets clearly shows the need for charter-type operations.

Since the grant of inclusive tour authority by the Civil Aeronautics Board, the charter market has been considerably expanded. In 1967 over 51,000 passengers traveled on mainland to Hawaii inclusive tour charters, and conservative estimates indicate that the total will exceed 140,000 passengers in 1968. In the same period no impact on scheduled services has been evident as passenger traffic on the scheduled airlines in this market has grown from 1,090,000 passengers in 1966 to 1,722,000 in 1967. It is estimated that the total will reach 2,066,000 passengers in 1968.

The supplemental carriers today operate the most modern jet equipment. This equipment is not only available for the commercial charter market, but is committed to the Department of Defense for not only peacetime operations but, more importantly, for emergency airlift operations. The supplemental carriers provide to the Department of Defense, in the event of an emergency, a very substantial part of the expanded capability needed to deploy troops and cargo into troubled areas.

Although the supplemental carriers have increased their reliance on commercial versus military business, there is still substantial reliance on the military. The overall industry average shows that, of the total supplemental business, 60 percent of the revenues are derived from military sources. This, however, is a marked improvement over the 90 percent reliance in 1962. It is therefore important that the supplemental carriers have the necessary authority to continue to expand and promote their commercial activities, especially in view of the phasedown in defense requirements as a result of curtailment in Vietnam and other related operations.

Inclusive tour charters have become an essential part of the U.S. air transportation system. Without them, many of our citizens, in the lower income groups, cannot afford to travel to vacation spots which aid in the overall economic development of the United States. In addition, inclusive tour charters are currently aiding the balance of payments by transporting large numbers of vacationers within the Western Hemisphere, and it is projected that the inclusive tour program will aid in bringing many additional visitors to the United States from Europe and other foreign points. An inclusive tour program based on European originating traffic on a back-to-back basis could in 1 year transport up to 150,000 additional passengers to the United States, which would add to the positive side of our balance of payments.

Inclusive tours have already demonstrated that they are reaching an entirely new market. They are not only broadening the basis of air travel for charters, but are also developing the base of scheduled airlines. Recent demand for these charters has exceeded supply, and many potential passengers have been moved by the tour operator or travel agent on scheduled service.

The supplemental carriers, created by the Congress of these United States, should be granted the authority that is necessary to their well-being and essential to our transportation needs and the needs of our national defense. The inclusive tour authority is a system of transport that will enable the 50 to 60 percent of our American citizens who have never taken an airplane trip to partake of this seemingly commonplace mode of travel because of the reduced rates that the supplemental carriers through this authority are able to offer to the public.

Mr. President, the Congress should consider this legislation immediately. Congress should make clear it intended the Civil Aeronautics Board to have the authority to authorize the supplemental carriers to perform inclusive tour trips.

The supplementals have pioneered and proved the concept of inclusive tour charters and Congress has an obligation to resolve the issue in their favor this year. Therefore, I am announcing today that hearings will be held on this bill by the Senate Aviation Subcommittee beginning June 12.

"AIR CARGO PROFIT POTENTIAL"—SPEECH BY RICHARD M. JACKSON

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the text of a speech entitled "Air Cargo Profit Potential or How to Succeed in the Air Cargo Business by Really Trying," delivered by Richard M. Jackson, chairman of the board and president of Seaboard World Airlines, Inc., to the Wings Club in New York City on April 17, 1968. I commend it to the attention of the Members of Congress.

Mr. Jackson is a dynamic aviation executive whose transatlantic all-cargo airline has made great strides in promoting U.S. trade. The views he expresses in this speech are most informative and reflect a full knowledge of all aspects of the all-cargo industry. What is more, he is one of the few airline executives I know who can make his point in a truly entertaining manner, as witness his tongue-in-cheek advice to his competitors under the heading of "Cargo Sales Secrets."

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

AIR CARGO PROFIT POTENTIAL; OR HOW TO SUCCEED IN THE AIR CARGO BUSINESS BY REALLY TRYING

(An address by Richard M. Jackson, chairman of the board and president, Seaboard World Airlines, Inc., to the Wings Club, New York City, April 17, 1968)

My subject today has been announced as "Air Cargo Profit Potential" and it may be misleading in the sense that you might expect me to do what most speakers on air cargo do, namely, to make the usual rosy forecasts of industry growth—to speak of the famed cargo "breakthrough"—to paint dreams of the time when cargo revenues will exceed passenger revenues—to describe to you the jumbo cargo airplane of the future.

In fact, I will speak on none of these subjects because they have been amply covered in the past by airplane manufacturers, aviation consultants, professors, and financial forecasters, and I hope all their dreams come true. My real subject today is "How To Succeed in the Air Cargo Business by Really Trying." By "really trying", I mean the tough nitty-gritty business of finding out how to make money with present airplanes, routes, rates, facilities, and market—today—not at some future date. My approach is not "Pie in the Sky", but more likely "Pie in Your Eye" to show how air cargo can produce profits through constant and diligent application of common-sense principles to a low-revenue per-ton-mile business.

CARGO COSTS AND RATES

The air cargo business in the United States is almost 25 years old, and even now many of the people in the airline industry have not made up their minds as to its profitability or profit potential. There is good cause for their perplexity, not only because of the low per-ton-mile yield of cargo as compared to passenger fares, but because of the variety of choices of method for determining profit by comparing air cargo revenues with their costs.

The problem is centered around the carriage of cargo in the lower baggage compartments where it is difficult to find out the real costs of operating the cubic capacity under the main cabin floor. The choices range from the contention that this space comes free, because the airplane is going to operate anyhow for passengers and their baggage, to the opposite premise that the underfloor baggage compartment cubic capacity should bear its full pro-rata share of the cost of operating the entire airplane.

This cost-accounting dilemma occurs because of cargo carried on passenger operations, but since approximately one-half of the industry's cargo ton miles are flown in passenger aircraft, it is a dilemma of considerable magnitude in today's business. There is, of course, no question about the cost of cargo carried on all-cargo flights, since the entire airplane is assigned to cargo carriage. If and when all-cargo-plane operations become a dominant portion of the total industry's carriage, the dilemma will diminish in importance.

However, this discussion today is not academic since cargo rates are generally predicated on costs. It could therefore be argued by the "anyhow" school of analysts that a typical cargo rate of 15 cents per ton mile could be cut in half if the cargo did not have to bear the operating cost of the space it fills. The remaining half would represent the costs of sales, ground handling, and overhead. Rate making based on the "anyhow" theory would be disastrous for all-cargo operators, who must pay their way from cargo and mail revenues only, with no help from other revenue sources.

In recent years the major passenger carriers have acquired fleets of all-cargo airplanes and have trended toward full cost accountability in cargo rate making, although they often find themselves philosophically with one foot on each horse and riding in different directions. The advent of the jumbo passenger jets a few years hence may again spur the passenger operators toward the "anyhow" theory since the underdeck areas will be so large. The jumbos' baggage compartments are almost comparable in size to present all-cargo airplanes' main deck and it is even possible that these underdeck areas will displace the passenger carriers' all-cargo fleets.

As a promoter and defender of all-cargo operations, I must lay down the first requirement for success and profitability: "Do not permit cargo rate making based on figures less than all-cargo airplane costs."

AIRCRAFT SIZE, FREQUENCY, AND TRAFFIC CONTROL

The next "must" for success in the air cargo business is to have the right size airplanes and frequency of service for the routes and markets to be served. These factors are, of course, the "ABC's" of any airline operation, but with air cargo they take on a different aspect from that usually considered in passenger operations. The basic difference is that cargo is shipped to meet a planned delivery time without any concern about intermediate routing or timing. The highly-advertised passenger-appeal factor of "non-stop" flights is meaningless to cargo so long as it arrives when it is needed. If the desired delivery time is twenty-four hours from the time of airline acceptance, and the direct flight time is eight hours, it makes no difference to the cargo where or how the other sixteen hours are spent. The airline may choose to spend the balance of time at the point of origin collecting other cargo to realize higher load factors in the flight, or it may schedule a number of time-consuming intermediate revenue stops on the flight for the same reason, or it may dispatch the cargo directly to destination well in advance of scheduled customer pick up. If the shipment is destined from New York to Rome, it does not care whether the intermediate stops are London, Paris, Hamburg or Zurich. These factors of airline choice of operations are key elements in cargo traffic control and essential to air cargo profitability—factors rarely considered in passenger operations. In a sense, every flight is routed to maximize profit and not merely to provide point-to-point non-stop service. The printed non-stop schedule is an essential ingredient of the passenger business where the passengers insist upon knowing when and where they are, and as a redundant legacy, has been handed down to all-cargo operations where it does not have the same pertinence. Only the *arrival time at destination* remains as an important factor to the cargo customer.

The all-cargo operator, therefore, has certain capabilities of traffic control, absent in the passenger business, which can spell profit or loss to him. Ideally, the route pattern of all-cargo operations should have no restrictions as to sequence of stops, so that cargo traffic controllers can plan aircraft routing and loading/unloading sequence to maximize profits. The linear route pattern typically awarded to passenger airlines is an anachronism in the context of cargo carriage and is probably responsible for the slow development of profitable all-cargo operations. Other deterring factors are the lack of trained air cargo traffic controllers, needed to serve around the clock, and the failure of airline management to vest in the traffic controllers the authority to plan services and loadings to maximize the traffic economic objectives.

If you will accept with me that routing flexibility is a "must" in profitable cargo operations, let me now return to the problem of sizing the airplane and deciding upon the frequency of service best suited to the route pattern and market. Each airline, of course, must make an evaluation based on its own route and market projections, and therefore, my comments will be general in nature. For example: Let us assume the availability of two different size airplines (not unlike those currently offered by manufacturers) with equal range capabilities and customer appeal. Airplane A can carry 200,000 lbs. of payload at a direct operating cost of 3.0¢ per available ton mile, and airplane B can carry 100,000 lbs. at 4.0¢ per available ton mile. Airplane A's direct operating cost per mile is $3.00, and airplane B's cost per mile is $2.00. If we then assume a market of up to 200,000 lbs. a day and two flights-a-day frequency requirement, the larger airplane A cannot compete economically with smaller airplane B, because the profit will be a reflection of A's cost of 2 trips x $3 or $6 per route mile versus B's cost of 2 trips x $2 or $4 per route mile—$6 vs $4. If the market grows above 200,000 lbs., requiring a third frequency by airplane B while still capable of being handled by two airplane A frequencies, the economics become equal 2 trips x $3=3 trips x $2. Only when the market grows to exceed 300,000 lbs. requiring a fourth frequency by airplane B will airplane A produce better profits by maintaining its two-frequency schedule. Airplane manufacturers don't use this analytical approach. Instead they insist upon comparing different airplanes at the same assumed load factors, which technique always favors the larger airplane, but does not truly represent one of the basic facts of life: How much cargo can *actually* be expected to be on hand at departure time?

The moral here is to size the airplane to your market and flight frequency, and don't be lured entirely by the projected lower available ton mile costs of new airplanes.

GROUND HANDLING FACILITIES

Profitability, of course, is a reflection of costs as well as revenues, and the most controllable nonflight costs are in the area of ground handling of cargo. This subject should be sub-divided into two headings—one entitled "Domestic Cargo Handling", and the other, "International Cargo Handling". The latter is distinct, and incidentally, at least 50% more costly, due to Customs' clear-

ance and warehousing requirements, primarily in the U.S.

Domestic cargo handling and paperwork processing are relatively simple, and require a minimum of warehousing time by the airline for most of the cargo. Inbound shipments are unloaded from the airplane, cross the airline's dock, and are promptly picked up by truck for delivery to the consignee. Outbound shipments reverse this process, and both probably require palletizing build-up or breakdown by the airline's staff. The economic problem here is typical of any ground transport collection and dispersal system, and involves the efficient use of manpower and mechanical equipment related to the volume and rate of cargo flow at certain periods of the day, week, or year. There isn't very much new to say about this function, except to comment on the myriad of engineering schemes for mechanization. Some of these systems are a nightmare of Rube Goldberg rollers, elevators, moving belts, ground and overhead tracks, etc., which are very susceptible to malfunction and resulting temporary failure of the entire mechanical system. Simplicity should be the key to these designs, with adequate provisions for alternate ways of powering the system and of processing the cargo in case of such troubles. One common error in designing mechanized facilities has been to predicate the system on too small a package size (a heritage from passenger baggage experience) with resultant low utilization of the whole mechanical system. Flexibility is necessary in the system to handle readily at least three sizes of shipment—less than pallet size (8 to 10 ft.), pallet size, and more than pallet size. It sounds simple, but many systems have been built to accommodate the bulk of the freight in less than pallet size.

The key economic factor here is the efficient use of the manpower, and I believe the industry is a long way from achieving acceptable levels in this area.

CONTAINERS—RIGHT OR WRONG

One of the most highly-touted innovations in the future of air cargo is containerization. This promise of better things to come via containers emanates strangely enough, from the surface transport media, where considerable success is being experienced. Advantages to the surface carriers include protection from pilferage and bad weather, cheaper labor handling costs, higher utilization of the cubic capacity of ships, and expedited transit time. The last-mentioned is accomplished with intermodal containers, which can be transported in a sequence of ships, trucks, and trains with a minimum of wasted transfer time.

At the risk of sounding like a renegade on this subject, I would like to take a position far less optimistic on the future importance of intermodal containers to the air cargo industry. Intermodal containers, built to stand the wear and tear of surface shipping, are particularly unattractive for airplane use. A regular container measuring 8′ x 8′ x 20′ weighs approximately 5,000 lbs. or 4 lbs. per cubic foot, which is about one-half of the average density of the air cargo it is designed to carry. Since air cargo rates are primarily based on weight, who is going to pay 50% more for the weight of the container? The answer is "no one". The jumbo jets of the future will be the first commercial airplanes with a large enough fuselage cross-section to physically accommodate the 8′ x 8′ square ended container, but even these giants will be severely penalized in payload if they must carry the intermodal container's dead weight. The airlines' answer, of course, is to design their own lightweight containers weighing perhaps 1 to 2 lbs. per cubic foot, which disqualifies them as true intermodal units due to their relative fragility. So let's forget the intermodal container crusade—we can't afford it—and probably will never need it since all suitable aviation-designed containers can be flown and trucked to final destination.

However, it is very important that airplane containers be designed to be interchangeable between aircraft types. These lightweight containers will serve the requirements of security and reduction of claims for damage. In addition, they must be packed by the shipper or his agent if the airline is to gain handling advantages. Most important, the loaded container must be packed as densely as possible. These containerization rules are air shipping principles for increasing revenues and decreasing costs, which should permit reduced rates for containerized freight.

Before leaving the subject, let me say a good word for the "poor man's" container, namely a flat pallet with a net and plastic covering over the cargo. This simple arrangement has almost all the advantages in air carriage of the six-sided container, and is much cheaper, easier to care for, lighter in total weight, and less subject to the container logistic problem of return to the owner. Idle pallets are also capable of being stacked for storage at terminals without penalizing a large area of ramp or building space, which is not true of empty containers.

CARGO SALES SECRETS

Thus far I have talked about cargo costs and rates, airplanes, frequencies, and traffic management, facilities, and containers. If an airline does a perfect job with all of these factors, it can still go broke without adequate sales. Now, with many of my competitors here in the room, I am going to reveal some of the real deep secrets of airfreight sales. This is free advice and I hope you fellows will be able to put it to good use:

1. Your competitive cargo salesmen—especially in the passenger airlines—have the easiest job in the world. You are in a fabulous exciting fast-moving industry which is growing at a rate of 25 to 35% a year. Relax, sit back and watch the air cargo business pour in.

2. Your competition in surface transportation is periodically crippled with strikes and is notorious for its reputation of pilferage and breakage. Don't worry about them, you are as clean as a whistle.

3. If I'm not mistaken, about 80% of your business comes from about 10% of your customers. Forget the other 90%, and buy lunches for the big 10%.

4. With your many years of training in the passenger end of the airlines, you know how to reach the *man on the street*. Therefore, advertise on the subway billboards, radio soap operas, TV, and above all, take full page ads in leading daily newspapers. Why shouldn't every man, woman and child in the country learn that you have 45 cargo services a week to Duluth?

5. As you well know, your real competition is from that ubiquitous group called cargo agents and freight forwarders. But you know in your heart that they are a mixed blessing because they also can be your major customers. So treat them in a mixed way—all smiles, cocktail parties and goodies to their faces, but secretly call on their major shippers behind their backs and try to return the control of the business safely into your own hands.

6. Your cargo sales job in the passenger airline is doubly easy because the passenger airplane baggage compartments—the bellies—always have some empty room and are blessed with frequency of operation throughout the day. "Sell bellies", and the big boss will thank you because he can then boast of a lower passenger breakeven load factor. This is hard to believe, but he and the CAB subtract belly cargo revenues from total airplane operating costs to show that the net costs can be offset by less revenue from passengers at the breakeven point. It sounds complicated, but it's just a statistical trick to make the passenger operations appear to be more efficient than they are.

7. My last point is that you should have no worries about job security, because you can always go back into the passenger end of the airline business—or see me behind the dais after lunch.

As you can see, this is a highly competitive business and may the better man win!

S. 3569 and S. 3570—INTRODUCTION OF TWO BILLS RELATING TO ASSIGNMENT OF STUDENTS TO PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

Mr. THURMOND. Mr. President, it is appalling that the Supreme Court has held the freedom of choice desegregation plan of New Kent County, Va., unconstitutional. This was a plan which gave every student the unrestricted and uninhibited choice to attend the school of his preference. While holding that the New Kent County plan was not a plan which "promises realistically to work," the Supreme Court very conveniently neglected to give proper consideration to the present provisions of the acts of Congress dealing with the desegregation of our schools.

If this decision is enforced throughout the country, it will do great harm to the public school system and will deny parents and school children the right to choose the school which they wish the children to attend. It seems that the Supreme Court has now set as its goal, as has the administration, the bringing about of total integration of schools regardless of consequences and of the desires of the parents of the children and regardless of any laws to the contrary.

Mr. President, the Civil Rights Act of 1964 and the Elementary and Secondary Education Act of 1965 prohibits "the assignment of students to public schools in order to overcome racial imbalance," and the first Brown decision held only that State-enforced racial segregation is a violation of the equal protection clause of the 14th amendment.

In 1954 and 1955 we had the Brown decisions, *Brown* v. *Board of Education of Topeka*, 347 U.S. 483, 349 U.S. 294 (hereinafter referred to as Brown I and II or as the Brown decisions). The mandate of Brown I was clearly stated by the Court in *Cooper* v. *Aaron*, 358 U.S. 1 (1958):

> On May 17, 1954, this Court decided that *enforced racial segregation* in the public schools of a State is a denial of the equal protection of the laws enjoined by the Fourteenth Amendment. (Emphasis added.)

I believe the proper interpretation of the Brown decisions is stated in *Down* v. *Board of Education of Kansas City*, 336 F. 2d 988 (1964), certiorari denied 380 U.S. 914, where the 10th Circuit Court of Appeals said:

> Appellants also contend that even though the Board may not be pursuing a policy of intentional segregation, there is still segregation in fact in the school system and under the principles of Brown v. Board of Education, supra, the Board has a positive and affirmative duty to eliminate segregation in fact as well as segregation by intention. While there seems to be authority to support that contention, *the better rule is that although the Fourteenth Amendment prohibits segregation, it does not command*

integration of the races in the public schools and Negro children have no constitutional right to have white children attend school with them.

In Brown II the Court concerned itself with the question of lower court decrees that are "necessary and proper to admit [Negro pupils] to public schools on a racially nondiscriminatory basis with all deliberate speed." I think it is clear that the Brown decisions were aimed at eliminating discrimination rather than producing some type of racial balance, and I believe a freedom of choice plan which gives the student an unrestricted choice to attend the school of his preference is implicit in these decisions.

Mr. President, an honest reading of the legislative history of the Civil Rights Act of 1964 indicates unequivocally that the intent of Congress in passing title VI was to prevent State-enforced segregation. The purpose of this title was not to integrate all the public schools, and it neither explicitly nor implicitly authorizes attempts to eliminate racial imbalance. In fact, the elimination of racial imbalance is specifically excluded from the definition of "desegregation."

The Elementary and Secondary Education Act of 1965, as amended now, says that no department or office of the United States while administering this program shall "require the assignment or transportation of students or teachers in order to overcome racial imbalance." To my way of thinking, the law is very clearly opposed to the policy of forced integration. However, HEW has refused to follow the law and has pursued a policy which they are not authorized to carry out.

Mr. President, I send to the desk two bills which, when passed, will reaffirm the position of Congress in opposition to the policy of forced integration. I am proposing amendments to the Civil Rights Act of 1964 and the Elementary and Secondary Act of 1965 which will prohibit Federal agencies from enforcing a policy of forced integration or from interfering with real freedom-of-choice school desegregation plans. These amendments would make it absolutely clear to everyone that Congress is not only opposed to discrimination but is also opposed to forced integration.

Mr. President, I ask unanimous consent to have these two bills printed in the RECORD.

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

The bills, introduced by Mr. THURMOND, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

S. 3569

A bill to amend Title VI of the Civil Rights Act of 1964 with respect to the use in good faith by State and local authorities of freedom of choice systems for the assignment of students to public elementary and secondary schools; to the Committee on the Judiciary

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title VI of the Civil Rights Act of 1964 is amended by adding at the end thereof a new section as follows:

"SEC. 606. Nothing contained in this title shall be construed to authorize any department or agency to prescribe any requirement, or take any action to effectuate compliance with any requirement adopted pursuant to this title, which is designed to or has the effect of interfering with or prohibiting the application or enforcement in good faith by State and local authorities of any system for student assignment based on an unrestricted exercise on the part of each student of his freedom to choose the public elementary or secondary school in which he is to be assigned."

S. 3570

A bill relating to the use in good faith by State and local authorities of freedom of choice systems for the assignment of students to public elementary and secondary schools; to the Committee on Labor and Public Welfare

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 704 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 884) is amended by adding, immediately preceding the period at the end thereof, a comma and the following: "or to interfere with or prohibit the application or enforcement in good faith by State and local authorities of any system for student assignment based on an unrestricted exercise on the part of each student of his freedom to choose the public elementary or secondary school in which he is to be assigned".

ADDITIONAL COSPONSOR OF BILL

Mr. GRUENING. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 3519) to provide increased programs of assistance to the fishing industry of the United States.

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

SENATE CONCURRENT RESOLUTION 73—CONCURRENT RESOLUTION CREATING A JOINT COMMITTEE ON ARRANGEMENTS FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND THE VICE PRESIDENT-ELECT ON JANUARY 20, 1969

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original concurrent resolution (S. Con. Res. 73) creating a Joint Committee on Arrangements for the inauguration of the President-elect and the Vice President-elect on January 20, 1969, which was considered and agreed to.

(See the above concurrent resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under a separate heading.)

SENATE RESOLUTION 297—RESOLUTION AUTHORIZING THE PRINTING OF TRIBUTES ON THE SENATE FLOOR TO THE HONORABLE CARL HAYDEN AS A SENATE DOCUMENT

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 297); which was placed on the calendar:

S. RES. 297

Resolved, That the tributes expressed on the Senate Floor by Members of the Senate to the Honorable Carl Hayden, a United States Senator from the State of Arizona and President Pro Tempore of the Senate, on the occasion of the announcement of his retirement from public office, be printed as a Senate document, in such format and together with such pertinent materials and illustrations as may be determined by the Joint Committee on Printing.

SEC. 2. There shall be printed and bound for the use of the Joint Committee on Printing that quantity of additional copies of such document permissible under statutory limitations.

SENATE RESOLUTION 298—RESOLUTION TO PAY A GRATUITY TO GEORGE N. PFEIFFER

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 298); which was placed on the calendar:

S. RES. 298

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to George N. Pfeiffer, widower of Helen K. Pfeiffer, an employee of the Senate at the time of her death, a sum equal to two months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 299—RESOLUTION TO PAY A GRATUITY TO MARIE T. MUSSELMAN

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 299); which was placed on the calendar:

S. RES. 299

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Marie T. Musselman, widow of William Melvin Musselman, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

NOTICE OF HEARING ON NOMINATION OF WALTER L. NIXON, JR., OF MISSISSIPPI, TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF MISSISSIPPI

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, June 5, 1968, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Walter L. Nixon, Jr., of Mississippi, to be U.S. District Judge, for the Southern District of Mississippi, vice a new position created under Public Law 89-372, approved March 18, 1966.

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

The subcommittee consists of the Senator from North Dakota [Mr. BURDICK] chairman, the Senator from South Carolina [Mr. THURMOND], and myself.

DOMESTIC INDUSTRY PROTECTED IN PRESIDENT JOHNSON'S TRADE BILL

Mr. HART. Mr. President, the new trade bill recommended by President Johnson should have our support. One provision which I would cite specifically is the section which will finally give some effective relief to firms and workers hit by import competition.

As we all know, we intended to provide such relief in the Trade Expansion Act of 1962, but it appears that we made the criteria for obtaining help too rigid and too inflexible. In hearings before the Tariff Commission, not one single firm or group of workers has ever been able to qualify as eligible for adjustment assistance.

The new bill liberalizes those criteria. Where increased imports are a substantial cause of injury, the affected firms and workers will clearly be able to qualify for assistance.

Business and labor need this help. We must remember that sometimes American industry is competing in our domestic market against foreign products priced considerably below ours. We, of course, have a technological capability superior to that of most other countries, but even this does not always enable us to meet the competition in the marketplace.

As the President says in his message:

> Since international trade strengthens the nation as a whole, it is only fair that the government assist those businessmen and workers who face serious problems as a result of increased imports.

Our firms and workers therefore may need special consideration and I am glad this bill provides it.

MILITARY THREAT TO CZECHOSLOVAKIA

Mr. SCOTT. Mr. President, in remarks appearing on page 14807 of the RECORD of May 23, 1968, I invited attention to a letter to the editor of the New York Times from a group of research associates of the Washington Center of Foreign Policy Research. They warned of the consequences of any use of military force to reverse recent promising trends toward liberalization in Czechoslovakia. The signatories of that letter were: Robert E. Osgood, the center's director; Herbert S. Dinnerstein; Cary O. Fisher; George Liska; Charles Burton Marshall; and Edmund Stillman.

REINDEER MEAT MAKES GOURMET STEAKS

Mr. BARTLETT. Mr. President, I wish to invite attention to an article entitled "Raising Reindeer on the Tundra," published in the spring issue of Our Public Lands magazine, the Bureau of Land Management's official publication. The article was written by John D. Abrahamson, an eminent resource economist in the Bureau of Indian Affairs, and it begins with the following advice:

> When dining out in an Alaskan city, or in Chicago, Portland or San Francisco, try a reindeer steak. It's a gourmet item for the gourmet appetite.

Far from being solely a "gourmet item," it is quite possible that the marketing of reindeer meat has commercial potential, not only for the purposes of domestic consumption, but for export to foreign markets—such as Japan and West Germany, where interest has already been demonstrated.

As Mr. Abrahamson's article points out, reindeer were brought to northwest Alaska more than 75 years ago as a supplement to the diet of the Eskimos in that region. The expansion of reindeer ranching by the Eskimo people, with the aid of Federal legislation in 1937 and with the guidance of various Government agencies, has shown hope for the development of a profitable industry. Evidence of this is seen in the recent establishment of the Alaska Reindeer Industry Advisory Committee. The advisory committee is a cooperative effort of the Bureau of Indian Affairs, the Bureau of Land Management, the State of Alaska, and the Alaska Reindeer Herders Association, which seeks specifically to improve and promote the reindeer industry.

I should like to compliment Mr. Abrahamson on his useful article, and I ask unanimous consent that it be printed in the RECORD.

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

RAISING REINDEER ON THE TUNDRA: ALASKAN HERDS PRODUCE GOURMET STEAKS AND A PROFIT

(By John D. Abrahamson, resource economist, Bureau of Indian Affairs)

When dining out in an Alaskan city, or in Chicago, Portland, or San Francisco, try a reindeer steak. It's a gourmet item for the gourmet appetite. If its on the menu, most likely the steak came from Alaska, where in the western reaches of the State reindeer are raised by Eskimo herdsmen.

Twelve herds, consisting of some 35,000 animals by 1965 count, are the source of all commercially produced reindeer meat in Alaska. Eleven of the herds, located on or adjacent to the Seward Peninsula, are owned by Eskimos. One herd, on Nunivak Island, is owned by the Federal Government.

Reindeer production in Alaska can be credited to Yankee whalers from New England. While hunting whale in the Bering Sea and the Arctic Ocean in the 1870's and 1880's, the heyday of whaling, whalers also hunted all other sea and land mammals for their marketable products and, to a much lesser extent, for food.

These activities decimated the Eskimos' resources and left them in a precarious condition. Numerous instances of starvation are documented in a report on the introduction of reindeer into Alaska that was prepared by Dr. Sheldon Jackson in 1893. Through the 1890's and until 1910 he was the General Agent of Education in Alaska for the Bureau of Education of the Department of the Interior. Starvation deaths were reported at Nunivak, King, and St. Lawrence Islands, and at coastal villages from the Yukon-Kuskokwim delta northward to Point Hope.

CAPTAIN HEALY

A significant contribution toward easing the plight of the Eskimos was made by the U.S. Revenue Cutter Service, an agency of the U.S. Treasury and a forerunner of the Coast Guard. In fact, Capt. M. A. Healy, commander of the revenue steamer *Bear*, made the suggestion to Dr. Jackson that reindeer might be the solution to the Eskimo's problems. From 1879 onward, revenue cutters made annual summer visits to the Alaskan shores of the Bering Sea. The officers of the revenue service came to have an intimate knowledge of the condition of the Eskimo, for at that time the service was responsible for the welfare of the Alaskan natives. It administered law and order, provided medical service, and distributed provisions. The cruises of the revenue cutters extended to the Siberian shores, and there the grazing of domesticated reindeer by the Chuckchee people was observed.

Captain Healy warned of the gradual exhaustion of the native food supply. From time immemorial, he wrote, the Eskimos had lived principally on whale, seal, walrus, salmon, and caribou. In the persistent hunt of white men for the whale and walrus, he noted, the walrus had largely disappeared and the whale had been driven beyond the reach of the native. The disappearance of the mammals ended a major source of the food supply, and starvation and gradual extinction of the people appeared inevitable in the near future.

REINDEER FROM SIBERIA

As a replacement for the resources lost to whalers, Captain Healy and Dr. Jackson obtained over a 4-year period about 1,300 reindeer from Siberia. These were transported to the Seward Peninsula where the first Alaskan reindeer herds were established. The herds fluorished in the early years. Under close herding, the reindeer population almost exploded, increasing as much as 25 to 33⅓ percent annually.

Nonnatives began to see possibilities in a thriving commercial reindeer industry. Ample and free ranges, rapid rates of reproduction, and low operating costs attracted white people to the industry.

By the late 1920's and early 1930's it was estimated that the reindeer had increased to more than 630,000 animals. Then a decline set in. Large-scale operations led to imprudent practices and to a rapid, disastrous drop in numbers of reindeer. Depletion of ranges, inadequate herding, and attacks by an increased number of wolves, all combined to bring ruin to the industry.

The depletion of the ranges was due to excessive grazing and trampling in many areas during both summer and winter. Fires set by prospectors and miners also damaged the ranges. Inadequate herding was attributable to hardships experienced, crude range facilities, absentee ownership, village attractions, and failure to understand the habits and requirements of the deer. The lack of herding led to losses by wolves and bear, to starvation, and the deer straying away with herds of caribou. These and numerous other factors, both physical and economic, contributed to the decline of the industry.

THE "REINDEER ACT"

Following the decline, the Congress, by the Reindeer Act of 1937, provided for the liquidation or nonnative interests through the purchase of capital equipment and all remaining reindeer. Today there are the 12 herds, which were mentioned earlier, that are producing meat for the commercial market. There are, in addition, four other herds. One of these is to be used in various husbandry and feeding experiments, and another is native-owned but has not been under control and management for many years. Two are the remnants of community herds, a type of enterprise once encouraged by the Federal Government as a source of native subsistence. The community herds have been less than successful because no villagers care to bear responsibility for them. They have not been

subjected to husbandry practices and have been treated much like game animals.

Native reindeer herdsmen have faced so many serious handicaps that it is surprising the industry has persisted at all. Chief among the handicaps are environmental, cultural, and economic conditions. While reindeer apparently thrive under the harsh subpolar climate, and on the tundra, which is shunned by other large mammals, man endures only by being ever careful and prepared to meet unexpected emergencies and dangers. The Eskimo's culture orients him to the maintenance of reindeer as reserves to meet subsistence needs while his enterprise is designed for a cash-based economy geared for the marketplace and, as such, demands husbandry practices of at least a modest order. Barter, directly and on a credit basis, is still the predominant means by which he obtains goods from the local trader. The exchange of cash or the use of bank reserves are still largely beyond his acceptable understanding.

MANAGEMENT PROGRAM ESTABLISHED

His adaption to these new cultural and economic patterns and practices has lagged for reasons not entirely within his control. For years teachers in the native schools carried the responsibility for supervising and advising the herdsmen on reindeer management practices. They were ill-prepared for this task, being trained in education of children and not in animal husbandry. Only in the early 1950's was a continuing management program established in the Branch of Land Operations of the Bureau of Indian Affairs, and trained supervisory personnel employed.

The reindeer industry has experienced its greatest frustrations with marketing problems, beginning with slaughter. Unlike stockmen elsewhere, reindeer men have had to perform the entire gamut of activites from raising the deer to slaughtering to marketing. The inability to readily move prime animals and culls off the range and on to the marketplace on a systematic basis is currently slowing the establishment of improved herd management practices.

Activities initiated in the past 2 years, however, are already bringing improvements. Reindeer men have established their own organization, the Northwest Alaska Reindeer Herders Association, to bring about greater cooperative effort and general improvements to the industry. This organization led last year to the design of a herdman's recordbook for maintaining accounts and a record of husbandry activities. On his request, each herdowner was given personal instruction in using the recordbook.

SIGNIFICANT ACTION

Possibly the most significant action for long-range benefits took place in late 1967 with the establishment of the Alaska Reindeer Industry Advisory Committee. Its purposes are to furnish leadership, obtain technical assistance and economic aid, and promote education and training for the people participating in the industry. Participants are the Northwest Alaska Reindeer Herders Association, the Bureau of Indian Affairs, the Bureau of Land Management, and the State of Alaska. BIA has had administrative responsibility for the ranching aspects of the industry but will relinquish these responsibilities as the native leadership develops skills to assume them. The ranges are under the administrative jurisdiction of the Bureau of Land Management. BLM will continue to manage the habitat and to determine the suitability of new areas for reindeer grazing. The State of Alaska will assume responsibility for advice, guidance, and promotion of the slaughtering, processing, and marketing aspects of the industry.

Benefits from the reindeer industry are several. It offers employment to natives as full-time or part-time herders, as helpers during roundups, and as employees in slaughtering. The reindeer are also a standby reserve to meet the possible need for another sources of food in the event of a disastrous shortage arising from unsuccessful hunting or fishing.

INCOME FROM REINDEER

In 1963, for example, 240 families received some income, and 100 families received a substantial portion of their income, from privately owned reindeer operations. Assuming a conservative number of five persons per family, then some 1,200 persons received some benefits, and around 500 persons derived a substantial portion of their livelihood from reindeer. The government herd at Nunivak Island also considerably benefits the natives there.

Bordering the length of the Bering Sea coast southward from the Seward Peninsula is a broad area of tundra that is unused except by small fur-bearing animals and large numbers of nesting waterfowl. The waterfowl congregate at streams, lakes, and ponds near the coastal fringes. Away from these areas, there is no productive use for the tundra except as reindeer ranges. It is estimated that about 85 million acres could carry about 400,000 head and provide full support for approximately 5,600 people, and partial support for an additional 11,000 people. The reindeer industry offers a significant economic development potential for this extensive area which has few resources on which to build a self-sustaining economy to meet the needs of its future.

HUMAN RIGHTS CONTRADICTION IN THIS NATION

Mr. PROXMIRE. Mr. President, intensifying efforts in this country in the field of human rights is just plain essential if we are to advance the cause of humanity throughout the world.

We all recognize, quite readily, the inherent dignity and the equal and inalienable rights of all members of the human family. These represent the foundation not only of freedom and justice, but also of peace. However, we have got to do something more than commit ourselves to mere words.

The recent United Nations International Conference on Human Rights, held in Teheran, Iran, evaluated the effectiveness of the United Nations role in the field of human rights and is now engaged in preparing a program of further measures.

Various governments, agencies, and others are also compiling special programs for the balance of 1968 which is regarded as the International Human Rights Year.

Our Nation has lost considerable prestige among the countries of the world for its failure to pass the Human Rights Convention. I think it is time we halted this contradiction between this country's proven commitment to human rights and our egregious failure to join internationally in affirming the dignity of mankind.

Again, I genuinely urge the Senate to force its approval of the Human Rights Conventions on Genocide, Freedom of Association, Political Rights of Women, and Forced Labor.

OUR ESSENTIAL DOMESTIC PROGRAMS SHOULD NOT BE CUT—OUR FIRST DUTY IS TO THE FOLKS AT HOME

Mr. GRUENING. Mr. President, earlier this month, the executive council of the AFL–CIO announced that the AFL–CIO is unalterably opposed to the meataxe approach to cutting the budget, stressing that—

Essential programs must be maintained and expanded.

The desirability of attending to the pressing domestic needs of our Nation is clear. We will not solve them by evasion or by the appearance of ignorance on the part of Federal agencies or the Congress.

Our domestic crisis will not vanish if we ignore it and slight it by inadequate funding.

Cuts in education are inexcusable. They cannot be justified on any basis.

Our affluent society cannot afford to neglect its people's health, as is happening.

The drive to depollute our rivers and lakes and the atmosphere we breathe cannot be interrupted without losing the benefits of the starts we have. To stop now or cut back would be highly wasteful.

Resource development is not only essential for itself but it keeps unemployment at a minimum.

No need exists in 1968 for any citizen to go hungry.

No child or adult at this time in our history should suffer from a lack of food or from malnutrition.

Obviously we must solve first things first. I would put the immediate emphasis on the ending of unnecessary hunger, and I would hope that through the cooperation of all levels of our government—Federal, State, and local—we will do this as quickly as possible. By "quickly" I mean days, not months.

As a nation, we have neglected other crisis areas. We must attend to our needs in the fields of health, education, and welfare. As a nation, we should fund adequately our war on poverty and our war on crime. We can fund our domestic programs if we cut wasteful foreign aid expenditures, our space program and our bloated military expenditures, the latter which threatens to exceed $102 billion in the next fiscal year.

This week we passed the Housing and Urban Development Act of 1968, a measure which contains a number of provisions aimed directly at establishing a program that will help provide homeownership for lower income families, make it possible for lower income families to obtain rental and cooperative housing and provide some new ways to help meet the urban crisis of the cities.

It makes good sense for families to be able to buy homes. The Housing and Urban Development Act of 1968 provides the subsidy which will make this possible for families in the general income range of $3,000 to $7,000. Concommitantly, this should make our housing industry healthier and bolster our sagging lumber industry.

The Housing and Urban Development Act of 1968 is a far-reaching bill. It provides for improvements in urban renewal and urban planning, mass transportation, national flood insurance, an extended housing program which looks ahead 10 years and an expanded model cities program which authorizes the appropriation of $1 billion for fiscal year 1970 for supplementary grants and for other purposes under the model cities

program. The urban renewal demonstration grant program is amended to permit grants to nonprofit organizations as well as public bodies and the maximum level of Federal assistance for a demonstration project is increased from two-thirds maximum to 90 percent. I believe this may enable us to find new and creative ways to deal with urban blight and the age-old slum problems.

Of special interest to Alaskans is section 1515 of S. 3497, which extends the date the Secretary of Housing and Urban Development is required to report his findings and recommendations on earthquake insurance to June 30, 1969. The time extension will, I hope, allow the Secretary to give Congress a better report and in turn make it possible to provide the needed relief to residents of areas which are threatened by earthquakes.

But these improvements contained in the Housing and Urban Development Act of 1968, as reported and as amended on the floor, will do no good whatsoever if they are not funded.

An editorial, written by Philip H. Abelson, and published in the May 17, 1968, issue of Science, correctly states that Federal support of research buys more than research. Says Science:

> It pays for graduate education, leads to improved teaching of undergraduates, and facilitates initiatives. In deploring budget cuts, university and administrators have a good case, and they should be listened to.

Science observes that some State-supported schools derive 30 percent of their total budgets from the Federal Government. Yet of the proposed budget cut of $4 billion at a minimum, we hear today that at least $1 billion is to be taken from the Department of Health, Education, and Welfare.

How nearsighted are we?

Mr. President, I ask unanimous consent that the full text of the May 13, 1968, statement on indiscriminate budget slashing by the AFL–CIO and the text of the Science editorial be printed in the RECORD.

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

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON BUDGET SLASHING, WASHINGTON, D.C., MAY 13, 1968

The AFL–CIO is unalterably opposed to the meat-axe approach to cutting the budget. We believe every federal expenditure must be considered on the merit, need and priority of individual programs.

Obviously some expenditure reductions are possible because they involve postponable items and less-urgent needs. Continuing efforts should be made to eliminate the types of wasteful expenditures that develop in all large enterprises, both private and government.

But essential programs must be maintained and expanded.

So it follows that we are appalled by the recent action of the House-Senate conferees in slashing the budget without regard to the merit, need or priority of individual programs.

Instead of responding affirmatively to the President's challenge to the Congress to demonstrate legislative statesmanship, the conferees accepted the counsel of those who have little faith in America.

To our mind, pressing domestic problems demand immediate attention, not avoidance.

America's urban crisis, its housing shortage, its educational needs, its pockets of poverty-stricken citizens and shortage of health-care and anti-pollution facilities require expanded action, not slashing cutbacks. If Congress rises to its responsibilities, it will increase—not cut—appropriations for such efforts.

As we have said before, we will support a fair and equitable tax increase on a temporary basis.

But the actions proposed by the conferees will set the United States on a course that can lead only to chaos in domestic and international policies.

Therefore, we intend to oppose with all our strength all indiscriminate budget slashing.

[From Science, May 17, 1968]

EFFECTS OF CUTS IN FEDERAL SUPPORT OF UNIVERSITY RESEARCH

Universities are dependent on federal funds. Some state-supported schools derive 30 percent of their total budgets from the federal government. Science departments of such institutions obtain most of the money needed for graduate training as a by-product of support for research. Many private institutions are heavily dependent on government funds. Some obtain more than 80 percent of their budgets from Washington. Funds for the conduct of research and for graduate training at even the highly endowed schools come almost entirely from federal sources.

With this background in mind, I recently asked administrators at 12 great universities for their estimates of the effects of proposed cuts in the federal support of research. All responded frankly and indicated that the consequences of cuts had been under study at their institutions. They were gravely concerned and felt that heavy damage to their schools and to higher education might occur. All agreed that they would give a high priority to meeting commitments to their staff and said that, even if there was no federal funds for research, they would provide for the tenured faculty. The reduced population of graduate students on campus next year will probably be supported. Most vulnerable to effects of cuts are the postdoctoral fellows and technical supporting staff. A cut in federal support would result in a much larger drop in research output. Postdoctoral fellows are among the most creative scholars on campus. Without supporting technical staff, the complex equipment vital to modern research would be inefficiently used. Operating under restricted budgets, the professors would eschew chancy initiative involving new equipment in favor of safe investigations employing items already at hand.

While the most disruptive effects of a budget cut would be manifest in the science departments, the entire faculty would feel stringency. For example, at one top private university, the annual cost of operating the computer center is $3 million. This cost, which is highly inelastic, is met by users supported on government grants and contracts. A drop in federal funds would exacerbate the institution's deficit during the next fiscal year. The deficit would deepen for another reason. The university is geared to handle a certain volume of activity. It will be difficult to reduce overhead costs quickly enough to avoid further deficits if federal funds are diminished.

At a number of large state universities, overhead from federal grants has had catalytic effects. Legislators are willing to pay for cutting the grass but not to provide for large items of equipment or funds for new initiatives. Some university administrators have been able to retain control of overhead on grants. These funds have been used for computer facilities, matching funds for construction of science buildings, and even support for the humanities. One vice president told me that a first casualty resulting from a drop in support of the physical sciences would be new studies of urban problems.

Federal support of research buys more than research. It pays for graduate education, leads to improved teaching of undergraduates, and facilitates initiatives. In deploring budget cuts, university administrators have a good case, and they should be listened to.

PHILIP H. ABELSON.

THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. PERCY. Mr. President, I wish to express my disappointment that committees of both the House and Senate have postponed the consideration of the International Development Association—IDA—authorization bill. While it is understandable that the committees may give priority to other legislation, I am hopeful that action on the IDA authorization will not be deferred indefinitely.

The importance of IDA to U.S. foreign aid policy should not be underestimated. IDA represents international cooperation to assist in the development of low-income countries. IDA represents the effort to channel more aid and resources into multilateral channels in order to minimize the political and military entanglements of unilateral aid while maximizing the constructive impact of the aid. IDA represents the willingness of 18 other developed nations to share with the United States the responsibility to help less fortunate nations. IDA represents the commitment of other developed nations to contribute, as a group, 60 percent of the funds required.

Fundamentally, IDA provides poor countries with loans on very favorable terms for high-priority development projects. Thus, low-income countries which cannot afford conventional foreign-exchange loans may finance development programs and maintain some momentum for progress.

It is noteworthy that the idea of an international development association was first formally proposed in a Senate resolution adopted with bipartisan support in 1958. By September 1960, IDA was operating with the support of most of the member countries of the World Bank. Now, 98 of the World Bank's member countries have joined IDA.

Some critics have stated that the IDA authorization request might aggravate the U.S. balance of payments. However, an agreement reached within the association provides that none of the U.S. contribution shall be used except for purchases in the United States during the next 3 fiscal years and, if the payments problem persists, for as long thereafter as possible. Thus, at least for the next 3 fiscal years, the U.S. contribution to IDA can have no appreciable effect on the U.S. balance of payments.

It should be remembered that for every $2 the United States contributes to IDA, other nations will contribute $3. This principle of matching funds was an important departure when IDA was established. It is still important and deserves the continuing support of the U.S. Congress.

Even if it were necessary to cut the AID authorization the same amount, I believe it would be far better to put the

funds to work in IDA. We would be spending 40-cent dollars, since our funds would be matched one and one-half times by other contributing nations. Investments would have the expert supervision of the World Bank staff. Repayments would be made to, and collected by, the World Bank rather than the U.S. Government.

I urge Senators to study the International Development Association, its funding, its procedures, its activities. If they do, I am confident that we shall move ahead in this session to approve the IDA authorization.

BURIED AT SEA

Mr. BARTLETT. Mr. President, yesterday, May 28, in a full-page advertisement in the New York Times and the Washington Post, the AFL–CIO Maritime Committee made very clear its position on the administration's merchant marine policy. This policy was outlined by Secretary of Transportation Boyd when he appeared before my Subcommittee on Merchant Marine and Fisheries, on Monday, May 20.

Because of the importance of the statement by the AFL–CIO Maritime Committee, I ask unanimous consent that it be printed in the RECORD.

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

THE SOVIETS ARE BURYING US AT SEA

In 20 years, the United States merchant marine has sunk from the world's greatest to sixth place—and we are sinking faster today than ever before. At the same time, the Soviet Union is building its merchant fleet—passenger ships, freighters, tankers and fishing vessels—faster than any other country. Right now, the Soviet Union with its own ships is able to supply all its far-flung fronts—including North Vietnam and Cuba—for Communist military and economic penetration. It is continuing to build at a rate that will give the Soviet Union the world's most powerful merchant marine within a few short years—unless our country wakes up.

Three years ago, the President of the United States said that he would recommend to the nation a positive maritime policy to stem the disastrous decline of our merchant marine. Not until last week did the Administration deliver any policy recommendations to Congress. And instead of a positive program, the White House has proposed that the United States abandon its historic role as a maritime nation.

In essence, the proposals which Secretary of Transportation Alan Boyd outlined to Congress would have the United States abandon any responsibility for maintaining an American-flag merchant marine beyond bare defense requirements.

What will this mean to you?

Does your work involve imported raw materials or parts? Is some of the product you help produce sold abroad? If so, you have a particularly vital stake in the American merchant marine. Under the Administration proposals, what we can send abroad or receive from overseas will depend on the ships foreign countries see fit to put in our trade and we will have to pay the freight rates they choose to charge. For want of ships of our own, our ability to compete in world trade can be crippled.

Do you intend to do any traveling by ship? Without American-flag ships you will have no choice but to take your chances with the inferior safety requirements of foreign-flag ships. No other ships in the world maintain the strict safety standards required on U.S. flag ships.

Do you pay taxes? Under the Administration proposals, skills of most of the men who sail and build our ships will go down the drain. Hundreds of thousands of jobs will be lost forever; public welfare roles will increase.

Do you believe America must be able, regardless of cost, to fulfill its responsibilities as leader of the free world? Under the Administration proposal our strength and our posture as a world leader will be gravely impaired. In time of emergency, even our armed forces overseas would have to depend for supplies on the ships we can beg, borrow or buy from foreign governments.

The cost of maintaining an adequate merchant marine under our own flag is relatively modest. The cost of failure to do so is more than our nation can afford. Without a strong merchant marine under our own flag manned by skilled loyal American seamen our country can be crippled economically, the value of the dollar jeopardized, our industries isolated from their markets and their sources of supply—and in an emergency we can be made helpless.

Should American ships be left to disappear from the oceans? We think not.

Should our own government help make the Communist leaders' threat to "bury us on the high seas" come true? We think not.

We believe that our country can well afford the cost of the limited government assistance necessary to keep the American flag flying on our ships. Every other maritime nation provides such assistance to their ships. We believe that for our country to do otherwise is not only false economy but a cold clear threat to our country's interests. Many Congressional leaders agree. Do you?

Write to us at: AFL–CIO Maritime Committee, 100 Indiana Avenue, N.W., Washington, D.C. 2001. We will see that your sentiments are brought to the attention of the White House and Congress.

National Maritime Union of America, AFL–CIO, 36 Seventh Avenue, New York, N.Y. 10011, Joseph Curran, President/National Marine Engineers Beneficial Association, AFL–CIO, 17 Battery Place, New York, N.Y. 10004, Jesse M. Calhoon, President/American Radio Association, AFL–CIO, 270 Madison Ave., New York, N.Y. 10016, William R. Steinberg, President/ International Longshoremen's Association, AFL–CIO, 17 Battery Place, New York, N.Y. 10004, Thomas W. Gleason, President/International Organization of Master Mates and Pilots, AFL–CIO, 39 Broadway, New York, N.Y. 10006, Captain Lloyd W. Sheldon, President/United Steel Workers of America, AFL–CIO, Great Lakes Seamen, Local 5000, 1219 Superior Building, Cleveland, Ohio 44114, Carroll T. Armstrong, President/Industrial Union of Marine and Shipbuilding Workers of America, 1126 Sixteenth Street N.W., Washington, D.C. 20036, John J. Grogan, President.

UNITED STATES-WESTERN EUROPE

Mr. JAVITS. Mr. President, I have just returned from a brief but very productive visit to Europe, where I was chairman of a meeting of the Political Committee of the North Atlantic Assembly held in Brussels on May 20, and honored speaking commitments in Frankfurt on May 21 and in Rome on May 22. In addition, I was able to meet with our distinguished chief negotiators in Paris—Ambassadors Harriman and Vance—and to have a most rewarding audience with His Holiness Pope Paul.

I spoke in the Senate last Friday about the Paris peace talks, in fulfillment of an undertaking I had made to Governor Harriman and based on my conversations with him in Paris and with Pope Paul.

Inasmuch as the speeches I gave in Frankfurt and in Rome, which were also tabled as discussion papers at the North Atlantic Assembly, provoked much thought in European circles, I ask unanimous consent that they be printed in the RECORD as matters of possible interest to Senators.

In Frankfurt I spoke on the subject "The United States and Europe—After Vietnam." This speech offers a broad conceptual framework for the modernization and expansion of the overall United States-European relationship in the decade ahead. In Rome I spoke on a more specific subject—the new situation in the Mediterranean basin—resulting from new U.S.S.R. actions there—which must be of urgent concern to the whole Western community. This speech is entitled "A New Role for NATO" and offers specific proposals for counteracting the great new Soviet push to flank NATO to the south and east.

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

THE UNITED STATES AND EUROPE—AFTER VIETNAM

(By Senator JACOB K. JAVITS)

The present structure of relations between the United States and Europe has grown obsolete in many respects. The great task ahead is to modernize this relationship.

One major contributing factor to the problem of obsolescence in the relationship has been the ever-growing preoccupation of the United States with the Vietnam war following the great Cuban missile crisis of late 1962. The opening of the preliminary Vietnam peace talks in Paris hopefully marks the beginning of an end to that war, and to the U.S. preoccupation with Southeast Asia.

Once again, in a way that has not been true since the immediate post World War II period, the nature of our relationship with Europe will be the prime concern of our national attention. In its broadest sense, the question to be decided is how best to organize the 1,000 billion dollar productive capacity of Western Europe and North America to assure our collective security, our mutual prosperity and the full blossoming of our individual national lives.

The United States has achieved an awesome superpower status. What we want from Europe is a partnership in the exercise of that power in pursuit of the highest values and objectives of western civilization. We seek partnership with Europe—not hegemony or domination. We are neither content nor comfortable with the new role history would thrust upon us—the unilateral exercise of almost incredible "superpower."

Let me make it clear, however, that the United States cannot favor the development of a self-centered and self-contained Europe—as a so-called third force superpower—to arbitrate between the United States and the Soviet Union. This seems to be the Gaullist objective. But the United States is not interested in Europe as an intermediary, or Europe as an "honest broker." We want, I feel, a full and equal partner in the great tasks of the last third of the twentieth century.

Fortunately, the western world is positioned, at least potentially, on the crest of an unprecedented wave of technological progress and economic prosperity. We will

have before us, I am quite confident, a veritable cornucopia of options and tools with which to construct our new relationship, on the solid foundation of the past. We can construct for ourselves virtually any future we choose—such are the possibilities! If we undertake our labors in a spirit which is determinedly cooperative and forward-looking we can achieve peace and prosperity, not only for ourselves but for the entire world. However, if we proceed in a spirit which is backward-looking and marked by suspicion and petty rivalry, the future can be dangerous and unpleasant for all.

I think that President De Gaulle has, by-and-large, generally identified aspects of the U.S.-European relationship most in need of reform. But, in my judgment, his prescriptions for our maladies are invariably wrong. Being based on such an antique vision, they may, one day in historical retrospect, appear merely whimsical. Today, however, Gaullist counsel must be viewed as a serious challenge from one of the most respected members of the western family. Narrow, backward-looking, competitive nationalism could again prove to be the curse and the scourge of Europe—as it has been so often in the past—and dangerously involve the U.S. as well.

The area of our relationship most obviously bursting its seams is the commercial-financial sector. All our efforts in this regard, and they have not been unsubstantial, have been inadequate and barely sufficient to maintain a semblance of order and control over the straining torrent of growth. We have learned the lesson that unrestrained growth which is not balanced and carefully structured can lead to collapse and depression. The answer, however, is not a return to the irrational and obsolete "discipline" of the gold standard. Rather, it lies in creating an institutional framework comprehensive enough to accommodate and channel the accelerating growth thrust of the western industrial economies.

The conclusion of the Kennedy Round was a solid achievement and the agreement on "Special Drawing Rights" within the IMF give creative promise for the orderly and rapid expansion of international trade and investment. Nonetheless, as the recent and continuing severe balance of payments problems of Britain and the United States have demonstrated, very troublesome problems of organization, and of institutional relationships among the OECD groups of nations, persist and require urgent remedial attention.

I would assign highest priority of all to solving the problem of Britain's economic crisis and the dangers created by its continuing exclusion from the Common Market. A healthy and prosperous Britain is essential to the security and well-being of the entire western community. To allow Britain to continue to be buffeted about on the high seas so to speak alone, while denying her entry into the EEC is an extremely costly and short-sighted policy.

The best solution, in my judgment, would be Britain's early entry into the Common Market. However, in view of the continuing unilateral French veto on British membership—and the unlikelihood of an early change in this situation— it has become essential to explore alternatives. I have been closely associated with an international experts study of an International Free Trade Area, which would encompass, in the first instance, Britain, the United States and Canada and which could expand rapidly to include the EFTA nations, Japan and other industrial trading nations which might wish to join. Eventually, IFTA could be expanded to include even the EEC in a broad, expensive institutional framework. To me and to many others, the concept of an Industrial Free Trade Area represents the logical next step in the continuing effort to liberalize world trade.

The point I wish to emphasize is that we must be governed by the principle of "inclusiveness" as opposed to the principle of "exclusiveness," as we go about the business of structuring our economic relationships in the years ahead. We will assuredly be dealing with a constantly expanding pie, so to speak, and—as we have learned domestically in the United States—bitter and destructive squabbles over the shape of the pieces to be cut are unnecessary and dissipate energies better applied elsewhere.

The problem of "exclusiveness" in western economic relationships does not just effect Britain. It is of vital importance to the United States as well. There are voices in Europe, powerfully represented in the Common Market, which allege that the United States seeks to establish economic hegemony over Europe, represents a threat to its economic independence and welfare and propose allegedly "defensive" measures.

Also there are many in the U.S. who retort that restrictive and discriminatory economic nationalism in Europe—no matter how it is rationalized and irrespective of whether it is administered collectively through the EEC or individually—is certain to trigger retaliatory "protectionist" effort in the United States. Their argument is fortified by the non-tariff barriers to trade which continue to prejudice and bedevil U.S. and other trade even within the EEC countries. It is, of course, most unlikely that any responsible person would accept the idea that "Wall Street" somehow would be able to—or even seek in it wildest dreams—to emulate Julius Caesar in establishing an imperium over Europe. What could become an ugly reality, however, is a destructive and impoverishing cycle of protectionist trade barriers on both sides of the Atlantic.

The "American Challenge" to Europe, when seen with a steady eye and for what it really is, can hardly be a cause for fear or misgivings. The American challenge is a challenge to face the future with a full realization of its exhilarating potentialities. We just cannot afford to face our economic future—based on revolutionary new technology and principles of organization—in the fearful and cowering spirit of the weavers and spinners who smashed the first textile machinery.

The second aspect of United States-European relations which needs modernization and revision is our security relationship institutionalized in the North Atlantic Treaty. As we approach 1969, the year in which individual members can denounce the Treaty under article 13—and especially with the uncertainty regarding President De Gaulle's intentions in this regard—it is essential that we reassess with full deliberateness the structure and purposes of our "Grand Alliance."

We can take justifiable pride and satisfaction in the extraordinary success of NATO in achieving over the past twenty years the basic objective for which it was originally established—the deterrence of potential USSR aggression in Europe. But much has changed since 1949, and NATO must now be modernized to face the future rather than the past.

The Gaullist thesis offers one possible approach to the changed circumstances determining western security. In essence, this thesis argues that the diminution of the Stalinist threat of a massive conventional attack on the central front warrants a dismantling of NATO's integrated command system and the downgrading of the entire alliance structure to the status of a stand-by, volunteer fire department.

In my judgment, this is a dangerously myopic approach. Of course it is true that the recovery of Western Europe, the development of U.S. strategic nuclear weapons, and the liberalizing and nationalist ferment in eastern Europe, have greatly reduced the likelihood of a conventional communist invasion of western Europe, notwithstanding the fact that the attack capabilities of the Warsaw Pact powers are greater now than they have ever been in the past.

But there has been no change in Soviet objectives in Europe—they are as inimical as ever. Moreover, there has been a vast development of Soviet power and capabilities over the past two decades which has enabled the Kremlin to adopt more subtle, broad-ranging and varied new tactics. The Soviet Union now has the power to intimidate with threats of destruction from a distance, made possible by its arsenal of nuclear missiles. The Soviet development of new, sea-based, globally mobile power enables it to essay bold flanking movements, as we are now witnessing in the Mediterranean and the Middle East.

Soviet strategy is to divide the west, play off one faction against another, isolate potential victims in Europe and to pick them off one by one. Individually, the nations of Europe are no match for the USSR.

Deterrence has been the principal function of NATO over the past two decades and the key to our success has been our unity of purpose and the capacity of the alliance to present a common front in times of trial and crisis.

The future business of NATO must be twofold: to maintain deterrence but also to achieve détente Both are possible—but only possible if we maintain our unity of purpose and our unity of defense organization in being. A revitalized NATO is the institution which we must use to give structure, coherence and discipline to our common purpose.

We face a highly dynamic future and the future tasks of the Alliance increasingly will be political and diplomatic, as well as military. The Soviet boc is watching intently to see whether NATO has the resilience and the creativity to the new challenges it faces in a security environment developing in new directions and new dimensions.

I am convinced that if our "deterrence response" is sufficiently vigorous and adaptable we will increasingly be able to reap the benefits of détente, and be positioned to seek even the fruits of reapproachment—both within Europe and with the Soviet Union.

The coming decade will provide a crucial test for the organizational genius of the Atlantic community's people. Not only must we creatively restructure the channels and institutions of our economic and security relationships. We must do so in a manner which assures the optimum degree of institutional compatibility and mutual reinforcement between the economic and security fields.

Inevitably there will be a trend toward greater and greater interdependency. This involves our overall political relationships. I envisage and endorse the establishment of new, communitywide consultative institutions of a quasi-political nature. In addition to the present periodic meetings of NATO foreign ministers and defense ministers, and ad hoc meetings of our Treasury ministers in one form or another, I envisage the evolution of regular, institutionalized meetings of Atlantic Community cabinet officials dealing with a wider range of matters of national interest and responsibility. Not only Commerce ministers, but also Education ministers, Transport ministers, Housing and Urban Affairs ministers may find it highly productive to have institutionalized meetings for exchange of information and harmonization of policies for mutual benefit. This may be defined as a form of confederation but without any diminution of national sovereignty.

An excellent and indispensable first step in the institutional growth of the North Atlantic Alliance would be the official recognition of the North Atlantic Assembly as the parliamentary consultative branch of NATO.

Increasing interdependence is the name of the future, and vastly expanded consulta-

tion and coordination of effort will be required for the smooth management of intra-Atlantic community relations. Increasing coordination and "concert" of policy with regard not only to the Soviet Bloc, but the entire outside world is essential and inevitable, in my judgment.

A very modest beginning in this regard has been made, with French acquiescence, in the Harmel report on "Future Tasks of the Alliance," which was adopted at the NATO ministerial meeting in Brussels last December. The question of the global posture and responsibilities of the Atlantic Community is bound inextricably to the question of how intra-community relations will develop.

The United States is a superpower with global interests and global responsibilities. We seek a full, equal, worldwide partnership with western Europe in the exercise of global power and in the burden of global responsibilities. The "third world" may be non-western, colored, and underdeveloped but it can be ignored or neglected only at our collective peril. We share a rapidly shrinking planet with this rapidly increasing, restless and impoverished non-western majority of mankind. Neither the imperial nor the missionary approaches of our past will suffice, any better than indifference and neglect.

In place of imperial conquest, we have a duty and a self-interest to see that the peace of the world is maintained. This is not a job for the United States to perform alone outside of some arbitrarily defined NATO "treaty area". If for no other reason, it is just not good for world peace to have the Americans and the Russians bumping their respective superpowered, nuclear-tipped noses all over the globe. The reluctance or inability of the European former colonial powers to play a global role as individual nation states is understandable. A new and collective role must be evolved, and the councils of NATO are the place to start.

The NATO countries need a concerted approach to aid and trade with the underdeveloped world. The countries of the Atlantic community have the wealth and the productive capacity, as well as the organizational and technological know-how, to transform the non-western world, if our efforts are pursued coherently, intelligently and persistently and it is essential to our own ultimate security and prosperity that we do so. While the Development Advisory Council is our proto-institution in this regard, I believe that NATO discussions of the broader political and security considerations are desirable and unavoidable.

A NEW ROLE FOR NATO

(By Senator JACOB K. JAVITS)

The apparent apathy within the North Atlantic Alliance to the developing situation in the Mediterranean—where a large and growing Soviet naval force challenges vital western interests and security—raises grave questions. The Mediterranean—and the lands on its eastern and southern shores—have, throughout history, had the most immediate and profound relationship to the security and prosperity of Europe. This relationship, while now perhaps more subtle and complex, is likely to be as profound and inextricable during the remaining third of the Twentieth Century as it was from the days of Rome through the Second World War. The Mediterranean is as vital to the security of western Europe as the Caribbean is to the security of the United States.

At present, the U.S. Sixth Fleet continues to assure the strictly "military" supremacy of NATO in the Mediterranean, and the Soviet challenge there now is more political than military. It is nonetheless a very real challenge. It requires a NATO response. Merely adding to the already preponderant military capabilities of the U.S. Sixth Fleet would not significantly redress the situation. It is essential that there be a multilateral NATO response, with a predominantly European content, if the political impact is to be as sufficient. The time to act is now.

The establishment of a NATO Standing Naval Force in the Mediterranean—along the lines of the recently established NATO Standing Naval Force in the Atlantic—would constitute an excellent first step. It is in the interests of world peace to prevent the Soviet Union from overreaching itself in the Mediterranean, as it did in the Caribbean in 1962. This can only be accomplished by timely and preemptive action.

The Middle East today is potentially the most explosive tinder box in the world. There have been three wars in twenty years between Israel and the Arabs. Now, less than a year after the ceasefire which ended the Six Day War, radical Arab leaders are again talking of war with Israel. The Soviet Union has resupplied the Egyptian and Syrian armies, on a crash basis, with modern sophisticated weapons, and continues to condone, if not abet, the intransigent refusal of the Arab nations to conduct peace negotiations with Israel. There is a persistent grave danger that a renewal of war in the Middle East could embroil the Soviet Union and the United States and drag the world to the brink of nuclear disaster.

It must be recognized that Soviet naval actions in the Mediterranean and Soviet political penetration policies in the Middle East and North Africa are part of an inextricable pattern. *It is, in fact, a mammoth and audacious effort to turn the vital eastern and southern flanks of NATO and thereby attempt to isolate the Atlantic Community from Asia and Africa.* This new threat is not less dangerous to NATO than the traditional Stalinist threat of a conventional land thrust on the central front, although it is subtler and indirect, and based on newly developed Soviet capabilities.

The situation with respect to the Mediterranean was fundamentally different when NATO was formed in 1949. First, Egypt and the Suez were under British control. British and French influence were dominant throughout the Middle East and North Africa. Second, the Soviet threat was then cast in a Stalinist mold. Its political techniques were direct and blunt and designated to strike terror in the West. Its military capabilities were almost exclusively land-based and "continental" in their strategic orientation.

The decision of the Soviet Union to invest significantly in a globally mobile military power, based on the development and deployment of a deep-water naval amphibious force, is a salient feature of the post-Khrushchev era. The success of this new Soviet strategic gambit has been enhanced considerably and gratuitously by three coincidental developments within the Western Alliance:

First, the intense preoccupation of the United States with the Vietnam war;

Second, the French withdrawal from NATO's integrated command and the related problems caused by this and by broad Gaullist efforts to reduce the Alliance to the status of a volunteer fire department;

Third, the financially-dictated decision of Britain to withdraw from "East of Suez"—completing the retreat of a once globally dominant European power back to Europe itself.

The drama of May and June of 1967, when a coalition of Arab states under Soviet influence attempted in a calculated and concerted effort to draw a noose around the neck of Israel, must have chilled the blood of European nations lacking a capacity to influence the situation. The immediate crisis was resolved—and its long range implications partially obscured—by Israel's smashing victory in the Six Day War. But, the subsequent lesson of the Soviet Union's ability to capitalize even on the defeat of its clients is there for all to see. The Soviet fleet is now entrenched at Alexandria, makes free use of the Syrian port of Latakia, and may be eyeing Mers-el-Kebir in Algeria—the great NATO-built base just evacuated by France.

The immodesty of Soviet objectives, despite the Kremlin's tactical caution, is indicated by recent Soviet naval moves in the Indian Ocean, Red Sea and Persian Gulf. Given Soviet involvement in Yemen and its opportunities in Aden, it was not hard to predict that the Soviets would seek to extend their Mediterranean bridgehead into the Red Sea, the Indian Ocean and the Persian Gulf—where oil-rich sheikdoms will soon lose the cover of British protection. The surprise is that the Soviets have not even waited for the reopening of the Suez Canal. The prospective rewards of gunboat diplomacy have seemed so inviting that the Soviets have sent a detachment of their Far East Fleet from Vladivostok to "show the flag" in the warm waters only dreamed of longingly by the Czars.

Let there be no mistake. The prizes at stake are very big and very real: control of the world's major oil reserves, the avenues of Europe's commerce and communication with Asia and Africa, the strategic land link of three continents. It is a new situation and it requires a new response.

Members of the Atlantic Alliance must demonstrate to the Soviet Union that it cannot achieve its objectives through unilateral efforts which do not have the acquiescence of the Alliance. The objective is not to provoke confrontation nor to exclude the Soviet Union from a legitimate role in these areas. Détente and accommodation are possible in the Mediterranean basin, as they are in central Europe; but such détente will only be achieved when the requisite strength of purpose is demonstrated.

There is, in fact, a close connection between the deterrent accomplishments of NATO in central Europe, the hopes for détente, and the current Soviet power play in the Mediterranean. Having been frustrated in Europe by NATO, and facing an increasingly hostile Communist China on its eastern flank, the USSR has found in the Middle East the only exploitable "soft area" within the reach of its capabilities and within the limits of what it considers acceptable risks. It is a situation which NATO cannot ignore, for "European" reasons as well as for reasons intrinsic to the Middle East.

In the Middle East, initially and at a minimum, NATO members should "concert" their actions. If commercial rivalries and maneuvers for advantage predominate, if collective energies are dissipated by individual efforts at cross purposes, if there is only a disjointed and strictly ad hoc approach—the interests of all will be jeopardized.

It is a fact that the former colonial powers of Europe are no longer willing and able, as individual nation-states, to play a global role in keeping the peace. And it is perhaps premature to expect that Europe will assume a collective global role and responsibility within the NATO context, given current realities with respect to problems and mood of the Alliance. An evolution in this direction is necessary, however, if western interests are not to be defaulted in the coming decade. The fact of the matter is that the United States has neither the desire nor capability to police the world and to intervene unilaterally in sundry distant places to protect what are really broad western community interests.

With respect to the Mediterranean proper, the path is much clearer. As a first step, NATO should establish a Standing Naval Force in the Mediterranean—a force which is multilateral and predominantly European in composition. American participation might be useful. But it is essential that Italy, and also Greece and Turkey—the three "Mediterranean" members of NATO—play leading roles. British participation would seem natural, feasible and highly desirable,

given Britain's historic role in the Mediterranean, its withdrawal from "East of Suez" and its intention to play a greater role in NATO and European defense.

Defense Secretary Healy's recent announcement of a 40% increase in British troop commitments to NATO is most welcome. Particularly gratifying is the decision to augment British naval strength in the Mediterranean. This possibly could form the nucleus of a NATO Mediterranean force.

The real impact of a NATO Mediterranean Naval Force at this time would be predominantly political and symbolic. Accordingly, its political and symbolic value should be maximized. A tangible, new step *into* the Mediterranean is required. In this regard, Malta seems to be an obvious and ideal location for the headquarters of a NATO Mediterranean Naval Force. Malta is dramatically located in the very center of the Mediterranean and offers an excellent harbor and superior naval facilities. Moreover, Malta is already linked to NATO, perhaps somewhat insecurely, through the November 3, 1965 "Joint Statement of the North Atlantic Council and The Government of Malta."

It is somewhat ironic that Malta—for centuries the contested naval prize of the Mediterranean—should today be courting the patronage and protection of a seemingly reluctant and indifferent NATO. But the British withdrawal from the base at Valletta, and closing of the Suez Canal, have caused severe economic dislocations and stringencies for the Maltese. After establishing diplomatic relations last fall, the Soviet Union has recently sent a trade mission to Malta, and the first Soviet ship was recently admitted to the work-starved shipyards. Moreover, there are significant elements within the Maltese political opposition which seek to move the country away from its strong NATO orientation into a "neutralist" posture congenial to the Soviet Union.

Paragraph 14 of the Harmel Report on future tasks of the Atlantic Alliance, approved at the Brussels NATO Ministerial Meeting in December 1967, commits NATO to: ". . . examine with particular attention the defense problems of the exposed areas, e.g. the southeastern flank." Moreover, it is public knowledge that the North Atlantic Council has had under consideration a proposal to create a Mediterranean Standing Naval Force. Objections and reservations are said to have been raised to this proposal on several grounds—none of which appear to be particularly germane to the issue. Arguments for inaction and procrastination are easy to coin. But NATO is faced in the Mediterranean with a situation which requires action!

CORRUPTION IN SOUTH VIETNAM—ONE OF OUR OWN WORST ENEMIES

Mr. GRUENING. Mr. President, I have repeatedly said that one of the greatest obstacles to the United States achieving any type of victory or success in South Vietnam is the graft-riddled, thoroughly corrupt South Vietnamese Government which has U.S. blessing and could not last 24 hours without U.S. massive military and financial support. Its graft and corruption play into the hands of the Vietcong.

As one National Liberation Front officer is reported to have said:

> Without American money, guns, food, medicine and supplies, we of the National Liberation Front would have a hard time surviving.

This quotation is reported in a soon to be published book by Wiliam Lederer, coauthor of "The Ugly American," entitled "Our Own Worst Enemy," excerpts from which are printed in the Saturday Evening Post of June 1, 1968.

Mr. Lederer's book is but the latest compilation of the almost unbelievable corruption which flourishes in South Vietnam. Despite the tightest possible censorship imposed by the government in Saigon, reports have filtered back to the United States of the almost unbelievable corruption existing in that war-torn area.

What is not realized is that such graft and corruption, on so mammoth a scale, is a major reason why the war in Vietnam is "unwinnable" by the United States.

The South Vietnamese are so disaffected by existing policies that they are more sympathetic with the Vietcong than with their government.

Mr. Lederer's description of the operations of the black market in U.S.-furnished goods is an especially good one. He recounts how he wandered through one of the black markets in Saigon in search of a new U.S. Army uniform. He was conducted up to a loft and describes what he saw there as follows:

> The place looked like a U.S. Army ammunition depot. Everything seemed to be painted brown and to smell of oil or fresh paint. Equipment was arranged in orderly rows, and printed price tags hung from everything. Automatic rifles were $250. A heavy mortar was priced at $400. There were about 1,000 American rifles of different kinds standing neatly in racks. M-16's cost $80. On one side of the loft were uniforms of all services, including the U.S. Air Force. There was even U.S. Navy diving equipment.
>
> The asking price:
>
> All complete uniform. Everything. Helmet. Pants. Boots. Shirt. Everything. Forty-eight hundred piasters or thirty dollars. You want?

These articles were stolen in various ways, described in detail in Mr. Lederer's book and article, and sold openly in the black markets in South Vietnam, with an unknown amount flowing to the Vietcong.

Instance after instance of looting of supplies has been brought to light; yet, through the years, the kickbacks to the ruling military junta in Saigon have been so lucrative that no action has been taken to stop such looting. The only action taken has been to suppress the news media and prevent their reporting on the details of such lootings, graft, and corruption, though they are well known to the people of South Vietnam.

The dissatisfaction of the people of South Vietnam with the government in Saigon increases as they see their corrupt rulers become richer and richer on their payoffs from the black markets, from the bars, and from the so-called bar girls. This widespread graft on the part of public officials drives more and more people into the arms of the Vietcong or into becoming neutral. The ease with which the Vietcong penetrated Saigon in 1968 is paralleled by the ease with which the Vietcong penetrated Pleiku in February 1965, without warning being given. Both are proof, if any be needed, of the lack of popular support of the Saigon government and of the efforts of the United States to aid it.

Because graft and corruption permeate all strata of the Saigonese government, the flow of U.S. dollars and goods, diverted from their intended use and so often into the hands of the Vietcong, is actually strengthening the latter and is one of the root causes of why the United States is not winning and cannot win in South Vietnam.

I ask unanimous consent that Mr. Lederer's article be printed in the RECORD.

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

OUR OWN WORST ENEMY

(By William J. Lederer)

(NOTE.—William J. Lederer: "Not long ago I returned from my thirty-fourth trip to Asia, and my ninth tour of Vietnam. What I saw in Vietnam violated almost everything I had learned during my twenty-eight-year career in the U.S. Navy, almost everything I had learned as a professional observer of Asian affairs. I beheld the United States being beaten—not by the strength of the enemy, but by its own mistakes and incompetence. We have botched up almost everything we have attempted in Vietnam." Ten years ago Mr. Lederer, in collaboration with Eugene Burdick, startled the nation with the controversial best-seller, "The Ugly American," which made its first appearance in this magazine. The following article is taken from his latest book, "Our Own Worst Enemy.")

"Without American money, guns, food, medicine and supplies, we of the National Liberation Front would have a hard time surviving. . . ." (Maj. Pham Van-linh, logistics officer for the National Liberation Front (Viet Cong)—in an interview in Saigon, June 1967.)

Every government we have helped into power in Vietnam has been inadequate; and all of them have been rejected by the Vietnamese people. First it was the French; next Ngo Dinh Diem; and then, after a period of coups and counter-coups, the military junta headed by General Thieu and Marshal Ky.

One of the measures of inadequacy is the degree of governmental corruption. I am speaking of excessive corruption, not the accepted Asian practice of reasonable "cumshaw" for services rendered, which grew from a tradition of low salaries for government officials. Vietnam corruption has gone far beyond the traditional. It has, for example, become the usual method of acquiring government positions and the usual reasons for wanting them—from top to bottom, from cop to high-ranking general or province chief.

My first experience with the Vietnamese black market occurred in Saigon. I told the Army public-relations officer at JUSPAO (Joint United States Public Affairs Office) that I planned to go out with the troops, and asked where I could buy jungle fatigues and jungle boots.

"We have lots of goodies for reporters if they have the right papers," he said, handing me an authorization to buy Army uniforms.

A friend took me, on the back of his scooter, to the big PX in the Cholon district. Outside the compound, with its sandbags and U.S. armed guards, was a place for customers to park their vehicles. As the vehicles were parked, small Vietnamese boys ran up, their hands outstretched, demanding "watch-your-Jeep [or scooter] money." They wanted money to stop "someone" from cutting ignition wires or letting air from tires.

I angrily told a PX officer about the situation. He replied, "The street is Vietnamese territory. We are guests in this country. We have no jurisdiction over anything that happens in the street. Those kids can sell stolen PX merchandise out there, and we can't touch them. Only the Vietnamese police can

do anything. We are guests in this country—and that's the way General Westmoreland has ordered it."

I made the obvious remark that it was a strange way to treat guests who were dying by the thousands to protect their hosts.

The major shrugged and said, "This is their country. We are fighting and dying in combat because we have permission from the Vietnamese to be on those battlefields. Parking scooters on their streets is something else."

A sergeant took me to the uniform shop, but when I gave the clerk my authorization, he shook his head. "We haven't had fatigues or jungle boots for months."

"When are you expecting them?"

He held up his hands and shrugged.

My friend and I returned to the street, mended the cut ignition wire on the scooter, and returned to JUSPAO. There I told the public-relations officer that the store did not have jungle uniforms. He laughed and said that I would have to find them where he and his men did—on the black market. "They may charge you a couple of bucks more, but the gear is always available and in all the sizes anybody could want."

I walked down the street past the USO and the flower markets and the sidewalk restaurants. It took about five minutes. And there was the "Little Black Market" (the name implying that there were bigger places elsewhere).

Stalls crowded and leaned against each other, as in any Oriental bazaar. Hundreds of customers milled about, pushing and inspecting the merchandise. Among them were four U.S. Army noncommissioned officers, one Army captain, and a U.S. Navy yeoman. Four Vietnamese policemen stood about, keeping order.

In the stalls were all the most desirable items from the PX.

I noted transistor radios, blankets, toasters, electric blenders, watches, clocks, pens, cigarettes, tobacco, shirts, television sets, cameras, film, toilet articles, patent medicines, shirts, lingerie, socks, and a variety of the best-advertised American liquors, as well as cans of just about every kind of food available in the Army commissary.

I asked a Vietnamese official if it were not against the law to sell merchandise stolen from the PX. He replied that it was, but that there was no proof this merchandise was stolen. I pointed out that almost every item still carried the PX label, and that the PX was most certainly the only local importer of them.

"That is true," he said, "but in this country, for goods to be declared stolen, we must catch someone in the act of stealing them. One must be very careful in making charges. Perhaps the 'PX' stamped on that bottle of brandy is a brand name, is that not so?"

I continued up and down the stalls looking for uniforms and jungle boots. There were none visible. Then one of the black-market operators came up and, speaking in English, asked me what I wanted. When I told her, she said, "All complete uniform. Everything. Helmet. Pants. Boots. Shirt. Everything. Forty-eight hundred piasters or thirty dollars. You want?"

"I want to see them."

"You buy them if they all new and right size?"

"Yes, of course I will. Do I pay you now?"

The woman turned to a boy, spoke to him in Vietnamese and gave him a piece of paper. "Go with boy. Pay when you get clothes."

The boy took me several blocks along the street and into a store that had copper pots in the window. The boy went to an old man who was clacking an abacus. Without speaking, the old man led me out the back of the store, across a yard, into an alley which stank of rotten vegetables, and then up two flights of equally smelly dark stairs into the loft of another building.

The place looked like a U.S. Army ammunition depot. Everything seemed to be painted brown and to smell of fresh oil or fresh paint. Equipment was arranged in orderly rows, and printed price tags hung from everything. Automatic rifles were $250. A heavy mortar was priced at $400. There were about 1,000 American rifles of different kinds standing neatly in racks. M-16's cost $80. On one side of the loft were uniforms of all services, including the U.S. Air Force. There was even U.S. Navy diving equipment.

The old man inquired as to my size, and then brought me the uniform and the boots I wanted.

Later that evening I talked about the black market to an old friend whom I shall call Tran Trong Hoc (and of whom I'll speak more later). He said, "What you saw is nothing. Go down to the waterfront some day and see how the big operators work. The whole South Vietnamese Government is involved."

"Any Americans?"

"Plenty are becoming millionaires—exactly as happened when the U.S. Army occupied Japan and Germany. You can be sure of this, because illicit dealings in Vietnam total about ten billion dollars a year—all in American goods and moneys. This could not exist without American collusion. It would be impossible."

I did not answer.

"We'll go to the waterfront in a few days," said Tran Trong Hoc, "and watch the big operations. We have to plan it well. If we are not careful, neither of us will be alive to tell what we saw."

The Little Black Market, which does business openly near the U.S. Embassy and JUSPAO in Saigon, is small stuff. It is only one bit of crookedness in the vast cesspool of cupidity. It is so small—by contrast to others—that both the South Vietnamese and United States governments tacitly consider it semi-legitimate. The Little Black Market is one of the showplaces of Saigon. Visitors on official tours are shown the Little Black Market as they are shown the U.S. Embassy, the railway station, and the public market. Americans, as well as Vietnamese, buy things at the Little Black Market because sometimes it has a better selection than the legitimate U.S. Government stores from which the merchandise has been stolen. There is nothing disguised about the Little Black Market. Everyone—even the officials in charge—knows how its goods are sneaked out of the PX and the U.S. commissary and by whom, and who gets paid off. If either the U.S. Government or the South Vietnamese Government wished, the retail black market in Saigon could almost certainly be eliminated within a week.

"We aren't too strict about it," said a U.S. police instructor in Saigon, "because we don't want to antagonize the Koreans or the Filipinos [both deeply involved in black-market operations, both allies of the U.S.], and because the black market helps stop inflation. I don't know how, but that's what our economists say."

A Vietnamese National Police lieutenant said, "The Little Black Market is permitted to continue because it is useful to everyone. When the American press—or perhaps a visiting senator—complains about corruption, we close the Little Black Market for a few days. A few people are arrested. The Americans are satisfied. Action against corruption has been taken. It takes pressure off the U.S. Embassy. It takes pressure off my government. Do you see how useful the Little Black Market is?"

I wanted to learn how the black market got its luxury items, so I went to its main Saigon supplier—the PX. When I arrived at the big PX in Cholon, the store had not yet opened, and a line of people had formed. At the end of the line were two GI's who appeared to have come from the combat area. Their jungle clothes were mud-splattered, and their helmets were covered with camouflage netting. I was curious to know what two combat soldiers would buy in the PX, so I got behind them in line. The two GI's were from an isolated Signal Corps station beyond Pleiku, and they were at the PX to buy a refrigerator. Within the last few days their electrical supply had been converted from battery to generator; the men had chipped in to get a refrigerator so that they could have cold drinks, sandwiches, and so forth.

The GI's told me how they had made special arrangements to get the refrigerator on an airplane, and how the Special Services officer in Pleiku had found out that the refrigerators had arrived in Saigon the day before.

When the doors of the PX opened and the GI's got to the counter, they learned that there were no more refrigerators. The shipment had arrived at noon the day before, and all the refrigerators had been sold by closing time.

I learned that of the entire shipment of 16 refrigerators, 12 had been sold to Filipino and Korean soldiers. How did the Filipinos and Koreans know about the refrigerators in order to buy them so quickly? Here again the answer was simple.

The U.S. Army, which runs the PX in Saigon, has brought Filipinos and Koreans into the store at a managerial level. When there is a shipment of some desirable article, these men call up their Korean and Filipino friends.

As the unhappy GI's walked out of the PX, one said, "You remember the Viet Cong supply dump we raided last month?"

"Yeah, I know. It had a refrigerator in it—with the PX tag on the back, and with U.S. antibiotics inside the damn thing."

The PX in Vietnam is a $300-million-a-year business, according to the officer in charge, and it demonstrates in miniature why the United States is in deep trouble in Vietnam—and in foreign affairs in general.

The clerks in the PX's are Vietnamese women, over 5,000 of them. They do not know the merchandise, and on the average, they are uninterested and discourteous. And these women clerks steal from the PX's. In the month of May, 1967, the small headquarters PX in Saigon lost $65,000 in petty pilferage alone. This is the *small* PX. At one time the PX management had the Vietnamese salesgirls searched as they left the store. The clerks objected to the search procedure and said they would go on strike unless the searching was stopped. The searching was stopped. The Americans who operate the PX (the U.S. Army) would rather have things stolen than "not look good" to the Vietnamese.

I personally have seen clerks standing on the main highway outside a PX, removing PX merchandise from their bodices. They dropped the items into a basket while a Vietnamese man made notes of the amount and type of merchandise each girl had taken.

Much of the merchandise in the PX's couldn't possibly have been chosen with the welfare of the GI's in mind. In the Saigon PX, for example, there were no alarm clocks. They hadn't had any for two months. There were no pipes. There was a shortage of film. The PX was "temporarily out" of good razor blades and pipe tobacco. There was no mosquito repellent. (Later I found the "temporarily out" items for sale on the black market—at three times the PX price.) Nevertheless, the whole rear of the store was used for selling diamonds.

Merchandise headed for the PX—and also for the commissary—is stolen before it gets to either place, as well as after it is on the shelves. But the corruption involves more than the black market. For example, some time ago a PX purchasing agent, an American civilian, shared an apartment in Saigon with another American, the representative of a company that sold a famous brand of whiskey. The PX purchasing agent had his rent paid for, he had his food paid for and his

"home entertainment" paid for. The PX purchasing agent overbought the salesman's product, and six months later the PX in Vietnam was still overstocked with it.

The purchasing agent involved was caught at his unethical activities. At this writing he is working for the PX in another country and at a higher position than he held in Vietnam. This entire story was given me by a senior PX officer.

It is no secret that the PX and the commissary are supplying just about everybody in South Vietnam (who has the money) with luxury items via the black market. An importer told me he has stopped dealing in legitimately imported refrigerators and tape recorders—they could be had cheaper and quicker from the PX, via the black market. Foreign-food importers are in the same fix. I myself have seen an Army truck with Filipinos and South Koreans, *in uniform,* stop in front of the Continental Hotel at 6 A.M. and unload a truckful of Spam and fruit juices. The menu at the Continental Hotel advertises "American Spam." When one orders tomato juice for breakfast, the waiter brings a small can with the U.S. commissary stamp still on it—10 cents. At four different times during my stay in Saigon, I saw this truck deliver PX and commissary edibles to the Continental Hotel. Once a large package of meat with General Westmoreland's name on it was delivered to the Continental along with the tomato juice. There is hardly a bar in Saigon that does not have liquor that comes from the U.S. supplies.

In investigating PX practices, I requested an interview with a responsible officer. The interview was granted with a colonel on the condition that I would not quote him directly.

I was ushered into the colonel's presence, and I described to him the malpractices I had discovered. What follows is his explanation.

The PX, he said, employs over 5,000 Vietnamese women because it is the duty of the United States to train these women in merchandising practices. After the war is over, the women will know how to be skilled clerks in the stores of Vietnam and will therefore be able to aid the commerce of the country.

This seemed crazy to me. Any store that was run like the PX would soon go bankrupt.

The colonel said that the PX was using Vietnamese women as clerks, and Koreans and Filipinos as merchandising executives, it was far cheaper than using Americans, and because the Filipinos and Koreans have had PX experience in Seoul and Manila.

I pointed out to the colonel that the service was bad, and that perhaps $75 million a year in merchandise was stolen or diverted to the black market largely because of employment of foreigners, including clerks, executives, truckers, longshoremen, and so forth.

The colonel denied that the service was bad. He denied that there was any sizable black-market leak from his stores. He denied that there was $65,000 worth of pilferage in one month from the small Saigon PX. (I myself had seen the Saigon PX's own estimates of pilferage. Either the colonel did not know what was happening his own stores, or he was lying.)

The colonel said that another reason for employing over 5,000 foreigners in the PX's was to give work to worthy Vietnamese of good character, which helped the war economy. I asked him if he knew how the employment racket worked. The facts are that each clerk employed has to get a recommendation from someone in the Vietnamese Government. This recommendation has to be paid for—and the standard payment is approximately a month's wages.

The colonel said he had never heard of any such thing. He then told me what a wonderful thing the PX was. It was being operated so that there could be profits made to supply the Army and the Air Force with money to pay for motion pictures and other recreational activities for the troops. He also said that the PX was a place where restless Americans could spend their dollars—instead of unloading their money on the Vietnamese economy and thus causing inflation.

I asked him, "Isn't the primary mission of the PX's to give the troops a service?"

He said it was.

But the troops come last as far as the big Saigon PX is concerned. Training Vietnamese comes first. Then comes making money for recreational services. Then comes improving the economy of Vietnam. Then comes "looking good." Last and least is the GI.

And it is not the small percentage of men actually in combat who make the most of the Post Exchange. It is the fat boys in the cities and headquarters, and thousands of civilians—construction workers, newspapermen, AID employees and members of the embassy staff.

The luxury items in the Post Exchange are bought by Americans—and also by the Vietnamese elite, via the black market or American friends. The garish way in which American and Vietnamese officials exhibit these things can do nothing but widen the gap that separates the masses from the local rich and the Americans. And the wider the gap the less the people identify themselves with us—and the more they identify themselves with the Viet Cong.

The PX as it is run now makes the United States a collaborator in the worst kind of corruption. Everyone—including the Americans—knows that some Americans are involved. Everyone knows that many Vietnamese clerks are corrupt, that Filipino and Korean PX assistants often are in cahoots with their friends. Therefore, because of the PX and the commissary, the average Vietnamese believes the Americans to be corrupt.

The PX foul-ups and the sale of millions of dollars of PX products in the black market seemed almost petty compared to what turned up later.

I was walking along the Saigon River with my old friend Tran Trong Hoc. A former police official in Hanoi, when it was under French rule, Tran is sort of a retired mandarin who sits back, observes everything, listens to the rumors and gossip, reads the papers, and watches the ever-present power struggle in Vietnamese politics. He has children and grandchildren all over Southeast Asia. Some are employed by the South Vietnamese Government, some by the American Government, and some by the National Liberation Front. Several are in business. Tran Trong Hoc is a miniature Central Intelligence Agency. This for him is only a pastime, a hobby. And yet when I remarked on the danger implicit in his hobby, he smiled and said slowly, "What else can an old man do to help his country?"

During the 1950's Tran spent 18 months in Los Angeles, studying American police techniques. While there he learned the American way of life, and he takes delight in using American slang as much as possible when he is with his friends.

We walked north, past the German hospital ship which is West Germany's humanitarian contribution to Vietnam. Tran told me that the hardworking German doctors and nurses unwittingly are contributing to a crooked racket. All charity patients must have a "permit" to visit the foreign ship. For this they must pay a "tax" to a police organization. Actually, no Vietnamese gets on board unless he is a friend or relative of an important official, or has the money to bribe his way by paying the "tax." The same racket was applied to the American hospital ship, the SS *Hope,* when it was in Saigon. The visiting foreign physicians think they are doing good by helping the "people." In reality they are either treating or enriching the Vietnamese elite.

We saw several American freighters moored in the river. The nearest was a big gray cargo vessel. Her booms were swinging back and forth, and she was discharging cargo to barges alongside.

"That is the one we will watch," said Tran. "But it will be safer if we watch from my car. After all, we are spying. We are gathering intelligence. We are spooks. We want to see who cops the American military supplies. Standing here in the street, using binoculars, is asking for . . ." He drew his forefinger across his throat. We turned and walked back until we reached Tran's car—an old and beat-up Citroën, the front seat covered by an imitation leopard skin. The Citroën started quickly, and in a few minutes we were back by the river, parked about 500 feet from the wharf toward which the barges from the American freighter were headed.

"Those barges," said Tran, pointing, "belong to a Vietnamese company owned by a couple of Vietnamese generals. You Americans pay for the use of those barges. You Americans pay for the privilege of sending ammunition and food and war supplies to this country."

The barges approached the wharf. Standing on the dock were eight 5-ton trucks. Once they had been U.S. Army trucks, but now they were painted a slightly different shade of brown. The barges tied up at the wharf, and Vietnamese longshoremen began to carry the cargo off, loading it directly into the brown trucks.

"The United States pays the wages of those Vietnamese longshoremen," said Tran.

There were no American soldiers or civilian officials about, supervising and checking. I asked about this.

"The South Vietnamese Government has told the American Government to keep its nose out of something which is an internal affair."

I said angrily, "That cargo is American war matériel. The wooden crates are marked, DEPARTMENT OF DEFENSE, ELECTRONICS, THIS SIDE UP. They come from the United States, and are paid for by U.S. citizens."

"Bill," said Tran, "the United States has no customs rights in Vietnam. You must understand that you are only guests here. That is your country's official attitude. Perhaps that's why there is no one here checking on these war supplies. Guests, you know, do not check up on the dishonesty of their hosts."

"But this is American equipment for American troops."

"Yes."

We continued to watch. It took about an hour to load the eight trucks with their 40 tons of American cargo.

The truck drivers clearly were restless. They kept looking at their watches and talking agitatedly among themselves.

Tran said, "Ordinarily time means very little to us. Therefore when Vietnamese drivers are nervous about a schedule, it means only one thing. They are about to go through V.C. territory. The V.C. are paid off to let a convoy come through at a specified time. If the convoy is early or late, the trucks might be blown up."

A Vietnamese Army Jeep, with a small Vietnamese flag flying on the left front fender, drove up to the wharf and stopped. A stout Vietnamese, about 35, dressed in khaki (but wearing no insignia), got out. He carried a new black leather briefcase, which he opened on the hood of the Jeep. The truck drivers clustered about him. To each of them the fat man gave a piece of paper. He talked intensely to the drivers, looking almost like a football coach instructing his team. Finally he nodded, and the drivers fanned out, moved quickly into the cabs of their big trucks, and started their motors. Each driver put his piece of paper into a plastic envelope which he then attached to the sunshade of his truck.

The fat Vietnamese in khaki nodded again.

The first truck started off, and the others fell in behind. The convoy left the river area and headed inland, moving slowly through town. We lost sight of them then, but Tran knows their route as well as their routine. Among his hundreds of friends and informants is one who rides regularly along this convoy route.

When the eight trucks carrying 40 tons of U.S. electronic equipment reach the Saigon-Bienhoa Highway, they are stopped by a Vietnamese guard accompanied by an American soldier. The drivers show their pieces of paper. The Vietnamese guard walks down the line, looking at each paper for a moment. He says something to the American soldier, who, after all, neither speaks nor reads Vietnamese and is dependent on his Vietnamese opposite number. The American says, "OK," and returns to the side of the road. The Vietnamese guard waves the convoy on.

The convoy moves on to Old Route 1, the highway that leads to Phnom Penh, Cambodia. It is only 50 miles to the border. The convoy keeps moving straight for Cambodia. Near Trang-Bang there are holes in the road where a military convoy was blown up by Viet Cong mines. Despite the presence of South Vietnamese and American troops, the Viet Cong are in absolute control of this stretch of land.

The drivers look at their watches. They steer around the holes in the road and speed up. Four times on the way the trucks are stopped by armed guards; four times they have their papers examined. Twice the armed guards are in South Vietnamese Army uniforms, and twice they are in the black pajamas of the peasants. The trucks finally reach their destination, Go Dau Ha, a village almost on the Cambodian-Vietnamese border, 50 miles and about two hours and 20 minutes from metropolitan Saigon.

The trucks pull up at a dirt road called Tu Xuong. At the intersection of this and an even smaller road called Van Lang is a rather large wooden house with a thatched roof. Armed South Vietnamese soldiers come from the house. One of them collects the pieces of paper from the drivers. He gives each a receipt in return. One of the soldiers bellows something. The drivers get out of the trucks. They go to a table by the side of the thatched house. Two women in black pajamas bring some lunch. It comes in a large blue bowl, and it smells like fish and garlic.

While the drivers are eating, a convoy of black-painted trucks arrives from the other direction—from Cambodia. The Cambodian trucks stop, and immediately a crew of laborers swarms from the rear of the thatched house. The cargoes of the two convoys are swapped. The American electronics gear goes to Cambodia, the cartons from Cambodia go into the Vietnamese trucks. Within half an hour the Vietnamese convoy is returning to Saigon, loaded with tons of Red Chinese merchandise. There is no attempt to disguise anything. Everything is marked clearly on the large cardboard cartons. The boxes contain toothbrushes, tooth powder, vitamins, imitation Parker fountain pens, and Thermos bottles, among other things.

Now it is three hours later. The trucks have reached Cholon, on the outskirts of Saigon. They park outside a block-square warehouse. The Chinese Communist products are carried inside. Several National Policemen stand by, watching. Inside the warehouse are big stacks of tires for Jeeps and other U.S. military vehicles. Piled up in the rear are hundreds of bags of U.S. cement (with the USAID markings on them) and hundreds of bags of U.S. rice. The warehouse belongs to a Chinese named Hop Tan.

That was what happened to the trucks with the 40 tons of U.S. military supplies. The story needs no further detail, but there is further detail, and it is of considerable importance.

The fat man in khaki who met the trucks at the Saigon wharf is from the office of the province police for Tay Ninh Province (which is on the Cambodian border). Every day he arrives at the wharf at least once to give pieces of paper to truck drivers. The papers are official documents which say that the materials in the trucks are being delivered to the South Vietnamese Intelligence Forces and that they are for the use of the Intelligence Forces.

Of course these materials are not going to the Vietnamese Intelligence Forces. They are going up the Old Route 1 to Go Dau Ha, or perhaps Ta Loc, or Nan Pi—all of which are gateways to Cambodia. Once there, the contents of the trucks are turned over to a Nationalist Chinese from Taipei, who represents an international black-market cartel.

Involved in the payoffs that make all this possible are high-ranking officials of the South Vietnamese Intelligence Forces, the Tay Ninh Province police, and of the diplomatic and administrative services in Saigon.

The entire operation is beautifully coordinated among the various South Vietnamese Government agencies.

Certain officials of the port of Saigon know which American ships and what American cargoes will be coming to Saigon. These officials control the unloading. Perhaps two weeks before an American freighter arrives in Saigon, the contents of the American vessels have been broadcast among various possible customers. There are many—the Viet Cong, the North Vietnamese, sometimes Red China, perhaps a middleman in Hong Kong, or any nation in the world that needs the cargo and is willing to pay a high-enough price.

According to a Filipino source, Israel was one of the black-market customers in the summer of 1967. She desperately needed the 175-mm. howitzer shells that only the United States was making in considerable numbers. They cost about $400 each. The howitzer shells, designated for the U.S. Army in Vietnam, were diverted via Manila. And from Manila the shells were transported, by a different ship, to Israel.

Who handles these deals?

There are many people. After all, the corruption under discussion here is a multibillion-dollar operation. But in order of profit and numbers, the following are involved:

1. South Vietnamese generals and officials.
2. South Vietnamese businessmen who are friends of the Vietnamese in official power.
3. The National Liberation Front (Viet Cong).
4. American black-market operators.
5. North Vietnamese agents.
6. Nationalist Chinese businessmen, both in Vietnam and in Taiwan.
7. Korean troops, businessmen and officials.
8. Filipino troops, businessmen and officials.

In other words, just about everyone plunders the United States war effort in Vietnam.

"You are an old friend, and we are here at a family celebration, so I will tell you what I think is the truth. We professors call your diplomats and generals 'The Groveling Americans.' They would kiss the backside of a North Vietnamese carpetbagger like General Ky—at noontime in front of the Parliament Building—rather than take a chance of offending the Vietnamese. . . ." (Professor Vo Van Kim after a few glasses of rice wine on the occasion of his 70th birthday.)

Tragically, American officials are afflicted with a paralysis which has made it impossible for them to force the South Vietnamese Government to eliminate corruption. They are afraid of offending the Vietnamese. Because of this helplessness, the Vietnamese treat us with scorn and contempt. They humiliate us at every opportunity—of which there are many. Thus American self-esteem is diminished, and "doormat diplomacy" develops. Efficiency is wrecked.

Here are a few examples of the kind of humiliations heaped upon the United States by her ally, and some examples of just how these humiliations have contributed to our disgraceful performance in Vietnam.

There is a large U.S. air base in South Vietnam which, to protect one of its officers, I will not identify. At this base, one hot Monday morning, the medical officers of all services met for a special conference. Two subjects were on the agenda: (1) the shortage of broad-spectrum antibiotics, and (2) a mysterious disease.

A serious skin infection had appeared among an increasing number of patients of a young Air Force doctor. It had immobilized its victims, and he hoped that his seniors could give him some help. None could, but all reported similar outbreaks in their units.

As a result of the meeting, a public-health team was flown in and an exhaustive investigation undertaken. Laboratory technicians found, on the men's clothing, several different types of fungi and bacteria hostile to the human skin. The dermatitis was traced to the home laundries run by a local Vietnamese company. The clothes were being washed by hand by Vietnamese women. The cold water these laundrywomen used was contaminated by human sewage, some of which carried intestinal parasites.

The military doctors and the public-health personnel ordered the Vietnamese laundrywomen to boil their water, gave them a water purifier and demonstrated how to use it. The managers of the laundries said their employees understood and would comply. Nevertheless, the washerwomen continued to wash clothes in cold, contaminated water, and the troops continued having skin ailments.

One of the service officers on the base—Col. John Adams, I'll call him—found a solution to the problem. Adams negotiated with a non-Vietnamese commercial firm to come to the base and set up a modern laundry. In about six weeks the laundry was operating. The skin-ailment epidemic stopped. The troops now were getting two-day (instead of five-day) laundry service, with the clothes not only sterilized but pressed.

Everyone was grateful for Colonel Adam's initiative. Everybody, that is, except the Vietnamese laundry people, the Vietnamese Army officers and the Vietnamese prostitutes—a combination strange to the Americans but reasonable by local custom.

The South Vietnamese military junta controls or has a finger in almost every form of business in Vietnam. The laundering dry-cleaning and clothes-mending for U.S. troops is about a $120-million-a-year business. Vietnamese officials get a kickback from every washerwoman, laundry operator and tailor who serves foreign troops. Thus, when Colonel Adams established a modern laundry run by outsiders, he automatically stripped the South Vietnamese leaders of their very considerable profits.

The prostitutes got into the act by a less direct route. As soon as the new laundry began operating, there was a sharp drop in the sale of laundry powder at the PX. The Vietnamese laundry managers had been getting their laundry powder from the PX via the troops. For every 10 boxes of soap powder delivered from the PX to the Vietnamese laundry, the men received a coupon usable at some of the better brothels. With the coming of the modern laundry, business fell off.

A few weeks after the new laundry began operating, Col. John Adams received an order from his superiors. The Vietnamese corps commander in Adams's area had complained about the establishment of the new laundry because it had put Vietnamese women out of work. Therefore, said the order to Colonel Adams, if he could not find equal sources of revenue for the Vietnamese women, he would have to shut down the new laundry and give the laundry contracts back to the local Vietnamese.

Colonel Adams was not happy at the idea

of becoming an employment agent for washerwomen and a middleman for Vietnamese racketeers. He went into a rage over the fact that the welfare of perhaps 100 Vietnamese washerwomen and perhaps 200 Vietnamese prostitutes was considered more important than the health of thousands of American servicemen assigned to combat duty on behalf of the Vietnamese. But Colonel Adams is intelligent and practical. He realized that he had no choice. The ex-washerwomen were employed as messengers; they picked up the soiled clothes at the barracks, took them to the new laundry, and later delivered the clean clothes. Their service was not needed; in fact, they slowed deliveries and increased laundry prices. But it was now possible to continue the new laundry and to keep the men healthy.

And it was now possible for the prostitutes near the U.S. base to keep up their business. Even though the Vietnamese laundries were not operating, the troops still had someone to whom they could give the laundry soap from the PX. They gave it to the ex-washerwomen, who, in return, produced the coupons for the brothels. Instead of being used for local laundry, the soap is now sold on the black market.

"Everything worked out OK in the end—at least our troops didn't get dermatitis any more," says Colonel Adams. "But it does make one realize that, if we are ever to win the war, the United States must defeat the South Vietnamese Government's racketeers. After that it will be a cinch to lick the Viet Cong and the North Vietnamese. Man, then it would be a cinch!"

Only a small percentage of the more than half a million Americans in Vietnam are in combat. Therefore only a small percentage of them live in the field. The great majority, both military and civilian, are located in urban communities.

Thousands of Americans sleep in houses rented from the Vietnamese. Officially there is rent control. But rent control for American tenants is not enforced. This may not appear important. We have rent-control problems at home. But the way it happens in Vietnam illustrates the contempt the Vietnamese elite have for Americans, and it illustrates the self-humiliation—the "doormat diplomacy," the groveling—that so conspicuously marks the behavior of the Americans in Vietnam.

I inspected some of the houses rented from Vietnamese for the use of American personnel. The first was listed as a "two-bedroom villa." Upon entering it, I thought I must be in the wrong place. It smelled like a cesspool. The stench came from the sewage which backs up through the toilet every time there is rain. The sewage flows all over the floor, which is rotten, and remains between and under the boards. There were holes in the roof, each with a bucket underneath to catch the rain. One of the bedrooms was 10 feet by 12 feet. The other one was 8 feet by 8 feet. The kitchen had no stove. The refrigerator was an old-fashioned icebox that had no drain. It had to be bailed out.

The lease stated that any furniture or equipment brought in became the property of the owner of the house when the tenants moved out. The U.S. Government was paying $200-a-month rent for this pigpen—roughly three times the rent-control ceiling. The two-bedroom dump was occupied by eight American enlisted men. The landlord is a major in the South Vietnamese Army. The American officer whose men lived here complained about the house. His American superiors told him. "Keep quiet. The major is doing us a favor. He could raise the rent if he wanted to."

Three blocks away a South Vietnamese lieutenant colonel was building an apartment house. It was his personal, private venture. The cement, hardware and lumber had been stolen from the U.S. Government. The material, plainly marked, was in an open lot near the USAID building. American officers passed there daily.

Many of the new, large apartment houses in Saigon are owned by senior Vietnamese military officers. The building material used in them—much of it—is USAID goods intended for refugees. Some of the construction labor is done by South Vietnamese Army personnel. The U.S. Government does not complain. One USAID official told me. "At least it relieves the housing shortage. That's how I got my apartment."

The second rented house I looked at had four miniature bedrooms. It had one room that might be called a bath. It contained only a toilet bowl and a shower; the shower had only cold water. Two of the bedrooms each had a basin with cold water, so the house was designated by the Vietnamese as a "three-bathroom house." By Vietnamese zoning law, if a house has three bathrooms it can be designated as a hotel. If it is a hotel, the rent can be raised. This miserable shack was listed as a three-bathroom hotel, and the U.S. Government was paying $400 a month for it.

In Saigon I was invited to a pleasant three-bedroom home in a respectable residential area. It had a garden around it, an airy porch on two sides, and it was well furnished with tropical furniture. It was occupied by three embassy officials. The rent was $2,000 a month.

The rent-control law in Vietnam is a farce. The majority of rental contracts involve the U.S. Government; therefore, the U.S. Government is a party to violating the law—and a party to harming the Americans who reside in the overpriced units.

Everywhere in Vietnam the Americans permit themselves to be gouged and suckered. For example, the Vietnamese military establishment receives equipment which is denied to the American fighting forces.

"On this base, if we don't give the Vietnamese what they want," a supply officer told me, "they complain to Westmoreland that we are insulting them or wrecking the war effort. If I get a couple of such complaints against me, I'll get transferred and get a lousy fitness report."

He took me on a tour of the Vietnamese base. "See," he said, "the Vietnamese have plenty of fire extinguishers, lumber, Jeeps, forklifts and cement. But on our own base we don't even have fire extinguishers. If even a small fire started, we'd go up in flames. I am forced to give first crack at everything to the Vietnamese. Our boys come next—if there's anything left."

So many Jeeps and trucks are stolen from the U.S. military that there is a shortage of transport for our troops. The shortage is so acute that for some time now the American military has been renting its own stolen Jeeps from black-market operators at $250 a month.

In Danang, one of the Vietnamese administrative officials very popular with Americans is an officer in the South Vietnamese Army. He speaks fluent English. He gives parties and flatters the American officers, arranges "entertainment" for them. In return for this he expects no interference from Americans in the local black-market operation. This official requested that the U.S. military pave many of the streets of Danang. He requested that the whole shoreline along the river be strengthened and shored up. The U.S. military did this for him. But of course this Vietnamese official allows Vietnamese landlords to violate the laws and overcharge the military for its housing. The landlords give him a cut.

Several years ago, when there was a terrible rice shortage in Vietnam, the United States sent shiploads of rice to Saigon—on a high-priority basis. But the unloading of the ships was so slow that sometimes they stayed at anchor as long as 40 days. One of them had taken in water in a storm. The rice was spoiling because of the dampness. The captain said if his cargo wasn't unloaded quickly his rice would go bad. The American Government requested that the ship be unloaded. (The priority of cargoes that come ashore in Vietnam is the prerogative of the Vietnamese.) Even though the ships are American and the cargoes are donated by the United States, the ships' cargoes are brought ashore on Vietnamese lighters (for which America must pay a charge) and there they are unloaded by Vietnamese longshoremen.

The Department of Supplies for Vietnam turned down the request from the American Government to unload the rice ship—even though the country was close to famine in some areas. Instead, it gave orders that ships carrying Honda motor scooters be given first priority for unloading.

A high official in the Department of Supplies received a five-percent kickback on every Honda landed in Vietnam. The U.S. Embassy and the U.S. military knew about this. I asked an Army colonel why we didn't do something. He looked at me with puzzlement. "How could we do anything? It's their country, isn't it?"

American economists have spent much time advising the Vietnamese on how to stay economically healthy. They recommend all kinds of measures to prevent inflation, to keep the piaster stable and to safeguard government funds. Despite all this counsel and American supervision, the Government bank of Vietnam does as it pleases. It usually disregards American advice.

At one time the Vietnamese Government funds were deposited in many banks throughout the world. This was to safeguard the security of the funds. But now much of the money has been withdrawn and placed in just a few banks.

I asked the Vietnamese economist who told me about this why the Government bank had done such a thing. He replied, "It wasn't so silly for certain officials who received kickbacks, or shall I say 'favors,' from people connected with the 'preferred' banks. It is no accident that these officials are rich men."

The many thousands of Vietnamese who are employed by the United States are paid in piasters. The hundreds of millions of dollars paid by the United States to Vietnam for the rent of land and buildings and other services are paid in piasters. To get these piasters the United States gives dollars to the Vietnamese Government, which converts them to piasters—which the United States will pay out. But the rate of exchange which the United States gets is artificial—about 80 piasters to the dollar instead of the free-market rate of 160 piasters to the dollar. In short, Uncle Sucker is paying twice as much as he should for everything.

In South Vietnam there are more than four million refugees and displaced persons. A great number of them are refugees because their villages have been destroyed by U.S. bombs or artillery fire, and the United States pays compensation for their homes and property. Assistance to the unfortunate villagers is sent frequently by CARE and AID.

Such money and supplies are supposed, of course, to go to the Vietnamese whose property has been damaged or destroyed. But in questioning approximately 100 Vietnamese in two widely separated sections of South Vietnam, I was unable to find a single instance in which a Vietnamese family had received the money. The consensus was that the money went into the pockets of Vietnamese officials.

Personal-injury money is a compensation paid by the United States if an individual is wounded or killed by accident. The money goes to the individual or to his family, and is known as solatium money.

"Oh, everyone knows," said a Vietnamese woman, "that the Americans give the money to the officials, but it never reaches the people.

"My brothers is a clerk in the Army. He said that whenever his officers need money, they go to the Americans with a solatium claim which they make up. It is easy—they mention the name of a town where a big shell or bomb has dropped, and hand in

a list of names of people killed or hurt. Sometimes the Americans send an interpreter to check on the accident. But the interpreter gets money from the Vietnamese officials. So he says the claim is true. It is only the Marines who sometimes insist on personally inspecting the bodies and the damages. That is why the Army interpreters hate the Marines."

I asked for evidence of cheating for solatium money, and was told about a district chief in Quang Nam Province. I investigated, and got this story first-hand from the Marine officer involved.

One day the district chief, Major Hao, came into the field-command office of a U.S. Marine Corps lieutenant colonel.

"Colonel," he said, "I've come to collect solatium money for the five villagers who were accidentally killed the other day over by the river."

"How were they killed, and by whom?" asked the Marine.

The Vietamese officer unrolled a map and put his finger on it. "Your Marines were dropping mortars in here, and some of them fell on the outskirts of the hamlet, killing three men and two women. This is in my district, and I have come to collect the money for the families."

"Three men and two women? When did it happen?"

The Vietnamese major told the Marine, who knew that at approximately the date and time given the Marines had been firing in that general direction at what they thought was a guerrilla concentration.

The Marine said, "Let me see the bodies."

"They are outside in my Jeep."

They walked outside. In the back of the Jeep were five bodies, well wrapped in sacking.

The Marine said, "Major, put the bodies on the ground and cut open the cloth."

"Oh no," said the Vietnamese major. "They are all bloodied and mutilated by the shrapnel."

"Put them on the ground and cut open the cloth. I want to look at them."

"Colonel, I assure you, you don't want to look at them. They are mangled and mutilated, with stomachs and chests blown open, and with heads smashed. And putrefaction has set in."

The Marine unloaded the bodies from the Jeep and laid them on the ground. Taking out his pocketknife, he cut the wrappings away.

They were the bodies of five men. There were no women. None of the bodies was mutilated or bloodied. In each of the men was one bullet hole. Obviously these individuals had been killed by rifle fire.

Without saying a word, the Marine lifted the bodies and put them back into the Jeep. He took the Vietnamese major's elbow and pushed him into the front seat.

"Major," said the Marine, "if you wish to collect solatium money for dead Viet Cong, I suggest you go and collect it from the headquarters of the National Liberation Front, not from the U.S. Marines. Now get the hell out of here."

Major Hao drove away.

My old shipmate, Chief Photographer's Mate O'Leary—a fictitious name—was going to take me on a tour of Saigon night life. But when O'Leary showed up at 7:30 p.m., he was in uniform and carried cameras. "I got a duty assignment this evening," he said, "but I don't have to leave for a few minutes yet."

"Chief," I said, as we walked about. "I've noticed that the South Vietnamese seem to be making a good thing out of kicking us around. What's the story?"

"It's humiliating," he said. "They lead us around like cattle. And we're so ashamed of our own groveling that everyone lies about it. All the brass—civilian and military—are scared of the South Vietnamese, scared of stepping on their toes. If by chance any of us complain about it, the brass is quick to remind us that we are guests here." O'Leary added, "We're guests, all right. Paying guests."

He pointed at a big generator on the sidewalk. "That generator provides electricity for this building, which has quarters and offices used by our armed forces. It's our building, on lease from the Vietnamese. We pay rent for it. Well, we make our own electricity, because the power supplied by the Vietnamese is unreliable. But we run our cables through their meter, and we have to pay the South Vietnamese what the meter reads at the end of the month. We have to pay *them* for the electricity *we* generate."

"How come?"

"The Vietnamese say they'll throw the United States out of the building if we don't comply. What's more, if we pay without a squawk and everything goes smoothly all up and down the line, some colonel or general gets a commendation for 'unselfish devotion to duty and cooperation' when his tour in Vietnam is up."

O'Leary pointed to a U.S. Army truck. "See that license plate? Well, the U.S. Government pays the Vietnamese the fee for that plate—on the truck we send out here to fight their war with. The Vietnamese will hold up the delivery of the truck until the license fee is paid." O'Leary went on. "Go look for yourself. We invite the Vietnamese to kick us around. We almost have big signs tattooed on our foreheads, saying, 'I am an American. Please kick me around.' Well, damn it all, I've got to go on duty now."

"I thought you had the day shift."

The chief spat in the street. "The Vietnamese Officers' Club is having a party. One of them is getting married. They've got plenty of photographers of their own, but they put in a request for an American photographer. And I'm the guy who got stuck."

"Do you make pictures of the parties for American officers?"

"Hell no," said O'Leary. "That's illegal. It's supposed to be illegal to do it for the Vietnamese Officers' Club also. But you know how it is in Vietnam. When a Vietnamese says jump—then, baby, the Americans jump."

Maj. Tom Smoot, USAF (not his real name), call himself "an honest cop who happens to be in the Air Force." He is heavyset, almost stout. He speaks slowly, walks quickly, and has a reputation among the men as a square shooter. In civilian life he was the police chief of an American city of about 20,000. At Danang he was one of the provost marshals.

At the Air Base in Danang where Major Smoot was stationed, the U.S. Air Force has many out-of-doors storage depots—areas of land jammed with supplies and surrounded by high fences. The gates are always locked except when supplies go in or out. There is always a guard; in most instances he is not an American. In the following incident, the guard was Chinese.

This particular outdoor storage depot contained thousands of cases of supplies. Over a period of two weeks it was observed that stacks of cases were disappearing. The thefts were mentioned to the U.S. Air Force provost marshal, Maj. Tom Smoot.

The next evening Major Smoot hid his men outside the depot. Shortly after midnight, a large South Vietnamese Air Force truck drove up. The Chinese guard unlocked the gate. The truck drove in. The Vietnamese crews loaded the truck with goods belonging to the United States Air Force. When the truck was full, the Vietnamese lieutenant in charge of the working party handed an envelope to the Chinese depot guard.

When the South Vietnamese Air Force truck had moved outside the compound, Major Smoot gave a signal. Floodlights illuminated the truck, and U.S. Air Force policemen surrounded it. The truck and its contents were confiscated. Pictures were made of the truck and the Vietnamese with it. The Vietnamese were taken to jail. The Chinese guard, who had an envelope with 10,000 piasters in it, was jailed.

Within the hour, Major Smoot received a phone call from the South Vietnamese air-base deputy commander demanding that his men be released immediately. Major Smoot refused. By morning the South Vietnamese air-base commander had received a report of what had happened—along with pictures.

The next afternoon the South Vietnamese air-base commander made an official protest to the U.S. Air Force commander: "You have again exceeded your authority. Your provost marshal arrested innocent men who were transporting food to Vietnamese soldiers—on duty.

"Your provost marshal does not know that he is forbidden to meddle in the affairs of my command. I could get along with your former provost marshal, who understood about these things. I trust you will take appropriate corrective action."

The South Vietnamese commander summoned the U.S. Air Force commander, and in personal conversation made it plain that the U.S. Air Force should get rid of the provost marshal who had arrested the South Vietnamese airmen. After all, the U.S. Air Force was on the base only as a guest.

The U.S. commander explained that the provost marshall had only two months to go before returning to the United States. This satisfied the South Vietnamese commander, but he said he would put in a claim for compensation for the inconvenience and insult his men had suffered by being arrested on false charges.

Several miles outside Danang there is a mountain. On this mountain is perhaps $15 million worth of U.S. Air Force equipment—equipment that is secret in nature.

But the United States of America does not own or lease this mountain. It had to get permission from the Vietnamese to build its installation there. The mountain is controlled by a Vietnamese Army officer, a major. There is nothing the U.S. Air Force can do on this mountain without getting this major's permission on a day-to-day basis. And whatever the major wants, even if it is contrary to U.S. war interests, the major usually gets.

In early 1967 the Air Force was building a transmitter near the top of this mountain. A large concrete base was laid on which to erect a tower. But as soon as the concrete foundation was completed, the Vietnamese major called on the U.S. Air Force commander. The major said that he had always wanted a summer home on the mountain. In fact, he wanted it exactly where the new concrete foundation had been poured, and he wanted a home almost precisely the size and shape of the new foundation.

The U.S. Air Force commander objected.

The major said he wanted that concrete base for his summer home; unless this was arranged, he would not give permission for the Air Force to continue erecting its electronic units on the mountain. The Air Force commander held consultations with his superiors, both in Danang and Saigon. It was suggested to him by American headquarters in Saigon that "for political reasons it is expedient to cooperate."

The U.S. Air Force built the major a home on the concrete base and furnished it—and it supplies the labor to maintain the house and the grounds.

The major has decreed that all personal services for American airmen on the mountain will be done by Vietnamese. The charges of these cooks, servants, tailors and barbers to the personnel of the U.S. Air Force are about twice those for similar services on other bases around Danang. When queried about this, the barbers said frankly, "We have to give half the gross to the major. That's why the prices are double."

There is nothing the U.S. Air Force can do about it. They have instructions to

knuckle under. Whatever the Vietnamese want from the United States, the United States will give them. After all, "We are guests here."

POLICY STATEMENTS OF SENATOR ROBERT F. KENNEDY

Mr. TYDINGS. Mr. President, I invite the attention of Senators to three excellent policy statements recently made by the distinguished Senator from New York [Mr. KENNEDY]. The statements deal, in a constructive and highly imaginative fashion, with our national welfare program, with poverty area business development, and with the national economy generally. In each of the papers, the proposals for far-reaching and constructive solutions which Senator KENNEDY puts forward deserve the closest attention of the Senate.

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

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

A PROGRAM FOR A SOUND ECONOMY

(Statement of Senator ROBERT F. KENNEDY, May 12, 1968)

The inner strength of the American economy pushes the nation's output and employment upward to new levels, but inflationary pressures and the balance of payments problem could create an economic crisis of major proportions within the next year. Three obstacles to our prosperity are of considerable importance:

1. Inflation and the Budget Deficit.
2. Balance of Payments Deficit.
3. Declining ratio of productivity to labor costs.

We must have an economic program that will avoid the grave risks to our prosperity inherent in each of these areas. The objectives of that sound economic program are shared by all:

High employment in a context of greater price stability.

Rising output per man hour.

An increasing trade surplus.

And a reformed system of international exchange in which reserves grow with expanding world trade.

We should attempt to achieve these goals along with the following:

The declining defense outlays that would be made possible by a settlement in Vietnam.

Increases in expenditures for domestic programs of benefit to our people.

An easing of monetary policy, with lower interest rates.

Our economic policy must reflect our social goals—the prosperity we build must be shared by all Americans. This is a program to make our economy sound, strong and able to meet the needs of all our citizens:

First, maintain full employment without inflation by coordinating fiscal, monetary and foreign policies. That means prompt action to moderate the pace of the economy by:

A moderate increase in individual and corporate income tax—ensuring that this tax rise does not bear too hard on families with modest incomes or on small businesses.

Controls on expenditures in non-essential defense, in space, in SST development, in those public works and highway projects which involve site acquisition and other special costs out of all proportion to their employment benefit—but no reduction of expenditures for education, health, housing, urban development and job programs.

An expectation that the Federal Reserve Board would respond by easing monetary policy, and a readiness to make special provisions to ensure a steady supply of money for home financing.

A willingness to withdraw the tax increase if it exerts too much restraint on the economy or if we are successful in our efforts to end the war in Vietnam. In passing a tax increase Congress should give the President standby power to make this adjustment in fiscal policy—subject to approval or rejection by the Congress. President Kennedy made such a proposal for a more flexible fiscal policy in 1962—Congress ought to adopt it now.

At the same time greater emphasis must be placed on long-term policies to stabilize the economy:

The government must adjust its own policies to exert a stabilizing influence on the economy: to insure that minimum wage increases are consistent with a policy of full employment; to insure that wage increases for public employees are not self-defeating in their inflationary effect; to insure that procurement practices encourage pricing that is not inflationary.

Business and labor must work out their own wage and price levels, but show statesmanship—so that excessive demands or efforts to get the last bit of profit out of an overheated economy do not fuel the wage-price spiral.

Our policies must recognize the importance of increasing productivity as a cost reducing program. In 1967 output per man-hour increased only 40% as much as the average annual gain from 1960–1966, and new investment rose only 1½% compared to gains of 14% in 1965 and 18% in 1966. Private industry must be stimulated to develop new products and new methods of production through technological research. Government should undertake a thorough-going review of its contracting policies in order to encourage modernization as a means of reducing prices and increasing profits.

We must promote labor mobility—from one skill level to another in order to allow realization of the benefits of new technology and open new job opportunities for the unemployed and the under-employed; and from one part of the country to another in order to insure that spot shortages and surpluses of labor—now prevalent—are avoided. Realizing these goals involves assisting workers to improve their skills and get a better job; breaking down barriers to entry into all trades and all professions; modernizing placement services to provide instant information and recruitment for job openings in different parts of the country; and exploring ways to insure that pension rights are not sacrificed as a consequence of accepting a better job.

Our policies must promote competition in order to pass on the benefits of productivity to consumers.

The government must do more to provide full information on economic developments and trends in order to facilitate business planning and movements of labor and capital.

Second, reduce the balance of payments deficit and act to reform the international monetary system:

By pressing for multilateral action to create a reserve currency than can grow with expanding world trade. This is essential if speculation against the dollar is to be controlled; and if there is to be an international monetary system which is able to make allowances for deficits and surpluses. World trade has increased from $50 billion in 1950 to $200 in 1967, and continues to grow by 5–7%, each year. The world supply of gold increases only 2% a year and the demands of private industrial consumers have prevented any increase in gold reserves. The implementation of Special Drawing Rights is a constructive step toward reform of international money and the Congress should give prompt approval to SDR's—but we should not stop there. Trade is so important that the nations of the world can no longer rely on a single commodity whose value is determined by supply and demand. We must have a reserve currency responsive to the requirements of orderly world economic development.

Reform of the international monetary system is an important step, but it will not cure America's balance of payments problem. It is important, too, that we end the war in Vietnam—which accounts for nearly $2 billion of last year's $3.7 billion deficit—although that will not end the payments deficit. In the last 10 years the United States has accumulated deficits amounting to $25–30 billion. And the dollar holdings of foreign banks have increased correspondingly. They are less and less willing to continue to increase their dollar holdings and are more likely to demand gold instead—a situation which could cause us great difficulty. We must reduce the imbalance by action to:

1. Eliminate unnecessary military expenditures abroad, not just by pressing our effort to deescalate the war in Vietnam, but by reassessing our troop commitments in other parts of the globe. Press for mutual action with the Soviet Union to reduce the number of troops in Europe.

2. Promote American exports abroad by further multi-lateral action to remove existing barriers to trade. From 1962–1967 imports rose 63.6%; and the value of exports increased only 47.5%. In the first three months of this year, imports rose in value by 20.5% over the first quarter of 1967, while exports rose less than 5%—and in March the three-month figures showed a trade deficit of $158 millon the first in five years. We have consistently run a trade surplus of from 5 to 8 billion dollars, and we need to restore that surplus to offset deficits in other accounts including lending and investment abroad, travel, military expenditures and foreign aid.

3. Stimulate foreign travel in the United States; restrictions on Americans traveling abroad are neither economically sound nor socially desirable.

4. Avoid undue and short-sighted restrictions on the flow of private capital abroad, because productive investment eventually returns substantial income to the United States. An effort should be made to encourage investment in the less developed countries of the world—investment that benefits the economic development of the host country rather than simply extracts its natural resources.

5. Make our products competitive in world markets by controlling inflation at home, stimulating investment in research and development that can increase productivity and reduce prices.

Third, we must undertake major reform of our tax laws to assure that all Americans share equitably in the cost of government, and to assist in raising the revenues necessary to meet the challenges which confront America.

We must reexamine those provisions that permit many Americans to escape their fair share of the tax burden, including:

The oil depletion allowance and immediate write-off of intangible drilling costs—which cost the Treasury $2 billion a year.

The exemption of income on state and local bonds—for two-thirds of these securities are held by persons with income in the top one percent of all taxpayers; the tax exemption costs twice as much as a direct subsidy to local governments to meet the added cost of marketing taxable securities; and the exemption reduces tax revenue about $1.8 billion a year.

The failure of the law to impose a tax on the appreciation in property passed at death—an omission that costs the government an additional $3 billion a year.

This effort at reform is complex and difficult, and will take time. But there is at least

one matter of reform which is relatively simple and would end the flagrant situations of tax avoidance.

That is a *minimum income tax,* a minimum percentage which would prevent the wealthy from continuing to escape taxation completely. We might, for example, require all who earn over $50,000—in ordinary income, in tax exempt interest in capital gains and so on—to pay at least 20% of that income in taxes. This is not a complex proposal. It is just and fair. It should be enacted now. At the same time we can begin to work for a general tax reform—so our tax system is equitable and efficient, and capable of producing the revenue required to meet our needs.

Fourth, the resources of private enterprise must be enlisted in the effort to meet the needs of 29 million Americans living in poverty—

By granting tax benefits to companies that provide jobs for men without work, so that the economy can take advantage of the productive potential of more than 5 million unemployed and underemployed.

By granting tax benefits to those who will build housing where it is most needed.

By providing credit for businesses locating facilities in or near poverty areas.

By assisting private enterprise in securing adequate insurance for their plants and equipment.

Fifth, we must institute a simple technique to supplement federal grant-in-aid programs and return a portion of federal tax revenues to local communities so that needed services in fields like education, health, and job development and training can be provided without undue federal red tape and necessary decisions made to a greater extent at the local level. We can begin to do this by taking 1% of taxable personal income and returning it to local communities according to a formula based on population and state-local tax effort. The federal government should set guidelines for the use of these funds—not detailed regulations, as under present grant-in-aid programs, but over-all policy goals. The federal government should retain general supervisory power over plans for the use of the money, but the local communities must have control in deciding how to develop the facilities and services needed by all of their citizens.

THE ECONOMY AFTER VIETNAM

Peace in Vietnam will bring great economic opportunity at home. But we must be prepared to make the adjustments necessary in our economic policy.

Over eighteen months arms spending can probably be reduced by $15–$20 billion. A recent study suggested this will mean a loss of 1.5 million jobs, but the same study suggests that we can create 1.7 million new jobs by appropriate public policy decisions. This should involve a two-fold program: stimulate demand by a tax reduction, thereby creating employment; and at the same time increase spending on programs of social benefit, which also stimulates economic growth and creates jobs.

The great resources which have devoted to Vietnam—public and private—must be directed to meet the pressing needs of our people for jobs, for quality educations, for better housing and adequate food; funds should be allocated in greater proportion to improve our environment by attacking pollution in the air and water, restoring the beauty of open spaces, improving the comfort and efficiency of transportation systems. The resources of government and private enterprise must be mobilized for peace—to improve the lives of all people.

We should expect an easing of monetary policy with lower interest rates. In this way, housing construction and industrial investment in new products can be stimulated in order to meet the demand created by the return of 900,000 servicemen to civilian life. This demand will help the economy adjust to the post-war period without a decline in prosperity.

We should be prepared to expand programs of job retraining, relocation, and low interest loans to assist adjustment in areas dependent on defense spending. Workers will need assistance to find new jobs; and industry will need help in switching its resoures from war production to the products necessary to rebuild American communities. We should begin now to inform industry and labor of their opportunities to invest in consumer areas.

We must re-examine all of the government programs which transfer resources to the less fortunate to determine whether our investment is being administered as efficiently as it might be and whether it is bringing the greatest return in human dignity and productivity and the greatest contribution to the nation's economy. Our review of transfer payments should be guided by some basic principles: that the availability of productive employment is the most dignified and most economic means of assisting those in need; that need alone should be a sufficient reason for assistance regardless of whether the assistance takes the form of employment or any kind of transfer payments; that minimal standards should be established nationwide to assure that no individual or family falls below the poverty line; that any assistance plan must provide incentives to work, to increase earning capacity of the family. For four fundamental goals must be to ensure that all Americans share in our increasing prosperity.

We should be aware that with cooperative effort, the transition can be made without the jarring economic effects that have followed other wars.

SOLUTIONS TO THE PROBLEMS OF WELFARE

(Statement of Senator ROBERT F. KENNEDY, May 19, 1968)

Perhaps the area of our greatest domestic failure is in the system of welfare—public assistance to those in need. There is a deep sense of dissatisfaction—among recipient and government alike—about what welfare has become over the last 30 years, and where it seems to be going.

Welfare is many things to many people. To the recipient it may be the difference between life and starvation, between a house and homelessness, between the cold wind and a child's coat. To the tax payer, facing inflation in the cost of living, paying for his home and educating his children, welfare may be an unwarranted imposition on an already overburdened tax bill. To certain politicians, willing to oversimplify and confuse the issue, it may be a means to easy popularity.

What really is welfare?

There are about 29 million Americans on poverty. About one fourth of them receive some sort of public assistance; the others must fend for themselves. The average person on welfare receives $89 if blind and $80 if disabled. Dependent children receive $39 a month on a national average; but that average means that children receive $60 a month in New York—and $8.35 a month in Mississippi. No state provides welfare payments which add up to recognized subsistence levels.

Even at these minimal levels, however, the bill for public assistance has been spiralling upward at an increasingly rapid rate.

At the beginning of this fiscal year, there were about 4.5 million people receiving federal aid to dependent children. There are now well over 5.2 million—an increase of nearly 700,000 or 13 percent in just a few months. In New York City, with over half a million names already on the ADC rolls, 7 to 10 thousand more are added every month. In California, over 65 per cent of the 1.2 million welfare recipients are ADC families.

During fiscal 1967, the last year for which complete figures are available—the national bill for public assistance was nearly $5.5 billion: over $3 billion from the federal government and nearly 2.5 billion from state and local governments and the bill has risen since.

Of the nation's total welfare budget, $1 billion is spent in New York and an equal amount in California. And these totals will rise again as more and more people leave farms and dying small towns all over the country.

The bill is rising further everyday.

With all this enormous expenditure might we not expect that the recipient would be satisfied? Yet the fact is that they are not. They are as dissatisfied with the welfare system as is anyone in the U.S. They organize and protest and sit-in at welfare offices. Is this rank ingratitude—or is it an indication of how the welfare system has failed? For what are we to make of a system which seems to satisfy neither giver nor recipient—which embitters all those who come in contact with it?

The worst problem is in our very concept of welfare. Welfare began as a necessary program of assistance for those unable to work. But we have tried as well to make it the easy answer to the complex, but by no means insurmountable, problem of unemployment. Our society is full of men without work: two and a half million officially counted as unemployed; over a million and a half who can find only part time or occasional jobs; over half a million more who have become so discouraged that they no longer even look for work; and—especially in the black ghettos of the great cities—hundreds of thousands who have dropped from sight, without homes or families, unseen by all the computers and agencies of government.

These are men like other men. They marry and have children; or they do not marry, but have children just the same. In either case, they often leave home under the strain of joblessness and poverty. We have dealt with the resulting female-headed families not by putting the men to work but by giving the mothers and children welfare. They might have wanted fathers and husbands; we have given them checks. In fact, the welfare system itself has created many of these fatherless families—by requiring the absence of a father as a condition for receiving aid; no one will ever know how many men left their families to let them qualify for assistance so that they might eat, or find a place to live.

More basically, welfare itself has done much to divide our people—to alienate us one from the other. Partly this separation comes from the understandable resentment of the taxpayer, helplessly watching your welfare rolls and your property taxes rise. But there is greater resentment among the poor. The recipient of our charity. Some of it comes from the brutality of the welfare system itself: from the prying bureaucrat, the all-powerful administrator deciding at his desk who is deserving and who is not, who shall live another month and who may starve next week.

But the root problem is in the fact of dependency and uselessness itself. Unemployment means having nothing to do—which means nothing to do with the rest of us. To be without work, to be without use, to one's fellow citizens, is to be in truth the "invisible man" of whom Ralph Ellison wrote; as John Adams said a century and a half ago, "the poor man's conscience is clear; yet he is ashamed . . . He feels himself out of the sight of others, groping in the dark. Mankind takes no notice of him. He rambles and wanders unheeded. In the midst of a crowd, at church, in the market . . . he is in as much obscurity as he would be in a garret or a cellar. He is not disapproved, censured, or reproached; he is only not seen." Well might we conclude with Adams that "To be wholly overlooked, and to know it, is intol-

erable." So we have seen—all over the country.

We often quote Lincoln's warning that America could not survive half slave and half free. Nor can it survive while millions of our people are slaves to dependency and poverty, waiting on the favor of their fellow citizens to write them checks. Fellowship, community, shared patriotism—these essential values of our civilization do not come from just buying and consuming goods together. They come from a shared sense of individual independence and personal effort.

They come from working together to build a country and that is the answer to the welfare crisis.

The answer to the welfare crisis is work, jobs, self-sufficiency, and family integrity; not a massive new extension of welfare; not a great new outpouring of guidance counselors to give the poor more advice. We need jobs, dignified employment at decent pay; the kind of employment that lets a man say to his community, to his family, to the country, and most important, to himself—"I helped to build this country. I am a participant in its great public ventures. I am a man."

For this reason, the first domestic task of any administration must be, and the first priority of my administration will be to create jobs and put men to work: to take new steps, including the provision of tax incentives, to encourage private industry to hire the jobless, and to make the government the employer of last resort.

But if we are to take the necessary action, we must first rid ourselves of certain prevalent myths.

First is the myth that the creation of jobs would not reduce the growth of welfare roles.

I am aware, of course, that some government officials have contended that of the approximately 8 million welfare recipents only 50 thousand plus are able-bodied and employable men. The point, no doubt, was to show, and properly so, that welfare recipients are not simply idlers feeding at the public trough and that the vast majority of welfare recipients need help to survive. Another 4 million of the 8 million recipients are children, and 1 million are the mothers of these households. The children have a father somewhere; he is not counted on the welfare statistics because in most states he does not qualify for aid, and his family can qualify—and thus be included in the statistics—only if the father does leave home. So it is in no sense inevitable that those 4 million ADC children with their 1 million mothers—well over half the welfare rolls—should have ended up costing us what they do. If those fathers had had jobs, many might never have left their families. And if we provide jobs today, we can help hundreds of thousands of families from breaking up in the future. We can check—and perhaps even reverse—the disastrous present growth of the welfare system with its burdens on local property taxes and the lives of millions.

Second is the myth that the poor and unemployed do not want to work. All disinterested investigations—most recently the President's Riot Commission—have found that the unemployed do want to work. I myself have met and spoken with these men, white and Negro, from Watts to Eastern Kentucky, from Harlem to Atlanta; and without exception they have said, "No more welfare. Give us work." In California, in Oakland, there was a job fair about a year ago. Fifteen thousand men and youths came looking for jobs; there were jobs for 250. Of course there are those in America who do not want to work. But they are, I think, far more likely to be children of favored families than they are to be men and youths of the poor.

Third is the myth that the problems of welfare can be solved by slogans—by getting tough or cutting back, by making the system even more harsh and punitive than it now is. This is the myth that led the Congress last year, to adopt amendments, for example, restricting help to families which stay together, allowing states to force mothers to leave their children and placing an absolute limit in federal welfare payments. It helps nothing and no one to rail at and condemn welfare recipients, if there are no jobs for them to take. It will only leave a greater social problem to our own children, if we force millions of other children to grow up without fathers.

Fourth is the myth that all the problems of poverty can be solved by the ultimate extension of the welfare system to guarantee to all, regardless of their circumstances a certain income paid for by the federal government. Any such scheme, taken alone, simply cannot provide the sense of self sufficiency, of participation in the life of the community, that is essential for citizens of a democracy. At this time, it would have to be maintained at a very low level which would only make dependency and separation between our people more permanent. Indeed, there are some who not only explicitly advocate a guaranteed minimum income at an unlivably low level, but would cut other welfare assistance as well. Most of all, however, primary emphasis on a minimum income guarantee would postpone, perhaps until too late, a massive effort to create new jobs—an effort that we know is the only real solution to this problem. The McCone Commission—Kenneth Clark's pioneering HARYOU study, the White House Conference on Civil Rights, The National Commission on Automation and Technology and most recently the President's Advisory Commission on Civil Disorders all have said that employment is "the major problem." Certainly, all the proposals for various systems for income maintenance deserve careful study. But if there is anything we have learned in the last three years, it is that we cannot do everything at once—that we must understand, establish, and adhere to a clear sense of national priorities. The priority here is jobs. To give priority to income payments would be to admit defeat on the critical battle front. And the worst thing we could do would be to pretend to the poor or to ourselves that we could give them a pittance to leave us alone.

Moreover, putting our primary emphasis on the guaranteed annual income would also be tremendously wasteful. Virtually every man represents potential labor that can make a real contribution to our society. With all the dilapidated housing in America, with the ravaged parklands and inadequate school buildings, with all this work to be done, how can we pay men to sit at home? Government transfer payments help those who receive them, with indirect benefits for the rest of us. But putting men to work is of immense direct benefit to themselves and to the entire country. A million unemployed men represent an investment in their feeding and care and education—just through their 18th year—of at least 30 billion dollars. Maintaining them and their families would mean another $3 billion dollars each year. If they do not work, all that investment is lost to us. But the employment of even half of them, even at minimal levels of productivity, would return $2 billion to society each year, and more as time goes on. It would build up equities in social security, union pension funds and insurance programs. It would, in short, help to build the nation. We need the productivity of these men—for themselves and for others.

Once, however, that we have begun to move toward real employment, it will be imperative to move toward an adequate system of assistance for those who truly cannot work to enable them to lead decent lives. The system should have these characteristics, among others:

It must be automatic, without the complex and complicated bureaucratic structure that now bedevils the welfare system—and which eats up as much as one-fifth of every welfare dollar.

It must be based on one criterion: need.

It must have national standards and not the state by state variations which now allow Mississippi to pay $55 welfare a month to a family of six.

It must contain substantial incentives for people to work if they can, rather than the present welfare system which virtually penalizes work.

The social services offered in association with it should not be segregated, but should also be available for an appropriate fee to people able to pay.

Meanwhile, it is urgently necessary to reform certain features of the present welfare system, as follows:

One, repeal the restrictive 1967 welfare amendments:

a) The freeze of federal aid for dependent children;

b) The requirement that mothers with small children leave home and go to work;

c) The restrictions on the program of aid to dependent children of unemployed fathers.

Two, enact a mandatory program of aid to dependent children whose fathers are unemployed and living at home (now implemented in only 22 states) and thereby repeal the man-in-the-house rule which has caused family after family to break up so that children can obtain assistance.

Three, enact federal minimum standards for welfare assistance to assure a floor of security for every citizen in need.

Four, raise the earnings incentive enacted last year so wages do more than essentially replace welfare payments and more welfare recipients will thereby be encouraged to go to work.

Five, make assistance available to men who work but do not earn even subsistence pay.

Six, assure a full and fair hearing before welfare assistance is cut off or refused, and assure that all rights to assistance are clear and enforceable.

Seven, simplify the process of applying for welfare to minimize degrading interrogations and investigations, and insure that recipients are treated with simple elementary dignity.

Eight, encourage the formation of client and advisory councils to assist in making the system responsive to recipients' needs and concerns.

Nine, provide simplified handbooks to welfare recipients so they know what services the law entitles them to.

Ten, employ more recipients and neighborhood residents as case aids and expeditors to help obtain assistance and service.

Eleven, encourage decentralization of administration in large cities and sparsely populated rural areas so help and assistance are easily available through neighborhood or area centers to those in need.

Twelve, expand day care centers so mothers who want to work can obtain care for their children, and employ neighborhood residents in the centers.

Nevertheless, the first priority is and must be jobs. Work is a mundane and unglamorous word. Yet it is, in a real sense, the meaning of what this country is all about—for those of us who live in affluent suburbs and for our children no less than for the children in the ghetto. Human beings need a purpose. We need it as individuals; we need to sense it in our fellow citizens; and we need it as a society and as a people.

We can achieve that purpose if we develop a system where there are jobs at decent pay for all who are able to work, and adequate assistance provided in a dignified way for those who are unable to work.

Kennedy Proposes Poverty Area Business Development Program

Senator Robert F. Kennedy today in the third of a series of policy statements, proposed a detailed two-part program of special long and short-term low interest loans

and technical assistance to aid the establishment and expansion of business facilities in and near urban and rural poverty areas.

Kennedy's two earlier policy statements entitled "A Program for a Sound Economy" and "Solutions to the Problems of Welfare" were issued on May 12 and May 19, respectively.

Designed specifically to encourage the ownership and management of businesses by members of disadvantaged minority groups and residents of poverty areas, and to promote the expansion and establishment of new business in and near poverty areas, Kennedy's proposal supplements the Senate bill which he authored last year to provide tax credits and deductions for business locating in poverty areas and hiring low income and unemployed residents of those areas.

Drawing on the accomplishments and experience gained from New York's Bedford Stuyvesant project, which Kennedy inspired and helped organize in 1966, Kennedy said, "Bedford Stuyvesant has demonstrated that our slum areas can be rebuilt through local ownership, self-determination and cooperation.

"We must, if we are to solve the employment problems of the poor, create an economic climate in which business, especially those owned by members of disadvantaged minority groups and residents of poverty areas, will be able to establish new facilities and expand existing facilities in the centers of our cities and in the midst of our rural poverty areas."

"A new capital creation program is clearly needed. We must provide a mechanism which will break the cycle that turns capital away from businesses seeking to establish in poverty areas. In short, we must provide a flow of short term and long term loans to those businesses which will open and expand badly needed industrial and commercial enterprise and help turn these economic wastelands into areas of hope and opportunity.

"With these needs in mind, I propose two new programs which will directly attack the problem of increasing the flow of capital into poverty areas. Both are designed to create new jobs for the unemployed and underemployed. Both have received long, careful and detailed study.

"The first proposal would make long and short term credit available to any industrial or commercial enterprise including those owned by members of minority groups and poverty area residents, opening a new business or expanding an existing facility having nine or more employees, ⅔ of whom are poverty area residents. Loans would be made available from private lenders and the federal government, with federal interest subsidies and repayment guarantees up to 50% of the total loan. Short term loans would be subsidized up to 3% below the market rate for short term credit; long term loans at a rate 1% below federal borrowing costs.

"The second proposal, supplementing the first, is designed to promote the ownership of retail, commercial and industrial enterprise by members of minority groups and residents of poverty areas. Any new or expanding business, at least 30% of which is owned by such persons and which employs six or more persons, ⅔ of whom are poverty area residents would be eligible for special loan and technical assistance and would have first priority for direct federal loans. Federal loan guarantees would cover 90% instead of 50% of the total loan.

"Loan assistance to minority and resident owned business would be coupled with a technical assistance program which would help open up new business opportunities, seek out capital and provide counseling and management training to eligible borrowers and other poverty area businessmen.

"Long term credit will be provided through a New Fund administered by the Secretary of Commerce and coordinated with the Administrator of the Small Business Administration and the Secretary of Labor. The proposed New Fund will have a first year appropriation of $400 million, which will be increased by $150 million each year thereafter, reaching a maximum authorization of $1 billion.

"Short-term credit will be provided from Treasury Tax and Loan Accounts—tax and bond purchase payments made to the federal government which are then deposited in commercial banks throughout the country.

"These loan and technical assistance proposals and my tax incentive program proposed last July will not, of course, solve all the problems of poverty. They are important steps. They will offer a mechanism for bringing new business and jobs into our poorest areas. And they will help people on welfare get jobs so that welfare recipients will become economically self-sufficient and so that state and local tax revenues may be used for other needed tasks.

"But," Kennedy concluded, "they are but one part of the job we must begin. They must be joined with other equally important efforts.

"They must be combined and coordinated with present Federal education and manpower training programs. They must also be used in conjunction with other new programs which I have proposed and sponsored in the Senate—an emergency employment program to provide 2.4 million new jobs in public service and private enterprise and the housing program which I sponsored in 1967 to give tax incentives to private industry to build and rehabilitate housing for low income families.

"And most important, there must be full participation of community residents, through their own institutions, in the development and implementation of all projects. We must shape our government policies with the active participation of our citizens. What we must seek is not just greater programs, but greater participation—by putting our resources directly into the communities, both urban and rural, where the citizenry can determine how best to use those resources. If we accomplish this, we will have begun one of this Nation's great remaining tasks—to make this a land in which equal opportunities are a reality and not a promise, and in which the right to work at a meaningful job and the opportunity to participate fully in the American economy has significance for all Americans."

The full text of Senator Kennedy's statement, "A Business Development Program for Our Poverty Areas" follows.

A BUSINESS DEVELOPMENT PROGRAM FOR OUR POVERTY AREAS

No single problem underlies the poverty of our urban centers and rural backwaters. Poverty means inadequate educational systems which result in high-school drop-out rates often reaching nearly 70 percent. Poverty means inadequate health conditions which doom thousands of children before they even reach school age. Poverty means broken families and high crime rates. It means inadequate housing and inadequate social services. And it means going to school on an empty stomach and going to bed hungry.

But above all else, poverty means a lack of jobs. For a young man, it means being cut off from the ability to sustain himself and his family—from contributing to his community and his Nation. It means living without the dignity and pride that comes from working at a meaningful job paying a meaningful wage.

During the last 6 years, we have tried to solve this terrible problem. Almost every Congress has enacted another bill designed to put people to work: the Area Redevelopment Act, the Manpower Development and Training Act, the Investment Credit Act, the Economic Development Act, and the Economic Opportunity Act. But despite all these efforts and despite the uninterrupted rise in prosperity experienced by the rest of the Nation:

More than 11 million working age Americans are either unemployed or have jobs which pay less than a living wage;

More than 4 million of our citizens cannot find jobs at all today, 750,000 of whom have given up looking;

For 2 million of these unemployed no jobs exist no matter what their qualifications and new jobs must be created for them;

In our urban slums unemployment is two and three times higher than in surrounding communities and the subemployment rate is as high as 45%;

In rural areas, where 14 million of our 29.7 million poor live, 800,000 American cannot find jobs.

But these dismal figures measure only the shortage of jobs. They fail to reveal the fact that to millions of Americans who sit in idleness and despair, participation in the *economic* life of their country, their state and their community is denied. It is not simply jobs that our unemployed lack. They also lack what the Kerner Commission called "a stake in the economic community"—the opportunity to own or manage a business. And this is especially true for minority groups:

Negroes own only 50,000, in terms of population, one tenth their proportionate share of businesses across the country.

In cities like Newark, with a majority of its population Negro, only 10% of the businesses are owned or managed by Negroes.

In Washington, D.C., where the population is 63% Negro, only 13% of the businesses are owned by Negroes.

One large corporation has reported that not one of its 7,000 subcontractors is Negro-owned or managed.

Most Negro business, except for a few moderate sized banks, insurance companies and publishing houses are marginal enterprises—small retail groceries, lunch counters, and small contractors which provide little income to their owners and have no opportunity to expand.

Similar problems exist for low and moderate income white residents of poverty areas.

Clearly then, our main focus must be on providing employment opportunities which will enable the residents of poverty areas to participate in the economic life of their community—a task which we have not yet begun nationwide, but which has already been demonstrated in one community.

In 1966 I helped organize in New York City's Bedford Stuyvesant area, a new joint venture between residents and the business community, with the support and assistance of local and state public officials from both parties. We have demonstrated there that meaningful social and economic change can be made in the country's most populous black community. Newsweek Magazine has called the Bedford Stuyvesant project "the most sweeping and comprehensive rehabilitation effort ever brought to bear on a single American community."

Some of the accomplishments in Bedford Stuyvesant to date illustrate the major changes that are taking place:

Community residents have worked out their own programs for jobs, housing rehabilitation, and educational advancement with financial help furnished by government and by some of America's largest corporations.

Two community corporations, the Restoration Corporation and the Development and Services Corporation, one controlled by residents and the other by some of the leading businessmen in the Nation, are working together on all phases of the project. They are developing, for example, local Negro-owned businesses and they have succeeded with as-

sistance from the Federal Special Impact program in getting local franchises from community residents from national firms.

A $100 million commitment has been made by more than 80 banks and insurance companies to provide long term mortgage money which will reduce residents' monthly payments by as much as one-third.

A major corporation has announced plans to build a plant in the area to create 300 new jobs.

Labor unions have cooperated in training young men to work on housing rehabilitation projects.

A new community college will be established.

The community has its own television program—in effect, a community newspaper—twice a week.

All these efforts, and others in Bedford Stuyvesant have demonstrated that our slum areas can be rebuilt through local ownership, self determination and cooperation.

But new programs are needed—programs which will create new jobs, which will enable the hard core unemployed to fill existing job vacancies, and which will open new opportunities in private enterprise.

We must make it possible for urban ghetto residents to move out of the ghetto if they so choose. Jobs must be made available throughout our metropolitan areas and transportation assistance must be given to enable ghetto residents to travel to those jobs.

We must have an immediate emergency employment program, a program that I have cosponsored in the Senate providing jobs in public service with built-in training so that those on the job can move up career ladders. Public service employment is growing at nearly 4 or 5 times the rate of private employment. Major contributions can be made by community residents to meet the need for constructing and maintaining new community facilities and for improving our schools, libraries, hospitals and police forces.

We must also promote on-the-job training in existing private industry. This is now being undertaken with increased emphasis on the hard core. But direct subsidies of employer training costs, while helpful, are of limited value since alone, on-the-job training will not create new jobs. Unless private businesses can also expand existing establishments or build new facilities, the hard core and the unskilled person will simply replace another more qualified worker who might have filled a vacant job.

We must, if we are to solve the employment problems of the poor, provide new jobs in our poverty areas. We must create an economic climate in which businesses, especially those owned and managed by members of minority groups and residents of poverty areas, will be willing to establish new facilities and expand existing facilities in the centers of our cities and in the midst of our rural poverty areas.

But the role of private enterprise can only complement other community efforts. There must be new community-based institutions such as Community Development Corporations, controlled by local residents, through which their wishes will be made known. This is central to the success already demonstrated in Bedford-Stuyvesant. It is essential that indigenous resident participation be coupled with economic development programs.

We must make these efforts for these reasons:

First, we must begin to stem the tide of migration from our farms and rural villages. Without a viable economic base for rural America, a base which can support the men, women and children of these areas at more than a bare subsistence level, millions of poor people will continue to pour into our cities, straining their resources to the breaking point.

Second, we know that at the present time, large numbers of the urban poor cannot be induced to take jobs far away from the areas in which they live. As the Secretary of Labor told the Senate Executive Reorganization Subcommittee, "most of the unemployed in the slums" are so "conditioned by a century of insecurity" that even distances of "more than six or eight blocks away from where they live" create a severe problem. Most new job openings are, of course, much more than a few blocks outside poverty areas.

Third, most cities lack the mass transportation facilities to take them to and from their place of work at a price they can afford to pay. The Department of Labor has found that "present transportation systems are both inadequtae and too expensive to bring the slum residents to these jobs."

Fourth, location of new industrial facilities in or near poverty areas will have an important "multiplier" effect on the creation of jobs. New auxiliary businesses will be spunoff in the same area to service the needs of the primary facility. New retail and service facilities—restaurants and food stores, barbershops, dry cleaners, and clothing stores—will be required to satisfy the demands of the workers at the primary establishment. Most of these derivative jobs and entrepreneurial opportunities will be open to poverty area residents.

Fifth, location of investment and jobs in or near poverty areas is important for its own sake. Partly, it is important to end these areas' isolation—to bring not just individual residents, but the entire community, back into contact with the mainstream of American life. It is important that children and young people see change and development take place through the work of their own fathers and brothers—providing concrete hope through living example. And, it is vital that poverty areas, like other communities, be able to develop a sense of joint community achievement and purpose.

But merely to reach the conclusion that it is necessary for new businesses to establish facilities in and near urban and rural poverty areas will not suffice. For the simple fact is that businesses are not presently making any efforts to establish such facilities in these areas.

Private corporations are, of course, responsible to their stockholders. Large-scale investment in poverty areas will certainly be more costly and difficult than investment elsewhere. Land, transportation, procurement of supplies, training of workers, extra supervision—all these are so costly in poverty areas as to make investment there, under present conditions, uneconomical. If private enterprise is to play its full part in relation to poverty areas, therefore, it must have the support of government to help make up for increased costs.

I have already proposed the first step in this effort. Last July I introduced legislation to provide this support to certain businesses locating facilities in the poorest urban and rural areas. That bill is designed to provide such businesses with tax credits and excess deductions which they can offset against income derived directly from the new facility or against income derived from another source.

In brief, this tax incentive program would work as follows:

First, it would apply only to companies constructing new facilities or expanding existing ones in poverty areas.

Second, full consultation with the residents of the poverty area affected would have to take place before any industrial facility was constructed.

Third, any qualifying business would have to meet certain hiring requirements—both as to number and percentage of low-income, unemployed persons.

Fourth, job training would be undertaken to prepare men for specific roles in clearly designated and available jobs.

Fifth, any qualifying business would receive the following tax incentives during the ten years immediately following the time that it began operations.

A ten percent credit on machinery and equipment in lieu of the normal maximum seven percent credit.

A seven percent credit on expenditures for constructing an industrial facility or for leasing space for a qualifying business.

A credit carryback of 3 taxable years and a carryover of 10 taxable years.

A useful life, for purposes of depreciation, of 66⅔ percent of the normal useful life.

A special deduction of an additional 25 percent of the salaries paid to all workers hired to meet the requirements of this act.

That the use of tax incentives to encourage industrial development in this nation's poverty areas is both a necessary and appropriate step has received growing recognition. In its recent report, the President's Advisory Committee on Rural Poverty concluded that for firms locating in poverty areas, tax incentives in the form of "liberalized investment . . . credits, accelerated depreciation . . . and broader carry forward-carry backward provisions be given." This conclusion was strongly seconded by the National Advisory Commission on Civil Disorders. In a special report to the commission by a businessmen's group headed by Charles Thornton, chairman of Litton Industries, tax incentives in the form of credits, accelerated depreciation and excess salary deductions were recommended.

Thus, the two most extensive studies done on the problems of inducing private enterprise to come into this nation's poverty areas have concluded with one basic recommendation. They have found that tax incentives must be utilized if new facilities are to be built in these areas.

Clearly, the time has come for the Administration to support and the Congress to act on these recommendations.

But while enactment of a system of tax incentives would constitute a major achievement in bringing jobs to those who most need them, it is only a first stop.

Businesses can only utilize tax incentives after they have opened new plants. They cannot use them to raise capital.

For all but our largest public companies, the task of obtaining capital to open a new facility—especially one that is in a poverty area is an insurmountable obstacle. The present tight money market and increased fears of loss due to riots, crime and vandalism have made financing particularly difficult for businesses seeking to begin operations in economically distressed areas.

Present federal economic development programs have proved inadequate. The Economic Development Administration has moved too slowly and cautiously. In 1967, its disbursements totaled only $34 million—a fraction of the money which should have been made available for the financing of new businesses. Although Congress gave EDA authority in 1967 to operate in urban poverty areas, it had previously been confined almost entirely to rural areas—this authority has still not even begun to be implemented. Even when EDA does begin to make urban loans, its interest rate and loan period authority is still too restricted to provide any substantial stimulus to business to open new facilities in urban or rural poverty areas. The tools available to the Small Business Administration are similarly inadequate.

A new capital creation program is clearly needed. We must provide a mechanism which will break the cycle that turns capital away from businesses seeking to establish facilities in poverty areas. In short, we must provide a flow of short term and long term loans to those businesses which will open and expand badly needed industrial and commercial facilities and help turn these economic wastelands into areas of hope and opportunity.

With these needs in mind, I propose two new programs which will directly attack the problem of increasing the flow of capital into poverty areas. Both are designed to create new jobs for the unemployed and underemployed.

The first proposal would make long and short term credit available to any industrial or commercial enterprise, including those owned by members of minority groups and poverty area residents, opening a new business or expanding an existing facility having nine or more employees, two-thirds of whom are poverty area residents. Loans would be made available from private lenders and the federal government, with federal interest subsidies and repayment guarantees up to 50 percent of the total loan. Short term loans would be subsidized up to 3 percent below the market rate for short term credit; long term loans at a rate of 1 percent below federal borrowing costs.

The second proposal, supplementing the first, is designed to promote the ownership of retail, commercial and industrial enterprise by members of disadvantaged minority groups and residents of poverty areas. Any new or expanding business, at least 30% or which is owned by such persons and which employs six or more persons, two-thirds of whom are poverty area residents, would be eligible for special loan and technical assistance and would have first priority for direct federal loans. Federal loan guarantees would cover 90% instead of 50% of the total loan.

Loan assistance to minority and resident owned business would be coupled with a technical assistance program which would help open up new business opportunities, seek out capital and provide counseling and management training to eligible borrowers and other poverty areas businessmen.

Long term credit will be provided through a New Fund administered by the Secretary of Commerce and coordinated with the Administrator of the Small Business Administration and the Secretary of Labor. The proposed New Fund will have a first year appropriation of $400 million which will be increased by $150 million each year thereafter, reaching a maximum authorization of $1 billion.

Short term credit will be provided from Treasury Tax and Loan Accounts—tax and bond purchase payments made to the federal government which are then deposited in commercial banks throughout the country.

The principal features of these two programs are explained briefly below.

CAPITAL LOANS FOR POVERTY AREA BUSINESSES

First, Eligible Areas—The areas at which this proposal is directed are: the 193 poverty areas which are located in our major metropolitan centers; this nation's worst rural poverty areas; and, Indian reservations.

Second, Eligible Businesses—virtually any type of industrial or commercial enterprise that can be conducted in or near an urban or rural poverty area, will be eligible for assistance under this bill. Thus, manufacturing enterprises as well as service establishments dealing with other business enterprises will be permitted to obtain financing. Safeguards will be provided to assure that loans are not available merely for the purpose of moving an enterprise from one area to another.

Third, Employment Criteria—The facility must employ at least nine persons. Of these, at least two-thirds must be poverty area residents and one-third must have been low-income persons at the time they were hired.

Fourth, New Fund—A New Fund, to be directed by the Secretary of Commerce in collaboration with the Director of the Small Business Administration and the Secretary of Labor will coordinate all long term lending policies. Short-term lending policies will be directed by the New Fund in conjunction with the Secretary of the Treasury.

The proposed New Fund will start with an initial appropriation of $400 million the first year—an appropriation which will increase by $150 million per year so that at the end of five years the fund will have reached its maximum authorization of $1 billion.

Fifth, Direct and Guaranteed Loans—The primary purpose of the New Fund will be to guarantee and, in some cases, to make long term loans to poverty area businesses.

In providing financing, the specified preference will be for the New Fund to guarantee private loans rather than to provide direct loans. In short, the New Fund will operate as a lender of last resort—making direct loans only when there exists a reasonable assurance of repayment and when comparable financing cannot be obtained by the borrower from private sources, even with the type of guarantees which could be made by the Fund. As a general rule, all private loans will be subject to a guarantee against loss up to 50% of the amount of the loan, except that when the borrower is one of our major public companies, only a 10% guarantee will be provided.

Sixth, Interest Subsidies and Loan Periods—In order to raise the rates of return which can be derived from poverty area investments—thereby compensating for the unusual risks and difficulties involved in opening a business facility in these areas—direct and guaranteed loans will bear a subsidized interest rate. Long-term loans made directly or guaranteed by the New Fund will carry an effective interest rate 1% below federal borrowing costs. The only limitations on these subsidies will be that the federal payment cannot exceed 5% on any private loan, and, if the business is receiving tax incentives it can also receive subsidies. In order to take account of the economic realities of opening poverty area businesses, the New Fund will be authorized to guarantee and provide direct loans for terms up to 35 years. It will also provide loans for up to 80% of project cost. Both in terms of the repayment period and interest charges, these provisions offer great advantages over current federal loan programs.

Seventh, Approval of Guaranteed Loans—In order to avoid red tape and the bureaucratic delays that have invariably occurred in guaranteed loan programs, this proposal rejects the idea of specific government approval for each loan. Rather, the New Fund will be permitted to enter into two year agreements with private lending institutions under which these institutions will be authorized to make guaranteed loans and investments up to a specified quota. Periodic assessments of the performance by lenders will be made and unused quotas will then be reallocated.

Eighth, Short-term Capital—In regard to the development of short term working capital for poverty area businesses, we must establish a further mechanism beyond that of government loans and guarantees.

For years it has been the policy of the federal government in its capacity as a purchaser of goods to promote the development of distressed areas and to assist small businesses. In my judgment, the federal government should now adopt a similar economic development policy by utilizing deposits of public funds as a mechanism for encouraging private banks to provide short term bank credit for poverty area businesses.

Most funds which flow to the federal government in the form of taxes and bond purchase payments remain in the commercial banks through which they are paid in the form of deposits of the federal government. These deposits—which in recent years have normally amounted to about $4 billion—are called Treasury Tax and Loan Accounts and any bank may become eligible to hold such an account. The monies deposited of course earn income for the bank when they are invested, but, as in the case of any demand deposit, the bank pays no interest or other fee to the depositor.

In my judgment, the Secretary of the Treasury would be authorized to establish certain minimum requirements for loans to poverty area businesses, which must be met by special depositaries located in or near these poverty areas. The requirements would be tied to the average balance in the bank's Tax and Loan Account, so that the performance level that a bank would be expected to meet would relate to the benefit which the federal government gives the bank in the form of interest free deposits. The requirements might start as low as 3% of the bank's Tax and Loan Account during the first year and rise in subsequent years to as much as 15%.

This proposal would not simply constitute an additional burden for each depository bank. Any bank which met its percentage requirement would be eligible to receive further deposits of the federal government equal to a significant percentage of its qualified loans. These deposits—which would be in the range of 20 to 50% of the funds put into qualified loans would not be kept in the bank's regular Tax and Loan Account where they would be subject to withdrawal. In an effort to give a greater incentive to the bank, these new compensating deposits would be maintained in separate accounts which would be kept open by the federal government for at least a calendar quarter.

The funds to meet these additional balances for the banks which do meet their percentage requirement, would be derived in the first instance from withdrawals from the banks which do meet their percentage requirement. If most banks meet them so that there is insufficient money available for noncomplying banks to provide extra deposits to complying banks, the New Fund would deposit some of its reserve underlying the loan guarantee in complying banks.

Short term loans made by these depository banks would be subject to the same guarantees by the New Fund that will apply to long term loans. Moreover, an interest rate subsidy up to a maximum of 3% will be paid by the federal government. This subsidy will be utilized to reduce the short term costs of capital to qualified poverty area businesses.

SPECIAL LOAN AND TECHNICAL ASSISTANCE TO MEMBERS OF DISADVANTAGED MINORITY GROUPS AND POVERTY AREA RESIDENTS

While the above program, providing credit to business operating in or near poverty areas will, of course, apply to businesses owned by members of disadvantaged minority groups and by low and moderate income residents of poverty areas, its primary benefit will be in inducing outside, established business to enter poverty areas. Special assistance should, in addition, be made available to members of disadvantaged minority groups—Negroes, Spanish, and Mexican-Americans, Puerto Ricans and Indians—and to poverty area residents. These are the people who have the greatest stake in the future of their own communities. They must be assisted to enter the mainstream of American economic life.

Special loan assistance

I therefore propose that for enterprises, at least 30% of which are owned by members of minority groups and low and moderate income residents of poverty areas, the provisions of the above-described capital loan program be modified so that:

1. If there is a shortage of federal funds for direct loans or for loan guarantees, priority will be given to such businesses.

2. Retail businesses, as well as commercial and industrial enterprises, will receive both short and long term loans.

3. Federal guarantees will be for up to 90% of the total project cost, instead of 50%.

4. Eligible businesses need employ only 6 employees, instead of 9.

5. Loans will be for up to 90% of the total project cost, instead of 50%.

6. The federal government provide guarantees of up to 50% of equity investments of institutions such as small business development corporations in order to create new sources of equity capital. No existing federal program provides guarantees for equity inments which are generally subject to rigid repayment requirements.

7. Community groups within poverty areas will be authorized to obtain loans for purchasing and building facilites for lease back to any businesses qualifying for long or short term loans.

Technical assistance

Capital, while vital, is not enough to establish viable businesses owned and managed by members of disadvantaged minority groups and low and moderate income residents of poverty areas. These groups have been so long excluded from business activities that they also need technical management assistance.

Present federal technical assistance efforts are under-financed and suffer from serious deficiencies.

First, there has been significant lack of coordination. Some cities have several programs, others have none. Programs rarely work closely with each other, either nationally or locally. As a result, tools which are available to one group are often not used by others. Neither successes nor failures are known so that newer efforts frequently do not learn from earlier experience.

Second, most of the businesses created or helped by existing programs are marginal and many are sole-proprietorships. It is important to help existing small establishments even if they are not competitive. But it is a mistake to make such enterprises the major focus of a government effort. Instead, if indigenous persons are to play a significant role in American economic life, they must own and operate automobile dealerships, shopping centers, small and medium-sized manufacturing companies, and the like, and mechanisms must be established which will start a continuing process to create and maintain significant numbers of larger enterprises.

Third, existing programs have generally lacked expertise. They have rarely had the full-time participation of trained staffs with business experience. Minority and poverty area citizens must know when and how to get assistance, both from the government and private industry. They must be able to understand and put together complicated financial arrangements, and be able to communicate with other businessmen.

I therefore propose that a minimum of ten million dollars a year be appropriated to provide federal grants for local technical assistance programs. These programs should enlist the combined efforts of business leaders, local government, and other important elements in the community, with substantial participation and control by the leaders of minority groups and poverty-area residents they are to serve.

At the same time, these programs must have on their staffs full-time business experts. As our large corporations become increasingly interested in meeting the problems of poverty, they may be willing to lend some of their best talent. All programs should include at least these elements:

They must reach out to members of minority groups and residents of poverty areas to motivate them to enter business or to expand and improve existing businesses.

They must help open up new business opportunities—for example, by creating a committee of large corporations committed to providing sub-contracts; by helping businessmen obtain contracts from the federal and local governments; by obtaining franchises to be operated by minority and poverty-area businessmen; by starting shopping centers in urban renewal and model cities areas; and by persuading urban renewal and other government agencies to contract with poverty area contractors to build and rehabilitate housing.

They must provide sources of capital—for example, by starting Small Business Investment Companies to provide equity and working capital, perhaps by seeking funds in the community; by starting Local Development Companies to provide the physical facilities and land needed by new businesses; by persuading private financial institutions to ease credit criteria for business or to provide loan pools; by assisting minority or poverty-area businessmen to obtain loans from private financial institutions, SBA, or EDA and through the new program which I have proposed today.

They must provide continuing training, counseling and assistance—for example by persuading established corporations to offer internships in their own marketing, accounting, cost control or other departments prior to receiving subcontracts from assisted companies; by persuading established corporations to give continued technical assistance through having their own staffs on call by minority or poverty-area businessmen; by asking local colleges or other institutions to give special business courses; by giving individual counseling to existing and potential businessmen; by providing contracts to management consulting companies to assist minority and poverty-area businessmen.

The federal government should also be making other efforts to provide management and ownership assistance to members of minority groups and residents of poverty areas. Plans to aid small business should be required in all model city plans. The Department of Labor can pay private corporations to provide training and technical assistance to existing and potential minority and poverty-area businessmen as it now provides funds to corporations to train the unemployed. The Office of Education can develop special programs to provide high-quality management training through scholarships to business schools and through special business school courses. Federal funds can pay for research into new techniques for assisting minority and poverty-area businessmen. And the federal government can coordinate and assist the efforts of local programs.

It is of vital importance that the federal government involve our national corporations in this effort. They can provide training, subcontracts and franchises, loans or equity capital, and technical assistance. They can, as the Fairchild-Hillyer Corporation has in the District of Columbia, start manufacturing plants, jointly owned with a neighborhood organization in a poverty area, with the objective of completely turning it over to the community in just a few years. National corporations can, as they have agreed to do in Baltimore, provide financial support for a small business investment company controlled by Negroes. All this can occur throughout the country by joining the dedicated efforts of business and government.

These proposals will require appropriations of only $43 million the first year and $337 million over five years for interest subsidies and technical assistance. In addition, $1 billion will be required for the New Fund over five years to provide direct federal loans and as a reserve for guaranteeing private loans, but these funds will be recoverable by the federal government. It is a reasonable estimate that these measures will result in the loan of about $3 billion by private lenders and the federal government to all kinds of businesses in or near poverty areas and for the establishment of many successful businesses owned by members of minority groups and residents of poverty areas.

These loan and technical assistance proposals and my tax incentive program proposed last July will not, of course, solve all the problems of poverty. They are important steps. They will offer a mechanism for bringing new business and jobs into our poorest areas.

But they are but one part of the job we must begin. They must be joined with other equally important efforts.

They must be combined and coordinated with present Federal education and manpower training programs. They must also be used in conjunction with other new programs which I have proposed and sponsored in the Senate—an emergency employment program to provide 2.4 million new jobs in public service and private enterprise and the housing program which I sponsored in 1967 to give tax incentives to private industry to build and rehabilitate housing for low income families.

And most important, there must be full participation of community residents, through their own institutions, in the development and implementation of all projects. We must shape our government policies with the active participation of our citizens. What we must seek is not just greater programs, but greater participation—by putting our resources directly into the communities, both urban and rural, where the citizenry can determine how best to use those resources. If we accomplish this, we will have begun one of this Nation's great remaining tasks—to make this a land in which equal opportunities are a reality and not a promise, and in which the right to work at a meaningful job and the opportunity to participate fully in the American economy have significance for all Americans.

COMMUNITY SERVICE OFFICERS PROGRAM

Mr. PERCY. Mr. President, on May 14 the Senate adopted an amendment which I offered to title I of S. 917, the Omnibus Crime Control and Safe Streets Act of 1967. The amendment will enable local and State police departments to use Federal grant money to establish and maintain community service officers programs. These community service officers will be available to assist precinct level line officers in their regular patrol and investigative work. They would work closely with other uniformed and nonuniformed police personnel to keep open valuable lines of communication to and from the ghetto communities. Hopefully, the CSO would be a product of the ghettos of our cities. Because of this, the CSO would have a measure of understanding of inner-city problems that could never be acquired by an outsider. He would provide a vitally needed link—a bridge—for communication between the police and the residents of the inner city.

One of the best developed police departments in the Nation is the Atlanta, Ga., department under the direction of Herbert T. Jenkins, chief. Chief Jenkins, a past president of the International Association of Chiefs of Police, is perhaps best known as the only law-enforcement administrator appointed a member of the National Advisory Commission on Civil Disorders. That distinguished Commission recommended establishment of community service officer programs.

The city of Atlanta has incorporated into its police operations the police community service officer. I ask unanimous consent to have printed in the RECORD the text of the ordinance authorizing the PCSO, with the feeling that Senators may wish to have information on this kind of program so as to pass it on to the

police departments in cities of their States.

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

AN ORDINANCE TO CREATE THE CLASSIFICATION AND POSITIONS OF POLICE COMMUNITY SERVICE OFFICER (P.C.S.O.) IN THE POLICE DEPARTMENT, AND FOR OTHER PURPOSES

Be it ordained by the Mayor and Board of Aldermen of the City of Atlanta as follows:

Section 1. The classification of Police Community Service Officer (P.C.S.O.) is hereby created in the Police Department.

Section 2. Police Community Service Officers shall be temporary employees of the Police Department and shall not be entitled to civil service status.

Section 3. Qualifications and regulations for Police Community Service Officers shall be as follows: Must be between the ages of 16 and 25. Must be unemployed and unemployable under police standards and qualifications.

Section 4. Police Community Service Officers shall be subject to all the rules, regulations, training and discipline of the Police Department.

Section 5. Police Community Service Officers shall be assigned to the Crime Prevention Bureau and other divisions in the Police Department, to work in high crime and high poverty communities, and at Police Headquarters to assist the regular police in the performance of their duties.

Section 6. Police Community Service Officers shall be furnished police uniforms and other police equipment, except firearms. They shall not be armed.

Section 7. Police Community Service Officers shall be given training and instructions and every opportunity to advance their education and to improve themselves so that they might eventually qualify and pass all examinations and tests to become a regular police officer.

Section 8. The Police Community Service Officer shall be paid on a daily basis for days actually worked, at the same rate of pay as Police Guards.

Section 9. The Chief of Police is hereby authorized to employ one Police Community Service Officer for every ten regular police officers in the Police Department when this is authorized and 90 per cent funded by the Federal Government.

Section 10. Be it further resolved that the Mayor and the Board of Aldermen authorize the Chief of Police to employ five Police Community Service Officers immediately, and that (their salaries) shall be paid from the regular Police Salary Account No. G-32-62-830.

Section 11. All ordinances and parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

Mr. PERCY. In addition to the ordinance, Mr. President, an article by Chief Jenkins appears in the May issue of the Police Chief, the monthly publication of the International Association of Chiefs of Police. The article sets forth the impressions of Chief Jenkins regarding the Riot Commission and his preparations in Atlanta for the coming summer. The characteristics that identify this outstanding law-enforcement official are summed up in the last sentence of his article:

We are planning for the worst, but working and hoping for the best.

I ask unanimous consent that this honest, forthright discussion be printed in the RECORD.

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

A COMMISSION MEMBER SPEAKS

(By Herbert T. Jenkins, Chief of Police, Atlanta, Ga.)

(NOTE.—This was the most complete and conscientious investigation and report that I was ever privileged to participate in. I have the greatest admiration and respect for the ability and the sincerity of the ten other members of the Commission, without exception or reservation.)

1967 was not a particularly bright and happy year from the standpoint of law enforcement. Crime and civil disorders increased over the nation last year at an alarming rate. Crime and civil disorders have one thing in common—they are both a violation of the law. There is no common cause for crime—therefore, there is no common cure, but a combination of many things. The same thing applies to civil disorders and riots.

Generally, crimes are committed by repeaters—the same person committing the same crime month after month, and year after year. They are released on bond, parole, appeal bond, or they have escaped from a penitentiary. If a robbery or most any other major crime is committed in this building or in the street, the odds, are about ten to one that when the perpetrator is caught and identified, it will be a person who has committed the same crime previously and has been caught before.

Crime increased 17 percent across the nation last year. And law enforcement is extremely expensive and is becoming more complex and complicated every day. The cost is about $8,000 annually in Atlanta to select, train, equip and assign one police officer. In New York City it is about $12,000 annually. There are many who believe that police salaries are still inadequate, and when we consider the hazards and demands made on a police officer, we must agree.

It is not possible to furnish every American citizen 100 percent security and 100 percent freedom at the same time, for the simple reason that when security is strengthened, freedom is weakened, and vice versa. Maximum security for any single location restricts freedom of movement, and requires constant police guard. Such security not only creates the problem of inconvenience, but it is extremely expensive. For one police officer to be on duty, around the clock, seven days per week, would require the services of five police officers, and the annual cost is in excess of $40,000.

NACCD AT WORK

On July 27, 1967, President Lyndon B. Johnson, by executive order, appointed a National Advisory Commission on Civil Disorders. The Commission consisted of eleven members: a governor, a mayor, four members of Congress, a business man, a labor union leader, a civil rights leader, a lady, and a chief of police. Governor Otto Kerner was appointed Chairman, Mayor John V. Lindsay was appointed Vice Chairman and Mr. David Ginsburg was appointed Executive Director. I am deeply grateful for the opportunity to have served on such a distinguished commission. This was the greatest honor and the greatest challenge that ever came my way.

The Commission held its first meeting with the President at the White House on July 29, 1967. After administering the oath of office, President Johnson informed the Commission of the seriousness of the civil disorders that the cities had experienced in the last two years. This was supported by all the information and reports that the President had received. He said this commission was to take top priority over all other commissions and that all the facilities and personnel of the federal government would be made available to assist. The President also said that civil disorders can be stopped—they must be stopped—and they will be stopped.

Toward this end, the President instructed the Commission to determine—what happened, why it happened, and what must be done to keep it from happening again and again. And to furnish him with a report with recommendations.

I left the White House on that day with a very strong feeling that this nation is extremely fortunate in having Lyndon B. Johnson as Commander in Chief during these very trying times. It was, and it is my belief, that he is a very dedicated and able man, and tough enough to do the job. Again, this belief was confirmed when President Johnson made a very fine and timely speech to the International Association of Chiefs of Police in Kansas City on September 14th.

The Commission started holding meetings immediately in Washington and visited several of the cities that suffered the greatest damage. The full Commission questioned more than 130 witnesses for twenty full days—that included governors, mayors, chiefs of police, rioters, and everyone else concerned with civil disorders. The Commission heard conflicting reports from many sources as to what happened, why it happened and what must be done to keep it from happening again and again. Most of the witnesses were well qualified to give expert testimony in their respective fields.

All of the testimony and reports given to the Commission were recorded, re-read and studied many times by the Commission and the staff. It was necessary, for obvious reasons, to receive much testimony off the record and in confidence. This confidence has been completely honored and respected. But since the report has been completed and printed, all of the reports and files are being turned over to the Federal Archives and they will be opened for public inspection in accordance with the rules of the Archives.

What happened last summer? More than 100 American cities were threatened with civil disorders. Fifty-two American cities suffered civil disorders, street fighting and riots that caused widespread death and injuries to the population and the police of these cities. Looting and burning were responsible for property damages that cost many millions of dollars. While local police in most of the cities keep the situation under reasonable control and held property damages to a minimum, there were many arrests and some deaths and injuries.

The local police in some of the cities, however, failed to maintain law and order, and when the situation got out of control, it was necessary to call on the State Police and the National Guard to restore order. In one city it necessary to call on the U.S. Army to come in and restore order.

Most witnesses appearing before the Commission gave their version as to why it happened. To simply say that the testimony was debatable and controversial is an understatement. It was apparent from the beginning that, of all the many contributing factors, racism was the most prominent cause, and, racists come in two colors: black and white. It was also apparent from the beginning that law and order, with equal justice for all, must be the first order of business, and that there are no greater priorities.

Senator Everett Dirksen was quoted recently as saying, "The first responsibility of government is to protect itself." The Commission said, "preserving civil peace is the first responsibility of government, and unless the rule of law prevails, our society will lack not only order, but also the environment essential to social and economic progress." Whatever words are used, I believe this is one point that we can all agree on.

Most of the hearings were completed by December 1st. It was obvious from the beginning, that whatever the Commission recommended, would be very expensive, and to do nothing perhaps would be much more expensive. By December the Commission had made the decision not to try to make an in-

terim and a final report and not to try and make a long range and a short range report. For the report to be most effective the Commission decided, it must be a single report, and it must be completed by March 1st if it was going to be helpful in preventing civil disorders in the summer of 1968.

The Commission spent 24 full days between December 1, 1967 and March 1, 1968 writing, reading, discussing, and rewriting the report. Every chapter, every section and every paragraph was read, discussed and rewritten. And every member of the Commission had an opportunity to read, object, approve, amend, or rewrite every sentence and every word in the report. Some sections were discussed and rewritten as many as six times.

Most of the meetings were held in the Executive Building, adjacent to the White House, except for the last few weeks when they were held in the Capitol so that those members of the Commission who were also members of Congress, could vote on important matters before the Congress without being absent, except for just a few minutes. By 2 p.m. on February 28th, the report was completed, with 17 chapters, plus the summary, the supplement, and the index. This report contained more than 1,000 pages and more than 200,000 words. All members of the Commission, without hesitation, promptly signed the report and there was no minority report.

This was the most complete and conscientious investigation and report that I was ever privileged to participate in. I have the greatest admiration and respect for the ability and the sincerity of the ten other members of the Commission, without exception or reservation.

Special attention should be given to the short range recommendations of the report that will be most helpful in preventing civil disorders. These do not require additional funding or financing. National legislation to control fire arms and a federal open housing law do not require any money.

The first two recommendations that the Commission made were for special riot control training for the National Guard and the local police departments. This is now being accomplished with very little extra cost. One hundred and thirty-five chiefs of police and their city managers or mayors met in small groups for one week in February in Washington, to discuss plans and training to prevent civil disorders next summer.[1] Regional training sessions for police captains and watch commanders were held all over the nation for the next two months for all police departments that were interested in receiving such special training.

The record will show that if riots are to be prevented, they must be prevented by local communities. The report speaks for itself, and places special emphasis on prevention. The only way to control a riot is to prevent it. The alternative is battling in the streets with great loss of property, with death and injury to the participants, and great loss in local business. Civil disorders simply paralyze local business. The National Guard or the U.S. Army cannot prevent a riot. They can stop one for sure—but they do not have the training or the opportunity to prevent them.

The prevention of riots rests squarely on the shoulders of local police departments and they must have the full support of all public officials and law abiding citizens, both black and white, if they are going to be successful.

The question most frequently asked is "What will happen to the American cities this summer?" Well, no one knows for sure. I have expressed a personal opinion—The riots this summer will be fewer in number, of shorter duration, but much more bloody. I am much more optimistic about Atlanta.

Atlanta has some advantages over most cities, because: Mayor Ivan Allen, Jr., Judge Griffin Bell, and the Atlanta Commission on Crime and Juvenile Delinquency had the foresight more than two years ago, to study these problems and design a plan of action that has received very fine support from Atlanta's citizens. The Atlanta Commission stated, among other things, that poverty and crime are twins that cannot be separated—one could not be improved without improving the other. The Commission also found serious conflict and abrasions between the residents of poor Negro neighborhoods and the police. They recommended that the police should employ police-community officers to improve these conditions, and that the over-all police training program should move rapidly in this direction. We have followed these recommendations. You will find that the general thrust of the Atlanta report is included in the National report.

OUR PLAN OF ACTION

To outline our Atlanta plan of action briefly, I would like to report that we have 20 to 50 officers, predominantly Negro, assigned to the Crime Prevention Bureau, who work every day and night in EOA Centers in Negro neighborhoods. They are getting acquainted with all the residents, answering all of their complaints, including police complaints. They are providing a social service and assistance, as well as police service for the community.

We have a Task Force of 40 predominantly Negro officers, commanded by a Negro Captain. They are assigned to these same neighborhoods from 2:30 p.m. to 10:30 p.m. every day, and are furnishing a good tough police service for the law-abiding citizens of the community. We will increase the size of this Task Force as the weather gets warmer. At the first signs of a tense situation, or any incident that might cause trouble, we will move the entire Crime Prevention Bureau into the neighborhood, followed by the Task Force. We believe that they will be able to cool any situation quickly, but if they fail, we will move the Riot Squad right in behind them with helmets, night sticks, tear gas and shot guns. At this point all other city departments will be activated and the police department will go on extra duty twelve hours per day, seven days per week. This act alone will more than double the police personnel on duty, so that we will not interfere with all the officers who are patrolling the other parts of the city, and it will give us an equal number of officers in the troubled area.

We are planning for the worst, but working and hoping for the best.

[1] Civil Disorders Conferences conducted by the IACP for the Attorney General of the United States. Discussions and recommendations of the conferees appear elsewhere in this issue.

THE OMNIBUS CRIME BILL

Mr. CLARK. Mr. President, I very much regret that an important commitment in Pennsylvania caused me to be necessarily absent from the Senate floor during the final hours of voting last week on the omnibus crime bill. Although I was present for votes earlier that day, and for most of the votes earlier in the week, I would, nevertheless, like to state briefly my position on this important piece of legislation for the RECORD.

Had I been present for the vote on final passage, I would have voted in favor of the bill. I was paired in favor of the bill. But my support for the bill, as it was passed, is with considerable reservation. For example:

In title I, the Senate approved an amendment providing that 85 percent of the money appropriated for this title be distributed by the State governments. I opposed this measure. To my mind, the so-called "block grant" approach merely interjects another layer of bureaucracy into the administration of this program, which would be far more efficiently administered through direct grants from the Federal Government to local law-enforcement agencies. I would have preferred the administration's approach—the direct-grant approach—but I am far more concerned about getting the money to where it is needed than about how it will get there.

Similarly, I am disappointed that the efforts to delete the provisions of title II which reverses Supreme Court decisions restricting the use of confessions in court was defeated. As I said on the floor early last week, I think the legislature would be wise to leave the whole matter of administering justice up to the judiciary. I also have grave doubts about the constitutionality of this action on the part of the Senate to overrule Supreme Court decisions. I, therefore, voted to delete the whole of title II. But since this effort failed, I was pleased that we were able to modify the provisions of title II to retain in the jurisdiction of the Federal courts the power to review confessions found voluntary in lower courts. Judicial review has been one of the traditional functions of the higher courts, and it is the courts wherein the jurisdiction rightfully resides.

The provisions of the bill which deal with wiretapping, that is, title III, are not as tightly drawn as they might have been. I am not opposed to wiretapping; in fact, I think that under proper safeguards it is an essential tool in our fight against organized crime. What I am opposed to is the possibility of indiscriminate wiretapping by Federal, State, or local officials, which would infringe on the right to privacy of all our citizens, and which is made feasible by the provision allowing "emergency" wiretapping for up to 48 hours without a court order. I regret that this provision was not deleted from the bill, because I think it is a potentially dangerous one. I hope that, if and when such emergency powers are used, they will be used with the utmost responsibility on the part of the officials involved.

I think my views on gun control are well known by my colleagues in the Senate. I was a cosponsor of the administration bill which included a prohibition on the mail-order sale of long guns—rifles and shotguns—as well as handguns. This additional prohibition was not included in the bill passed by the Senate. I think this is a grave mistake. The tragic killings of President Kennedy and Martin Luther King, Jr., the death and destruction wrought by a mad sniper at the University of Texas in 1966 are only the most widely publicized incidents of a long gun being in the hands of a person unfit to handle it. There are hundreds more. I shall continue to work with my colleagues who realize the urgent need for truly effective regulation of the sale of guns to achieve that end. But I am encouraged by the fact that the Senate has finally adopted a long overdue set of regulations on the sale of firearms. It is only a beginning, but I am pleased to note that we have finally begun.

The whole bill, too, is only a beginning. As I have indicated, there are many provisions of it which distress me; there

are also many vital provisions which were not included in it. I am not at all satisfied with the bill. But if we in Congress are truly concerned about coming to grips with the overriding problems of crime in the streets, of organized crime, and of senseless acts of violence, we must come to grips with them now. The people of this country demand it. With the passage of the omnibus crime bill, we have taken a first, and I think a long, step in the right direction.

SUPPORT FOR NEGRO COLLEGES

Mr. RIBICOFF. Mr. President, J. D. Wright, chairman and chief executive officer of TRW, Inc., spoke this week on the importance of supporting Negro colleges.

In his speech, he emphasized that the ultimate goal in helping to solve our urban problems "is not to offer welfare in any form; it is to offer opportunity in every form—it is to remove the roadblocks that stand in the path of self-development."

His remarks are cogent and represent some of the best thinking of the American business community with regard to higher education and how it relates to the solution of part of our urban problems.

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

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

TOWARD TWO SOCIETIES

(Remarks of J. D. Wright, chairman and chief executive officer, TRW, Inc., before the United Negro College Fund luncheon, May 27, 1968, Cleveland, Ohio)

In the introduction of one of the most important books published in this country in recent years, there appears this chilling statement: "Our nation is moving toward two societies, one black, one white—separate and unequal. To pursue our present course will involve the continuing polarization of the American community and, ultimately, the destruction of basic democratic values."

The book is the report of the National Advisory Commission on Civil Disorders, recently released to the President and the nation, and since then many people have been asking, "Is it really possible that our seemingly indivisible Republic could finally become two separate and unequal societies?"

With looming problems facing Americans at home in the hot summers of 1968 and beyond, other questions follow that stagger our capacity to answer: How can we channel our efforts to prevent this polarization of race and destruction of democracy? How do we apply effectively our resources in order to root out the genuine causes of misery and chaos instead of only temporarily treating the symptoms? How do we get the understanding and commitment of all citizens so fundamental to solving our problems?

There can be no single, clear-cut, easy answer. There are too many difficult things to do. Substandard housing. Hard core unemployment. Poor education.

Mayor Stokes knows how many difficult things there are to do. His "Cleveland, Now!" program is the boldest, most imaginative and visionary effort in the history of this—or any—community. It deserves the fullest possible support of every citizen—at every level, station, and discipline—of any age, belief, or birth. The Cleveland job will take time. It can't be done overnight. But I'm sure we all want to be involved in this long, critical journey.

To pour money and human resources into all these areas—housing, employment, education—is essential. We have known that the needs were great—the facts make that clear—our business judgment and social conscience also point in that direction.

And yet I would suggest to you that underlying these needs is still another necessity, which could eventually surpass them all in its power to turn us from our present course toward separate black and white societies. And that is the need to further develop strong, responsible leadership in the Negro community itself. I have come to believe with increasing certainty that in our journey through the ghettos of America, one main street that must not be detoured is signposted: "School Zone—Keep Right for Responsible Leadership."

That belief in the increasing need for leadership is the reason I am here today. It is the reason I have accepted the challenge to be Cleveland's chairman of the 25th Annual United Negro College Fund campaign.

Not long ago I read a comment made by a Negro resident of the West Side Chicago ghetto after the riot of April 5. He said, "What will change things is when some responsible people begin to act like they were responsible. Now I'm not just talking about white people . . . I'm talking about people like myself."

The days of dependence on white goodwill—on charity—on paternalism—are passing. And in their place, Negroes now need the ability to further develop their own responsible power—not in order to perpetuate two separate societies, but to help bring about a true integration based on mutual respect and opportunity for achievement.

Education for leadership in an era of engulfing and exploding social change is no easy task. It will require new techniques—new finances—new vision. Above all, it will require institutions, as well as individuals, with unique insights into the problems of restless young Negroes and unusual abilities to prepare them for the role they must play as emerging leaders.

Do the Negro colleges help meet these requirements for developing leadership?

If we are inquiring about the Negro colleges of the past, the answer perhaps would be "no." Until recent years, they primarily directed their efforts toward serving the two halves of a divided society by training teachers, ministers, nurses, craftsmen. This was their role for decades—and it remains today the stereotyped image that many people have of the Negro college in America. A closer look at the facts, however, reveals that substantial changes are taking place.

A study by Columbia University's Institute of Higher Education—known as the McGrath Study—has revealed that:

"Except at the topmost level of excellence represented by a few celebrated institutions, the Negro institution runs the entire gamut of quality within American higher education . . . when compared with the predominantly white colleges they can be matched institution by institution."

Howard Zinn, writing on "A New Direction For Negro Colleges," points out that such famous schools as Howard, Fisk, Lincoln, and Morehouse rank academically today among the top 10% of all American colleges.

At the same time, it would be unrealistic to judge all Negro colleges—or even all of the 36 on the list of the United Negro College Fund—by the performance of the few at the top. All of them, like their white counterparts, are beset by problems in varying degrees, including inadequate financing. In addition, the predominantly Negro colleges have inherited some problems that are peculiarly their own—problems the predominantly white colleges do not ordinarily have to face.

Their students, for the most part, begin with a handicap of substandard elementary and high school education. To help them overcome this deficiency, the Negro colleges have added a great deal of remedial work to their normal curriculum. In effect, they are cramming five or six years of formal education into four. They offer special courses, intensified regular courses, and clinical and tutorial work—all costly but necessary programs.

Since most predominantly Negro colleges are in the South, 75% of the students come from that area, where non-white family income is less than half that of white families. These colleges have placed a premium on keeping the educational doors open to able—though deprived—students. A substantial part of the institutions' resources must therefore go for financial aid to students: Scholarships, loans, and work opportunities.

Also inherited from the past is the overall direction of Negro college curricula. The traditional courses offered have lacked diversity—for two reasons. Typical curricula have tended to emphasize history, English, music, biology—subjects that would prepare students for careers as high school teachers. The first limitation, then, has been the necessity to train Negro students for the kinds of jobs they would be permitted to fill in a segregated society.

The second reason has been a matter of money. It takes much less investment in facilities to operate a curriculum in the humanities than one in the physical sciences.

It seems clear, then, that the stereotype is indeed being broken. The predominantly Negro colleges, far from being the "academic disaster area" they have sometimes been called, are taking effective steps to overcome the special difficulties they have had to face through years of serving essentially a segregated society.

Perhaps the outstanding proof of visible progress can be found in the achievements of men and women who attended Negro colleges. At such major universities as Harvard, Columbia, NYU, and Chicago, prominent faculty members took their undergraduate studies at predominantly Negro colleges.

So did three ambassadors—Patricia Harris, in Luxembourg; Franklin Williams, in Ghana; and Hugh Smythe, in Syria—a member of the U.S. Supreme Court, Thurgood Marshall; and, of course, a civil rights leader and Nobel Prize winner, the late Dr. Martin Luther King, Jr. All from Negro colleges.

The president emeritus of Morehouse College, Benjamin E. Mays, writes: "It is fair to say that without Negro lawyers schooled in predominantly Negro colleges, there would have been no 1954 (school desegregation) decision of the U.S. Supreme Court and no civil rights legislation."

Certainly institutions that can produce leaders of this caliber have within their quadrangles the basis for providing greater education for responsible leadership. Without doubt, there is much building and strengthening to be done—but the solid foundations are there.

Like all institutions of higher learning, Negro colleges need adequate financing to make possible the necessary growth and development. Their need, in fact, is greater than most schools. As the McGrath Study put it, ". . . they labor with a disproportionately small share of the nation's higher education dollar."

Predominantly Negro colleges in number make up 6% of all U.S. colleges and universities—but they carry on with less than 2% of the total expenditures.

Only two, Hampton and Tuskegee, are substantially endowed; only one, Howard, can depend to any helpful extent on Federal money, State allocations and student tuition are the main source of funds.

If these colleges are to move in new and more fruitful directions—if they are to realize their potential for contributing to the leadership of both the Negro community

and the Nation in these critical times—if they are to make a significant contribution to the one-society concept—they must have help. It must come from private sources: from foundations, from individuals, from business and industry working through such organizations as the United Negro College Fund. It must be help given on a broader scale than any of us have yet provided or even envisioned.

Before I ask you specifically to join me in this effort, I want to lay to rest two misunderstandings. The first is a widely held belief that the Negro college is a dying institution and that it should be permitted to disappear because it has outlived its purpose.

Predominantly white universities all over the country, the argument goes, are accepting Negro students—in some cases actively recruiting them. To this I would say that one or two Negroes in the University of Mississippi, or only 125 among Northwestern University's enrollment of 20,000, do not make an integrated higher educational structure. The doors are opening, but the progress to get inside is slow.

The fact remains that more than half of the Negroes attending the Nation's colleges and universities are enrolled at predominantly Negro institutions. And the rate of change during recent years would suggest that no immediate alteration in the pattern of distribution is likely. There is a place—there must be a place—for these schools in the foreseeable future.

The second misunderstanding is perpetuated by those who say that to support Negro colleges is to help maintain segregation. Perhaps there is a small grain of truth in this statement. Obviously, predominantly Negro colleges are quite black, but this situation does not continue because Negroes want to be exclusive. The hard fact of the situation is that if Negro colleges are not supported, a very large segment of America's Negro youth will have no opportunity for higher education at all. And the opportunity to further develop responsible leadership will be lost.

Strapped by financial problems, Negro youngsters cannot afford to attend a predominantly white college, where the average cost of staying in school is twice what it is in the Negro college. Handicapped by the poor quality of their elementary and secondary education, they need the special help they can get only at the Negro college. Limited by their cultural background, many of them find the social adjustments demanded by a predominantly white environment more than they can handle—and still maintain their grades.

Yet from this group will come the responsible leaders of tomorrow that our communities and nation must have. The students themselves want an education that will fit them for new leadership roles. The colleges want to give it to them.

In the words of Benjamin Mays of Morehouse:

"These colleges are essential today, segregated as many of them are, and they will be needed in the nonsegregated tomorrow."

We have already learned to expect from these institutions the development of leaders in education and certain professions. They are doing their best job in these areas, and they must continue. But the future will demand other things as well. Since much of the anger and frustration in the ghettos arise from an acute sense of powerlessness, Negroes need more leaders trained in politics and public administration—such as Mayor Stokes.

And since economic self-help is a must for the Negro community, there is a great need for more Negro business leaders. In a recent article, Dr. Wilford White of Howard University said:

"The relative absence of Negro businessmen . . . deprives the Negro community of an essential symbol of full participation in American life . . . a vital source of legitimate power. It blunts motivation. The nation as a whole loses the potential product of Negro entrepreneurs. And the relative absense of business motivation and participation among the Negro-American community means that a large segment of our population fails to understand the free enterprise system."

I might add, that at last count, there were less than 50 Negroes attending accredited graduate schools of business in the whole country.

Education, professions, business, politics—these are a few of the many areas where Negro leadership must be further developed. The predominantly Negro colleges of the nation have some unique strengths—psychological, geographical—to contribute to the job. Our contribution should be to fully support their efforts—to help provide the financial strength and moral support they need.

The United Negro College Fund helps provide money for 36 independent colleges and universities serving more than 40,000 students, including Wilberforce University right here in Ohio. These institutions, which belong to no other fund-rasing group, depend on the Fund for 13% of their annual educational budgets.

In this year's United Negro College campaign, the Cleveland area has set its one-year 1968 goal at $200,000 as part of a nationwide goal of $6½ million. That is the modest figure I put before you—$200,000—and I ask you to join me in seeing that we make that sum available to the colleges and students who need it for the urgent responsibilities that lie ahead. Cleveland, you might like to know, is a direct beneficiary of the United Negro College Fund. The investment comes back to us because surprisingly more than 3,000 Negro residents in this area are graduates from those colleges comprising the Fund, including the Mayor's wife, Shirley Stokes, a graduate of Fisk. Furthermore, over 200 students from Cleveland are currently enrolled among these colleges.

With all of the demands for contributions now being place upon us as individuals and as business or professional leaders, you are no doubt wondering how you can possibly help meet all these urgent appeals. I ask myself the same question. There never seems to be enough money to meet the needs of every legitimate, worthwhile cause.

Perhaps we need to re-examine our priorities—to reorganize our long contributions list in rank order from most-critical to least-critical in importance, making sure that those vital causes at the top are fully funded. This we are now doing at TRW.

I can't tell you what your priority list should look like. I would suggest, however, that such organizations as United Appeal should be up at the top for full support, as well as campaigns like "Cleveland, Now!" And while such important efforts are helping to work the ghetto problems primarily at the lower levels of the community, we must not forget to assign a top priority to higher education, particularly such organizations as the United Negro College Fund. For if we only work the problem from the bottom without also working it at the top, there will be no leadership developing to safely funnel the winds of change into the mainsails of constructive progress.

Each of us, I think, has accepted the absolute necessity of involvement as citizens and businessmen in the urban problems of our times. Let me make this observation: Our ultimate goal is not to offer welfare in any form; it is to offer opportunity in every form. Our obligation is not to perpetuate dependency; it is to remove the roadblocks that stand in the path of self-development.

One such roadblock—and a significant one—has been the insufficiency of education for responsible leadership. The problem will remain unless we are willing to support, with our commitment and resources, the institutions with the best potential for educating Negro youngsters for a new role in, hopefully, a single society.

Your personal and corporate contribution to the United Negro College Fund can help in a substantial way to remove that difficult roadblock and open the way for this nation to move—not toward two separate societies, but toward the still valid concept of one nation—indivisible.

DEATH OF AARON E. BEILER, LANCASTER, PA.

Mr. CLARK. Mr. President, an editorial from the Intelligencer Journal, of Lancaster, Pa., has recently come to my attention. It mourns the passing of Mr. Aaron E. Beiler, whose dedication to his faith, the Old Order Amish, and tolerance and understanding in a society which does not always tolerate or attempt to understand those who wish to do things differently should be an example and inspiration to us all. I ask unanimous consent, Mr. President, that this editorial be inserted in the RECORD.

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

AARON E. BEILER

It has been many years since this writer sat in the kitchen of the home of Aaron E. Beiler in Salisbury Township, east of Gap. In contrast to the cold winds of a late fall afternoon, the room was warm and comfortable.

In the other end of the large room, the women of the household were busy with preparations for supper; some of the items for that meal already were cooking on the large kitchen stove.

Meanwhile, Mr. Beiler was explaining the position of the Old Order Amish who were attempting to establish a parochial school system, oriented to vocational training for their older sons and daughters. The meeting was one of many with Mr. Beiler who as chairman of the educational committee had been designated as spokesman for the Old Order Amish as they sought approval of state educational authorities.

Many times since then, our thoughts have turned to Mr. Beiler and his group, their patience and tolerance in the midst of a society so different from their own. We have thought too of the persistence with which they persevered in their quest for that same kind of tolerance and understanding from the outside world.

To us, the eventual approval of their school program has always stood as an example of how patient and peaceful persistence can crown dissent with success in our democratic society. And it was people such as Aaron E. Beiler and his group who helped in the education of this writer, strengthening whatever qualities of tolerance and understanding he may possess. That is why the word of the death of Aaron E. Beiler brings a sense of personal loss. We mourn his passing, in common with his family and the many who respected him for his devotion and his faith.

THE PRESIDENT'S TRADE BILL DESERVES SUPPORT

Mr. BARTLETT. Mr. President, yesterday President Johnson sent to the Senate a message on the proposed Trade Expansion Act of 1968. I rise today to express my support of this measure, and to say a few words specifically in support of those provisions which would eliminate the American selling price as the method of valuation for certain imports.

At one time, the American selling price served a useful purpose. It provided protection for certain American industries struggling to establish themselves. Most benefited was the benzenoid chemical industry which was relatively new and might have been fatally afflicted had it been necessary to compete with foreign imports.

No longer is this true, however. The benzenoid chemical industry is thriving at home and abroad and has demonstrated its capability to enter into normal competition in both markets. Other industries which needed the protection provided by the American selling price have likewise demonstrated their ability to manage without this added support.

The American selling price has outworn its usefulness, and as with other things to which this has happened should be permitted to retire gracefully. And, it is not just a matter of continuing something no longer useful. It is a question of suffering a distinct detriment, for should we continue to use this outmoded system, we will lose the trade benefits negotiated at the Kennedy round.

First, our trading partners in the common market, the United Kingdom, Japan, and Switzerland have all agreed to make very substantial tariff reductions on all chemicals, covering a larger volume of trade than the cuts we agreed to make.

Second, common market countries have agreed to eliminate certain road taxes, a nontariff barrier which has heavily affected the kinds of cars we build for export. Elimination of those taxes would be an important gain for our automobile manufacturers.

Third, the United Kingdom has agreed to a 25-percent reduction in the tariff preference that commonwealth countries now receive on tobacco, and Switzerland has agreed to eliminate restrictions on imports of canned fruit preserved in corn syrup. This should be of great benefit to our Nation's farmers.

This we stand to gain, Mr. President, if we agree to eliminate ASP, an outmoded valuation system used by no other nation, which has ceased to serve any useful purpose in our own country and has created certain domestic inequities which should be removed.

It seems, Mr. President, that we have everything to gain, nothing to lose. For years, we have been discussing the elimination of ASP. No trading concessions were then offered in exchange. Now the opportunity to rid ourselves of this anachronism again presents itself and with it would come trade concessions of potentially significant impact upon American industry. It is clearly in the national interest to take the action recommended by President Johnson. I support it. It deserves the support of all of us.

OPPOSITION TO RESTORATION OF MILITARY AID TO GREECE

Mr. CLARK. Mr. President, during his appearance before the Committee on Foreign Relations, testifying on the Foreign Assistance Act, Secretary of Defense Clark Clifford gave reasons why he felt the United States would be justified in restoring military aid to Greece in spite of the performance of the present dictatorship. Let me quote from the Secretary's remarks:

> I believe that the obligation upon us as a member of NATO is such that I place that as a more important consideration than I do the present Government of Greece. I believe that we deal with a highly imperfect world, and if we were to confine our help to our allies on the basis of our approving completely that different types of governments that existed then, I believe that NATO would dissolve and I believe that that would be a calamity. . . . I believe that we have more influence with Greece if we treat them as an ally and continue our relationship.

What Mr. Clifford is suggesting is that the United States should ignore the character of the present dictatorship in Greece and its illegal seizure of power, simply because Greece is a member of NATO. If a country is faithful to NATO, the Secretary seems to be arguing, we should be tolerant of its political system even if that system turns on its citizens and denies freedom and justice.

I suggest to the Secretary of Defense that he take a closer look at the basic purpose of the very North Atlantic Treaty he uses as justification for restoring military assistance to Greece.

The preamble of the North Atlantic Treaty states:

> The parties to this treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments. They are determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law.

What has become of such concepts as "democracy," "individual liberty," and the "rule of law" in Greece? In what way has the ruling junta demonstrated its fidelity to these aspects of the NATO treaty?

It is worthwhile recalling what the then Secretary of State Dean Acheson said of Greece on March 24, 1947:

> It is our object to help to maintain the present constitutional system of Greece so long as the majority of Greeks desire it, and to help Greece create conditions in which its free institutions can develop in a more normal fashion.
>
> * * * Since our primary purpose is to help people who are struggling to maintain their independence and their right to democratic development, *we would not, of course, want to continue this aid if we should find that our efforts were being frustrated by anti-democratic practices.* (Emphasis supplied.)

In spite of the language of the preamble of the North Atlantic Treaty and the assurances given by Dean Acheson as to the intent to our aid to Greece, we are now told that our obligations as a member of NATO are more important than the nature and character of the present Government of Greece. I, for one, reject this proposition. The junta of the colonels now in power in Greece deserves the censure of the United States, not its military support. To the long list of its sins this Government has now imprisoned and denied necessary medical assistance to the former Premier of Greece, Panayotis Canellopoulos, a man who has always been a great friend of the United States.

Mr. President, the U.S. Government should move with great caution in its relations with the Greek colonels, and should certainly not restore military assistance until such time as Greece has returned to a constitutional regime. Undoubtedly, the Greek colonels, like every other dictatorship in Greece's long history, will some day disappear. If the United States should implicate itself with this Government, we will have a bitter harvest of mistrust to deal with when democracy is finally restored in Greece.

Mr. President, I ask unanimous consent that an editorial published in the Harrisburg Patriot, criticizing the apparent determination of the Defense Department to restore aid to Greece, be printed in the RECORD.

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

AID TO GREECE: IT SHOULDN'T INCLUDE U.S. ARMS

Testifying before the Senate Foreign Relations Committee in favor of reinstating American military aid to Greece, Secretary of Defense Clark M. Clifford reiterated some familiar and dreary rationalizations for doing precisely the wrong thing.

The aid, except for dollops of light weapons and replacement parts, was suspended about a year ago when the junta of Greek colonels seized power in order to thwart free elections, under the pretense that they were acting to forestall a Communist coup. The junta thereupon proceeded to stamp out freedom of speech, of assembly and of the press and torture its opponents or send them into exile.

It is, in short, a despicable government, its only saving grace being its inefficiency, but Secretary Clifford, expressing the Johnson Administration's position, argues that Greece is an old ally and member of the North Atlantic Treaty Organization and that "the obligations imposed on us by the NATO alliance are far more important than the kind of government they have in Greece or what we think of it."

The Secretary goes on to assert that unless Congress approves the full Administration request for military aid to Greece and other countries there might be "a crisis in allied confidence" and the curtailment "might be misinterpreted by some as a general retreat from our commitment to the maintenance of an effective system of collective security."

The reply to this is not that obligations and commitments are of no consequence or even that realism sometimes dictates that a nation must do unpleasant things to preserve its own interests. On the other hand, obligations must be understood for what they are, and realism must be realistic.

The NATO pact does not require member nations to support governments which have come to power illegally and which, in so doing, themselves flout the treaty's obligations to provide for the common defense. The Greek colonels have undertaken a massive purge of the country's armed forces, which are now so enfeebled as to be useless in the remote event of an attack from abroad. They are, however, strong enough to continue suppressing the democratic forces within Greece, and this is all the American jets and tanks would be used for.

As to any "crisis in allied confidence," most of America's NATO allies, at least those with democratic governments like Britain and Norway and Denmark, are opposed to the Greek junta and would lose even more confidence in the U.S. if this country foolishly comes to the aid of still another undemocratic regime. Mr. Clifford says he believes "we can play a greater part in helping Greece to get constitutional government if we continue our military aid than if we stop it." He is kidding himself, or someone. The Fascist-minded colonels have made it plain that

they have no intention of permitting a return to genuine constitutional government in Greece.

America's commitment is, or should be, to the Greek people, whose liberties have been temporarily lost, and realism based on experience should presuade our policymakers that a freedom-loving people like the Greeks will be there long after the junta has vanished.

THE DRAFT AND THE SUPREME COURT—FUNDAMENTAL LEGAL ISSUES MUST STILL BE RESOLVED

Mr. GRUENING. Mr. President, on November 9, 1967, in commenting on the refusal of the Supreme Court to grant certiorari in the case of Mora and others against McNamara, involving draft cases, I stated that it was indeed unfortunate that the Supreme Court had not seen fit to review the vital issues raised by a draft of men to fight in the military services in the absence of a declaration of war by the Congress. I said at that time:

It is, indeed, unfortunate that the majority of the Supreme Court did not see fit to grant the writ of certiorari and decide the issues raised.

These issues must be decided if the collision course which the United States is following is to be changed.

Yesterday, the Supreme Court again refused to grant certiorari in the case of Holmes against United States involving a conscientious objector—a Jehovah's Witness minister—who had been drafted and had refused to perform noncombatant military service or civilian work.

As in the case of Mora and others against McNamara, Mr. Justice Douglas dissented from the refusal to grant certiorari. In a thoughtful, clearly reasoned, thoroughly documented opinion, Mr. Douglas pointed out that the Supreme Court had never passed on the constitutionality of drafting men to fight in the armed services in the absence of congressional declaration of war.

He cited Hughes, Civil Disobedience and the Political Question (43 N.Y.U.L. Rev. 1 (1968)), to the effect that if a war is unconstitutional and the Supreme Court does not invalidate it, then the conduct of the President "strengthens the moral case for disobeying Executive orders which stem from his departure from constitutional demands."

Mr. Justice Stewart filed a memorandum in the Holmes case that the case "does not involve the power, in the absence of a declaration of war, to compel military service in armed international conflict overseas." But he added that "if the latter question were presented, I would join Mr. Justice Douglas in voting to grant the writ of certiorari."

Mr. Justice Douglas was more emphatic in his dissenting opinion and concluded:

As I said, the question whether there can be conscription when there has not been a declaration of war, has never been decided by this Court. It is an important question. It is a recurring question. It is coming to us in various forms in many cases as a result of the conflict in Vietnam. I think we owe to those who are being marched off to jail for maintaining that a declaration of war is essential for conscription an answer to this important undecided constitutional question.

I would therefore grant certiorari in this case.

With this statement I emphatically agree.

I ask unanimous consent that dissenting opinions of Mr. Justice Stewart and Mr. Justice Douglas in the case of Mora and others against McNamara and the memorandum by Mr. Justice Stewart and the dissenting opinion by Mr. Justice Douglas in the case of Holmes against United States be printed in the RECORD.

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

[Supreme Court of the United States, October Term, 1967]

MORA ET AL. *v.* MCNAMARA, SECRETARY OF DEFENSE, ET AL., ON PETITION FOR WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

(No. 401: Decided November 6, 1967)

Mr. Justice Douglas, with whom Mr. Justice Stewart concurs, dissenting.

The questions posed by Mr. Justice Stewart cover the wide range of problems which the Senate Committee on Foreign Relations recently explored, in connection with the SEATO Treaty of February 19, 1955, and the Tonkin Gulf Resolution.

Mr. Katzenbach, representing the Administration, testified that he did not regard the Tonkin Gulf Resolution to be "a declaration of war" and that while the Resolution was not "constitutionally necessary" it was "politically, from an international viewpoint and from a domestic viewpoint, extremely important." He added:

"The use of the phrase 'to declare war' as it was used in the Constitution of the United States had a particular meaning in terms of the events and the practices which existed at the time it was adopted. . . .

"[I]t was recognized by the Founding Fathers that the President might have to take emergency action to protect the security of the United States, but that if there was going to be another use of the armed forces of the United States, that was a decision which Congress should check the Executive on, which Congress should support. It was for that reason that the phrase was inserted in the Constitution.

"Now, over a long period of time. . . . there have been many uses of the military forces of the United States for a variety of purposes without a congressional declaration of war. But it would be fair to say that most of these were relatively minor uses of forces. . . .

"A declaration of war would not, I think, correctly reflect the very limited objectives of the United States with respect to Vietnam. It would not correctly reflect our efforts there, what we are trying to do, the reasons why we are there, to use an outmoded phraseology, to declare war."

The view that Congress was intended to play a more active role in the initiation and conduct of war than the above statements might suggest has been espoused by Senator Fulbright (CONGRESSIONAL RECORD, vol. 113, pt. 21, pp. 28590–28597.), quoting Thomas Jefferson who said: [1]

"We have already given in example one effectual check to the Dog of war by transferring the power of letting him loose from the Executive to the Legislative body, from those who are to spend to those who are to pay."

These opposed views are reflected in the *Prize Cases*, 2 Black 635, a five-to-four decision rendered in 1863. Mr. Justice Grier, writing for the majority, emphasized the arguments for strong presidential powers. Justice Nelson, writing for the minority of four, read the Constitution more strictly, emphasizing that what is war in actuality may not constitute war in the constitutional sense. During all subsequent periods in our history—through the Spanish-American War, the Boxer Rebellion, two World Wars, Korea, and now Vietnam—the two points of view urged in the *Prize Cases* have continued to be voiced.

A host of problems is raised. Does the President's authority to repel invasions and quiet insurrections, his powers in foreign relations and his duty to execute faithfully the laws of the United States, including its treaties, justify what has been threatened of petitioners? What is the relevancy of the Gulf of Tonkin Resolution and the yearly appropriations in support of the Vietnam effort?

The London Treaty (59 Stat. 1546), the SEATO Treaty (6 U.S.T. 81, 1955), the Kellogg-Briand Pact (46 Stat. 2343), and Article 39 of Chapter VII of the UN Charter deal with various aspects of wars of "aggression."

Do any of them embrace hostilities in Vietnam, or give rights to individuals affected to complain, or in other respects give rise to justiciable controversies?

There are other treaties or declarations that could be cited. Perhaps all of them are wide of the mark. There are sentences in our opinions which, detached from their context, indicate that what is happening is none of our business:

"Certainly it is not the function of the Judiciary to entertain private litigation—even by a citizen—which challenges the legality, the wisdom, or the propriety of the Commander-in-Chief in sending our armed forces abroad or to any particular region." *Johnson* v. *Eisentrager*, 339 U.S. 763, 789.

We do not, of course, sit as a committee of oversight or supervision. What resolutions the President asks and what the Congress provides are not our concern. With respect to the Federal Government, we sit only to decide actual cases or controversies within judicial cognizance that arise as a result of what the Congress or the President or a judge does or attempts to do to a person or his property.

In *Ex parte Milligan*, 4 Wall. 1, the Court relieved a person of the death penalty imposed by a military tribunal, holding that only a civilian court had power to try him for the offense charged. Speaking of the purpose of the Founders in providing constitutional guarantees, the Court said:

"They knew . . . the nation they were founding, be its existence short or long, would be involved in war; how often or how long continued, human foresight could not tell; and that unlimited power, wherever lodged at such a time, was especially hazardous to freemen. For this, and other equally weighty reasons, they secured the inheritance they had fought to maintain, by incorporating in a written constitution the safeguards which *time* had proved were essential to its preservation. Not one of these safeguards can the President, or Congress, or the Judiciary disturb, except the one concerning the writ of *habeas corpus*." *Id.*, 125.

The fact that the political branches are responsible for the threat to petitioners' liberty is not decisive. As Mr. Justice Holmes said in *Nixon* v. *Herndon*, 273 U.S. 536, 540.

"The objection that the subject matter or the suit is political is little more than a play upon words. Of course the petition concerns political action but it alleges and seeks to

[1] 15 Papers, of Jefferson 397 (Boyd ed., Princeton 1955). In the Federalist No. 69, at 465 (Cooke ed. 1961), Hamilton stated:

"The President is to be Commander in Chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first General and Admiral of the Confederacy; while that of the British King extends to the *declaring* of war and to the *raising* and *regulating* of fleets and armies; all which by the Constitution under consideration would appertain to the Legislature."

recover for private damage. That private damage may be caused by such political action and may be recovered for in a suit at law hardly has been doubted for over two hundred years, since *Ashby* v. *White*, 2 Ld. Raym, 938, 3 *id.* 320, and has been recognized by this Court."

These petitioners should be told whether their case is beyond judicial cognizance. If it is not, we should then reach the merits of their claims, on which I intimate no views whatsoever.

[Supreme Court of the United States, October Term, 1967]

MORA ET AL. *v.* MCNAMARA, SECRETARY OF DEFENSE, ET AL., ON PETITION FOR WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

(No. 401: Decided November 6, 1967)

Mr. Justice Steward, with whom Mr. Justice Douglas joins, dissenting.

The petitioners were drafted into the United States Army in late 1965, and six months later were ordered to a West Coast replacement station for shipment to Vietnam. They brought this suit to prevent the Secretary of Defense and the Secretary of the Army from carrying out those orders, and requested a declaratory judgment that the present United States military activity in Vietnam is "illegal." The District Court dismissed the suit,[1] and the Court of Appeals affirmed.[2]

There exist in this case questions of great magnitude. Some are akin to those referred by Mr. Justice Douglas in *Mitchell* v. *United States*, 386 U.S. 972. But there are others:

I. Is the present United States military activity in Vietnam a "war" within the meaning of Article I, Section 8, Clause 11 of the Constitution?

II. If so, may the Executive constitutionally order the petitioners to participate in that military activity, when no war has been declared by the Congress?

III. Of what relevance to Question II are the present treaty obligations of the United States?

IV. Of what relevance to Question II is the joint Congressional ("Tonkin Bay") Resolution of August 10, 1964?

(a) Do present United States military operations fall within the terms of the Joint Resolution?

(b) If the Joint Resolution purports to give the Chief Executive authority to commit United States forces to armed conflict limited in scope only by his own absolute discretion, is the Resolution a constitutionally impermissible delegation of all or part of Congress' power to declare war?

These are large and deeply troubling questions. Whether the Court would ultimately reach them depends, of course, upon the resolution of serious preliminary issues of justiciability. We cannot make these problems go away simply by refusing to hear the case of three obscure Army privates. I intimate not even tentative views upon any of these matters, but I think the Court should squarely face them by granting certiorari and setting this case for oral argument.

[Supreme Court of the United States, October Term, 1967]

HOLMES *v.* UNITED STATES, ON PETITION FOR WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE SEVENTH CIRCUIT

(No. 1072: Decided May 27, 1968)

Memorandum of Mr. Justice Stewart.

This case, like *Hart* v. *United States*, No. 1044, Misc., *post*, p. —, involves the power of Congress, when no war has been declared, to enact a law providing for a limited period of compulsory military training and service, with an alternative of compulsory domestic civilian service under certain circumstances. It does not involve the power, in the absence a declaration of war, to compel military service in armed international conflict overseas. If the latter question were presented, I would join Mr. Justice Douglas in voting to grant the writ of certiorari.

[Supreme Court of the United States, October Term, 1967]

HOLMES *v.* UNITED STATES, ON PETITION FOR WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE SEVENTH CIRCUIT

(No. 1072: Decided May 27, 1968)

Mr. Justice Douglas, dissenting.

Petitioner, who describes himself as a Jehovah's Witnesses minister, was classified by his Selective Service Appeal Board in August 1965 as a conscientious objector. See § 6(j) of the Universal Military Training and Service Act of 1948, 62 Stat. 604 (now the Military Selective Service Act of 1967), as amended, 50 U.S.C. App. § 456(j). Under § 6(j), as it read during all dates relevant to this case, a conscientious objector who, like petitioner, is also opposed to noncombatant military service, may in lieu of induction "be ordered by his local board . . . to perform . . . such civilian work contributing to the maintenance of the national health, safety, or interest as the local board may deem appropriate . . ." Beginning in October 1965 petitioner and his Local Board exchanged a series of letters in which the Board explained to petitioner the types of civilian work available and petitioner asserted his religious scruples against serving the United States Government in any capacity, including civilian work programs. Petitioner reiterated this position in a personal meeting with his Local Board.

On February 7, 1966, the Board sent petitioner an order to report on February 21 to an Illinois state hospital for civilian work assignment. However, on the day he was due to report, petitioner notified the Board that he refused to do so for religious reasons.

By indictment, petitioner was charged with willful failure to report as ordered, in violation of § 12(a) of the Act.[1] At his nonjury trial petitioner moved for judgment of acquittal. That motion was denied, petitioner was convicted and sentenced to three years imprisonment, and the Court of Appeals affirmed, one judge dissenting. *United States* v. *Holmes*, 387 F. 2d 781 (C.A. 7th Cir.).

Petitioner asks this Court to decide whether a draft[2] of men into the Armed Forces in time of peace is constitutionally permissible. In the absence of a declaration of war, he argues, a draft is not authorized and is equivalent to involuntary servitude. The Court of Appeals held that Congress' power to conscript men into the Armed Forces was not so limited, and the Government, opposing certiorari, states that "[e]ven assuming that the present time is one of 'peace,' it has long been settled that the power to raise armies by conscription is not limited to periods of war or national emergency," citing *United States* v. *Henderson*, 180 F. 2d 711 (C.A. 7th Cir.), cert. denied, 339 U.S. 963, and *Etcheverry* v. *United States*, 320 F. 2d 873 (C.A. 9th Cir.), cert. denied, 375 U.S. 930.

It is clear from our decisions that conscription is constitutionally permissible when there has been a declaration of war. But we have never decided whether there may be conscription in absence of a declaration of war. Our cases suggest (but do not decide) that there may not be.

In *Hamilton* v. *Regents of University of California*, 293 U.S. 245, 265, Mr. Justice Cardozo, concurring (joined by Justices Brandeis and Stone), indicated that "governmental power in the exaction of military service when the nation is at peace" was an open question.

At the time Mr. Justice Cardozo wrote (1934) the Selective Draft Law Act of 1917, 40 Stat. 76, had been tested in this Court and its validity and congressional power to conscript men for military service upheld. This Act, however, was enacted May 18, 1917, *after* Congress had declared war on the German Empire on April 6, 1917. (Public Res. No. 1, 65th Cong., 40 Stat. 1.) Thus, the Court had no occasion to reach the problem of drafting men in a technical time of peace, that is, a period not covered by declaration of war. *Selective Draft Law Cases*, 245 U.S. 366. There the Court stated that the basis of congressional power to conscript had to be found in its Art. I, § 8, power to "make rules for the government and regulation of the land and naval forces," to "raise and support armies," and "to declare war." *Id.*, at 377.

None of the decisions prior to the *Selective Draft Law Cases* touches directly on the power to conscript in peacetime, and the reason would appear to be that prior to 1917 the Congress had not enacted a true conscription or draft provision. In 1794 and 1797 Congress enacted measures authorizing the President to require state governors to organize a militia. (I Selective Service System, Backgrounds of Selective Service 59–60 (1947).) In 1814 President Madison by his Secretary of War James Monroe proposed a form of draft into the federal army which would raise some 80,000 recruits for two years' service. (6 Brant, James Madison 337 (1961); 2 Selective Service System, The Selective Service Act, Appendix A, at 143 (1954)). A bill along this line passed the Senate, 19 to 12, but was defeated in

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[1] — F. Supp. — (D. D. C. 1966).

[2] —U.S. App. D.C. —, — F. 2d —.

[1] Section 12(a) provides in part: "Any member of the Selective Service System . . . charged as herein provided with the duty of carrying out any of the provisions of this title, or the rules or regulations made or directions given thereunder, who shall knowingly fail or neglect to perform such duty . . . shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000, or by both . . ."

[2] There is no permissible distinction between men conscripted for armed, combatant service overseas and those drafted for civilian work. Initially, the Government purports to uphold the conscription both of combatants for armed service and conscientious objectors for "civilian work" under the same source of power—Congress' war power and power to raise armies. Moreover, the loss of liberty for a conscientious objector drafted into civilian work is not appreciably less than that suffered by the combatant soldier. Except in unusual cases, the Local Board will not permit the conscientious objector to fulfill his work obligation in his home town (32 CFR § 1660.21(a)). The conscientious objector may indeed be ordered to do civilian work overseas (32 CFR § 1660.31(b)). There is nothing in the Act or regulations which precludes assigning the conscientious objector to civilian work in a theater of war, where his personal safety is imperiled. If he does not perform the assigned work "satisfactorily," he faces prosecution (32 CFR § 1660.31(c)).

the House (6 Brant, at 349, 359–260),[3] and the War of 1812 was completed with use of volunteers and the state militia.

The Civil War provision, the Enrollment Act of 1863, 12 Stat. 731, was the first enactment resembling what can be called a "draft" provision.[4] However, it created a "draft" on paper only. Under § 13 of the Enrollment Act enrollees could procure a substitute to avoid service or buy their way out for $300 or less. The result was that "[t]he poor hired themselves to serve for the well-to-do, as the law contemplated; then a flourishing traffic in substitution blossomed out; . . ." (Backgrounds of Selective Service, *supra*, at 66.) The Act procured only 6% of the total manpower for the North in the war: 46,000 conscripts and 118,000 substitutes. See Randall & Gordon, The Civil War and Reconstruction 315 (2d ed. 1961); and see Brandon, Where the Action Was in 1863, The Progressive, April 1968, at 19, and McCague, The Second Rebellion (1968), discussing extensive riots ignited by the 1863 Conscription Act.

The Act of 1863 was never directly attacked in this Court, and thus no opportunity to weigh the significance of the absence of a declaration of war (see the *Prize Cases*, 2 Black 635) arose. Many years later this Court twice suggested in dicta that the Act of 1963 was valid, but the absence of a declaration of war was not considered.[5] This dicta would have particularly little weight in view of the fact that what the 1863 Act created was not a true "draft" as we understand that term today.

Dicta in three post-Civil War cases indicated in a broad sense that the Court believed the Congress had power to enact a draft. *Tarble's Case*, 13 Wall. 397; *Street* v. *United States*, 133 U.S. 299; and *In re Grimley*, 137 U.S. 147. But none of these cases factually concerned conscription, and there is no reason to believe that the Court, in indicating that conscription could be valid, had in mind a peacetime draft.

During the Spanish American War no draft provision was enacted—Congress merely called for a volunteer army. Apart from certain laws reorganizing the national militia, it was not until the Selective Service Draft Act of 1917 that Congress provided for conscription into the Regular Army.

Accordingly, Mr. Justice Cardozo's statement in *Hamilton* that Congress' power to institute a peacetime draft was an open question is vindicated by the pre-1934 decisions of this Court. Turning to post-1934 decisions of this Court, the same conclusion follows. The Act of 1917 was superseded by the Selective Service Act of 1940, 54 Stat. 885. No decision directly attacking the constitutional basis of congressional power to conscript, as exercised in the 1940 Act, came before this Court. In those decisions involving application of the Act, the attempt to induct the potential soldier had occurred after the declaration of war with Japan on December 8, 1941 (55 Stat. 795), so that the issue of a peacetime draft was not before the Court. Thus, in *Billings* v. *Truesdell*, 321 U.S. 542, where a 1942 induction was in issue, the Court stated: "We have no doubt of the power of Congress to enlist the manpower of the nation *for the prosecution of the war* and to subject to military jurisdiction those who are unwilling, as well as those who are eager, to come to the defense of their nation in its hour of peril." *Id.*, at 556. (Emphasis added.)

In 1948 the Act of 1940 was superseded by the Universal Military Training and Service Act, which in turn forms the basis of the current draft law, the Military Selective Service Act of 1967, 81 Stat. 100. No direct attack was made in this Court on the power of Congress to conscript, as exercised in the 1948 Act, but application of the Act was before the Court in two Korean War period cases. *Orloff* v. *Willoughby*, 345 U.S. 83, concerned a petitioner called up under the doctor's draft provisions of the Act who demanded that he either be commissioned an officer and assigned medical duties in the area of his specialty or released. The doctor was inducted on July 26, 1951, before the effective date of termination of our state of war with either Germany (October 19, 1951) or Japan (April 28, 1952). No question of unlawful peacetime draft was raised or alluded to in the case.

United States v. *Nugent*, 346 U.S. 1, concerned the procedures for administrative appeal of those claiming to be conscientious objectors, one of the petitioners having been called for induction in November 1951 and the other in February 1952. The Court said:

"The Selective Service Act is a comprehensive statute designed to provide an orderly, efficient and fair procedure to marshal the available manpower of the country, to impose a common obligation of military service on all physically fit young men. It is a valid exercise of the *war power*. It is calculated to function—it functions today—in times of peril." *Id.*, at 9, decided June 8, 1953. (Emphasis added.)

In that case the declaration of war against Japan in 1941 still had effect that the time of petitioners' induction, although there had been no declaration of war accompanying the Korean conflict.[6]

The Court has held that "War does not cease with a cease-fire order . . . ." *Ludecke* v. *Watkins*, 335 U.S. 160, 167. It "continues for the duration of [the] emergency" (*Woods* v. *Miller Co.*, 333 U.S. 138, 141), and empowers the Government "to guard against the immediate renewal of the conflict." *Hamilton* v. *Kentucky Distilleries Co.*, 251 U.S. 146, 161 (quoting from *Stewart* v. *Kahn*, 11 Wall. 493, 507). In the *Kentucky Distilleries* case the Court indicated that war powers endure for some purposes until the treaty of peace is effective.[7] If, for the purposes of the draft, war

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[3] The House bill required classification of all free, white males 18 to 45 into groups of 25 men. Each group would have to provide one recruit. Under Monroe's version, if this was not done, the recruit would be chosen by draft, but the drafted man could provide a substitute. (2 Selective Service System, The Selective Service Act, Appendix A, at 145). Under the House version failure to provide the recruit resulted in a monetary forfeiture levied on each member of the group. (*Id.*, at 153–154.) Daniel Webster strenuously argued in the House of Representatives that the draft bill was unconstitutional. He noted that the draft power claimed for Congress by Madison and Monroe was not limited to time of war or invasion and would permit a draft of men for any type of military service, at home or abroad, at the discretion of the Government. (Daniel Webster, Speech Against the Conscription Bill, House of Representatives, December 9, 1814, in L. Schlissel, ed., Conscience in America 67 (1968). And see 86 Cong. Rec. 5210). "Who will showe me," he argued, "any constitutional injunction, which makes it the duty of the American people to surrender every thing valuable in life, & even life itself, not when the safety of their country and its liberties may demand the sacrifices, but whenever the purposes of an ambitious & mischeivous Government may require it? Sir, I almost disdain to go to quotations & references to prove that such an abominable doctrine has no foundation in the Constitution of the country." (*Id.*, at 68.)

[4] The Act of 1863 provided in § 1, "That all able-bodied male Citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose."

The country was divided up into enrollment districts, and enrollment officers made up two types of lists: class No. 1 consisting of all unmarried eligible enrollees plus others 20 to 35; class No. 2 consisting of the others. Men could be called up during a two-year period following the July after their enrollment and would have to serve up to three years. A pecking-order for draft purposes was compiled on a Draw or lottery-type system. The President would inform each enrollment district of its conscription quota. Exemptions were given the physically and mentally handicapped and sole surviving sons of widows, widowers with young dependent children, etc.

[5] In the *Selective Draft Law Cases*, 245 U.S. 366, 388, the Court said: "Cogency, however, if possible, is added to the demonstration by pointing out that in the only case to which we have been referred where the constitutionality of the Act of 1863 was contemporaneously challenged on grounds akin to, if not absolutely identical with, those here urged, the validity of the act was maintained for reasons not different from those which control our judgment. (*Kneedler* v. *Lane*, 45 Pa. St. 238.)" In *Lichter* v. *United States*, 334 U.S. 742, 757, n. 4, the Court said: "The draft was put in force both by the Union and by the Confederacy during the Civil War and its validity was sustained by the courts in both North and South. 'The power of coercing the citizen to render military service, is indeed a transcendent power, in the hands of any government; but so far from being inconsistent with liberty, it is essential to its preservation.'" The *Lichter* case itself did not concern a conscription act, but rather statutes enacted in 1942–1945 providing for recovery of excessive wartime profits, applied in that case to 1942–1943 earnings. Peacetime exercise of the war power was, therefore, not involved in *Lichter*.

[6] Cf. *Youngstown Sheet & Tube Co.* v. *Sawyer*, 343 U.S. 579, 642, where Mr. Justice Jackson, concurring, said:

". . . no doctrine that the Court could promulgate would seem to me more sinister and alarming than that a President whose conduct of foreign affairs is so largely uncontrolled, and often even is unknown, can vastly enlarge his mastery over the internal affairs of the country by his own commitment of the Nation's armed forces to some foreign venture."

[7] The Court has used different tests to determine when war has ended depending on the nature of the war power sought to be exercised. In *Lee* v. *Madigan*, 358 U.S. 228, involving a prohibition of the Articles of War against court-martial trials for rape or murder committed in the United States "in time of peace," and in *Reid* v. *Covert*, 354 U.S. 1, 33–35 (opinion of BLACK, J.), concerning court-martial jurisdiction of civilians abroad, the Court said war ended with the cessation of hostilities. In respect to seizure and removal of aliens from this country, *Ludecke* v. *Watkins*, 335 U.S. 160, summary exclusion of aliens without hearing; *Knauff* v. *Shaughnessy*, 338 U.S. 537, imposition of housing and rent controls; *Woods* v. *Miller Co.*, 333 U.S. 138; and conserving manpower by forbidding liquor, *Hamilton* v. *Kentucky Distilleries Co.*, 251 U.S. 146, the Court has held that "war" extends beyond the cessation of hostilities. In *Knauff* the Court said as recently as 1950 that we were then in a state of war. 338 U.S., at 546. Because no decision of this Court has faced the question directly of the need for a declaration of war to uphold conscription, no decision indicates when "war" ends for draft purposes.

continues until the treaty is effective, the attempted inductions of the petitioners in the *Nugent* case were manifestly not peacetime inductions.

In World War II Germany surrendered May 8, 1945, and Japan surrendered September 2, 1945. See *Lee* v. *Madigan*, 358 U.S. 228, 230. On December 31, 1946, the President proclaimed the cessation of hostilities, declaring that a state of war still existed. (12 Fed. Reg. 1.) Congress declared the state of war with Germany terminated on October 19, 1951 (House Joint Res. No. 289, 65 Stat. 451) and the President proclaimed the same on October 24, 1951 (66 Stat., c. 3). The effective date of termination of state of war with Japan was April 28, 1952, when the Japanese Peace Treaty took effect (66 Stat., c. 31). See *Lee* v. *Madigan*, 358 U.S. 228, 230.

Mr. Justice Cardozo's question about peacetime draft seems, therefore, to be an open one still. While some decisions suggest that war powers may be exercised in an "emergency" prior to declaration of war, *e.g.*, *Silesian-American Corp.* v. *Clark*, 332 U.S. 469, 476, there are other decisions directly linking the power of conscription to Congress' power under Art. I, § 8, cl. 11, to "declare war."[8] For example, in *United States* v. *MacIntosh*, 283 U.S. 605, the Court said: "In express terms Congress is empowered 'to declare war,' which necessarily connotes the plenary power to wage war with all the force necessary to make it effective; and 'to raise . . . armies,' which necessarily connotes the like power to say who shall serve in them and in what way." Id., at 622.

This Court has not reached the merits of the question which I have been discussing since the *Prize Cases*, 2 Black 635, decided in 1863. Even though Lincoln was putting down an insurrection within the country, the Court was divided five-to-four, Mr. Chief Justice Taney and Justices Catron, Clifford, and Nelson[9] voting that the President alone had no power to place an embargo under which a British ship was seized while in Hampton Roads.

Putting down an internal insurrection, like defending our shores against an aggressor, is certainly quite different from launching hostilities against a nation or a people overseas.[10] I express no opinion on the merits.

But there is a weighty view that what has transpired respecting Vietnam is unconstitutional, absent a declaration of war; that the Tonkin Gulf Resolution is no constitutional substitute for a declaration of war; that the making of appropriations was not an adequate substitute; and that "executive war-making is illegal." Those are the views of Francis D. Wormuth in The Vietnam War: The President versus the Constitution (1968).[11] Many share his views.[12] Another professor has recently pointed out the serious deleterious effects in the country stemming from the Court's failure to decide whether the President may constitutionally wage a foreign war in Vietnam without a declaration of war by Congress. Hughes, Civil Disobedience and the Political Question Doctrine, 43 N.Y.U.L. Rev. 1 (1968). In these type of cases, he says, "to deny certiorari, to dismiss suits without a reasoned opinion has a tendency to arouse suspicion that the Court is shrinking from making pronouncements about the basic norms of the [constitutional] system." *Id.*, at 18. If an executive war is unconstitutional, he says, but the Court refuses to invalidate it, then the President's "conduct strengthens the moral case for disobeying executive orders which stem from his departure from constitutional demands." *Id.*, at 19.

As I said, the question whether there can be conscription when there has not been a declaration of war, has never been decided by this Court. It is an important question. It is a recurring question. It is coming to us in various forms in many cases as a result of the conflict in Vietnam. I think we owe to those who are being marched off to jail for maintaining that a declaration of war is essential for conscription an answer to this important undecided constitutional question.

I would therefore grant certiorari in this case.

[8] The case against the constitutionality of a peacetime draft is forcefully argued in a lawyers' brief on the subject which Senator Wheeler had printed in the Congressional Record when Congress was debating the bill that became the Selective Service Act of 1940. The argument, praised by Senator Wheeler as a "real contribution" to the debate, reviews the history of conscription in England prior to the American Revolution, concludes that peacetime draft was not tolerated there, and urges that the Framers of the Constitution intended Congress to "raise armies" in the manner by which they were raised in England. 86 Cong. Rec. 5206–5210. Jefferson stated in 1777 in a letter to John Adams: "Our people, even under the monarchial government, had learned to consider it [the draft] as the last of all oppressions." Jeffersonian Cyclopedia 263 (1900).

Chief Justice Taney said of the congressional power "to raise and support armies": "[T]he words themselves, even if they stood alone, will not, according to their known and established use and meaning in the English language, justify this construction [permitting conscription].

"During the period when the United States were English Colonies, the Army of England—the standing army—was always raised by voluntary enlistments—and the right to coerce all the able bodied subjects of the Crown into the ranks of the Army and subject them to military law, was not claimed or exercised by the English Government—and when the power to raise and support armies was delegated to Congress [by the States], the words of the grant necessarily implied that they were to be raised in the usual manner.—And the general government has always heretofore so understood them and has uniformly by its own officers recruited the ranks of its 'land forces' by voluntary enlistments for a specified period." Taney, Thoughts on the Conscription Law of the U. States—Rough Draft Requiring Revision, in Auchampaugh, ed., A Great Justice On State and Federal Power, 18 Tyler's Quarterly Historical & Genealogical Magazine 72, 81 (1936). See also *Kneedler* v. *Lane*, 45 Pa. St. 238, 254–255 (opinion of Woodward, J.); Black, the Selective Draft Cases—A Judicial Milepost on the Road to Absolutism, 11 B. U. L. Rev. 37 (1931).

[9] The dissent by Mr. Justice Nelson, which the other three joined, stated:

"I am compelled to the conclusion that no civil war existed between this Government and the States in insurrection till recognized by the Act of Congress 13th of July, 1861; that the President does not possess the power under the Constitution to declare war or recognize its existence within the meaning of the law of nations, which carriers with it belligerent rights, and thus change the country and all its citizens from a state of peace to a state of war; that this power belongs exclusively to the Congress of the United States and, consequently, that the President had no power to set on foot a blockade under the law of nations, and the capture of the vessel and cargo in this case, and in all cases before us in which the capture occurred before the 13th of July, 1861, for breach of blockade, or as enemies, property, are illegal and void, and that the decrees of condemnation should be reversed and the vessel and cargo restored." 2 Black 698–699.

[10] See *United States* v. *Smith*, 27 Fed. Cas. 1192 (C.C.D.N.Y. 1806). The defendant was charged with helping outfit a military expedition against a foreign nation with which the United States was at peace. (See 1 Stat. 384.) As one defense, he proposed to call witnesses who would prove that the President had consented to the military venture against Spanish holdings in South America. The report of the case contains an extensive, scholarly debate between counsel on the President's power to himself order a foreign invasion.

A two-judge court, speaking through Paterson, J., held that the Constitution, "which measures out the powers and defines the duties of the president, does not vest in him any authority to set on foot a military expedition against a nation with which the United States are at peace." (Pp. 1229–1230.) "Does he possess the power of making war? That power is exclusively vested in Congress . . . [T]he executive magistrate . . . and commander-in-chief of the forces by sea and land [may] . . . repel an invading foe. But to repel aggressions and invasions is one thing, and to commit them against a friendly power is another. . . . There is a manifest distinction between our going to war with a nation at peace, and a war being made against us by an actual invasion, or a formal declaration. In the former case, it is the exclusive province of congress to change a state of peace into a state of war. A nation, however, may be in such a situation as to render it more prudent to submit to certain acts of a hostile nature, and to trust to negotiations for redress, rather than to make an immediate appeal for arms. Various considerations may induce to a measure of this kind: such as motives of policy, calculations of interest, the nature of the injury and provocation, the relative resources, means and strength of the two nations, etc. and, therefore, the organ entrusted with the power to declare war, should first decide whether it is expedient to go to war, or to continue in peace . . ." (Pp. 1230–1231.)

[11] An Occasional Paper published by the Center for the Study of Democratic Institutions, Santa Barbara, California.

[12] There are of course opposed views; and many *pros* and *cons* of the issue are canvassed in The Vietnam War and International Law (Amer. Soc. Int. Law, ed. by Richard A. Falk) also published in 1968.

SHORTAGE OF PHYSICIANS AND OTHER HEALTH PERSONNEL

Mr. SMATHERS. Mr. President, as chairman of the Subcommittee on Health of the Elderly, of the Senate Special Committee on Aging, I have been concerned over the shortage of physicians and other health personnel as one of the causes of rising health care costs and as a serious impediment to the delivery of health care to the elderly. Last year, our subcommittee conducted two hearings on the subject, "Costs and Delivery of Health Services to Older Americans," during which the health personnel shortage was thoroughly discussed.

It is encouraging that the senior Senator from Alabama [Mr. HILL] has introduced an administration bill, S. 3095, to attack this problem, and that his Subcommittee on Health of the Committee on Labor and Public Welfare has held extensive hearings on his bill.

I was also encouraged recently to note an editorial entitled "Medical Manpower," written by President Milford O. Rouse, of the American Medical Association, calling for action to solve the medical personnel shortage and, in his words:

To give all qualified young men and women

who aspire to become physicians . . . the opportunity to do so.

President Rouse's pronouncement on this subject represents enlightened professional leadership of the highest order. It appears as the president's page in the May 13, 1968, issue of the Journal of the American Medical Association. 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:

MEDICAL MANPOWER

In previous communications I have indicated that I believe that health care of high quality can be organized and delivered to the nation economically and with maximum accessibility and availability, in a context of competitive, market-oriented enterprise.

I have also indicated, however, that the success of this effort depends upon our candid recognition of those characteristics of the health care service area that violate the precepts of competitive enterprise. The feature to which conservative economists—like Friedman—have most often alluded as a failure in the enterprise approach, is the continuing and serious bottlenecks confronted by qualified aspirants who seek to enter our profession.

I am happy to report that the American Medical Association and the Association of American Medical Colleges are now working in close cooperation and harmony to reduce this obstruction as soon as possible. It a recent joint statement the two organizations agreed that "all medical schools should now accept as a goal the expansion of their collective enrollments to a level that permits all qualified applicants to be admitted. As a nation we should address the task of realizing this policy goal with a sense of great urgency."

We recognize that this noble goal cannot be achieved overnight. It is possible, however, to initiate immediate expansions in certain existing schools and to take action to accelerate the establishment of new schools. The tailoring of innovative experiments that will result in the acceptance of more qualified applicants can also be emphasized.

In Indiana, for example, steps are being taken to provide basic science training in selected colleges of liberal arts so that increased numbers of applicants can be taken into the second or third years of the medical school. Experiments along this line are especially promising because of the fact that the impediment to medical school matriculation exists almost entirely in the first year. It is significantly less in the second year and almost nonexistent in the third. Thus, a student who has completed the first two years of medical school—whether in an existing two-year medical school or in an undergraduate liberal arts college which provides comparable training—encounters almost no problem in completing the last two years of medical schools.

The recognition of the acute physician shortage is also a stimulating reassessment of the length of medical education required before a physician is ready to practice. It is possible that this reassessment will result in shortening of the total educational experience with significant portions of the medical school curriculum assigned to undergraduate college years, while the medical school becomes a center of teaching primarily for clinical subjects.

Another development which is now imminent is a shift from emphasis on research back to teaching. It is obvious that the large federal appropriations for research of the last 15 years have resulted in a serious imbalance between research and teaching. The recent AMA-sponsored Commission on Research, recognizing this imbalance, strongly recommended that federal appropriations, as well as other sources of finances for operational support of medical schools, be markedly increased. This recommendation was accepted by the AMA House of Delegates.

The danger of possible federal control of medical education, which led the AMA to oppose this kind of subsidy for years, still remains—but the acute manpower shortage forces us to take the risk. Certainly we shall do everything possible, while supporting increased federal appropriations for this purpose, to promote local public and private financing so that our medical schools have pluratistic support from multiple sources.

One dividend of this joint working relationship between the AMA and AAMC is the salutary impact it is having on the traditional "town-gown conflict." The acute physician deficit has brought the academic community and practicing physicians together in a program that requires their combined efforts toward a common goal.

I am confident that this program will succeed. A climate of understanding and joint purpose will direct our energies and mobilize our resources in such a way that within a few years all qualified young men and women who aspire to become physicians will have the opportunity to do so. Some of them will fail, during their educational experience or subsequently in medical practice. But, at least, we shall have given them the opportunity to compete, and to succeed or fail according to their individual aptitudes.

MILFORD O. ROUSE, M.D.

MUTUAL FUND PARTICIPATION IN PROXY FIGHTS

Mr. PERCY. Mr. President, last year the Senate passed a bill, S. 510, which is designed to fill a gap in the provisions of the Securities Exchange Act of 1934 to require disclosure in connection with corporate takeovers. The bill was approved unanimously by the Committee on Banking and Currency. I was pleased to support the bill and to work toward its enactment.

I recognize how important it is that the American investing public have full knowledge and information concerning tender offers and other efforts designed to change the management of American industry. All too often corporate takeovers are directed not for the benefit of the corporation and its shareholders but rather for the benefit of a select few. Indeed, there is increasing evidence that the Investment Company Act is also being used in conjunction with corporate takeover bids. This is an abuse of the purpose of this act. Mutual funds are not to be used in this way.

I invite attention to the comments made by the majority and minority leadership of the Committee on Banking and Currency at a public hearing on May 16, 1968, regarding this problem.

I ask unanimous consent that the remarks of the chairman of the committee [Mr. SPARKMAN] and those of the ranking minority member [Mr. BENNETT] be printed at this point in the RECORD.

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

And if I can be just a little more explicit, I want to say this: There have been occurrences over the last year or two that have made quite an impression on my thinking with reference to this field. One was the speech delivered by the Chairman of the Federal Reserve Board some time ago about the impact on the stock market institutional investing.

I have noted over the last year or two the prominent part that the use of mutual funds has been made to play in proxy fights. I hope that the study will certainly go into this question—and I think perhaps this is something we may overlook—as to whether or not the good of the shareholders is disregarded in manipulating mutual funds for the purpose of sustaining or overthrowing management of a particular company.

I do not believe that, as important a part as mutual funds play in our economic life and with the many thousands of shareholders, a great many of them small investors, there should be a manipulation of the kind that I fear has been.

Senator BENNETT. I am concerned about that too. I am concerned with the maintenance of the availability of mutual fund type of investment to the small investor, but I agree with you, once those funds have been gathered together to create more power than the small investor would have, I don't think they should be manipulated either for or against the management of a particular company, without regard to the shareholders of that company.

Mr. PERCY. Mr. President, I commend my colleagues for these statements, and I wish to associate myself with them. I hope that the bill that we have already passed in the Senate—S. 510—will be approved by the House of Representatives soon.

THE CANADIAN AUTOMOTIVE AGREEMENT

Mr. HARTKE. Mr. President, the Canadian Automotive Agreement has now been in effect for more than 3 years. The President's second annual report to the Congress on the operation of the agreement has now been received, albeit tardily. The President's report, Mr. President, demonstrably illustrates how unwise the U.S. commitment under the agreement has been. From a trade surplus with Canada in the automotive category—vehicles including cars, trucks, and buses and parts—of $578.3 million in calendar year 1964 our Canadian automotive trade surplus has diminished to $285.8 million in calendar year 1967 or a reduction in excess of 50 percent in the third year in which the agreement has been in force. This, Mr. President, after assurances from administration representatives at the time Finance Committee hearings were held on implementing legislation to this agreement that our automotive export surplus would not be curtailed. I recall those hearings very well Mr. President and I recall Assistant Secretary of the Treasury Trued's statement that under the agreement we would "maintain our present sizable surplus with Canada in automotive trade." I did not join with the majority of my colleagues on that committee in referring the enabling legislation favorably to the full Senate; I do know, Mr. President, as the majority report evidences, that it was upon such representations that my colleagues on that committee favorably reported the legislation.

Under the agreement neither country is a loser; both are winners. By the Treasury computations both nations will share in the expanded trade in such proportions that our

favorable balance of trade will not be disrupted over the period covered by the letters of undertaking. Such a result of a trade agreement is truly unique. Generally one party or the other must suffer an unfavorable shift in trade patterns. By this agreement we will avoid an unfavorable shift in our export trade. P. 13–14, Report of the Finance Committee on the Automotive Products Trade Act of 1965.

I have prepared a table which shows, on a comparison basis for the years 1961 through 1967 inclusive, the severity with which the agreement has adversely effected our balance of payments. The table is a combination, in part, of table II, page 10 of the Finance Committee report on the agreement dated September 27, 1965, and which shows United States-Canadian automotive trade for the calendar years 1961 to 1964 inclusive, and table 14, page 52 of the President's report which, inter alia, provides the same information for the years 1965 to 1967, inclusive. This table is as follows:

U.S. AUTOMOTIVE TRADE WITH CANADA

[In millions of U.S. dollars]

	1961	1962	1963	1964	1965	1966	1967
U.S. exports:							
Passenger cars	45.2	50.2	26.9	43.4	114.0	275.6	563.0
Trucks, buses, and chassis	23.2	19.2	16.3	15.2	45.4	83.6	138.3
Parts and accessories	311.8	330.1	497.7	393.4	700.5	952.1	1,099.9
Total	380.2	399.6	541.0	654.0	860.0	1,311.4	1,801.2
U.S. imports:							
Passenger cars	.6	.8	.8	18.9	84.1	370.7	818.0
Trucks, buses, and chassis	.2	.3	1.6	4.7	23.7	158.3	269.9
Parts and accessories	6.9	8.4	18.8	52.2	94.0	315.2	427.5
Total	7.7	9.5	21.4	75.7	201.8	844.1	1,515.4
Total, U.S. net exports	372.5	390.1	519.6	578.3	658.1	467.2	285.8

While it is apparent, Mr. President, that our automotive exports to Canada have increased by 275 percent—comparing 1964 to 1967—our automotive imports from Canada have increased by 2,000 percent with a resultant decrease in our Canadian automotive trade surplus of more than 50 percent!

Mr. President, the reason for the enactment of enabling legislation to the Agreement—the Agreement itself was an Executive Agreement which was not ratified by the Senate but the enabling legislation was in substance a ratification of the Agreement—was because the Canadian Government in 1963 had unilaterally undertaken to remit tariffs in order to stimulate Canadian automotive exports. The Agreement and the corresponding legislative implementation, the Automotive Products Trade Act of 1965, was the reasoned compromise our Government sought in the face of the Canadian illegal and unilateral remission scheme. As Senators RIBICOFF and GORE and myself stated in our minority views to the Finance Committee report on the enabling legislation:

With regard to our balance of payments, the Assistant Secretary of International Affairs for the Treasury Department, the Honorable Merlyn N. Trued, testified that in 1964 we had a favorable trade surplus with Canada of $581 million. He further testified that under this agreement, we would retain that surplus, i.e., in 1968 our trade surplus is estimated to be, under the agreement, $580 million. He failed to say that it is estimated that, had the Canadians been persuaded to drop their illegal tariff remission scheme, our trade surplus with Canada would have reached $841 million by 1968. Further, had we done nothing at all in the face of their remission scheme, our surplus would have been $650 million.

In other words, from a balance of payments point of view, in protesting the drop from $850 million to $650 million, the State Department negotiated us down to $580 million.

In short, Mr. President we have gone from a $650 million trade surplus—giving full consideration to the effect of the illegal Canadian remission scheme—to a trade surplus of only $285.8 million.

This Agreement was sold to the American people as free trade. In fact, Mr. President, the Agreement as we noted in our minority views "is the antithesis of free trade." Their is no removal of tariffs generally but only for a few chosen automobile manufacturers. The Agreement and the implementing legislation is class legislation of the worst order.

To quote again from the minority views to the Finance Committee's report on the implementing legislation:

The Canadian duty on American automobiles is not removed. A dealer in Montana or Maine cannot sell duty-free across the border in Canada. Only an automobile manufacturer can import into Canada free of the 17½ percent Canadian tariff. Not only that, it must be a qualified manufacturer; i.e., one who has provided satisfactory commitments to the Canadian Government.

U.S. duties are not lowered for the benefit of everyone. Parts may be imported duty free only if they are going to an automobile manufacturer. The dealer or supplier who would attempt to sell Canadian made parts to automobile supply stores or automobile repair businesses, or directly to American consumers, must still pay the tariff.

Mr. President, I have always held to the view that the removal of barriers to trade through equitable and reciprocal concession is a valid and important principle in the promotion of commerce between nations.

The concessions in the Canadian agreement are neither equitable nor reciprocal. What has been hailed as "the most successful bilateral trade arrangement in Canadian history" is conversely one of the worst for the United States and the American people. The real beneficiaries of the agreement are a chosen few automobile manufacturers. America has gained nothing but a severe reduction of a balance-of-payments surplus we can ill afford.

I would hope, Mr. President, that when the President of the United States submits his special report to Congress on the agreement and his recommendations prior to September 1, 1968, that he take full account of this severe reduction in our automotive trade surplus with Canada and that he take such measures as are necessary to reverse the situation including, if necessary, the giving of the notice required to withdraw the United States from the agreement.

CRIME, RIOTS, AND THE MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert the following news stories in the RECORD:

An article by Monroe W. Karmin, titled "Poor People's Campaign Attempts To Overcome Confusion, Gain Aims";

An article which appeared in today's Washington Post titled "Poor Push Protest—Many Leave Camp";

A Washington Post story of today titled "Fauntroy Asks Colleges To Aid Poor Campaign";

A story in today's Evening Star by Lee Flor titled "Chalk Rejects Scrip Plan for Night Buses";

A story by Donald Smith in today's Evening Star titled "Abernathy Sleeps at Camp";

An Evening Star article of today titled "Fifteen More Hurt in Louisville Racial Strife"; and

A story in today's Evening Star titled "Tent City Half Empty as Sun Returns."

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

[From the Wall Street Journal, May 29, 1968]

STUMBLING CRUSADERS—POOR PEOPLE'S CAMPAIGN ATTEMPTS TO OVERCOME CONFUSION, GAIN AIMS—ABERNATHY SEEKS AID FROM ASPIRANTS FOR WHITE HOUSE; A NEW REALISM IS EVIDENT—MUD, VIOLENCE, AND LOW MORALE

(By Monroe W. Karmin)

WASHINGTON.—The Poor People's Campaign, mired in misfortune and mismanagement, is groping for success via an old and trusted strategy.

It's called the "devil" formula and derives from the Southern Christian Leadership Conference's successful use in the South of selected enemies, such as Police Chief Eugene (Bull) Connor and his dogs in Alabama, to generate wide public support. Now the Rev. Ralph Abernathy of SCLC and his advisers are ready to try to apply the theory, in modified form, to Presidential politics.

The idea is to haunt White House aspirants with the specter of being cast as villains unsympathetic to the poor people's national aims. The strategy is based on the assumption—as yet far from proven—that there is enough public support for the Poor People's Campaign to persuade the candidates, especially the Democrats, to pay heed.

The opening gambit was Mr. Abernathy's televised statement that, in a departure from past SCLC policy, "it may become necessary this year for us to support" a candidate "if we can find one that will come forth with a real program to deal with poverty." Clearly, support for one candidate could easily mean condemnation for another.

This has been followed, in a move not yet made public, by telegrams inviting the leading Presidential contenders to visit the poor people's muddy campsite and proclaim their intentions to the thousands of rain-drenched poor who have settled here in "Resurrection City" to dramatize their plight to the nation's decision-makers.

GETTING AT JOHNSON INDIRECTLY

Though dispatched to both Democrats and Republicans, the telegrams clearly are directed at the competition within the Democratic Party. SCLC expects that Sen. Kennedy may promise them the most, but their real intent is to threaten Vice President Humphrey with the "devil" specter. In this fashion, they hope to provoke President Johnson to come to Mr. Humphrey's aid by offering some plums for the poor people.

What the Poor People's Campaign managers apparently would like is something of this sort:

A formal invitation to the White House, the presentation of a Presidential package of actions (even if it is only a dressed-up collection of what Federal agencies already are prepared to do), a pledge of more help to come and, most important, some warm words to serve as a victorious justification for the big pilgrimage to Washington that now appears teetering on the brink of failure.

No one knows whether Mr. Johnson will be so accommodating; at a press conference yesterday, he avoided direct comment on the poor people's camp-in, saying only that the Administration is making "rather substantial progress" in Congress on proposed social legislation costing $78 billion.

But SCLC strategists, as they see it, have carefully left the President an opening. Despite Mr. Abernathy's statement that he plans eventually to take the poor people's problem to the White House "directly or indirectly," there has been no real attempt yet to embarrass Mr. Johnson—no picketing of the White House, for instance. And, Mr. Abernathy, unlike the late Martin Luther King, has refrained from harping on the Vietnam war.

TAKING CREDIT

In the SCLC view, a friendly gesture by LBJ would be the icing on the cake expected from Congress, which—the tough public talk notwithstanding—is not a very rich cake at all. "The name of the game is to take credit for what happens," explains an insider, "even if it was going to happen anyway."

That's precisely what SCLC intends to do on Capitol Hill, though the poor people's strategists hope that the worried Presidential candidates will prod their Congressional allies to produce more legislation than might otherwise have emerged.

At the very least, the Poor People's Campaign managers expect Congress to enact a major housing bill and to appropriate funds for the Model Cities and rent supplement programs. The poor people will claim credit for these actions. They are also ready to accept other evidence of legislative progress even without final action this year; such evidence might include Senate approval of a big public job bill, and any movement on a guaranteed income proposal, both of which are at least possible.

The point is that, in private, the poor people's strategists are more realistic than the public rhetoric would indicate. "Very low-keyed and reasonable," is the description of the Abernathy pitch given by one who has attended private meetings between poor people's leaders and Congressional representatives. What the SCLC seems to want is a respectable box score on Capitol Hill, plus some White House action to present as success on "Solidarity Day," June 19. That is the day thousands of poor people's supporters are scheduled to come to Washington for a one-day demonstration.

THE CROWN OF SUCCESS

If much or all of this happens, the thousands of campers in Resurrection City here will pull up stakes. They may well curse Congress as niggardly, promise to come back for more and break up into smaller groups that would dog the August political conventions and the autumn campaigns. But they will leave Washington.

Mr. Abernathy's talk about remaining in the capital for "years" is mostly bombast. For a variety of reasons, he wants to depart Washington on or about June 19 wearing the crown of success. He needs an appearance of quick victory to establish himself as the rightful heir to the murdered Mr. King. He knows he can better manage small groups of well-disciplined followers at the political conventions and during the political campaigns than he can control the thousands of poor people in Resurrection City. And the Washington campaign has so totally preoccupied SCLC that its other activities, including voter registration and literacy projects, have lagged.

"SCLC would like to get out of here by June 19, but they have to have something to take back with them," says a friend of the organization. "They've got to have a basket of gains." And the wheels are turning to help fill that basket.

When Agriculture Secretary Orville Freeman, in response to a poor people's demand, announced that surplus food would be distributed to hundreds of counties not covered by the Government's food stamp plan, the Rev. Jesse Jackson, an SCLC lieutenant, rejected the overture as insufficient. "Freeman's more concerned with balancing his economy than balancing your stomachs," Mr. Jackson told his followers. But Mr. Abernathy, on television last weekend, labeled the Freeman move "a magnificent accomplishment for the Poor People's Campaign."

The need to depart Washington with dignity is made all the more imperative by the disarray that now afflicts the Poor People's Campaign.

Item: Though Mr. Abernathy embraces the King doctrine of nonviolence, Resurrection City is trembling with violence or threats of it. Hundreds of young toughs from Northern ghettos have had to be shipped home. A white workman was beaten; a white news photographer was assaulted; other whites have been threatened. Some youngsters have wandered off to disrupt District of Columbia schools. The situation compelled a public apology from SCLC. "We tried to bring here representatives of the full range of poverty," explained the Rev. Andrew Young, a high official of SCLC, "and I guess we were too successful."

Item: A key tactic in the nonviolent strategy is to achieve symbolic arrests to dramatize the plight of the arrested and the hardheartedness of those ordering the arrests; indeed, 18 demonstrators were arrested last week when they marched up to Capitol Hill to seek an audience with Chairman Wilbur Mills of the House Ways and Means Committee (accused by the poor people of "keeping us in slavery" by promoting restrictive welfare legislation). Yet this "symbolic" arrest was not supposed to happen at all; the anti-Mills protest was organized not by SCLC but by an outside supporter—George Wiley, president of the National Welfare Rights Organization, who took command of a group of Resurrection City residents that was supposed to visit Capitol Hill as an observation team. "It was a wrong arrest of the wrong people at the wrong time," confides a campaign insider.

Item: SCLC's decision to state its legislative goals mostly in generalities has left the campaign's Capitol Hill friends in a dither. Congressional liberals have created an informal committee to find out precisely what the Abernathy group wants. Efforts to clarify the situation have not been especially successful. To one meeting with legislative staffers, SCLC sent the Rev. James Bevel, an expert in non-violence who, according to a friend, "doesn't know a damn thing about legislation."

MUD AND GARBAGE

Bad weather has compounded the problems of the Poor People's Campaign. Days of rain have turned Resurrection City from parkland to a mudhole. Garbage disposal is a problem; health dangers are feared; camp morale is sagging; tensions are rising. Hundreds of campers had to be evacuated to Washington churches. Mr. Abernathy, who has pledged to move into Resurrection City, never has; he stays at a Washington motel.

Now reports of high-level dissension affecting the campaign are circulating. To insure the success of Solidarity Day (postponed from Memorial Day to June 19 because of "problems of logistics"), Mr. Abernathy has called in Bayard Rustin, director of the A. Philip Randolph Institute in New York and organizer of the 1963 civil rights march here.

As his price for helping out, Mr. Rustin is reported insisting that the Abernathy group narrow its goals to the "clear and possible" and that he be given a say in deciding these goals. Some SCLC strategists fear that Mr. Rustin's entry may be the beginning of a takeover bid that may shunt Mr. Abernathy aside.

Much of the current confusion can be traced to the April assassination of Mr. King. The murder and funeral prevented the Atlanta-based SCLC leaders from moving into Washington until just before the first poor people's contingent was to arrive in Resurrection City.

But a good deal of the disorder can be attributed to Mr. Abernathy's uncertainty in the role of commander-in-chief and to his groping effort to abide by the principles of Mr. King but also establish himself as a leader in his own right. When Mr. Abernathy threatens to "raise hell" to "turn things upside down" and to "disrupt" the processes of Government, the result has been to stiffen white resistance to the Poor People's Campaign and to arouse some elements of his Negro public to unwelcome and unintended belligerence.

[From the Washington Post, May 29, 1968]

POOR PUSH PROTEST; MANY LEAVE CAMP

About 150 Poor People's Campaign demonstrators swarmed into the main foyer of the Agriculture Department yesterday while their leaders played a delicate verbal tug-of-war with Government officials and narrowly averted arrest.

The confrontation came while the Campaigners' Resurrection City reeled under new torrential rains, and 1200 to 1500 persons were evacuated to churches and other dry shelter.

The demonstrators, led by the Campaign chief, the Rev. Ralph David Abernathy, arrived at the Agriculture Department at 1:35 p.m. in a driving rain and asked to eat in the Department's cafeteria.

They were stopped at the door by Assistant Agriculture Secretary Joseph M. Robertson who said they could not be admitted until they settled a $292.66 bill for meals the demonstrators had eaten there Monday.

The demonstrators objected noisily. Robertson agreed to discuss the bill privately with a six-member delegation led by Mr. Abernathy while the others waited outside.

The delegation disappeared into the building while the remaining demonstrators began to clap and sing freedom songs in the rain. Within minutes, however, they started into the foyer of the building, some shouting sarcastically that they needed to "go to the rest room."

Metropolitan Policemen and Agriculture Department building guards moved about inside but did not restrain the demonstrators. Robertson emerged from the private meeting and warned leaders to clear the building or face arrest.

Nobody budged. Robertson conferred briefly with Mr. Abernathy and the Rev. Jesse Jackson, another Campaign leader, and then agreed to let the demonstrators stay inside while he resumed private talks with the six-member delegation.

The crowd shouted "soul power" and some sat or lay on the floor and began waiting.

At about 2:20 p.m., the meeting broke up and Mr. Jackson told the crowd that Robertson "tricked" them by delaying them with discussions until the cafetria had closed at 2 p.m.

"We came here and found not an abundance of food," he said, "but an abundance of bigots." The crowd cheered when he vowed to return regularly to the Department "until we eat."

He said he paid Robertson the $292.66 bill from Monday and was prepared to pay for yesterday's cafeteria costs, but "we were still turned away."

"We came here because we were hungry," said Mr. Abernathy. "This is our Department of Agriculture; it is owned by us, and yet we have been turned away in the cold."

The crowd then returned by bus to Resurrection City, the plywood shanty town near the Lincoln Memorial. Campaign leaders have focused demonstrations at the Agriculture Department because they feel its food distribution program to the poor is inadequate.

CAMPERS EVACUATED

The 15-acre encampment in West Potomac Park was in sodden disarray yesterday. At least half the camp's 2400 residents were evacuated. The large blue circus tent that served as the City's kitchen and dining hall collapsed early yesterday in the strong wind and heavy rain. A makeshift kitchen was set up in a smaller tent.

Several low-lying spots were flooded wih up to six inches of water, and a number of shanties were abandoned.

Much of the ground was transformed into deep, soupy mud. Relentless rains kept persons inside their frail, unheated shanties.

The evacuees, most of them women and children, the aged and sick, were taken both to private homes and to churches in the Washington area where they are expected to remain until the end of the week.

The Rev. Howard Stone Anderson, pastor of the First Congregational Church, 10th and G sts. nw., said the first major contingent of evacuees, about 450, had been taken to his church by bus late Monday night.

He said they had not spent the night at the church, but had been assigned there to private families who had volunteered to take them in.

Other groups went to Calvary Episcopal, Holy Comforter, Capitol Hill Presbyterian, St. Augustine Episcopal and Mount Moriah Baptist churches, as well as the Washington City Church of the Brethren, Friendship Settlement House and the William Penn Quaker Meeting House.

The Rev. Tom Toroshian, one of the coordinators of the evacuation to churches, said the response of the church community to the call for aid had been "splendid."

Mr. Toroshian said he had a list of additional churches that were "standing by," to feed and shelter, or offer brief, drying-out hospitality to the Campaigners as needed.

In a morning press briefing, Mr. Jackson acknowledged that many persons have left the campaign because of the discouraging weather.

But he described this as a "divine separating system," causing those persons with "no real sense of purpose" to leave and creating "new strength" among those remaining.

"Some just honestly can't cut it," he said. "But for many of us it's a matter of going for broke."

He accused the Agriculture Department of failing to release enough surplus food to needy persons and said it has not helped the Poor People's Campaign in any way.

A Department spokesman said yesterday that the Department issued 23,080 pounds of basic foodstuffs, such as flour, canned meat, powdered milk and cheese, on May 17 to be distributed to campaigners by the D.C. Welfare Department.

Joseph B. Danzansky, chairman of the ad hoc food committee of the Urban Coalition, estimated another $50,000 is needed to feed the marchers until June 16, the expiration date of the National Parks Service permit allowing them in West Potomac Park.

There were indications yesterday that there may be action by the House of Representatives on legislation to prevent any extension of the permit.

The House Public Works Committee has already approved, but is holding a bill that would throw the Campaigners out of the Park and limit them to parkland east of the Anacostia River in the District after June 16.

There were suggestions yesterday that the Committee might even try to prevent "campins" on any parkland in the District.

ARRESTS NOT INTENDED

At another point yesterday, Mr. Abernathy told reporters that the Campaigners who marched to Capitol Hill last Thursday in a welfare legislation demonstration had not intended to provoke arrests. Capitol police arrested 18.

The Campaign still has not reached the stage of possible civil disobedience, he said. The Campaigners were arrested after they refused to stop singing near the Longworth House Office Building on police orders.

The demonstration was led by George Wiley, director of the National Welfare Rights Organization. No high-ranking officials of the Southern Christian Leadership Conference, which is sponsoring the Campaign, were present.

"Unfortunate arrests took place," Mr. Abernathy, president of SCLC, said, "because I was not there."

Mr. Abernathy and Reies Tijerina, fiery Spanish-speaking militant from New Mexico, met for a joint press conference late yesterday and voiced disapproval of a recent Supreme Court decision upholding the state of Washington conviction of 24 Indians who staged a "fish-in" to assert their rights to fish in what they consider their ancestral waters.

Mr. Abernathy described it as "another attempt to deny citizens their right to survival. We live in a country controlled by racists . . . who now even deny the right to fish in God's waters."

Pounding a table at the press conference in Hawthorne School, 501 I st. sw., Tijerina said, "The Supreme Court is in contempt of the Constitution of the United States."

NOTE.—*This story was assembled by Paul W. Valentine and is based on reports by him, Bernadette Carey, Willard Clopton Jr. and Jean M. White.*

[From the Washington Post, May 29, 1968]

FAUNTROY ASKS COLLEGES TO AID POOR CAMPAIGN

The Rev. Walter E. Fauntroy, vice chairman of the Washington City Council, said yesterday he had asked the presidents of universities in the District of Columbia to reconsider the ban on the use of dormitories and classrooms by students coming to the District for the Poor People's Campaign.

His action came in response to a request from 17 Georgetown University students who complained that the use of University space was being denied by the Consortium of Universities.

Mr. Fauntroy is local head of the Southern Christian Leadership Conference, the sponsor of the Poor People's Campaign.

William Preanor, SCLC's coordinator here for university students, said American and Howard Universities had opened some of their facilities for the use of incoming students.

Joseph Gerson, a Georgetown senior and spokesman for the student group, said more than 5000 students were expected during the next two weeks and that about 500 already were here.

[From the Washington (D.C.) Evening Star, May 29, 1968]

CHALK REJECTS SCRIP PLAN FOR NIGHT BUSES—SAYS PROPOSAL WOULD ELIMINATE COMPANY, DEMANDS PROTECTION

(By Lee Flor)

O. Roy Chalk, president of the D.C. Transit System, has rejected a proposed compromise which would have restored night bus service to Washington.

In a statement released today, Chalk said the real problem here with bus service is with crime and not over negotiations between the Amalgamated Transit Union (ATU) and his bus companies.

He went on to criticize ATU and public officials for not giving the bus company the support he feels it deserves.

The Washington Metropolitan Area Transit Authority proposed yesterday that Chalk permit his drivers to take buses on the streets at night without the money for making change which has attracted holdup men. In place of the change, the transit commission argued that drivers could issue scrip, or tickets, and the riders could turn the tickets in to receive their change during daylight hours.

Chalk said this was so impractical "it would also eliminate the company and its ability to function."

COURT MOVE VOTED

In another development, the United Planning Organization voted in a closed meeting last night to go to court to force D.C. transit to resume night service.

The trustees of UPO, the local antipoverty agency, voted unanimously in favor of seeking a court injunction against the transit company, the union and the transit commission to require that buses operate at night.

UPO Director Wiley A. Branton urged last week that bus tokens be placed on sale in drug stores, bars and other places open at night so that bus drivers would not have to carry change. As a long-range measure, Branton urged that the city consider taking over the transit system on a permanent basis and the providing of free public transportation.

REACTION TO CHALK

George Avery, chairman of the transit authority, said this morning he had received the Chalk reaction and had been discussing it with the Rt. Rev. Msgr. George G. Higgins, the District's negotiator in the dispute.

Avery said, "We're considering now what to do."

George W. Apperson, president of Local 689 of the ATU, said he had received word of Chalk's reaction late last night.

"It's unfortunate that he has replied this way—he's not trying to cooperate with us," Apperson said.

The death of bus driver John E. Talley, who was shot in a holdup May 17, has put emphasis on the need to protect his men, Apperson said.

The union is standing ready to hold further discussions with District and transit company officials in efforts to solve the dispute, he added.

CHALK PROPOSALS

As a counterproposal to that made by WMATA, Chalk recommended four items. They were:

1. That buses at night be limited to the number of police available to guard them, with one policeman to a bus. If only 40 policemen were available, only 40 buses would operate after 9 p.m., and the 40 bus drivers could carry money to make change.

Once the summer emergency is over, the night protection might be adjusted to the needs or requirements, Chalk said, implying that next fall more buses might be provided, even if the police were not available.

2. The city should consider assigning up to

100 policemen to guard the buses, and D.C. Transit and the transit commission should consider cutting night service from about 200 buses to about 100 buses.

3. No tokens should be sold on buses day or night, to reduce the need for carrying cash.

Also, only a "substantially reduced amount" of cash should be carried by the driver to enable him to make change. After 8 p.m., drivers should carry not more than $10 to make change.

4. The Housing and Urban Development Department should give D.C. Transit a priority to receive a federal grant to pay for installation of radios in buses.

The drivers then could signal or call for help if they were being robbed and also could tell their radio dispatchers to send police if they saw a holdup or attack against pedestrians.

BARRED FROM U.S. STUDY GRANT

HUD issued a $200,000 federal grant on Monday to study crime on buses and said Washington would get a priority in the study. However, national transit legislation prohibits HUD from giving grants to private transit companies, so D.C. Transit would have to seek out a private agency for a grant.

Apparently, the next move is up to the transit commission, which may order Chalk to have his company try the idea of scrip, or order him to appear at a public hearing and explain why he cannot use it.

The four bus companies here have been carrying approximately 200,000 passengers a day. The labor dispute would directly affect D.C. Transit and its affiliated company, the Washington-Virginia and Maryland Coach Co., which Chalk also owns.

Bus service on the two other bus lines would be affected, because many suburban riders come in by bus and use D.C. Transit to reach their offices.

SLAYING CREATED CRISIS

The labor dispute began after the slaying of Talley near Dupont Circle on May 17. Bus drivers went on an almost immediate wildcat strike, but went back to work when their union officials began to bargain with D.C. Transit.

Local 689 of the ATU asked for three things: a special radio alarm system for drivers so they could alert police, special $50,000 life insurance for night drivers (which would cost the company around $11,000 a year) and special bullet-proof shields (which apparently would cost around $40,000 in materials).

In negotiations with the transit commission on May 20 and 21, the bus company and union were unable to reach agreement. In the meantime, drivers were refusing to take money for change at night, and the company was refusing to let them take the buses out.

Then Local 689 decided to hold a mass meeting on Thursday. Late Wednesday night Mayor Walter E. Washington asked Higgins to act as informal negotiator in the dispute to represent the city.

TEN-DAY GRACE VOTED

At the Thursday night meeting, John M. Elliott, international vice president of the ATU, Apperson and other union officials and Msgr. Higgins pleaded with the union members not to strike and to give them another 10 days to try to negotiate some settlement to protect the drivers. The vote was 730–568 to grant the 10-day grace period.

Avery said last night the transit commission staff has been working over the weekend and the first two days of this week to develop the scrip compromise.

Chalk told Avery late yesterday of his rejection of the plan.

He also said the union contract had been signed Oct. 31, 1966, and would expire on Oct. 31, 1969. In the middle of the contract, city and union officials are incorrect in implying that the terms of the contract could be amended, Chalk said.

The drivers argument is that one of their members was shot to death, emphasizing a fresh crisis which was not anticipated when the contract was signed. Also, the company made promises earlier that steps would be taken to install protective devices, according to the ATU.

The drivers also are careful to state that they are reporting for work, and say the company is "locking them out." The company claims the night drivers are not reporting properly for work, so it is able to justify shutting off the night service.

CHALK STATEMENT

The major portions of the Chalk statement:

". . . Officials are confusing the lack of law enforcement and lack of police protection with nonexistent union contract negotiations. . . . There are no contract issues in dispute between the union and the company . . .

(D.C. Transit) is willing to consider any workable plan that may reduce and limit dangers to its drivers, even if it means the elimination of route structures and route scheduling which might subject its men to any danger whatsoever. . . .

(But) a transit driver cannot perform his duties without the ability to conduct the necessary fare transactions with his passengers . . .

(The plan to issue scrip for change at night) . . . in the opinion of management would also eliminate the company and its ability to function. . . . It would not only deprive the company of patronage but would enrage the public against the company to an extent never before envisioned . . .

The company can only suggest that if a plan were submitted to it that would be economically feasible, and would limit to a minimum the amount of money which a driver carries, the incentive for crime might be reduced.

[From the Washington (D.C.) Evening Star, May 29, 1968]

ABERNATHY SLEEPS AT CAMP—2:30 A.M. INTERVIEW

(By Donald Smith)

At 2:35 a.m. today, rain was still beating a ragged tattoo on the plywood shanties of Resurrection City. Inside one of the structures near the center of the encampment, the Rev. Ralph David Abernathy stretched his large frame on a canvas cot, snuggled under three heavy woolen blankets and read a book on economic theory by the light of a single, bare light bulb.

Underneath his cot on the blanketed-covered floor, was a pair of mud-encrusted rubber boots. A portable space heater was at one end of the shanty, but it was turned off.

Abernathy, who has been criticized for staying at a midtown motel in relative luxury while his regiments of poor people have slogged through the mud and rain at Resurrection City, scoffed at his critics.

"I have spent most of the nights here whenever I have been in Washington," he said.

"But I have to be in and out of the city on fund-raising tours and speaking engagements," he added. "And I'm still pastor of a church."

Star reporters, who have kept an around-the-clock watch at the city since its construction, have never seen Abernathy enter at night or leave in the morning. The camp is off-limits to reporters after 11 p.m.

Abernathy apparently entered shortly after 2 a.m. today in an unmarked automobile, unnoticed even by marshals manning the gate.

This reporter was invited into the camp at 2:30 a.m. and escorted to Abernathy's shanty. The civil rights leader was in bed.

Also in his tent, bedded down on cots, were two other officials of Abernathy's Southern Christian Leadership Conference.

"SUPPOSED TO DREAM"

"All of the executive staff-members live in the camp," Abernathy said. "I haven't been criticized directly by the people here. In fact, a lot of people are critical for me sleeping down here. I'm supposed to dream dreams and come up with ideas. This you can't always do down here."

Abernathy said that his quarters at the Pitts Motel were only used as his office when he was in the city. His wife and three children, he said, will be moving into the city with him next week when the children get out of school.

"I'm supposed to have my shanty built in such a way that I can carry on some nonviolent discussions with small groups," he said, "so that people can come in and discuss their problems. I intend to give a great deal of time to that."

During his cot-side interview Abernathy discussed the impact of the campaign so far and some of its troubles.

CAMP IN BAD SHAPE

"It's quite obvious that the camp is in bad shape, physically," he said. "The streets are wet and muddy, and it has been cold.

"But the people are in high spirits," he added. "They have come for a purpose, and that's what keeps us going. When you're suffering for a cause, it's quite different from suffering for the sake of suffering. The rain hasn't been able to shake the foundation of the camp—not the human foundation," he said.

Abernathy estimated that there are now "a few less than 3,000" residents who have not been evacuated from the city because of the bad weather.

(A Star reporter who toured the site in mid-evening with SCLC officials estimated about 1,000 persons spent the night in the camp. The remainder were quartered in churches and private homes.)

LIVE DAY TO DAY

Abernathy said his fund-raising efforts have been "going pretty good." But he estimated that it costs about $1,000 a day to operate the camp, and with no sizeable cash reserve the residents "just live from day to day."

"There's still a big need for funds," he said. "We are not able to move as rapidly in building the city as we wanted to. It's difficult to say how much we need. Number one, we don't know how long we're going to be here."

Abernathy is so far pleased with the results of the encampment and the campaign.

"I think we've dispelled a great deal of fear in the minds of some congressmen and many people across the nation about the possibility of violence," he said: "And some of our goals have been achieved."

He pointed to a commitment of Agriculture Secretary Orville Freeman to use several million dollars "that would have been turned back to the treasury" to finance an enlarged food-stamp program.

Another victory, he feels, was the housing bill passed by the Senate yesterday.

As Abernathy spoke, a messenger ducked his head under the canvas door and climbed into the building, his white turtleneck sweater dripping wet.

"A lot of emergency calls are coming in for you at city hall (headquarters of Resurrection City)," he said. "Do you want us to wake you up for them?"

ACCEPTS MESSAGES

Abernathy drowsily rubbed his eyes and regarded the messenger for a moment.

"Send the messages in to me," he said.

The messenger left. Abernathy laid down the book and shifted under the blankets. The rain pattered down.

"It's a lot better home here than a lot of people here have had," he said.

It was a few minutes past 3 a.m. Abernathy's voice had trailed off. He was asleep.

Later, at the main gate to the city, a marshal shivered in the rain and expressed disbelief that Abernathy was sleeping inside.

"I didn't see him come in," he said, shaking his head. "If he's ever spent the night here, I didn't see him."

[From the Washington (D.C.) Evening Star, May 29, 1968]

TENT CITY HALF EMPTY AS SUN RETURNS

Poor People's Campaign officials were conferring today on new demonstrations as the sun returned over the swampy mire of Resurrection City, its population reduced by at least half.

The effects of a 2¼-inch deluge yesterday forced a call for the second temporary evacuation of The Mall campsite in a week. At nightfall, it was estimated that about 1,000 hardy campaigners still were living in their plywood huts in a virtual sea of mud.

The population at its height probably was about 2,800. Area churches and private homes have been offering shelter since the relentless rain began early Monday.

Spirits seemed to be high among those still leading an amphibian existence, and about 700 dined last night on chicken as others cooked in their huts.

"We will not abandon our city," said the Rev. Ralph David Abernathy, leader of the Southern Christian Leadership Conference. "Morale and spirits are high," he said at a press conference late yesterday.

But it was touch-and-go at midday yesterday when the Rev. Jesse Jackson, camp manager, toured the mucky bog and said, "Oh, God—this is bad," and ordered the temporary evacuation for all who wanted to go.

Despite the precarious events at Resurrection City, SCLC was able to mount another demonstration at the Department of Agriculture yesterday. Led by Abernathy, Jackson and the Rev. James Bevel, about 150 to 200 campaigners confronted departmental officials as some seven Metropolitan Police patrol wagons stood by. The protesters left after some verbal sparring, vowing to return again.

The demonstrators were met at one of the North Building doors by Joseph Robertson, an assistant secretary, a contingent of other department officials and about 40 police and guards.

After being greeted by Abernathy, Robertson asked, "Are you prepared to pay for the meal you ate yesterday?"

On Monday, Jackson had led over 100 campaigners into the cafeteria—run by a departmental employe association—and had run up a bill of $296.66. Jackson led his followers out without paying, saying, in effect, this was owed poor people because of deficiencies in the food-for-the-poor programs.

Jackson replied, "We'll talk about it when we get inside" and demanded that the demonstrators be let in out of the driving rain.

Robertson refused to let the group in. Abernathy then intervened, and it was decided that a small delegation would go inside for a discussion.

Jackson left the meeting, returned to the singing campaigners and led them into the lobby and hallway. Again, Robertson ordered them out and Jackson refused. Abernathy then got an agreement that the group could remain in the foyer during the talks.

After more than half an hour, Abernathy came out and told the group to return to Resurrection City, and said the marchers had been tricked into waiting until the cafeteria—where they again intended to eat—closed at 2 p.m.

MARCHERS PAY TAB

"We came here today because we were cold and hungry and wanted something to eat," he said, "and instead we were turned away."

The SCLC leader said, and department officials confirmed that the bill from Monday had been paid.

Three members of a welfare rights group succeeded yesterday in talking to one of their prime targets, Rep. Wilbur Mills, D-Ark. After what was described as an amicable session in his Longworth Building office, Mills said he would meet today with George A. Wiley, leader of the National Welfare Rights Organization.

The conversation with the members of the welfare rights group—which has been allied with SCLC in the campaign—mainly concerned provisions of the Social Security amendments passed last year. They froze at the present percentage level the number of children in each state admitted to the federally aided program for dependent children and set standards for work programs for adults in families getting such aid.

CALLED "REGRESSIVE"

The welfare rights group repeatedly has contended that these are "regressive and racist."

Mills told the delegation that pending legislation would postpone these provisions during the year beginning July 1.

The House Public Works Committee, meanwhile is expected shortly to approve a bill to force the Poor People's Campaign out of the District when the federal permit for Resurrection City expires on June 16.

The bill would prohibit camp-ins anywhere in the District on parkland or other government-owned land. This would eliminate the possibility, considered earlier, of an encampment at Bolling Air Force Base. The bill also would direct the Interior Department to refuse any modification or extension of the present permit.

SCLC has scheduled a massive demonstration June 19 and has stated repeatedly that campaigners will remain here until Congress reacts to their demands.

President Johnson at a press conference yesterday again said administration programs designed to meet many needs of the poor are pending in Congress and that he is doing everything he can to get them approved.

HOUSING BILL VOTED

And the Senate yesterday overwhelmingly passed and sent to the House a three-year version of Johnson's proposal to provide 6 million new and rehabilitated low-cost housing units by 1978.

[From the Washington (D.C.) Evening Star, May 29, 1968]

FIFTEEN MORE HURT IN LOUISVILLE RACIAL STRIFE

LOUISVILLE, Ky.—More than 150 persons were arrested and 15 others injured last night as a second night of racial violence was marked by hit-and-run tactics of brick throwers and sporadic sniper fire.

National Guardsmen aided police in the city's West End, a predominantly-Negro section where rioting erupted Monday night and resumed yesterday afternoon and last night.

Three persons hit by gunfire during last night's disorders were reported in serious condition. A policeman was also hit by a gunshot. He was reported in good condition. Three firemen and three guardsmen were admitted to the hospital. One fireman suffered from smoke inhalation. The others were struck by thrown glass and rocks.

Twenty persons were injured or wounded Monday night, including four gunshot victims.

Police Chief C. J. Hyde said the latest violence was more intense than Monday's "from a standpoint of hit-and-run tactics." He said the 8 p.m. curfew imposed yesterday by Mayor Kenneth Schmied increased the number of arrests. Hyde said police policy was "to arrest all violators of any kind."

"By this method and a show of force at an early stage, we have been able to control the situation to the extent that there was no large gathering," he added.

A decision on whether to impose a curfew tonight on this city of 400,000 was to be made today by Schmied.

Bert Hawkins, Hyde's assistant, said the heaviest instance of sniper fire was encountered by police protecting firemen. "Snipers opened up on the firemen and the police with them. The police weren't able to pinpoint the location of the snipers but a car sped away shortly after the firing stopped."

Firemen were constantly active last night as dozens of real and false alarms were reported. All off-duty firemen were recalled Monday night. Louisville's 578-man police force is working 12-hour shifts, with days off canceled.

Some 1,200 National Guardsmen, mobilized by Gov. Louie B. Nunn, and 150 state troopers remained in Louisville today. An initial detail of 700 guardsmen arrived in Louisville Monday and additional units were called out yesterday afternoon when the violence renewed.

Several young gangs ventured into the downtown area, 20 blocks from the West End where some 50,000 of the city's 86,000 Negroes reside. The vandals smashed shop windows and caused authorities to close Louisville's main business artery to vehicular traffic.

About 25 persons were arrested yesterday afternoon, bringing the number of arrests since Monday to approximately 275. Eighteen persons arrested Monday were arraigned yesterday on charges of storehouse breaking and held in lieu of $20,000 bond.

While many of the Negro youth gangs ignored the curfew, most sections of the city observed it. Taverns, restaurants and other public places closed. City buses ceased to operate at 10 p.m. Many liquor stores and bars, which were closed until 6 p.m. because of the Kentucky primary election, remained closed.

(United Press International reported that Schmied said "only a very small minority" of Louisville Negroes were involved in the trouble.

(He blamed the disorder, which first erupted at a street rally Monday night, on outsiders. "We knew the rally was going to be held and were told some people were coming from out of town," he said. "It seems well planned somewhere along the line."

(Negro leaders blamed the trouble on the reinstatement of a white policeman, Michael Clifford, who had been dismissed for using "excessive force" in the arrest of two Negroes May 8.)

Early last evening, the Rev. A. D. Williams King, a brother of the late Rev. Dr. Martin Luther King, Jr., told a news conference that "the mayor flatly refused to go into the West End to help bring disorder to an end."

"This is not a time for a politican to be arrogant . . . We have pleaded and begged for them to come here," he said.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. I ask unanimous consent that the order for the quorum call be rescinded.

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

A NEW PROGRAM FOR WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, the problem of reclamation of strip-mined lands is one which is being given increasing attention in West Virginia.

My State has some 200,000 acres of land which have been mined through surface methods, either auger drilling or strip mining.

And almost 5,000 acres a year are added to this total by virtue of the some 15 million tons of soft coal mined annually through surface methods.

Our industrial society has an increasing need for coal and other minerals. Yet, there is also a coordinate responsibility to restore this strip-mined land to productive uses.

To determine the best way to reclaim these surface-mined areas, the U.S. Forest Service has been carrying out research for nearly 30 years.

However, little of this work has been done directly in West Virginia. That is why I was so pleased to learn from the Forest Service that that organization, in conjunction with the West Virginia Department of Natural Resources and the West Virginia Surface Mine Association, has recently begun a new cooperative research program in West Virginia aimed at improving the reclamation of surface-mined lands.

Each of these three organizations just mentioned will contribute funds, facilities, and manpower to get this West Virginia-oriented research underway.

The work will be carried out by two scientists stationed at the Princeton, W. Va., Forest Products Marketing Center of the U.S. Forest Service. This center was dedicated in 1963, and I am glad that I have been able to obtain increased funding for its important work. That the center has done outstanding research is attested by the fact that the center was the only unit within the U.S. Forest Service this year to win the Department of Agriculture's coveted Superior Service Award.

I believe this new strip-mined land reclamation research will add new luster to this laboratory, and I hope that we will be able to see important benefits in the near future.

That the Senate may know the full extent to which the Forest Service has been carrying out research on strip-mined land reclamation, I ask unanimous consent that a paper written by Mr. Richard D. Lane, director of the Northeastern Forest Experiment Station of the U.S. Forest Service, and published in the May 1968 issue of the Mining Congress Journal, be printed in the RECORD.

Mr. Lane, I might add, is another recent recipient of the Agriculture Department's Superior Service Award.

There being no objection, the paper, entitled "The Forest Service Reclamation Research Program," was ordered to be printed in the RECORD, as follows:

THE FOREST SERVICE RECLAMATION RESEARCH PROGRAM

(By Richard D. Lane, director, Northeastern Forest Experiment Station, Forest Service, U.S. Department of Agriculture, Upper Darby, Pa.)

Surface mining is nothing new. It began with the Stone Age. Flint diggings at least 10,000 years old are still visible today in some parts of the world. Historians tell us that Cicero and Pliny, of ancient Rome, owned stock in an open-cast lead mine in Britain. And these two noble Romans griped—as some of us do today—about the earnings of their company. But I'm sure they had no problems with 200-yard shovels, nor with reclamation practices either.

In the United States surface-mining for coal is an infant industry. In Illinois it began just over 100 years ago.*

Research in restoration of surface-mined land by the U.S. Forest Service is even younger. Our work was started in southeastern Ohio in the mid-1930's. You might note that the two men who pioneered this research—A. G. Chapman and John Crowl—are now associated with your industry.

From this modest beginning, our program has grown into a major research effort. Since the mid-1940's we have conducted research in forest resource protection and restoration on surface-mined land, with emphasis on land mined for coal. To the best of my knowledge this is the only continuous research program of its kind conducted by the Federal Government.

FOREST SERVICE RESPONSIBILITIES

You might ask why the Forest Service became interested in surface-mine reclamation. First of all, many of the coal reserves in the East underlie forested land, including National Forests. The Weeks Law authorized purchase of National Forest lands in the East for timber production and watershed protection; and this established our legal responsibility to protect, manage, and develop these public forest estates. Furthermore, we are responsible for research and other federal forestry programs applicable to all forest land of our Nation.

Surface-mining can have tremendous impacts on forest resources. And most of the mined areas that have been revegetated have been planted to trees. So as surface-mining expanded in the East, those concerned with restoration naturally turned to the Forest Service for answers to their reclamation problems.

Before developing our reclamation research program, we made two basic assumptions.

First we assumed that surface mining is here to stay. Obviously minerals and the mining industry are important to the material well-being of our people and to our Nation as a world power. Also, surface-mining is more efficient than underground mining because it is more highly mechanized, and the rate of mineral recovery is much higher. Furthermore, surface-mining provides employment for many of our rural people. By doing so, the industry helps reduce rural poverty as well as the migration of rural people to our overcrowded cities. For example, in the Appalachian Coal Field the surface-mining industry provides full-time employment for over 25,000 wage earners, and a multi-million dollar payroll. Thus any damage that surface-mining does to our natural resources is at least partially compensated for by better conservation of our natural resources and more prosperous rural communities.

Our second assumption was that any damages to natural resources by surface-mining can be reduced or eliminated in time by careful planning, good mining methods, and effective restoration practices.

To do this, we need research to develop practical methods for reducing damage to surface resources during mining operations and for restoring these resources after mining. So we designed our research to provide the scientific information needed for planning and efficiently carrying out mining that: (1) has a minimum impact upon forest resources; and (2) leaves the disturbed areas in the best possible condition for rapid restoration.

EARLY RECLAMATION RESEARCH

In the beginning our research was concentrated on forestation of spoils in the relatively easy terrain in the Midwest. Many of the present practices used to revegetate spoils of the Interior Coal Fields are based on results of these early studies.[4]

After World War II, the surface-mining industry expanded rapidly. Estimates given in *Surface Mining and Our Environment*, a recent publication of the U. S. Department of Interior, indicate that by the end of 1964 over 3½ million acres had been affected by surface-mining for various commodities. This included areas disturbed by access roads and exploration activities. This total is being pushed upward at the rate of over 150,000 acres annually.[6]

As surface-mining spread, we soon saw that the research results of our Midwest program could not be applied throughout the United States. Each area of the country has different topographic, geologic, and geographic conditions; and the problems of mining and reclamation differ accordingly. Moreover, the effects of surface-mining on resources and communities differ according to the nature of the land, owner objectives, conservation needs, socio-economic conditions, and land-use opportunities.

For example, in the Appalachians, "contour" mining presents critical new problems and challenges in both reclamation and research. Overburden deposits here create unstable outslopes that are subject to sliding and are difficult to revegetate. Heavy rainfalls common in the Appalachians can seriously erode outslopes and the runoff can flush chemical pollutants and sediments into streams. Besides the fact that the Appalachians have a high annual rainfall, they also receive frequent severe summer storms that further intensify water problems. And the extensive network of access roads needed to haul coal out of the mountains creates additional erosion and sedimentation problems.

Added to these difficulties is the fact that spoils in the Appalachians tend to be more acid than those in the Midwest. Of 1,000 measurements taken in a survey for the Appalachian Regional Commission, 83 showed a pH of less than 5.0[5]; and mean pH values of spoils from 6 coal seams in an eastern Kentucky study ranged from 3.3 to 5.0.[1] Some difficulties in revegetation occur when pH is below 5.0, serious difficulties when pH falls below 4.0.

PRESENT PROGRAM IN THE APPALACHIAN MOUNTAINS

In response to industrial expansion, new problems, and changing needs, we have reoriented our earlier research programs.

First, during the 1950's we established a small research program at Kingston, Pa., to solve some problems peculiar to the anthracite and bituminous regions of the State. As before, we put emphasis on the revegetation aspects of reclamation.

Then in 1962 we initiated a more comprehensive research program at Berea, Ky., to solve some of the complex problems associated with surface-mining in the Appalachian Mountains. The Kingston and Berea programs were consolidated in 1966 to obtain greater depth and better coordination.

Our research now has two prime objectives:

1. To develop practical surface-mining methods that cause minimum damage to forest resources and leave the mined areas in the best possible condition for restoration of these resources.

2. To find ways to restore forest resources, compatible with adjacent land use, on surface-mined land as rapidly as possible.

Footnotes at end of article.

In developing our present research program, we tentatively identified major problem areas, selected specific phases of them for research, and set priorities. Then we reviewed these with members of your industry, with state, university and federal authorities, and many others before deciding upon a definite and detailed plan of work. We feel that together we have charted a basic course that will stand up under critical scrutiny for the next few years. Even so, we have a flexible program that we are constantly revising in detail as we learn more about the problems and receive advice from you and many other knowledgeable groups—for example the Strip-Mine Research Coordinating Committee in Kentucky and the Mined Area Restoration Technical Committee of the Soil Conservation Society of America.

Through this process of program development we have selected four broad areas for research.

Engineering.—Engineering research is concerned with the mining processes influencing earth movement and placement, coal-haul roads, and water-retarding structures involved in restoration. We are trying to find ways to achieve better bank stability by investigating the basic causes of slides. We have studied the erosion problems of coal-haul roads and have published a handbook to assist operators in constructing more serviceable roads. And we are determining the most effective type of check dam for trapping sediment below active mining operations (now a requirement in some states).

Hydrology.—Land disturbance of any kind may affect—either adversely or favorably—the hydrology of the area itself and of streams that drain the area. To learn more about these effects and to lay the groundwork for determining remedial measures, we are studying moisture conditions within spoil-banks, the runoff from outslopes and benches, and the quality and quantity of streamflow. We are also investigating the hydrology of ponds formed on mined areas. Besides reducing runoff, ponds can provide water for fish, wildlife, and recreation.

Soil Science.—A knowledge of spoil characteristics, including their growth potential, is prerequisite to favorable disposal of overburden during the mining operation and to successful revegetation after mining. We are developing techniques for sampling, analyzing, and classifying overburden and spoils and for identifying plant-toxic substances. We are investigating the chemical reactions occurring in spoils as they affect water quality and the fertility requirements of vegetation.

Revegetation.—Successful establishment of vegetation is necessary on practically all surface-mined land of the East to stabilize the area, return the land to productivity, and improve its appearance. From the beginning, we have emphasized revegetation. We conduct both greenhouse and field studies to determine what plants are suited to various conditions. We are evaluating different types of vegetation for special uses such as timber crops, wildlife food and cover, forage, recreation, and watershed protection. We are investigating mechanical methods and equipment such as hydroseeders, mechanized tree-planters, and aircraft, which offer promise of reducing costs and speeding establishment of cover.

A TEAM APPROACH

Within these four areas we have begun over 60 studies. The wide variety of problems encountered demands a team approach by scientists trained in several disciplines. Our staff of 9 scientists includes specialists in engineering, hydrology, soil science, forestry, and range and wildlife revegetation. This team of scientists is backed up by an even greater array of disciplines in other units of our Experiment Station—entomologists, pathologists, geneticists, chemists, wildlife and recreation specialists, economists, and mathematicians.

Sound research programs are not developed or carried out by a handful of scientists working alone. We seek and welcome the participation and cooperation of many groups, such as your industry, states, universities, private utilities, and other federal agencies. Much to your credit and to the benefit of the program, your industry has taken an active part in the research.

Besides the help your industry has given us, we have received direct support from utility companies such as the Ohio Power Company and the Pennsylvania Power and Light Company. Both of these companies have made substantial financial and facility contributions. And like your industry, they have hired trained men to put research results into action. Most state agencies have been very cooperative too—Pennsylvania, Kentucky, and West Virginia in particular. Many universities have contributed by doing cooperative research and conducting specific studies that we are not equipped to do. And other federal agencies such as TVA, the Soil Conservation Service and the Department of Interior have been helpful. I want to express here our appreciation to the many individuals and groups that have so generously contributed to this truly cooperative research program.

We also recognize our responsibility to report our research results so that new scientific information can be put to use promptly. Our findings are reported in scientific publications or in popularized forms for general use by industry and state reclamation agencies. Examples of these are: "A Guide for Screen and Cover Planting of Trees on Anthracite Mine-Spoil Areas"[3], "A Guide for Revegetating Bituminous Strip-Mine Spoils in Pennsylvania"[2], and "Designing Coal-Haul Roads for Good Drainage"[7]. Several symposia have been held to help large groups keep abreast of research results. To illustrate: last fall state and federal reclamation personnel from seven states attended a week-long training session conducted by the Forest Service and the Kentucky Division of Reclamation to explain the latest principles and techniques of reclamation.

Your industry has always quickly and intelligently applied research results in your own reclamation programs. States, too, use our information to administer their reclamation laws. This is especially true where laws have recently been passed or revised, as in West Virginia, Tennessee, and Kentucky. Both state and industry personnel are constantly asking for information about the most effective and economical methods of meeting state reclamation requirements. In fact, we are hard pressed to keep up with these demands.

In all humbleness, I believe that our research has helped improve reclamation practices throughout the eastern coal fields. Perhaps of equal importance is the fact that we have built up a small corps of skilled scientists to undertake the tough jobs of research that lie ahead.

NEW RESEARCH NEEDS

I am firmly convinced that the most difficult and important research task we have today is to develop a new technology for mountain mining. A wave of interest in this is rolling in upon us. We in research see this as a challenge and an opportunity. And you in industry have a big stake in this. Let me show you some of the evidence.

Experience from our past work clearly indicates to us that the engineering aspects of mountain mining have received far too little attention. Unstable slopes create tremendous problems: sliding spoils and polluted streams. And these conditions cannot be corrected quickly. Furthermore, it is next to impossible to establish and hold an adequate vegetative cover on sliding, eroding surfaces.

Because of these problems, several states have passed new laws that place additional restrictions on mining of steep slopes. And the U.S. Department of Interior has proposed that no mining be done on slopes exceeding 28 degrees.

The Mined Area Restoration Committee of the Soil Conservation Society of America has prepared a Position Statement for consideration of the full Society. Serving as Chairman of the Committee, I participated with several representatives of the mining industry and others in drafting the Statement. It contains two paragraphs apropos of surface-mining in rough terrain. These are:

1. In planning for future surface-mining operations where opportunities for protecting off-site values or making productive uses of the mined land do not exist, operators should be encouraged not to mine such areas.

2. New types of equipment for mining and making productive uses of mined land would offer distinct advantages, particularly in rough or mountainous country. The mining industry and equipment manufacturers should be encouraged and aided in designing and developing such equipment.

To this evidence we must add that our Nation is now being swept by what has been called a "third wave" of conservation—with heavy overtones of preservation. This shows itself in an increasing public awareness of and appreciation for all forest resources: wildlife, soil, recreation, timber, range, natural beauty, and water—especially water.

We in the Forest Service are feeling the impacts of this trend and are rapidly adjusting our programs to it. No doubt you are more aware of these pressures on your industry than I am, and are seeking ways to meet them.

In response to the public interest, President Johnson in his 1968 Conservation Message recommended legislation to "prevent despoilment of land by surface mining". The same day his message was delivered to the Congress, Senator Gaylord Nelson introduced a bill to regulate surface and strip-mining. Following in quick succession, the Department of Interior and Senator Henry Jackson each introduced regulatory and reclamation bills.

To me these developments herald the closing of vast mineral reserves unless new technology is developed for removing coal that underlies steep slopes. This can be accomplished, I believe, through research leading to better methods of using equipment now available, by developing new equipment and mining methods, or by a combination of both. In any case, the methods and equipment must meet three basic requisites. They must: (1) be economically feasible; (2) provide adequate protection to adjacent resources during the mining operation; and (3) leave disturbed areas in condition for rapid restoration.

In my opinion the development of technology and equipment that will meet these requirements is a challenge that must be met by our scientists and by your industry. Therein lies an opportunity to keep available large reserves of minable coal for the benefit of your industry and our industrial society. And it provides an opportunity for our research to make greater contributions to the Nation as a whole as well as to the many communities that could profit from the mining of these coal reserves.

Traditionally we have joined forces to meet such challenges and problems. We would welcome the opportunity to carry forward this tradition and to do with you the research needed to develop improved technology and equipment for mountain mining.

FOOTNOTES

*Feiss, Julian W. Surface mining—minerals, metals, and divots. Paper presented at the Conference on Surface Mining conducted

Footnotes at end of article.

by the Council of State Governments, Roanoke, Va., April 13, 1964.

[1] Cummins, David G., William T. Plass, and Claude E. Gentry. 1965. Chemical and physical properties of spoil banks in the eastern Kentucky coal fields. U.S. Forest Serv. Res. Paper CS-17, 11 pp. Central States Forest Exp. Sta., Columbus, Ohio.

[2] Davis, Grant (ed.) 1965. A guide for revegetating bituminous strip-mine spoils in Pennsylvania. Res. Comm. on Coal Mine Spoil Revegetation in Pennsylvania. 46 pp., illus.

[3] Frank, Robert M. 1964. A guide for screen and cover planting of trees on anthracite mine-spoil areas. U.S. Forest Serv. Res. Paper NE-22, 50 pp., illus. NE. Forest Exp. Sta., Upper Darby, Pa.

[4] Limstrom, G. A. 1960. Forestation of strip-mined land in the Central States. U.S. Dept. Agr. Handbook 166, 74 pp., illus.

[5] United States Department of the Interior. 1966. Study of strip and surface mining in Appalachia, an interim report by the Secretary of the Interior to the Appalachian Regional Commission. U.S. Dept. Interior, 78 pp., illus.

[6] United States Department of the Interior. 1967. Surface mining and our environment. 124 pp., illus. U.S. Govt. Printing Office, Washington, D.C.

[7] Weigle, Weldon K. 1965. Designing coal-haul roads for good drainage. U.S. Forest Serv. Central States Forest Exp. Sta., 23 pp., illus.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT TO MONDAY, JUNE 3, 1968

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with House Concurrent Resolution 782, that the Senate stand in adjournment until noon, Monday, June 3, 1968.

The motion was agreed to; and (at 3 o'clock and 36 minutes p.m.) the Senate adjourned until Monday, June 3, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate May 29, 1968:

U.S. District Judges

Cecil F. Poole, of California, to be U.S. district judge for the northern district of California vice a new position created by Public Law 89-372, effective September 18, 1966.

Walter L. Nixon, Jr., of Mississippi, to be U.S. district judge for the southern district of Mississippi vice a new position created under Public Law 89-372 approved March 18, 1966.

U.S. Customs Court Judges

Bernard Newman, of New York, to be a judge of the U.S. Customs Court vice Mary H. Donlon, retired.

Phillip B. Baldwin, of Texas, to be an associate judge of the U.S. Court of Customs and Patent Appeals vice I. Jack Martin, deceased.

Associate Judge, District of Columbia Court of Appeals

John W. Kern III, of Maryland, to be associate judge of the District of Columbia Court of Appeals for the term of 10 years vice a new position created by Public Law 90-178, approved December 8, 1967.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 29, 1968:

U.S. Air Force

The following officers to be placed on the retired list, in the grade indicated, under the provisions of section 8962, title 10 of the United States Code:

To be generals

Gen. Gabriel P. Disosway, FR654 (major general, Regular Air Force), U.S. Air Force.

Gen. Maurice A. Preston, FR1337 (major general, Regular Air Force), U.S. Air Force.

To be lieutenant generals

Lt. Gen. Harold C. Donnelly, FR647 (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. Leighton I. Davis, FR1111 (major general, Regular Air Force), U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code:

To be generals

Lt. Gen. Horace M. Wade, FR1872 (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. George S. Brown, FR4090 (major general, Regular Air Force, U.S. Air Force.

To be lieutenant generals

Maj. Gen. Francis C. Gideon, FR1993, Regular Air Force.

Maj. Gen. Robert N. Smith, FR3783, Regular Air Force.

Maj. Gen. Alvan C. Gillem II, FR2025, Regular Air Force.

Maj. Gen. John B. McPherson, FR2068, Regular Air Force.

Maj. Gen. Samuel C. Phillips, FR8981, Regular Air Force.

Maj. Gen. Thomas K. McGehee, FR3809, Regular Air Force.

Maj. Gen. John D. Lavelle, FR4359, Regular Air Force.

Maj. Gen. Lucius D. Clay, Jr., FR8956, Regular Air Force.

Lt. Gen. Joseph R. Holzapple, FR1897 (major general, Regular Air Force), U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10, of the United States Code.

The following-named officers for temporary appointment in the U.S. Air Force, under the provisions of chapter 839, title 10, of the United States Code:

To be major general

Brig. Gen. Rollin B. Moore, Jr., FV397579, Air Force Reserve.

To be brigadier generals

Col. Robert F. Long, FR18142, Regular Air Force.

Col. James U. Cross, FR24719 (major, Regular Air Force), U.S. Air Force.

U.S. Army

The following-named Medical Corps officers for temporary appointment in the Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general, Medical Corps

Brig. Gen. Glenn Jesse Collins, O22687, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier generals, Medical Corps

Col. Spurgeon Hart Neel, Jr., O58688, Army of the United States (lieutenant colonel, Medical Corps, U.S. Army).

Col. William David Tigertt, O26412, Medical Corps, U.S. Army.

Col. Hal Bruce Jennings, Jr., O26995, Medical Corps, U.S. Army.

The following-named officers for appointment in the Regular Army of the United States, to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

Brig. Gen. Glenn Jesse Collins, O22687, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Kenneth Dew Orr, O31042, Army of the United States (colonel, Medical Corps, U.S. Army).

U.S. Navy

The following-named officers for appointment on the retired list, to the grades indicated, in accordance with the provisions of title 10, United States Code, section 5233:

To be admiral

Adm. Alfred G. Ward, U.S. Navy.

To be vice admirals

Vice Adm. William E. Ellis, U.S. Navy.

Vice Adm. Alexander S. Heyward, Jr., U.S. Navy.

U.S. Marine Corps

The following-named officers having been designated, in accordance with the provisions of title 10 United States Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving:

To be lieutenant generals

Frank C. Tharin.

Lewis J. Fields.

In the Air Force

The nominations beginning Edward G. Abersold, to be lieutenant colonel, and ending Mary A. Vodopic, to be lieutenant colonel, which nominations were received by the Senate and appeared in the Congressional Record on May 15, 1968; and

The nominations beginning Elmer J. Dymmel, to be major and ending Richard A. Woodsmall, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1968.

In the Army

The nominations beginning Alexis M. Gagarine, to be colonel, and ending James P. Hunt, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1968; and

The nominations beginning Manley E. Rogers, to be Director of Admissions and Registrar, U.S. Military Academy, and ending David A. Napoliello, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1968.

In the Marine Corps

The nominations beginning Joseph T. Anderson, to be second lieutenant, and ending Jack T. Kline, to be first lieutenant and assistant director of the Marine Corps Band, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1968; and

The nominations beginning Barbara J. Bishop, to be colonel, and ending Jeanette I. Sustad, to be colonel, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1968.