will look at political polls, but from long experience they will not stop there.

They will analyze them far beyond the mere total results. They will look at circumstances, splits, and choices. They will study them in the light of probable events to come and probable reactions.

Then, they will try to pick a man who can win in a general election in the fall.

That is not the same thing as trying to pick a man who can win in a party election in the spring.

The requirements, the voting segments and the circumstances are different, much different!

So, it isn't such a stupid system after all.

Indeed, a straight primary in the spring might be less effective for the parties and for the people of the U.S. It might be more stupid, because the conditions of a primary are far different than those which involve the whole electorate—and spring developments are not always the same as fall. Durability of popularity depending on its base is important.

And they will look at where the tilt is that makes some districts much more important than others.

That is the unequal element that is dirty, dishonest and evil.

But that is not their fault. That is a fact of life that they have to deal with.

The fact of life is the Electoral College system.

It makes hairline victory in key big states more important than "decisive" support in others, regardless of the numbers.

It grossly distorts the value of voters in a more shocking violation of the "one-man one-vote" principle than those the Supreme Court has "corrected."

The Supreme Court cannot correct this one.

It requires a Constitutional Amendment.

The time has long come when all our eager "crusaders" took up that massive distortion of democracy and the "cause" of getting it fixed.

But most of them are strangely silent on this obvious and basic evil.

Why?

Because they have long been using the special advantages of this cheating system for their other "causes" which center precisely where the dice are loaded by the Electoral College—in the big cities of states with big totals.

They can exploit the fact that if a big city provides a slight tilt in its big state, it becomes more important than twice its number of voters not so strategically located for Electoral College purposes!

There is an evil for which there is no excuse.

It ought to be attacked.

It ought to be fixed.

And where, oh where, are all our saintly reformers on this one?

And where, for goodness sakes, are all the state legislators, congressmen, and senators representing all of us in all the districts being rooked by the Electoral College system?

All downstate and suburban legislators, for starters, right here in Illinois!

And who could oppose reform if it were pushed?

HOUSE OF REPRESENTATIVES—*Tuesday, June 4, 1968*

The House met at 12 o'clock noon.

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

Watch ye, stand fast in the faith, quit ye like men, be strong.—1 Corinthians 16: 13.

O Thou whose light follows us all our ways, amid the tumult of these trying times we bow a moment at the altar of faith and freedom to listen to Thy still, small voice which speaks forever to our human hearts.

Give to us a real consciousness of Thy presence as we live through these hours that in doing Thy will, in serving our country, and in ministering to our people we may have abounding courage, abundant wisdom, and abiding faith.

Upon all Members of Congress who carry heavy burdens through these decisive and disturbing days grant a double measure of Thy strengthening spirit. As we determine our decisions and as we make our moves may we keep our minds clear and our hearts clean. By the power of Thy spirit may we meet great needs with great deeds, and match lofty professions with lively practices. Thus may we march forward to a better city, a better nation, and a better world.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

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

H.J. Res. 1224. Joint resolution 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;

H. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of a veterans' benefits calculator;

H. Con. Res. 614. Concurrent resolution to provide for the printing of 1,000 additional copies of anticrime program hearings; and

H. Con. Res. 702. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1581. An act to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584);

S. 2178. An act for the relief of Dennis W. Radtke; and

S. 2884. An act to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad.

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

S. 3504. An act 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."

THE CONFERENCE REPORT ON THE REVENUE AND EXPENDITURE CONTROL ACT OF 1968

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, next week the House, and through us the Nation, faces a crucial vote on the conference report on the Revenue and Expenditure Control Act of 1968. The legislative road that has brought us to this final crucial vote has been a long one. But we are now at the point where we must face the final question—Will the House support the conference report on this bill?

My position on this final question is clear: I am for this conference report. I am supporting it completely as it is. I urge the House to support it completely as it is.

The legislative road has been a long one because this measure covers both taxes and expenditures—matters of vital concern to this House and matters on which differences of opinion always exist. But the lengthy legislative consideration has given this body and all concerned the opportunity to express and weigh these various views. The issues and all the possible answers have been fully explored and debated.

The conference report embodies the solutions that have been forged through this lengthy consideration. Naturally each of us will not see his views fully reflected in that report. Some of us may want less expenditure control, some more. Some may want a lower surcharge; some may want tax reform measures as a part of this bill. But I submit that these are no longer the issues.

The one clear issue now before us is whether we are resolved to move decisively to protect the economic and financial stability of the United States.

We are no longer debating the means and methods of achieving that protection. We have had those debates. Out of them has come this conference report with its solutions of how best to assure that protection. Under our legislative procedures and traditions, the only practical way to move now and to move decisively is to approve that report.

So I repeat, realistically the only issue now before us is the goal itself—the fiscal responsibility of the United States.

Under these circumstances, a failure to support the conference report is unthinkable.

For failure of that report would mean—for the Nation:

To bring the risk of financial and economic chaos to the United States;

To reject responsibility in the management of our fiscal affairs and to substitute instead a swollen budget deficit

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and the reckless acceptance of an unsustainable and dangerous economic pace;

To expose our economy to intolerable inflationary pressures, to strain our financial markets, to send our interest rate structure to fantastic heights, and to bring on a monetary crunch that could halt our growth and even bring a subsequent bust; and

To risk a full-scale international crisis that can start with speculation against the dollar, run through a flight from the dollar, and end here at home with rising unemployment and again even an economic bust.

Failure of that report would mean—for the individual:

To have him pay higher and higher prices;

To have him pay higher and higher interest rates, and thus take buying a home out of his reach, and take credit for his small business or his farm out of reach; and

To drain away the buying power of the poor and the elderly and all who live on fixed incomes.

Just the other day we voted on whether the expenditure reduction under this bill should be $4 or $6 billion, and the House defeated the $4 billion reduction. That was a proper question at this time and I supported the $4 billion choice.

But today it is no longer a proper question. We would no longer be serving our country well by letting this difference of $2 billion—in a budget of $186 billion—blind us to the realities of the situation and keep us from protecting the dollar here at home and abroad and thereby protecting our economic well-being.

The country wants an answer now to its fiscal problems and now is the time to give that answer.

On May 30 the President said, and I quote:

> So the only choice remaining now is whether the need for a tax increase is so urgent that we must accept the $6 billion reduction.
>
> I believe that the need for a tax increase is that urgent. I believe that the national interest requires the tax increase as soon as possible.
>
> Therefore, if the Congress will vote for the conference report containing the tax increase and the $6 billion expenditure cut, I shall approve it.

And then he added—and I want to stress these words:

> I urge the Congress to adopt the conference report at as early a date as possible, and give me the opportunity to sign the measure.

The Congress must now give its answer. My answer is to support the conference report and to urge my colleagues to vote for that report.

WHAT IS OUR WAR STRATEGY?

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

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

There was no objection.

Mr. SIKES. Mr. Speaker, a great many people are wondering just what is America's war strategy. Are we trying to win the war? Or are we simply trying to get out of Vietnam on the best terms the Communists will give us? The present picture is a disturbing one. We are now negotiating in Paris, and every concession made thus far has been by the United States. The President offered to stop the bombing of North Vietnam and to negotiate in return for restraints by the North Vietnamese in their war efforts in South Vietnam. Instead of restraint, they have poured thousands of fresh troops and supplies southward into the fighting. American casualties are topping 500 per week. Certainly there has been no restraint by the North Vietnamese. The only concession they have made is to come to the conference table in Paris and to denounce us.

We have always fought defensively in Vietnam. We have confined our aircraft to limited targets. We have refused to invade North Vietnam. Now we have limited our bombing to areas south of the 19th parallel. Wars are not won by defensive tactics. The very fact that we are negotiating without any concessions from the Communists is an admission of weakness to the rest of the world. This does not help us anywhere.

The American people will not willingly continue to accept this state of affairs. If there is not a better prospect of a meaningful solution at the conference table within a very short time, U.S. forces should be freed to win the war in Vietnam by whatever tactics are necessary and with whatever weapons are available.

PERMISSION FOR SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT TODAY AND BALANCE OF WEEK

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works may sit during general debate today and during the balance of the week.

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

There was no objection.

THE TAX SURCHARGE AND BUDGET REDUCTION

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I was very concerned to hear the majority leader take the floor of the House and try to reduce this complicated fiscal problem subject to the action of the House of Representatives as one of responsibility or irresponsibility. I regret that the majority leader chose to use the 1-minute rule in which he did not have time to yield to anyone to challenge some of the statements he was making.

Mr. Speaker, I call to the attention of the Members of the House that twice now and, as late as yesterday, I have taken a special order in order to afford other Members to discuss at some depth some of the complicated problems involved in this fiscal matter, at which time there was an opportunity to yield to those who disagree.

Let me say to the distinguished majority leader that the responsibility or irresponsibility lies with the leadership of the House of Representatives and of the other body and lies with the leadership at the White House, or I would say the lack of leadership. There is where the responsibility lies.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me at that point?

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

Mr. ALBERT. I believe my friend from Missouri has misunderstood my remarks. I did not pinpoint or direct my remarks to a particular branch of the Government as being the one that bears this responsibility.

Mr. CURTIS. But the words are there and they will be there for everyone to read. The record is also there to be read and it represents a failure on the part of the administration to face up to this fiscal responsibility. The record has been made; it is there for anyone to read. It is now time for the President of the United States to spell out the line items which are going to be cut.

Because 6 months of fiscal 1969 is not under his administration, and the first month of fiscal 1969, namely, July, requires action now in spelling out where the cuts are going to be made, otherwise July is going to continue at the same or increased expenditure levels. That is where the sham is. And the President of the United States can clear it up, and so can the leadership of the House, and apparently they are not about to.

POOR PEOPLE'S MARCHERS STONE THE SUPREME COURT BUILDING

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

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

There was no objection.

Mr. DICKINSON. Mr. Speaker, I was interested in reading in the paper last Friday where a group of the so-called poor people marchers had marched on the Supreme Court and had stoned the building. Mr. Speaker, it just goes to show that they are not all bad.

I would also say that after a few more decisions similar to those that have recently been rendered, such as the one yesterday that will, in fact, do away with capital punishment, and others that have in effect put handcuffs on the police while freeing confessed murderers, rapists, and robbers. All they would have to do is give a little notice in advance and people would come from all over the country to join them. When one sees what the Court has done to the Constitution and its effect on this country it tempts me to join them.

PROPOSED CUTS IN EXPENDITURES ARE A PIG IN A POKE

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

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

There was no objection.

Mr. ZION. Mr. Speaker, the majority leader has asked the Members to buy a pig in a poke, and has not let us know what the pig looks like.

It appears to me, Mr. Speaker, that if he has not answered the question as to who is going to do the cutting, when they are going to cut, and what they are going to cut, that this would be irresponsible legislation at this time. We are spending over $2 billion a year to maintain ineffective troops in Europe. We are wasting more than $2 billion in foreign aid. We have expanded research programs by about $3 billion that are not producing anything that could not be done better by tax supporting industry. Our space program is spending probably $1.5 billion more than is actually required.

Federal personnel are in tremendous oversupply. We could reduce the cost of Federal bureaucrats by at least $2 billion a year. We are paying some farmers millions of dollars a year not to grow products. We could reduce subsidies by $2 billion a year. When the interest on all this borrowing is over a billion dollars—it would seem irresponsible to buy this sort of a pig right now.

This Member is not at all impressed by a President who says that if you give him $10 billion more, he is going to cut out $6 billion of it.

CONFERENCE REPORT ON TAX INCREASE AND EXPENDITURE CUT

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I was impressed by the remarks of the majority leader regarding the responsibility of standing up and being counted on the tax conference report when it is presented to the House.

I recall when we had a tax reduction bill some years ago, that I did not feel that a tax reduction was in order and I voted against it.

My opponents expressed the complaint that I was not concerned about reducing taxes but I felt at that time and I have been vindicated since that with the great expenditures of Government that we could ill-afford a tax reduction.

I notice that when we had the resolution up here last week with regard to the $4 billion cut, that a large number of our colleagues on the Democratic side of the aisle all voted for the $4 billion reduction.

I am going to be very interested to see how they are going to vote when the conference report comes up with the $6 billion reduction. I am of the opinion that a large number of the delegations from the large cities are going to vote in opposition to this, and that is why I called the resolution that was called up last week, "Operation Get Off the Hook."

So far as I am personally concerned, it is my intention not to vote on the first go-around because I want to find out how some of these people are going to vote who over the years have voted "yea" on every appropriation and authorization bill and then complained year after year that we have not been spending enough.

So we will find out then where they are going to be when the roll is called on this conference report. My prediction is that unless a lot of the big city Members do not vote for this conference report, many of us will have to decide not to vote for it either on our side of the aisle because the responsibility, I think, lies over there—the problem was created over there—and it is your responsibility to do something about it and not look for Republican votes to get you off the hook.

Many of us have been warning over the years that we were headed for this fiscal mess. Our warnings have gone unheeded. It will be interesting to see how many of the Members who have voted for the high dollar on every bill will "bite the bullet" and support the conference report. My advice is not to expect too much Republican support unless the Democrats from the big cities support it.

INCOME TAX INCREASE

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

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

There was no objection.

Mr. SNYDER. Mr. Speaker, I take this time to be of assistance to any of my colleagues who may be seeking Federal funds during this period of budgetary restraint—and to suggest to you the urgency of the passage of the income tax increase.

You see, Mr. Speaker, it has come to my attention that the administration needs this tax increase very desperately to buy support for the Vice President in his bid for the Democratic nomination for President of the United States.

I am certain, Mr. Speaker, that the taxpayers will deluge the Members of this body with mail urging passage of the tax increase when they see how valuable this extra money will be to the administration in buying support and votes for its favorites.

To shed more light on the matter, I quote a June 1 article from the Cincinnati Enquirer for my colleagues:

HENSLEY ON HUMPHREY MAYOR'S COMMITTEE—LYNN STREET PROJECT WINS U.S. FUNDS

(By Ron Schoolmeester)

Covington Mayor Claude E. Hensley's agreement to lend his name to Vice President Hubert H. Humphrey's campaign literature is suspected of having handed the Northern Kentucky city a long-awaited $313,000 Federal grant to finalize plans for a senior citizens apartment building in its Lynn Street Urban Renewal Project.

Announcement of the reservation of funds was made at about 9:30 a.m. by Donald Hummel, pro-Humphrey assistant director of the Department of Housing and Urban Development in Washington, D.C.

Such announcements are traditionally made by Fourth District U.S. Congressman M. Gene Snyder (R., Jeffersontown) or one of Kentucky's two Republican senators.

But it was not until later Friday afternoon that Snyder and Sen. John Sherman Cooper, both believed to have been unaware of Hummel's previous action, broke the not-so-surprising news that Covington's redevelopment project had received Federal blessing.

A $2.87 million Federal grant for construction of the 17-story apartment building was approved last July. Covington officials have been waiting since then for the $313,000 needed for demolition, relocation and land acquisition in the 3.22 acre tract on the city's Eastside.

Hensley talked with Vice President Humphrey on the telephone about a week ago in an effort to accelerate approval of the stalled Federal monies.

Later, the mayor received a call from Neal Peterson, special assistant to the vice president. Peterson agreed to help the city, but only under certain circumstances.

Leading among the provisions were that Hensley would publicly endorse Mr. Humphrey for the Presidency and would permit his name to appear on the vice president's "National Mayors for Humphrey" campaign literature.

A life-long Democrat, Hensley agreed and announced his support of Humphrey immediately after Friday's revelation.

"It was Mr. Humphrey who broke the ice for us on this project," declared Hensley, who returned about three weeks ago from Washington after conferring with Representative Snyder, Sen. Cooper and Sen. Thruston B. Morton about the funds delay.

"I am convinced that Mr. Humphrey is the best Presidential candidate, and will help him in any way I can," the mayor continued.

Humphrey faces stiff opposition for the Democratic nomination from his former Minnesota colleague in the U.S. Senate, Eugene McCarthy, and Sen. Robert F. Kennedy of New York by way of Massachusetts.

Meanwhile, Fred Donsback, Covington urban renewal official, said that the city will hold a public hearing on the project about August 15. Construction is expected to begin sometime after March 1, 1969.

The area—bounded by Madison Avenue, 11th Street, Scott Street and Lynn Street—includes 16 parcels of land occupied by 17 families, eight families, and five businesses. City officials anticipate no difficulties in acquiring the land.

"We are now in the process of setting up official appraisers and attorneys to enable us to purchase the property," Hensley said.

Covington city commissioners have scheduled a special public meeting for next Tuesday night to eliminate any further delay in the project.

FOOD STAMP PROGRAM

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

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

There was no objection.

Mr. MARTIN. Mr. Speaker, I was out in my district in western Nebraska this weekend and I learned a startling fact from one who I think is a reliable source,

one of our most able judges, in regard to the operation of the food stamp program.

It seems that married college students whose cash income is quite low are applying to the welfare office for food stamps and are receiving them. I do not know how widespread this policy is throughout the country, but I understand that the Committee on Education and Labor is currently holding hearings with regard to the extension of the food stamp program. I would urge this committee to check into the matter very carefully, because undoubtedly this is a misuse of the program.

FOLLOWING THE DEMOCRATIC LEADERSHIP

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

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

There was no objection.

Mr. JOELSON. Mr. Speaker, I have been listening to the remarks during 1-minute speeches of Members on the other side of the aisle in relation to the tax increase. I am always amazed at the ability of some Members to pack into 60 short seconds some of the most arrant nonsense that I have ever heard.

I heard the gentleman from Michigan say that he is not going to vote on the first call of the roll, but he is going to be swayed by what the Democrats from the big cities do.

I want to congratulate the gentleman for having the wisdom to recognize our leadership, and I hope this will be a harbinger of things to come with regard to his votes in the future.

I agree that it would be well if the President would specify where the cuts would come. I hope when he says that we should "bite the bullet," he means we should cut some of the great defense spending. But I will say that every cent the President can spend must first be appropriated by this Congress. We have appropriated this money, and when we talk about irresponsibility, I think we ought to consider that we might be irresponsible for appropriating the money and then asking the President to protect us from our own actions.

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

Mr. JOELSON. I yield to the gentleman from Illinois.

Mr. ARENDS. Perhaps you could put at ease the mind of the gentleman from Michigan if you would care to tell him how you intend to vote on this issue.

Mr. JOELSON. If he will tell me right now that he will vote the way I intend to vote, I will tell him.

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

Mr. JOELSON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. If you will put up 50 percent of the Democratic study group for this conference report, I will vote for it.

Mr. JOELSON. I will say that that is a response that is not an answer.

I yield back the balance of my time.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC LANDS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker I ask unanimous consent that the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs may sit during general debate this afternoon.

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

There was no objection.

CREATING A JOINT COMMITTEE ON ARRANGEMENTS FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND THE VICE-PRESIDENT-ELECT ON JANUARY 20, 1969

Mr. ALBERT. Mr. Speaker, I call up Senate Concurrent Resolution 73 and ask unanimous consent for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 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 SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF JOINT COMMITTEE ON ARRANGEMENTS FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND THE VICE-PRESIDENT-ELECT ON JANUARY 20, 1969

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 73, 90th Congress, the Chair appoints as Members of the Joint Committee to make the necessary arrangements for the inauguration of the President-elect and the Vice-President-elect of the United States on the 20th day of January 1969 the following Members on the part of the House: Mr. McCORMACK, Mr. ALBERT, and Mr. GERALD R. FORD.

NOTICE OF MOTION TO SEND CRIME BILL TO CONFERENCE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader when, if he does know, the conference report on the crime bill will come before the House.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, the distinguished chairman of the Committee on the Judiciary has just advised us that on tomorrow he will move, on instructions of his committee, to send this bill to conference.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the individual bills on the Private Calendar.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 155) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DWAYNE C. COX AND WILLIAM D. MARTIN

The Clerk called the bill (H.R. 2281) for the relief of Dwayne C. Cox and William D. Martin.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

E. L. TOWNLEY

The Clerk called the bill (H.R. 11381) for the relief of E. L. Townley.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

JOSEPH W. HARRIS

The Clerk called the resolution (H. Res. 991) to refer the bill (H.R. 14109) entitled "A bill for the relief of Joseph W. Harris," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

CERTAIN EMPLOYEES OF THE NAVAL WEAPONS CENTER, CONCORD, CALIF.

The Clerk called the bill (H.R. 2282) for the relief of certain employees of the Naval Weapons Center, Concord, Calif.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF THE ARMY AT FORT SAM HOUSTON, TEX.

The Clerk called the bill (H.R. 10327) for the relief of Louis J. Falardeau, Irva G. Franger, Betty Klemcke, Wineta L. Welburn, and Emma L. McNeil, all individuals employed by the Department of the Army at Fort Sam Houston, Tex.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

LAURENCE BLOOM

The Clerk called the bill (H.R. 1608) for the relief of Laurence Bloom.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

HORACE H. EASTERDAY

The Clerk called the bill (H.R. 2758) for the relief of Horace H. Easterday.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

JOSEPH H. BONDUKI

The Clerk called the bill (H.R. 4939) for the relief of Joseph H. Bonduki.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

WASSON COAL MINING CORP.

The Clerk called the bill (H.R. 12539) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of the Wasson Coal Mining Corp. against the United States.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. RUTH BRUNNER

The Clerk called the bill (H.R. 12894) for the relief of Mrs. Ruth Brunner.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ROBERT J. BEAS

The Clerk called the bill (H.R. 15633) for the relief of Robert J. Beas.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

RACHEL STIMPSON

The Clerk called the bill (H.R. 1527) for the relief of Rachel Stimpson.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

REFERENCE OF H.R. 1761, FOR THE RELIEF OF MR. AND MRS. RALPH J. MESSINA, SR., AND JOHN H. FITZGERALD

The Clerk called the resolution (H. Res. 1111) to refer the bill (H.R. 1761) entitled "A bill for the relief of Mr. and Mrs. Ralph J. Messina, Sr., and John H. FitzGerald," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

CHARLES BERNSTEIN

The Clerk called the bill (S. 321) for the relief of Charles Bernstein.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

CUBAN TRUCK & EQUIPMENT CO.

The Clerk called the bill (H.R. 6321) for the relief of the Cuban Truck & Equipment Co., its heirs and assigns.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

REMCO INDUSTRIES, INC.

The Clerk called the bill (H.R. 10417) for the relief of Remco Industries, Inc.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MARTINA ZUBIRI GARCIA

The Clerk called the bill (H.R. 1648) for the relief of Martina Zubiri Garcia.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ENRICO DeMONTE

The Clerk called the bill (H.R. 2046) for the relief of Enrico DeMonte.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

AMALIA P. MONTERO

The Clerk called the bill (H.R. 5959) for the relief of Amalia P. Montero.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MARY JANE ORLOSKI

The Clerk called the bill (H.R. 6655) for the relief of Mary Jane Orloski.

There being no objection, the Clerk read the bill, as follows:

H.R. 6655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mary Jane Orloski, of Rockville, Maryland, is hereby relieved of all liability for repayment to the United States of the sum of $1,847.20, representing overpayments of salary which she received as an employee of the National Bureau of Standards, for the period from June 21, 1964, through August 9, 1966, such overpayments having been made as a result of administrative error in determining the rate of basic compensation to which the said Mary Jane Orloski was entitled when she was transferred from Walter Reed as a mechanical engineer to the National Bureau of Standards as a technical writer, effective June 21, 1964. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated to the said Mary Jane Orloski, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 8, strike "August 9, 1966" and insert "July 30, 1966".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEFINA POLICAR ABUTAN FULIAR

The Clerk called the bill (H.R. 2478) for the relief of Josefina Policar Abutan Fuliar.

There being no objection, the Clerk read the bill, as follows:

H.R. 2478

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Josefina Policar Abutan Fuliar shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Benjamin Fuliar, citizens of the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA BALLUARDO FRASCA

The Clerk called the bill (H.R. 5029) for the relief of Maria Balluardo Frasca.

There being no objection, the Clerk read the bill, as follows:

H.R. 5029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Maria Balluardo Frasca may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Giovanni Frasca, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 8 at the end of the bill, change the period to a colon and add the following: "*Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEE OK JA

The Clerk called the bill (H.R. 6673) for the relief of Lee Ok Ja.

There being no objection, the Clerk read the bill, as follows:

H.R. 6673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Lee Ok Ja may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by June Nelson, a citizen of the United States, pursuant to section 204 of the Act.

With the following committee amendments:

On page 1, lines 5 and 6, strike out the language "upon approval of" and substitute in lieu thereof the word "and".

On page 1, line 7, after "United States," insert the words "may be approved".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICARDO SIGUANCIA ROSARIO

The Clerk called the bill (H.R. 11322) for the relief of Ricardo Siguancia Rosario.

There being no objection, the Clerk read the bill, as follows:

H.R. 11322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ricardo Siguancia Rosario shall be held and considered to be a bona fide nonimmigrant under the provisions of section 101(a)(15)(B) of the Immigration and Nationality Act, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Ricardo Siguancia Rosario may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf of Mr. and Mrs. Richard Rosario, a citizen of the United States and a lawfully resident alien of the United States, respectively, pursuant to section 204 of the Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUNG NAN LEE

The Clerk called the bill (H.R. 12071) for the relief of Sung Nan Lee.

There being no objection, the Clerk read the bill as follows:

H.R. 12071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Sung Nan Lee may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frederick W. Uthe, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 8, at the end of the bill add the following sentence:

"Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEMETROULA GEORGIADES

The Clerk called the bill (H.R. 12378) for the relief of Demetroula Georgiades.

There being no objection, the Clerk read the bill, as follows:

H.R. 12378

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Demetroula Georgiades (formerly known as Demetroula Demetropoulos) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Sophia *and* Nicholas G. Georgiades, a lawfully resident alien and a citizen of the United States, respectively, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 7, after the name "Sophia" insert the word "and".

The committee amendment was agreed to.

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

time, and passed, and a motion to reconsider was laid on the table.

KU EUN YONG

The Clerk called the bill (H.R. 12850) for the relief of Ku Eun Yong.

There being no objection, the Clerk read the bill, as follows:

H.R. 12850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act. Ku Eun Yong may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Robert H. Cobb, citizens of the United States, pursuant to section 204 of the Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHOI SUNG JOO

The Clerk called the bill (H.R. 13863) for the relief of Choi Sung Joo.

There being no objection, the Clerk read the bill, as follows:

H.R. 13863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Choi Sung Joo may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gerard J. Byrne, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

ANGELIKI GIANNAKOU

The Clerk called the bill (H.R. 13912) for the relief of Angeliki Giannakou.

There being no objection, the Clerk read the bill, as follows:

H.R. 13912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Angeliki Giannakou may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Miss Dorothy E. Hughes, a citizen of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans: *Provided,* That the brothers or sisters of the said Angeliki Giannakou shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 6, strike out the language "upon approval of" and substitute in lieu thereof the word "and".

On page 1, line 7, after the language "the United States," insert the words "may be approved."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK KLEINERMAN

The Clerk called the bill (H.R. 2654) for the relief of Frank Kleinerman.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DONALD D. LAMBERT

The Clerk called the bill (H.R. 2695) for the relief of Donald D. Lambert.

There being no objection, the Clerk read the bill, as follows:

H.R. 2695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Donald D. Lambert, of West Yarmouth, Massachusetts, is hereby relieved of all liability for repayment to the United States of the sum of $2,172.62, representing an overpayment of retired pay from the date of his discharge from the temporary retired list of the United States Marine Corps on November 30, 1963, until December 31, 1965, due to the fact that the disbursing officer was not notified of his discharge. In the audit and settlement of accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donald D. Lambert, the sum of any amounts withheld from on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MUTUAL BENEFIT FOUNDATION

The Clerk called the bill (H.R. 2976) for the relief of the Mutual Benefit Foundation.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

JAMES M. YATES

The Clerk called the bill (H.R. 3681) for the relief of James M. Yates.

There being no objection, the Clerk read the bill, as follows:

H.R. 3681

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James M. Yates of Saint Louis, Missouri, a member of the United States Army, is hereby relieved of all liability to refund the United States the sum of $238.50, representing the amount of certain overpayments of compensation made to the said James M. Yates in the commutation of subsistence during his training under the Reserve Officers Training Corps program. In the audit and settlement of the accounts of any certifying and disbursing officer of the United States full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James M. Yates, Saint Louis, Missouri, the sum certified to the Secretary of the Treasury by the Secretary of the Army as the sum of amounts paid to the United States by the said James M. Yates, or withheld from amounts otherwise due him from the United States, by reason of the liability referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of service rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. COMDR. WILLIAM W. GENTRY

The Clerk called the bill (H.R. 5815) for the relief of Lt. Comdr. William W. Gentry.

There being no objection, the Clerk read the bill, as follows:

H.R. 5815

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Commander William W. Gentry, United States Navy, retired, of Springfield, Virginia, is relieved of liability to the United States in the amount of $4,643.10, representing the total amount of overpayments of retired pay received by the said William W. Gentry, during the period beginning November 24, 1965, and ending October 23, 1966, while he was employed by the ConstrucTech Corporation of Springfield, Virginia, and that concern was engaged in certain contract work for the United States. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a). The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to the said William W. Gentry, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, lines 6 & 7, strike "overpayments of retired pay received by the said William W. Gentry, during the period" and insert "retired pay which the said William W. Gentry was not entitled to receive during the period".

On page 2, line 6, after "William W. Gentry", insert "the amount certified to him by the Secretary of the Navy as".

On page 2, line 12, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLIFTON R. KINDT

The Clerk called the bill (H.R. 5818) for the relief of Clifton R. Kindt.

There being no objection, the Clerk read the bill, as follows:

H.R. 5818

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Civil Service Retirement Act, Clifton R. Kindt, an employee of the Veterans' Administration, at Hines, Illinois, shall be held and considered to have been carried on the rolls of the Veterans' Administration as an employee in a leave-without-pay status, while receiving benefits under the Federal Employees' Compensation Act, from October 31, 1933, until his return to duty as an employee of the Veterans' Administration on March 3, 1941.

With the following committee amendment:

On page 1, after line 10, add:

"SEC. 2. Notwithstanding the provisions of subsection (g) of section 8348 or any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the Civil Service Retirement and Disability Fund."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETER BALINAS AND LEE BALINAS

The Clerk called the bill (H.R. 6195) for the relief of Peter Balinas and Lee Balinas.

There being no objection, the Clerk read the bill, as follows:

H.R. 6195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 3010 of title 38, United States Code, or any statute of limitations, the application filed on or about November 7, 1966, in behalf of Peter Balinas and Lee Balinas for benefits or compensation under the veterans' benefits provisions of title 38 of the United States Code as the surviving children of the late Peter T. (Pedro) Balinas (XC 3 345 947) who died October 1, 1965, shall be held and considered to have been filed with the Veterans' Administration within one year of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY GIBSON

The Clerk called the bill (H.R. 8087) for the relief of Henry Gibson.

There being no objection, the Clerk read the bill, as follows:

H.R. 8087

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry Gibson is hereby relieved of liability to the United States in the amount of $1,978, the amount of over payments of basic pay between March 8, 1963, and September 10, 1964, *$1,993.33,* resulting from an account recomputation based on an erroneous statement of service.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry Gibson, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, lines 4, 5, and 6, strike "$1,978, the amount of overpayments of basic pay between March 8, 1963, and September 10, 1964," and insert "$1,993.33, the amount of net overpayments of basic pay from July 1, 1949, to June 30, 1962, inclusive,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. HOLLIS O. HALL

The Clerk called the bill (H.R. 8809) for the relief of Maj. Hollis O. Hall.

There being no objection, the Clerk read the bill, as follows:

H.R. 8809

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Major Hollis O. Hall (United States Air Force, serial numbered FR 25913) of Holloman Air Force Base, New Mexico, is relieved of liability to the United States in the amount of $3,036.70, representing the overpayment of active duty pay received by the said Major Hollis O. Hall during the period beginning June 25, 1951, and ending September 10, 1965, inclusive, as a result of administrative error in the crediting for pay purposes, of service by him as a midshipman in the United States Navy during the period beginning August 6, 1947, and ending April 14, 1949. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Major Hollis O. Hall an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 6, strike $3,036.70" and insert "$2,524.70, inclusive".

On page 1, lines 8 and 9, strike "September 10, 1965" and insert "August 16, 1962, inclusive".

On page 2, line 13, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. CHRISTIAN DES MARETS, SR.

The Clerk called the bill (H.R. 9089) for the relief of E. Christian Des Marets, Sr.

There being no objection, the Clerk read the bill, as follows:

H.R. 9089

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That E. Christian Des Marets, Senior, of Covina, California, is relieved of liability to the United States in the amount of $824.95, representing amounts owing to the United States by reason of the shipment in 1956 from Burtonwood Air Force Base, England, to Fort MacArthur, San Pedro, California, of his household goods that exceeded the weight limit of such goods which would be transported without cost to him by the United States under his United States Air Force travel orders even though representatives of the United States Air Force informed him before he left England that his household goods were within such weight limit. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said E. Christian Des Marets, Senior, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 5, strike "$824.95" and insert "$805.61".

On page 2, lines 6 through 12, strike all after "SEC. 2. (a)" and insert:

"The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said E. Christian Des Marets, Senior, in full settlement of all his claims arising out of his payments to the United States Air Force toward the cost of shipment in 1956 of his household goods that exceeded the weight limit referred to in the first section of this Act, in the amount of $426.39 with respect to the shipment from Burtonwood Air Force Base, England, to Fort MacArthur, San Pedro, California."

On page 2, line 14, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CLAUDETTE C. DONAHUE

The Clerk called the bill (H.R. 10321) for the relief of Mrs. Claudette C. Donahue.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

WILLIAM W. HIEBERT

The Clerk called the bill (H.R. 13160) for the relief of William W. Hiebert.

There being no objection, the Clerk read the bill, as follows:

H.R. 13160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William W. Hiebert, of Alexandria, Virginia, is hereby relieved of all liability for repayment to the United States of the sum of $149 representing overpayments of salary which he received as an employee of the General Services Administration for the period from February 10, 1967, through June 10, 1967, as the result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said William W. Hiebert the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 5, strike "$149" and insert "$149.04".

On page 1, line 7, strike "February 10" and insert "February 12".

On page 1, line 8, strike "June 10" and insert "June 6".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. (JG.) HERBERT F. SWANSON, AND OTHERS

The Clerk called the bill (H.R. 14079) for the relief of Lts. (jg.) Herbert F. Swanson, John C. Markowicz, John T. Cox, George T. Ankrum, and Gerald E. Sheldon.

There being no objection, the Clerk read the bill, as follows:

H.R. 14079

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the following-named officers are relieved of liability to the United States in the amount set opposite their respective names, representing overpayments of Navy salary received due to an administrative error and through no fault of the individual officers during the period beginning July 3, 1967, and ending September 7, 1967, while serving aboard a United States submarine:

Lieutenant (junior grade) Herbert F. Swanson	$304.17
Lieutenant (junior grade) John C. Markowicz	270.83
Lieutenant (junior grade) John T. Cox	270.83
Lieutenant (junior grade) George T. Ankrum	346.67
Lieutenant (junior grade) Gerald E. Sheldon	325.00

In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to any of the officers named in section 1 of this Act an amount equal to the aggregate of the amounts paid by the officer, or withheld from sums otherwise due the individual officer, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 2, line 1, strike "September 7, 1967" and insert "October 2, 1967."

On page 2, line 2, after "Lieutenant (junior grade) Gerald E. Sheldon $325.00" insert:

"Lieutenant Crispin W. Thiessen, U.S. Navy	495.00
Lieutenant Thomas Wesley McClure, U.S. Navy	540.00
Lieutenant (junior grade) James Jay Evans, U.S. Navy	417.50
Lieutenant (junior grade) Frederick Morgan Berthrong, U.S. Navy	329.17".

The committee amendments were agreed to.

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

The title was amended so as to read: "For the relief of Lt. (jg.) Herbert F. Swanson, and others."

A motion to reconsider was laid on the table.

LYDIA M. PARSLEY

The Clerk called the bill (H.R. 14167) for the relief of Lydia M. Parsley.

There being no objection, the Clerk read the bill, as follows:

H.R. 14167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lydia M. Parsley, of Brownsdale, Minnesota, is relieved of liability to the United States in the amount of $3,927.09, an amount claimed to be due by the Post Office Department for revenue deficiencies resulting from errors in postage on 78 permit imprint mailings at the post office at Brownsdale, Minnesota, at which she is the postmaster, in the period from May 24, 1961, through November 14, 1962.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lydia M. Parsley an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAROLINE G. JUNGHANS

The Clerk called the bill (H.R. 16037) for the relief of Caroline G. Junghans.

There being no objection, the Clerk read the bill, as follows:

H.R. 16037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the limitations contained in section 33 of the Trading With the Enemy Act, as amended (50 App. U.S.C. 33), with respect to the filing of claims and the institution of suits for the return of property or any interest therein pursuant to section 9 or 32 of such Act (50 App. U.S.C. 9 or 32), Caroline G. Junghans, a United States citizen residing in West Germany, may, within six months after the enactment of this Act, file a claim for the return of certain property; namely, her interest under item 7 of the will of Fritz Glogauer, deceased, the title to her interest having been acquired by the United States under the Trading With the Enemy Act by vesting order numbered 4907 of the Office of Alien Property; and that claim shall be considered on its merits in accordance with the remaining provisions of that Act: *Provided,* That if no such return is made within a period of sixty days after the filing of such claim, the said Caro-

line G. Junghans shall be entitled, within one year of the expiration of such period, to institute suit pursuant to section 9 of such Act (50 App. U.S.C. 9), for the return of such property.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARVEY E. WARD

The Clerk called the bill (H.R. 16283) for the relief of Harvey E. Ward.

There being no objection, the Clerk read the bill, as follows:

H.R. 16283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby consents, for the purposes of the eighth clause of section 9 of article I of the Constitution of the United States, to the acceptance by Harvey E. Ward, United States Coast Guard, retired, of Taipei, Taiwan, from the State of Tasmania, Commonwealth of Australia, of the office and emoluments of teacher in the department of education in such State during the calendar years 1960 through 1964.

SEC. 2. Said Harvey E. Ward is relieved of any liability to the United States which the Comptroller General (in the decision numbered B–154213) held arose from his receipt of United States Coast Guard retired pay in violation of the eighth clause of section 9 of article I of the Constitution. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harvey E. Ward an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the liability to the United States specified in section 2 of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RODOLFO EDUARDO BUSTAMANTE Y ARRIOLA

The Clerk called the bill (H.R. 6323) for the relief of Dr. Rodolfo Eduardo Bustamante y Arriola.

There being no objection, the Clerk read the bill, as follows:

H.R. 6323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rodolfo Eduardo Bustamante y Arriola shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 12, 1962.

With the following committee amendment:

On page 1, lines 6 and 7, strike out the date "September 12, 1962." and substitute in lieu thereof the date "September 20, 1962."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RAMON AIXALA

The Clerk called the bill (H.R. 7047) for the relief of Dr. Ramon Aixala.

There being no objection, the Clerk read the bill, as follows:

H.R. 7047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Ramón Aixalá shall be held and considered to be lawfully admitted to the United States for permanent residence as of July 18, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "July 18, 1961." and substitute in lieu thereof the date "October 13, 1962."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. EULOGIO MANUEL CALDERIN PAZOS

The Clerk called the bill (H.R. 7900) for the relief of Dr. Eulogio Manuel Calderin Pazos.

There being no objection, the Clerk read the bill, as follows:

H.R. 7900

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Dr. Eulogio Manuel Calderin Pazos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 24, 1962.

With the following committee amendment:

On page 1, line 3, after the word "That" insert the following: ", for the purposes of the Immigration and Nationality Act,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. FRANCISCO DOMINGUEZ LOPEZ

The Clerk called the bill (H.R. 7901) for the relief of Dr. Francisco Dominguez Lopez.

There being no objection, the Clerk read the bill, as follows:

H.R. 7901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Francisco Dominguez López shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

With the following committee amendments:

On page 1, line 3, after the word "That" insert the following: ", for the purposes of the Immigration and Nationality Act,".

On page 1, line 5, at the end of the bill, strike out the date "May 24, 1961." and substitute in lieu thereof the date "May 19, 1961".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MIGUEL A. SANTOS-BUCH

The Clerk called the bill (H.R. 7902) for the relief of Dr. Miguel A. Santos-Buch.

There being no objection, the Clerk read the bill as follows:

H.R. 7902

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Miguel A. Santos-Buch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 29, 1961.

With the following committee amendments:

On page 1, line 3, after the word "That" insert the following: ", for the purposes of the Immigration and Nationality Act,"

On page 1, line 5, strike out the date "May 29, 1961." and substitute the date "May 24, 1961."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. GUILLERMO SARDINAS PEREZ

The Clerk called the bill (H.R. 8816) for the relief of Dr. Guillermo Sardinas Perez.

There being no objection, the Clerk read the bill, as follows:

H.R. 8816

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Guillermo Sardiñas Pérez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 6, 1960.

With the following committee amendment:

On page 1, line 6, strike out the date "December 6, 1960." and substitute in lieu thereof the date "September 26, 1960.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KAP RAI KIM AND YOUNG NAM KIM

The Clerk called the bill (S. 2585) for the relief of Kap Rai Kim and Young Nam Kim.

There being no objection, the Clerk read the bill, as follows:

S. 2585

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of adopted children, shall be inapplicable in the case of petitions filed in behalf of Kap Rai Kim and Young Nam Kim by the Reverend and Mrs. Elwood John Culp, citizens of the United States: *Provided,* That no brothers or sisters of the beneficiaries shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANGELA ZABARTE FANDINO

The Clerk called the bill (H.R. 10457) for the relief of Dr. Angela Zabarte Fandino.

There being no objection, the Clerk read the bill, as follows:

H.R. 10457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Angela Zabarte Fandino shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 16, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ELISEO E. PUIG

The Clerk called the bill (H.R. 11591) for the relief of Dr. Eliseo E. Puig.

There being no objection, the Clerk read the bill, as follows:

H.R. 11591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Eliseo E. Puig shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 20, 1962.

With the following committee amendment:

On page 1, line 6, strike out the date "August 20, 1962," and substitute in lieu thereof the date "August 21, 1962".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ORLANDO FAJARDO VARGAS

The Clerk called the bill (H.R. 11592) for the relief of Dr. Orlando Fajardo Vargas.

There being no objection, the Clerk read the bill, as follows:

H.R. 11592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Orlando Fajardo Vargas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 11, 1963.

With the following committee amendment:

On page 1, line 6, srike out the date "February 11, 1963." and substitute the date "February 9, 1963.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JOSÉ R. GUERRA

The Clerk called the bill (H.R. 11593) for the relief of Dr. José R. Guerra.

There being no objection, the Clerk read the bill, as follows:

H.R. 11593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor José R. Guerra shall be held and considerea to have been lawfully admitted to the United States for permanent residence as of August 25, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "August 25, 1961." and substitute in lieu thereof the date "August 29, 1961.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAITH M. LEWIS KOCHENDORFER AND OTHERS

The Clerk called the resolution (H. Res. 1177) for the relief of Faith M. Lewis Kochendorfer and others.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

DR. CONRADO GONZALES-NUNEZ

The Clerk called the bill (H.R. 11787) for the relief of Dr. Conrado Gonzales-Nunez.

There being no objection, the Clerk read the bill, as follows:

H.R. 11787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Conrado Gonzales-Nunez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 16, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "September 16, 1961." and substitute in lieu thereof the date "September 12, 1961.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. HUGO ALFONSO FERRARA COLLAZO

The Clerk called the bill (H.R. 11091) for the relief of Dr. Hugo Alfonso Ferrara Collazo.

There being no objection, the Clerk read the bill, as follows:

H.R. 11901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Hugo Alfonso Ferrara Collazo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 9, 1961, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date "November 9, 1961" change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ROBERTO DE LA CARIDAD MIQUEL

The Clerk called the bill (H.R. 12116) for the relief of Dr. Roberto de la Caridad Miquel.

There being no objection, the Clerk read the bill, as follows:

H.R. 12116

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Roberto de la Caridad Miquel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 8, 1961, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date "September 8, 1961," change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RODRIGO VICTOR DE VALLE

The Clerk called the bill (H.R. 12419) for the relief of Dr. Rodrigo Victor de Valle.

There being no objection, the Clerk read the bill, as follows:

H.R. 12419

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the

purposes of the Immigration and Nationality Act, Dr. Rodrigo Victor de Valle shall be held and considered to have complied with the provisions of section 316 of that act as they relate to residence and physical presence.

With the following committee amendment:

On page 1, line 5, after the words "considered to have" strike out the remainder of the bill and substitute in lieu thereof the following: "been lawfully admitted to the United States for permanent residence as of January 25, 1963."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MARIA DEL CARMEN ORTIZ Y GOMEZ

The Clerk called the bill (H.R. 9022) for the relief of Dr. Maria del Carmen Ortiz y Gomez.

There being no objection, the Clerk read the bill, as follows:

H.R. 9022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Maria del Carmen Ortiz y Gomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. SANTIAGO JOSE MANUEL RAMON BIENVENIDO ROIG Y GARCIA

The Clerk called the bill (H.R. 13154) for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia.

There being no objection, the Clerk read the bill, as follows:

H.R. 13154

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 4, 1962.

With the following committee amendment:

On page 1, line 7, strike out the date "December 4, 1962." and substitute in lieu thereof the date "December 5, 1962."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ISAAC COHEN

The Clerk called the bill (H.R. 13353) for the relief of Dr. Isaac Cohen.

There being no objection, the Clerk read the bill, as follows:

H.R. 13353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Isaac Cohen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANTONIO MATIAS RUBIO

The Clerk called the bill (H.R. 13469) for the relief of Dr. Antonio Matias Rubio.

There being no objection, the Clerk read the bill, as follows:

H.R. 13469

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Matias Rubio shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 14, 1961, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date "April 14, 1961" change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. LUIS NARCISO GONZALEZ Y FLEITES

The Clerk called the bill (H.R. 13577) for the relief of Dr. Luis Narciso Gonzalez y Fleites.

There being no objection, the Clerk read the bill, as follows:

H.R. 13577

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Luis Narciso Gonzalez y Fleites shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 12, 1961, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date, "February 12, 1961", change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AYDEE CORDERO

The Clerk called the bill (H.R. 13650) for the relief of Aydee Cordero.

There being no objection, the Clerk read the bill, as follows:

H.R. 13650

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Aydee Cordero shall be held and considered to have been lawfully admitted to the United States as of February 11, 1963.

With the following committee amendment:

On page 1, lines 5 and 6, strike out the date "February 11, 1963." and substitute in lieu thereof the date "February 12, 1963.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ROGELIO GIRALDO VIDAL-LOPEZ

The Clerk called the bill (H.R. 14017) for the relief of Dr. Rogelio Giraldo Vidal-Lopez.

There being no objection, the Clerk read the bill, as follows:

H.R. 14017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Rogelio Giraldo Vidal-Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 17, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "November 17, 1961." and substitute in lieu thereof the date "November 18, 1961."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. FRANCISCO E. LAURRAURI-LAURRAURI

The Clerk called the bill (H.R. 14238) for the relief of Dr. Francisco E. Laurrauri-Laurrauri.

There being no objection, the Clerk read the bill, as follows:

H.R. 14238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Francisco E. Laurrauri-Laurrauri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. PEDRO BAUDILIO NAPOLES (FERNANDEZ)

The Clerk called the bill (H.R. 14324) for the relief of Dr. Pedro Baudilio Napoles (Fernandez).

There being no objection, the Clerk read the bill, as follows:

H.R. 14324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Pedro Baudilio Napoles (Fernandez) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 19, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. TOMAS RICARDO ARMSTRONG-MARTINEZ

The Clerk called the bill (H.R. 14751) for the relief of Dr. Tomas Ricardo Armstrong-Martinez.

There being no objection, the Clerk read the bill, as follows:

H.R. 14751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Tomas Ricardo Armstrong-Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 21, 1961.

With the following committee amendment:

On page 1, lines 6 and 7, strike out the date "August 21, 1961." and substitute in lieu thereof the date "August 21, 1960.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MIGUEL ANGEL PONCE DE LEON

The Clerk called the bill (H.R. 15840) for the relief of Dr. Miguel Angel Ponce De Leon.

There being no objection, the Clerk read the bill, as follows:

H.R. 15840

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Miguel Angel Ponce De Leon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 7, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "July 7, 1961." and substitute in lieu thereof the date "July 6, 1961.".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

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

There was no objection.

MARTINA ZUBIRI GARCIA

Mr. CONTE. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Private Calendar No. 423, the bill (H.R. 1648) for the relief of Martina Zubiri Garcia.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Martina Zubiri Garcia, Joint United States Military Group—Military Assistance Advisory Group, Spain, is relieved of liability to the United States in the amount of $1,806.96, representing the total amount of living quarters allowance paid to her by the Department of the Army during the period of October 13, 1963, through April 9, 1965, as a result of erroneous payment without fault on her part. In the audit and settlement of the accounts of any certifying or disbursing officers of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Martini Zubiri Garcia, an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, on account of the liability to the United States referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, lines 5 and 6, strike "$1,806.96" and insert "$1,817.13".

On page 1, line 7, after "paid to her by the" insert "Department of the Air Force and".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF PERIOD DURING WHICH CERTAIN EMPLOYMENT SECURITY ADMINISTRATION ACCOUNT FUNDS MAY BE USED FOR CERTAIN STATE EXPENSES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 272) to extend the period during which amounts transferred from the employment security administration account in the unemployment trust fund to State accounts may be used by the States for payment of expenses of administration, which was reported unanimously by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CURTIS. Mr. Speaker, reserving the right to object, and I shall not object, I do so so that I may yield to the chairman of the committee to explain briefly what the bill is.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 272 is to extend for an additional 5 years the period during which States may obligate, for administrative purposes, certain funds transferred from excess Federal unemployment tax collections. The bill was reported unanimously by your committee. The administration has indicated that it supports the bill.

In 1954 the Social Security Act was amended by the Reed Act to provide that the excess of Federal unemployment tax collections over the amount needed for loans and for administrative expenses be transferred to State unemployment accounts in the unemployment trust fund. The law permits the transferred funds to be used for employment security administrative expenses, under certain conditions including requirements that the money be specifically appropriated by the State legislature and be obligated within a limited period after the date on which it was transferred to the State's account. This period was originally set at 5 years and extended to 10 years in 1963. After this period, the money becomes part of the State's reserve for benefit payments only.

In 1954, when the provision for these transfers was enacted, it was anticipated on the basis of past experience that funds would be transferred to the States almost every year. Since then, however, several developments or changes have occurred, such as the demands that were made on the loan fund and the creation of the employment security administration account which must be built up to a prescribed level before funds can be credited to the States. As a result of these and other developments, funds were credited to the States only in 3 calendar years, 1956, 1957, and 1958. No additional transfers are anticipated in the foreseeable future.

The funds that have been transferred under this authority have been used by the States primarily to buy the necessary land and construct buildings for use in operating the employment security program. Thirty-four States have used the money for land and buildings.

By using the transferred funds for buildings, States have been able to obtain more satisfactory facilities than would otherwise have been possible. Because these funds spent for building construction can be repaid from current grants for rental, they become available again to construct additional buildings, but only within the period specified. After amortization through the rental grants, the State employment security agency gets the space rent free and Federal grants with respect to such space are made only for its operation and maintenance.

In 1963, when the 5-year period for the administrative use of these funds had expired for 1956 and 1957 transfers and was about to expire for those of 1958, the period was extended to 10 years. The effect of this bill would be to

increase the period to 15 years after funds were transferred.

Mr. CURTIS. I thank the gentleman.

Mr. Speaker, as the chairman has said, the bill was reported out unanimously.

Mr. Speaker, I rise in support of H.R. 272, a bill to extend for an additional 5-year period the time in which the States may obligate certain excess Federal unemployment tax collections for administrative purposes.

In 1954, the so-called Reed Act was enacted to insure that Federal unemployment tax receipts would not be used for general Federal programs, but would be earmarked for unemployment compensation benefits and administrative expenses. The Federal portion of the unemployment tax not needed for administrative expenses, for loans, or certain other purposes, was to be returned to the States. The States were permitted to use these funds for administrative purposes. The funds have been primarily used to buy land and construct buildings for use in the employment security program.

To date, funds have been credited for return to the States in only 3 calendar years, 1956, 1957, and 1958. No additional transfers are anticipated in the foreseeable future. The present bill would merely extend for 5 additional years the time within which amounts already credited to the States under this legislation may be obligated for administrative purposes.

This bill extends a method of financing a part of our employment security program that experience has shown to be both useful and effective. I urge all of my colleagues to join me in supporting this legislation.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 903(c)(2) of the Social Security Act (42 U.S.C., sec. 1103(c)(2)) is amended—

(1) by striking out "nine preceding fiscal years," in subparagraph (D) of the first sentence and inserting in lieu thereof "fourteen preceding fiscal years,";

(2) by striking out "such ten fiscal years" in subparagraph (D) of the first sentence and inserting in lieu thereof "such fifteen fiscal years"; and

(3) by striking out "ninth preceding fiscal year" in the second sentence and inserting in lieu thereof "fourteenth preceding fiscal year".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTIABLE STATUS OF ALUMINUM HYDROXIDE AND OXIDE, CALCINED BAUXITE, AND BAUXITE ORE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7735) to make permanent the existing suspensions of duty on aluminum oxide when imported for use in producing aluminum, on calcined bauxite, and on bauxite ore, which was reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

Mr. CURTIS. Mr. Speaker, reserving the right to object, and I shall not, but do so solely for the purpose of yielding to the chairman, I yield to the gentleman from Arkansas to explain briefly what this bill is.

Mr. MILLS. Mr. Speaker, I thank the gentleman from Missouri.

Mr. Speaker, as reported to the House by the Committee on Ways and Means, the purpose of H.R. 7735 is to provide for the permanent duty-free treatment of calcined bauxite, bauxite ore and aluminum hydroxide and oxide. The duties on calcined bauxite, bauxite ore and on aluminum oxide—alumina—when imported for use in producing aluminum, have been suspended since 1956. The current suspension of duties will expire on July 15, 1968.

Alumina is a product used for the production of aluminum primarily but is also used in the manufacture of abrasives, refractories and aluminum chemicals. Bauxite ore is a mineral used in the production of alumina as well as abrasives, chemicals, refractories and miscellaneous products. Your committee is advised that domestic commercial deposits of bauxite are small and that U.S. production of bauxite now accounts for less than 15 percent of domestic requirements. Your committee is further informed that as demand increases, the United States will continue to be largely dependent upon foreign sources for aluminum raw materials.

In its report on the pending bill, the Department of Labor advised the Committee on Ways and Means that—

> Since the duty suspension has been in effect for several years, it is unlikely that continued duty-free entry for these products would threaten domestic employment, and presumably, it would have the effect of avoiding an increase in the producer's cost of finished aluminum products which could be expected to accompany the reimposition of the duties.

In view of this and the experience gained under duty suspensions since 1956, your committee is convinced that the permanent suspension of duty on aluminum hydroxide and oxide and on calcined bauxite and bauxite ore as provided by the bill, as amended, is warranted.

Favorable reports on this legislation were received from the Departments of State, Treasury, Interior, Labor, and Commerce.

Your committee is unanimous in recommending enactment of this legislation.

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

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

Mr. GROSS. Is bauxite produced in Rhodesia and South Africa? Do we get bauxite from those countries?

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

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. I am not certain that we get any bauxite from those areas. I do have before me a table prepared by the U.S. Tariff Commission which indicates that most of what we bring into the United States comes from Jamaica, Surinam, the Dominican Republic, Ghana, and Haiti. That which comes from all other sources combined through Customs is a small amount compared to that which comes from the countries I have named.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

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

Mr. GROSS. I only wanted to observe that I shall be interested in all these bills dealing with the exportation, but particularly the importation of minerals, because apparently we are getting ready, with the Paris peace talks going on and our running out of a war to fight, apparently we are getting ready under any circumstances to join in a war, if there is a war, in an effort to subjugate the Rhodesians and perhaps the South Africans and perhaps the Portugese in Mozambique. So I am going to be interested in these bills as they come along to find out what part they may play in the apparent drive to get ourselves committed to a conflict somewhere else in the world where more American blood can be shed.

I thank the gentleman for yielding.

Mr. CURTIS. I would say to the gentleman from Iowa that he is well advised to watch this. I am personally concerned, too, in examining these bills because there is more war and peace wrapped up in these trade matters than, I regret to say, most people realize.

Mr. Speaker, I support H.R. 7735, a bill providing for the permanent duty-free treatment of calcined bauxite, bauxite ore, and alumina.

The duty of these products has been suspended under legislation periodically reenacted since 1956, and the results have been salutary. Alumina is used primarily in the production of aluminum, but is also used in the manufacture of abrasives, refractories, and aluminum chemicals. Bauxite is used in the production of alumina as well as abrasives, chemicals, refractories, and miscellaneous products. The committee was advised that the domestic supply of bauxite is very small. The Interior Department also advised the commiteee that the continued suspension of duties on both bauxite and alumina had not adversely affected domestic production.

The committee received favorable reports from the Departments of State, Treasury, Interior, Labor, and Commerce. The committee unanimously recommended enactment of this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart C of part 2 of schedule 4 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out item 417.12 and inserting in lieu thereof the following:

"	Hydroxide and oxide (alumina):			
417.12	Aluminum oxide (alumina) when imported for use in producing aluminum	Free	0.5¢ per lb.	
417.13	Other	0.25¢ per lb.	0.5¢ per lb.	"

(b) Item 521.17 (relating to bauxite, calcined) of such Schedules is amended by striking out "55 cents per ton" and inserting in lieu thereof "Free".

(c) Item 601.06 (relating to bauxite ore) of such Schedules is amended by striking out "50 cents per ton" and inserting in lieu thereof "Free".

(d) Items 907.15 (relating to aluminum oxide (alumina) when imported for use in producing aluminum), 909.30 (relating to bauxite, calcined), and 911.05 (relating to bauxite ore) of such Schedules are repealed.

SEC. 2. The first section of the Act shall apply only with respect to articles entered, or withdrawn from warehouse, for consumption, after December 31, 1967.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) the Tariff Schedules of the United States (19 U.S.C. 1202) are amended as follows:

"(1) Item 417.12 (relating to aluminum, hydroxide and oxide (aluminum)) is amended by striking out '0.22¢ per lb.' and inserting in lieu thereof 'Free'.

"(2) Item 521.17 (relating to bauxite, calcined) is amended by striking out '44¢ per ton' and inserting in lieu thereof 'Free'.

"(3) Item 601.06 (relating to bauxite ore) is amended by striking out '40¢ per ton' and inserting in lieu thereof 'Free'.

"(4) Items 907.15 (relating to aluminum oxide (alumina) when imported for use in producing aluminum), 909.30 (relating to bauxite, calcined), and 911.05 (relating to bauxite ore) are repealed.

"(b) The rates of duty for items 417.12, 521.17, and 601.06 in rate column numbered 1 of the Tariff Schedules of the United States, as amended by subsection (a), shall (1) be treated as not having the status of statutory provisions enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carrying out foreign trade agreements to which the United States is a party, and (2) superseded the staged rates of duty provided for such items in Annex III to Proclamation 3822, dated December 16, 1967 (32 Fed. Reg., No. 244, part II, p. 19037).

"SEC. 2. The first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after July 15, 1968."

Mr. MILLS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore."

A motion to reconsider was laid on the table.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON CERTAIN CLASSIFICATIONS OF YARN OF SILK

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15798) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, which bill was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CURTIS. Mr. Speaker, reserving the right to object—and I shall not object—I do so for the purpose of yielding to the chairman.

Mr. Speaker, I yield to the chairman of the committee.

Mr. MILLS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the purpose of H.R. 15798, as amended, is to continue for 2 years, until the close of November 7, 1970, the existing suspension of duty on certain classifications of spun silk yarns. The duties on these spun silk yarns have been suspended since September 8, 1959. The original suspension of duty was made in order to enable domestic producers of fine yarn fabrics to import fine silk yarns free of duty in order to make it more economical to produce fine yarn fabrics in competition with imported similar fabrics.

Your committee believes that the same reasons that justified the original suspension of duty justify the continuation of the suspension.

There has been no objection to the continuation of the suspension of duty until November 7, 1970, and your committee is unanimous in recommending enactment of this legislation.

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I rise in support of H.R. 15798, a bill extending for an additional temporary period the existing suspension of duties on certain classifications of silk yarn.

Since September of 1959, the duties on spun silk yarn covered by this bill have been suspended for 3-year periods periodically reenacted by legislation. The suspension of duties was intended to enable domestic producers to import fine silk yarn duty free in order to make it more economical to produce fine yarn fabrics that compete with imported items.

It is my understanding that the reasons justifying the original suspension still prevail, and no objection to the continuation of this suspension has been brought to the committee's attention. The committee unanimously recommended this legislation.

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

Mr. CURTIS. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, H.R. 15798, to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, introduced by myself and by Congressman HERLONG, is important to American industry and to American workmen. It would extend for 2 years, or until November 7, 1970, the existing temporary suspension of duties on certain yarns wholly of noncontinuous silk fibers classifiable under items 905.30 and 905.31 of the Tariff Schedules of the United States.

No objection has been raised to this legislation, and the Department of the Treasury has stated by letter to the distinguished chairman of the Ways and Means Committee that it would have no objections to the enactment of the bill.

The yarns covered are of two principal types: standard spun-silk—schappe—yarn and silk-noil—bourrette—yarn. Standard or schappe spun-silk yarns are used for making sewing thread, decorative stripings of fine worsteds, lacing cord and for cartridge bags, and, in combination with other fibers, certain types of necktie fabrics, shirtings, dress and suiting fabrics, upholstery and drapery materials. The silk-noil type of yarn is made from shorter length. The chief use is in the weaving of silk cartridge cloth for powder bags for large-caliber ordnance.

The suspension of the duty was made in order to enable domestic producers of fine-yarn fabrics to import fine silk yarns free of duty and thus to make it more economical to produce fine-yarn fabrics in competition with imported similar fabrics.

Failure to renew the suspension from duties would result in severe hardship to certain sections of the U.S. textile industry. Particularly at this time, it also should be noted that extension of the duty-free treatment will have no unfavorable effect on the balance of payments. On the contrary, import duties, by raising the cost of silk yarns to domestic weavers, would make it impossible for them to compete, thereby increasing the quantity of silk fabrics imported from abroad. This would affect unfavorably the payments situation. Obviously, American industry and American workmen will benefit from the enactment of the legislation and will be penalized if it is not enacted.

Mr. CURTIS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 432, Aug. 17, 1963; U.S.C., 1202) is amended (1) by striking out the termination date applicable to items 905.30 and 905.31, namely, 11/7/68 and (2) by inserting in lieu thereof, the termination date "11/7/71".

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That effective with respect to articles entered, or withdrawn from warehouse, for consumption after November 7, 1968, items 905.30 and 905.31 of the Tariff Schedules of the United States (19 U.S.C. sec. 1202) are each amended by striking out '11/7/68' and inserting in lieu thereof '11/7/70'."

Mr. MILLS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the amendment and that it be printed in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON ELECTRODES FOR USE IN PRODUCING ALUMINUM

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H.R. 17104) to extend until July 15, 1970, the suspension of duty on electrodes for use in producing aluminum, which bill was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. CURTIS. Mr. Speaker, reserving the right to object—and I shall not object—I do so for the purpose of yielding to the chairman of the committee for a brief explanation.

Mr. Speaker, I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 17104, as amended, is to continue until the close of July 15, 1969, the existing suspension of duties on electrodes for use in producing aluminum. The duty on electrodes imported for use in producing aluminum was first suspended from October 7, 1965, until July 15, 1966, under Public Law 89-241. The duty was further suspended until July 15, 1968, by Public Law 89-434. Your committee believes that the same reasons that justified the original suspension of duty justify the continuation of the suspension.

Your committee is informed that the electrodes of the type covered by the bill usually are manufactured by aluminum companies themselves at the site where they are to be used in the electrolysis of alumina into aluminum. These electrodes generally of carbon or graphite are consumed in great quantities in the electrolysis process. Your committee is informed that a small aluminum plant has been importing electrodes under the current duty suspension due to an insufficient volume of aluminum production to permit its own efficient manufacture of electrodes. Your committee is further informed that the company is now planning to produce its own electrodes. In view of this development, the committee amended the bill to provide for a 1-year extension of the existing duty suspension rather than the 2 years provided in H.R. 17104, as originally introduced.

Your committee believes that an extension of the suspension of duty on electrodes imported for use in producing aluminum for a 1-year period as provided in the bill, as amended, is warranted.

Your committee is unanimous in recommending enactment of this legislation.

Mr. CURTIS. Mr. Speaker, I rise in support of H.R. 17104, a bill extending until July 15, 1970, the suspension of duty on electrodes for use in producing aluminum.

Electrodes of the type covered by the bill are used in great quantity in the electrolysis process by which aluminum is produced. Aluminum companies generally manufacture these electrodes at the site where aluminum production takes place. However, electrodes have been imported where an insufficient volume of aluminum production makes on-site manufacture inefficient. This situation will continue to be a problem for at least 1 year, so the committee has recommended extending the duty-free treatment for a 1-year period.

Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 17104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the matter appearing in the effective period column for item 909.25 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 909.25) is amended by striking out "7/15/68" and inserting in lieu thereof "7/15/70."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after July 15, 1968.

With the following committee amendment:

On page 1, line 6, strike out " '7/15/70' " and insert " '7/15/69' ".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum."

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 161]

Abernethy	Gardner	Murphy, Ill.
Andrews, Ala.	Gettys	Nichols
Ashley	Gilbert	O'Hara, Ill.
Ashmore	Griffin	Olsen
Belcher	Hagan	O'Neal, Ga.
Berry	Hanna	Passman
Betts	Hansen, Idaho	Pepper
Bevill	Hansen, Wash.	Pike
Bingham	Hardy	Pool
Blackburn	Harrison	Rees
Bolton	Hawkins	Reifel
Bow	Hays	Resnick
Brown, Calif.	Heckler, Mass.	Rivers
Brown, Mich.	Herlong	Rooney, N.Y.
Burton, Calif.	Hollfield	Roybal
Carter	Holland	St Germain
Cohelan	Jones, Ala.	Scheuer
Colmer	Kuykendall	Selden
Conyers	Leggett	Springer
Corman	Long, La.	Steiger, Wis.
Cunningham	Lukens	Utt
Dawson	McCloskey	Waldie
Diggs	McMillan	Whalley
Dowdy	Mailliard	Widnall
Dwyer	Miller, Calif.	Wilson, Charles H.
Edwards, Calif.	Minish	Wylie
Farbstein	Minshall	
Fisher	Monagan	
Fraser	Montgomery	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 349 Members have answered to their names, a quorum.

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

DEFENSE PRODUCTION ACT EXTENSION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1193 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1193

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17268) to amend the Defense Production Act of 1950, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennes-

see [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1193 provides an open rule with 1 hour of general debate for consideration of H.R. 17268 to amend and extend the Defense Production Act.

H.R. 17268 extends the Defense Production Act, which otherwise would expire on June 30 of this year, to June 30, 1970. Also, the bill amends the act by requiring the Comptroller General to develop and recommend within 1 year uniform standards of accounting for all negotiated prime contract and subcontract defense procurements in excess of $100,000 so that production costs and profits by individual order can be determined.

Mr. Speaker, I urge the adoption of House Resolution 1193 in order that H.R. 17268 may be considered.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from California [Mr. SISK] has ably stated, House Resolution 1193 makes in order for consideration H.R. 17268 under an open rule with 1 hour of general debate.

The purpose of the bill is to extend the Defense Production Act which is set to expire as of June 30, 1968, for a period of 2 years, through June 30, 1970. The bill also requires the Comptroller General to develop within 1 year a system of uniform accounting procedures to be used in all negotiated prime contracts and defense subcontracts for procurements in excess of $100,000.

The Defense Production Act must be extended to continue a number of necessary production tools needed to insure the essential state of preparedness in any future emergency the Nation may be required to face.

Among the authorities contained in the act are those which:

First, authorize the allocation of materials for defense purposes;

Second, permit companies to cooperate voluntarily in meeting defense production needs without running afoul of antitrust laws;

Third, authorize the establishment of priorities of production for defense contracts; and

Fourth, guarantee loans to defense contracts to meet needed production levels.

The act also requires producers of a number of basic items—steel, aluminum, copper, and so forth—to set aside certain percentages of their production for defense orders.

These standby authorities are obviously needed in times of national emergency. This bill will keep them available.

The bill also amends the Defense Production Act by requiring that within 1 year the Comptroller General is to set up a system of uniform accounting procedures so that profiteering on defense and space contracts will be easier to spot. Such procedures will have to be used by all prime contract and defense subcontract holders whose sales to the Government exceed $100,000 annually.

The gentleman from Texas [Mr. GONZALEZ] has filed additional views supporting the bill but wishing that the bill actually instituted a system of uniform accounting procedures—as the bill as introduced did. He points to all the good work the Renegotiation Board has done and believes such uniform procedures will improve its operation.

Mr. Speaker, I urge the adoption of the rule. I have no further requests for time, but I reserve the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17268) to amend the Defense Production Act of 1950, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17268, with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 30 minutes, and the gentleman from Tennessee [Mr. BROCK] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, H.R. 17268 extends the Defense Production Act of 1950, as amended, until June 30, 1970. The present act would expire on June 30, of this year. H.R. 17268 would also amend the act by requiring the Comptroller General of the United States to develop and recommend within 1 year uniform standards of accounting for all negotiated prime contract and subcontract defense procurements in excess of $100,000 from which production costs and profits by individual order can be determined.

The original bill, H.R. 15683, to renew the Defense Production Act of 1950, as amended, had hearings before the full Banking and Currency Committee on April 10, and 11, 1968. Subsequent to the hearings a clean bill, H.R. 17268, was introduced. This bill incorporated the provisions contained in the original bill, H.R. 15683.

The Defense Production Act has authorized for many years programs that are essential to our national security. These programs both enable the Government to maintain a state of preparedness to meet future national emergencies, and, at the same time, to deal with current problems created by the strain on our economy caused by the Vietnam conflict. The present act includes Presidendential power to establish priorities for production under defense contracts, to allocate basic materials for defense purposes, to guarantee loans to defense contractors who need working capital or equipment for new defense production, and lending and procurement authority to expand productive capacity for needed defense articles. In addition, the Defense Production Act provides for the establishment and maintenance of effective reserve of personnel that would be capable of augmenting the supply of executive talent available to the Government in case of a national emergency.

These existing programs are of vital importance to our national security, especially at times like these when there is a certain strain on our economy due to the large increase in military procurement necessary to support our fighting men in Vietnam.

Your committee heard as one witness during hearings on April 10 and 11, Adm. Hyman Rickover, deputy commander for nuclear propulsion for the U.S. Navy and Director of the Division of Naval Reactors, Atomic Energy Commission. Admiral Rickover discussed some of the serious problems of defense procurement as they affect the proper operation of the Defense Production Act. Because of the problems outlined by Admiral Rickover and the apparent ineffectiveness of section 707 of the Defense Production Act, the committee adopted an amendment to the Defense Production Act. Section 707 of the Defense Production Act states that contractors should not discriminate against priority-rated defense orders "by charging prices or by imposing different terms or conditions for such orders or contracts than for other generally comparable orders or contracts, or in any other manner." The amendment adopted by the committee would try to make this statement of policy already in the law more effective by giving the Government a clearer basis on which to judge whether it is being discriminated against. The amendment would require the Comptroller General to develop and recommend within 1 year uniform standards of accounting which would provide the Government with production costs and profits by individual order for all negotiated prime contract and subcontract defense procurements of more than $100,000. This amendment would provide a small step in the direction of curbing alleged discrimination against the Federal Government in the procurement of vitally needed defense materials and services and would enable the Government to judge whether exorbitant profits are being realized on some defense contracts, as has been charged.

When the GAO reports on its recommended system of uniform accounting, the Banking and Currency Committee will carefully review its findings and consider further amendments to the Defense Production Act if warranted. The committee feels that this is a reasonable and perhaps even an overly cautious solution to an extremely serious problem.

This is important legislation on which prompt action is needed because the Defense Production Act expires on the 30th of this month. I urge passage of this bill.

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

Mr. PATMAN. I yield to the gentleman.

Mr. GUBSER. I thank the distinguished chairman for yielding. I have

asked him to yield for the purpose of seeking clarification regarding language on page 5 of the report. First, Mr. Chairman, I believe that there is a typographical error in that line 9 has been mistakenly duplicated. Beginning on line 7 the report would properly read when corrected:

Each contractor or subcontractor must certify that the price specified in the contract or subcontract is no higher, on a per unit basis, than the price that the contractor or subcontractor charges to any other purchaser similarly situated—

And so forth. Is that correct, Mr. Chairman?

Mr. PATMAN. Yes. That is correct.

Mr. GUBSER. And on that same subject, if the gentleman will be kind enough to yield further, I engaged in a colloquy with the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], when we recently considered the Renegotiation Act. If you will remember, there was a similar provision there regarding the most-favored-customer problem as it pertained to standard catalog items. In that colloquy we established rather clearly, that a contractor would be allowed, if this were his normal procedure in business, to offer a quantity discount and that the unit price in that quantity discount could be lower than the price offered the Government for an order quantity of one. I would like to ask the the distinguished chairman if the wording of this report means that lower unit price would be allowable under a quantity discount situation?

Mr. PATMAN. The lowest price to the Government. Yes, I would.

Mr. GUBSER. The determination would be made on the lowest price for a similar quantity?

Mr. PATMAN. Yes. Based on difference in production cost, sales, and delivery.

Mr. GUBSER. I thank the gentleman.

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

Mr. PATMAN. I am glad to yield to the gentleman from Missouri.

Mr. ICHORD. I appreciate the distinguished gentleman yielding.

The legislation under consideration touches upon a subject which concerns me greatly, of course there are other statutes bearing on this problem as well as numerous Armed Forces procurement regulations implementing the various statutes on the books. As chairman of the House Armed Services subcommittee investigating matters concerning the M-16 rifle, I have run into a situation which I think should be pointed out to the chairman of the Committee on Banking and Currency because of the language contained in section 718. As I understand the present law or, at least, as I interpret it, in all negotiated contracts the contracting service involved still has to take into consideration price. In the recent two M-16 procurement contracts that were arwarded by the Army, the contracts were apparently awarded solely on the basis of production capability and price considerations were completely ignored. As a matter of fact, the Army advised the competitors not to submit the prices before the contracts were awarded. For this reason I have not only criticized the callous disregard for the taxpayers but have stated that the procedures and awards are prima facie illegal. The subcommittee is now awaiting a GAO decision as to legality.

I do observe that section 718 does not specifically provide that price should be taken into consideration.

Mr. PATMAN. If the gentleman from Missouri will notice, this bill, section 2, does not involve the sale of any products for defense or for other purposes. It only involves a study by the General Accounting Office, to be received within 1 year, to come up with standard tables and uniform practices that should be adopted by all Government contractors, or at least be considered. We went as far as the committee was willing to go in that direction. We recognize that there are other committees that have direct authority over these matters. But we have some responsibility in this area, because the Joint Committee on Defense Production itself is a watchdog committee. Therefore, it is appropriate that we make suggestions for improvements in the sale or purchase of defense production, and the determination of costs and profits.

Mr. Chairman, I believe that answers the question of the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, if the gentleman will yield further, then there is nothing in this language that will permit negotiated contracts to be awarded without taking the prices into consideration?

Mr. PATMAN. The gentleman is correct.

Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, this is, with one exception, a fairly standard renewal of an existing law which is necessary under our emergency requirements for defense production. The bill continues the authority to establish priorities on defense contracts, to allocate materials, to guarantee loans providing for the purchase and procurement of defense items, and to provide an exemption from the antitrust laws where required in order to achieve the needs of our national defense.

Mr. Chairman, the only significant change in this bill is the area which provides for a study of uniform accounting standards by the General Accounting Office within the next year. We had testimony which was presented before the committee which raised some question as to the ability of the administration to assure that the Government was being protected in the procurement of these items. In fact, it was thought by the committee that the questions which were raised were sufficient to seek a solution after extensive study. Therefore we authorized this study to be made by the General Accounting Office, in consultation with the Bureau of the Budget. We did not feel it was proper at this particular time to institute the requirement of uniform standards since they would be faced with the problem of formulating such uniform standards within a very short period of time. However, within a year the committee will hold hearings to establish such legislation as may be necessary.

Mr. Chairman, the minority position is in consonance with that of the majority in full support of this legislation.

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

Mr. PATMAN. Mr. Chairman, I do not have any further requests for time.

Mr. BROCK. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I have requested this time because I feel obligated to address a few remarks to the last section of the bill which I interpret and which the committee counsel interprets as doing nothing more than authorizing a study and requesting a recommendation from the General Accounting Office and the Bureau of the Budget for legislation which would result in mandatory uniform accounting procedures in the defense industry and also those industries which contract with NASA—the National Aeronautics and Space Administration.

Nevertheless, and despite the fact that this is only a study, I do feel that it is in order for me to point out some rather dangerous aspects as to what is eventually contemplated; namely, uniform accounting systems.

I raise four points. First of all, I seriously question this is properly within the jurisdiction of the Committee on Banking and Currency. It is only there for one reason. Originally the Defense Production Act concerned such items as wage and price controls and certain loans which are guaranteed by the Federal Reserve Board. Most of those provisions are no longer in the act. This just happens to be one part of the act which is left over, and which I believe properly belongs within the jurisdiction of the Hardy subcommittee of the Committee on Armed Services.

Second, I believe to impose uniform accounting procedures upon industry is based upon an assumption that all defense contractors are profiteers and crooks and guilty of gouging the Government. This just is not true.

The Logistics Management Institute recently completed a study entitled "Defense Industry Profit Review," which was made under contract with the Department of Defense. The revelations of this report are startling. Based upon statistically valid procedures, Logistics Management Institute found and so informed the Defense Department that the average profit as a percent of capital investment of high and medium volume companies has been lower for the past 5 years on their defense business than on their commercial business. The trend of profits on defense business has been downward since 1958 while commercial profits have steadily trended upward.

The LMI report showed that net profit on total capital investment was 6.9 percent on defense business in 1966. The corresponding ratio for defense contractors' commercial business was 10.8 percent and for companies in an FTC-SEC sample 12.4 percent.

From a high in 1958 of 10.2 percent profit on total capital investment, defense profit sunk to 6.9 percent in 1966.

At the same time profit as a percentage of total capital investment on the commercial business of defense contractors ranged from a low of 4.7 percent in 1961 to a high of 11.6 percent in 1965 and stood at 10.8 percent in 1966.

Over the same period the defense business ratio of profit to sales declined from 2.7 percent in 1958 to 2.4 percent in 1966. In contrast, the commercial business of both defense firms and the FTC–SEC companies showed increases in profit on sales. The first group showed increases from 3.4 percent in 1958 to 5 percent in 1966 and the second group increased from 3.6 percent in 1958 to 5.5 percent in 1966.

The LMI report states further:

Discussions with defense contractors reveal that most of them plan to increase their commercial business as a percent of their total business. They intend to change their commercial/defense business mix primarily by concentrating growth efforts on nondefense business.

Defense contractors explain their reasons as follows: "Because commercial business is generally less competitive, there is a greater profit potential in that type of business."

This, I submit, Mr. Chairman, is not good for the national defense, and I submit that imposing uniform accounting procedures on all businesses is one more harassment, one more added cost of doing business, and one more reason to concentrate on commercial rather than defense business.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BROCK. Mr. Chairman, I yield 5 additional minutes to the gentleman from California [Mr. GUBSER].

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

Mr. GUBSER. I yield to my colleague from Kansas.

Mr. MIZE. Mr. Chairman, I thank the gentleman for yielding, and I generally want to concur in what the gentleman in the well has just stated.

I am fearful that if we start moving toward the establishment of uniform accounting procedures for Government contractors, or any contractor, for that matter, you are going to find that you may be increasing the cost of materials purchased by the Defense Department, rather than lowering them.

As a former financial vice president of a steel foundry, I was intimately acquainted with working for the Government, and I know that if you start insisting on standard accounting procedures you are going to lose the interest of an awful lot of small and medium-sized concerns in even bidding on Government work.

It is not that they have anything to hide; but cost accounting systems vary so, that Government attempts to standardize these systems in order for a concern to bid on defense work may force out the number of bidders—thereby possibly increasing costs in the long run.

Of course, this provision applies only to negotiated contracts and the establishment of uniform accounting procedures for a negotiated contract. Even there you are going to find you may be having a fewer number of manufacturers interested in even working with the Government on negotiated contracts if you insist upon uniform accounting procedures.

Mr. GUBSER. I thank the gentleman.

To add further emphasis to the point he has just made: Just a few weeks ago we passed the Minshall bill which extends the Truth in Negotiation Act so that the Department of Defense will have post audit rights to and audit negotiated contracts after their performance on actual cost figures. Of course, these must be revealed in the manner required by the General Accounting Office.

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

Mr. GUBSER. I yield to the gentleman.

Mr. WOLFF. Mr. Chairman, I was very much interested in the figures you gave before and in the statement given by the gentleman from Kansas [Mr. MIZE].

However, one of the points of difference that we have is upon what are these figures based? I think this is the immediate purpose of this legislation then to find some uniform method of determining what the profits are and what the costs are. Unfortunately, because of the wide variety of accounting systems in practice, we do not get the true information on the costs and profits involved.

Mr. GUBSER. I can speak only with respect to the Department of Defense since it is a field that I have some experience with, being a member of the Hardy subcommittee. We have jurisdiction of the Truth in Negotiations Act and we have yet to hear a complaint from the Department of Defense regarding accounting procedures.

The only complaint I have heard from the General Accounting Office is they have trouble getting industry to reveal certain figures and that industry has felt that the law did not cover those specific instances. This is the reason for the Minshall bill, which extended the act and made crystal clear what information had to be revealed.

Neither the Department of Defense nor the General Accounting Office has ever said a word about the inadequacy of accounting procedures.

The only person in the Department of Defense who said one word about it is Rear Admiral Hyman Rickover. I know he is an expert on submarines but he is not an expert in the field of defense accounting.

Mr. WOLFF. All we are trying to do is to get a study to find out whether these conditions do exist.

Mr. GUBSER. I am not going to argue with the gentleman. The point is, and to conclude again, this would be harassment of business. This would be adding to the cost of what Department of Defense must buy.

As my last point let me say that it is impractical to impose uniform accounting procedures because the accountants of this Nation themselves have been asked to come up with uniform accounting procedures. They, the experts, have agreed that they cannot agree.

So how are we going to ask the General Accounting Office to impose something upon the business community of this Nation when the experts in this field cannot agree themselves on what it ought to be. I do not think this is necessary and I sincerely hope that when the year's study is complete it will prove what is apparent to me at this moment—that this is impractical, unnecessary, and an unjust and an undue harassment of the defense industry, which in the long run will work against the national interest.

Mr. PATMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, my intentions were to wait until we arrived today at the amendment stage in order to offer an amendment. I am not in agreement with the wishy-washy, weak-kneed, scandalous language that was finally adopted in this bill, which merely requests that the Comptroller shall come in with a suggested recommendation—for what? A recommendation as to a truthful, minimum accountability on the part of those who are doing over $45 billion worth of defense production business with the taxpayers of the United States. I am literally surprised, amazed and astounded that the gentlemen on the other side were to come up and even object to this watered-down, weak-kneed version, when the whole question here confronting us now, not only in Congress but in the whole country, is whether or not we are going to be so apathetic and so callous as to dispense with even the formalities of accountability with the people who are not only earning a profit, but are earning increments of profit that are unconscionable at this very minute, and for which this Congress cannot give a truthful or responsible and honest accounting to the American people. We have had various and sundry committees and subcommittees come in, having discovered scandalous and outrageous profiteering—and that is the only word we can use—crass, callous, war profiteering, while men are dying on behalf of the country.

But this Congress is very sensitive about the gentlemen that my predecessor speaker was mentioning. They might suffer some discomfort if they have to give an accurate accountability as to the margin of their profits and their costs. Obviously he has not read not only Admiral Rickover's testimony, but the testimony of the Joint Economic Committee, the Subcommittees on Appropriations that cover the procurement processes, and a host of other committees that have discovered unconscionable profiteering at this time.

I say that any of us who presumes to be a Representative and a Member of the American Congress who, at this critical time, lets this kind of wishy-washy, weak-kneed legislation slip by without raising the main issue that is confronting us, I believe that is a Member of this Congress who has been shoddy in discharging his responsibilities at this time.

There is no question that there is profiteering going on. I believe we owe it to ourselves to confront it. Since when is it a burden to develop a system of ac-

countability that would give us an accurate figure as to profits and as to costs, so that the taxpayer can gage whether or not he is getting service rendered, production rendered for the cost that he is paying? I believe that if we are given a chance to develop in the amendatory process the reasons for a strong amendment, that will set up in the procurement processes a rigorous and uniform system of accountability, the average Member of this Congress will admit to the need to action.

Mr. PATMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I rise to associate myself with the remarks and the position of the gentleman from Texas [Mr. GONZALEZ]. I, too, heard the testimony of Admiral Rickover and was impressed by the arguments he made for the kind of amendment proposed here. This is the first time that I can remember, during the 16 years I have served in the House, that we have had an opportunity to vote on this issue of assuring uniform accounting practices in connection with negotiated defense contracts. We all know what abuses have taken place. Let us stop those abuses, by giving the Comptroller General the authority to issue rules regulations after he makes the necessary studies and develops uniform accounting standards for negotiated contracts.

Instead, the bill as reported calls upon the Comptroller General to devise such standards and then come back to Congress in a year to ask for legislation to enable him to place those standards in effect. And all of the furious lobbying we have had on this issue this year can then be repeated next year in an attempt to keep those standards from being adopted.

As one whose business background was in the field of accounting, Mr. Chairman, I can assure you that the techniques are available to business to conform to any reasonable accounting requirements. Businessmen themselves know down to the fraction of a percentage point what their profits or losses are on individual items, or on contracts of any size; but they also know how to disguise those profits very effectively when it suits the corporation's purposes to do so. I am surprised that anyone would object to having the Government of the United States know exactly what it is paying for in connection with negotiated defense contracts of $100,000 or more.

The gentleman from California [Mr. GUBSER] mentioned that he is a member of the Hardy subcommittee that has worked on defense expenditures for many years. All I can say in response is that in these past 16 years, during which they have brought before us numerous instances of abuses in defense procurement, I cannot remember any corrective legislation such as this to stop and prevent these abuses. It is well that we have a committee in the House which searches out these abuses when they can be found, but the best way to handle this problem, it seems to me, is to foreclose this method of committing abuses by adopting the strong language proposed by the gentleman from Texas [Mr. GONZALEZ]. Therefore, I join in opposing the committee amendment, which should be defeated so that we then restore the original language on lines 15 and 16 on page 2 of the bill.

The committee amendment certainly could not be based on any fear that the Comptroller General is not competent to devise suitable standards to meet this problem. The concern seems to be instead to make sure those standards are not invoked once they are devised.

On May 22, the House and Senate both unanimously passed a Truth in Lending Act as title I of the Consumer Credit Protection Act, to require lenders and merchants extending credit to use uniform accounting procedures in disclosing the cost of credit to consumers. Suppose we had merely called upon the Federal Reserve Board to devise such standards but then come back to Congress in a year to obtain additional legislation authorizing it to place the standards in effect. That would have given the opposition another opportunity to try to kill the whole idea. We did not do that on truth in lending; we should not do it now on this bill.

I would be deeply disappointed if a Congress which was willing to assure the full truth to borrowers and buyers on the costs of consumer credit would now refuse to assure to the Federal Government the full truth on the profits made on negotiated defense contracts.

Mr. BOLAND. Mr. Chairman, I want to express my vigorous support for Congressman HENRY B. GONZALEZ' proposed amendment to H.R. 17268, the bill to extend the Defense Production Act. Aimed at putting an end to profiteering in the defense industry, Mr. GONZALEZ' amendment demands that firms holding contracts or subcontracts in excess of $100,000 use uniform accounting standards in reporting data to the Federal Government. Such uniform standards, Mr. Chairman, would give the Government a yardstick by which it could accurately measure production costs and profits. The standards would stop the duplicity and deceit some contractors use in their accounting procedures to mask profits from the Government.

H.R. 17628, as it stands now, merely calls for a study leading to the creation of uniform accounting standards. The bill—it originally sought the immediate enactment of uniform accounting standards, but was stripped of its provision in committee—directs the General Accounting Office to carry out an investigation of uniform standards and to report its recommendations within 1 year to the Senate and House Committees on Banking and Currency.

We must not countenance this delay. A set of uniform accounting standards—the tool the Federal Government must have to stop profiteering—is needed now.

The Government currently has no way of determining the precise costs and profits involved in defense contracts. Only two forms of contracts—incentive contracts and cost-plus contracts—give procurement personnel the authority to investigate a contractor's estimates of his costs beyond the pre-award stage. Even the Truth in Negotiations Act does not grant the Government enough power to challenge a contractor's judgment about the various contingencies in his cost estimates. Only the factual pricing data, the data upon which a contractor loosely based his estimates, is subject to certification.

Many people inside and outside the Government assume that the Renegotiation Board has sufficient legal powers to determine the precise costs and precise profits in defense contracts. This impression, however, is largely unfounded. Many contractors within the Renegotiation Board's legal purview are allowed to use any "generally accepted accounting practice." Contractors, as a result, can use whatever accounting device they feel necessary to maximize costs and mask profits.

Congressman GONZALEZ has cited portions of the testimony that Adm. Hyman Rickover gave before the Committee on Banking and Currency—testimony that makes clear the need for uniform accounting standards:

> Profit is only a part of the real income to a company * * * large additional profits on defense work can be hidden as costs just by the way overhead is charged * * * how component parts are priced, or how intracompany profits are handled * * *. Thus, profit statistics are meaningless unless measured in accordance with a uniform standard * * * the Renegotiation Act and the Truth in Negotiations Act * * * are based on the presumption that the Government can readily determine supplier costs. The Government can't * * * the Government encounters such a wide variety of complex accounting systems that it is virtually impossible to know how much profit a supplier makes in producing it—without spending months reconstructing a supplier's books.

Mr. GONZALEZ' amendment would eliminate—and eliminate now—the biased accounting procedures that unscrupulous contractors use to deceive the Government.

I strongly urge the passage of this amendment.

Mr. PATMAN. Mr. Chairman, I do not believe that either side has requests for more time. I ask that the Clerk read.

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

The Clerk read as follows:

H.R. 17268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 717a) of the Defense Production Act of 1950 is amended by striking out "June 30, 1968" in the first sentence and inserting in lieu thereof "June 30, 1970".

SEC. 2. Section 702 of the Defense Production Act of 1950 is amended by adding at the end:

"(f) The term 'defense contractor' means any person who enters into a contract with the United States for the production of material or the performance of services for national defense."

SEC. 3. Title VII of the Defense Production Act of 1950 is amended by adding at the end thereof the following new sections:

"SEC. 718. (a) Any defense contractor acting under a contract calling for the payment of, or under which he is paid, an aggregate amount not less than $100,000 shall make to the contracting agency one or more reports, in accordance with the regulations of the President, certified by the proprietor,

or by a partner or officer, of the contractor, as may be appropriate, setting forth the following information:

"(1) The contractor's costs and profits under the contract based on the uniform accounting standards promulgated pursuant to section 719 of this Act.

"(2) The delivery performance of the contractor's suppliers as it affects the contractor's fulfillment of the contract requirements.

"(3) In the case of any contract to fulfill a rated defense order, the priority actually accorded work on the contract within the contractor's organization.

"(b) The President shall transmit annually to the Congress, and for public dissemination, a summary of the reports submitted by defense contractors to contracting agencies pursuant to subsection (a). The report of the President under this subsection shall also set forth all instances in which priority assistance requested by an agency was refused by another agency or in which a contractor refused to comply with the provisions of this Act, setting forth in each instance the reasons for such refusal.

"SEC. 719. The Comptroller General shall develop uniform accounting standards to be applied to all negotiated prime contract and subcontract defense procurements in excess of $100,000. These uniform accounting standards shall include standards from which an accurate showing of production costs and profits by individual order can be determined. The Comptroller General shall consult with the Director of the Bureau of the Budget in the development of such uniform accounting standards, and shall, promulgate rules and regulations in implementation thereof not later than one year after the date of enactment of this section."

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENTS

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

The Clerk read as follows:

On page 1, line 6, of the reported bill, strike "SEC. 2." and all that follows down through line 3 on page 2.

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

Mr. Chairman, I shall not use the 5 minutes. However, in defense of the gentleman from Virginia [Mr. HARDY] and his very hardworking subcommittee, I must rebut the question which has been raised about legislation having to do with defense procurement which has been reported to the floor of this House by that committee.

I would like to point out that the Truth in Negotiations Act, which is probably the most decisive tool the Defense Department has ever had with respect to this matter, was reported by the Hardy subcommittee.

Further, the recently passed Minshall bill, which extends the Truth in Negotiations Act, is also a product of that committee.

In response to the words uttered by the gentleman from Texas [Mr. GONZALEZ], I would like to raise this point. In saying that profiteering exists today at a time when more legislation has been given to the Defense Department to control profiteering than ever before, and when it is admitted by the just retired Secretary of Defense that the profit motive is essential if we are going to have a defense industry, I would say, much to my regret as a Republican, that the gentleman from Texas has delivered one of the most stinging indictments of Democratic administration of the Defense Department that I have ever heard on the floor of this House.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if there is any indictment, it should be against every responsible official in and out of Government and the public in general, including the Congress—as I said earlier, more particularly the Congress, because in the case of the Renegotiation Board, it has been the Congress and not the executive branch that has watered it down, that has liquidated the Board, to all intents and purposes, and practically dismantled it.

It was not until this year that the House acted and recently passed the bill that extended the Board for 3 years instead of 2—but not much more.

The gentleman talks about two diverse things. The gentleman says this is a stinging attack on a partisan basis of the Democratic Party and the administration. This question of profiteering, I will have the gentleman know, is bipartisan. Greed always is.

We may have had "crime, corruption, and Korea" in 1952. But we ended up with "Sherman Adams and vicuna coats and a few other things, because corruption also turns out to be bipartisan.

If the gentleman wants to get down to partisan issues, in the committee there was a straight Republican vote, with one exception, when the original version of this bill was diluted—if that is what the gentleman wants to call partisanship. The original bill was defeated in committee by 14 Republicans and three Democrats.

I have not chosen to look at this as a partisan matter. I have preferred to consider this as one of those things that happens in a country generally that is busy and obsessed with its workaday business and which depends upon its Government and its servants of all parties to keep the people informed and to give them some modicum of leadership as to needs that are pressing the country today.

This Congress has permitted a situation to creep into its national existence which was not true 5 or 6 or 7 years ago, but Congress has failed to act in a way that is concomitant with what has happened. In other words, the history of our country has been that in World War II and in Korea—and even during and after the Spanish-American War—there was action taken by the Congress in order to curb profiteering.

There has not been a war in history recorded in which we have not had the unconscionable leech and profiteer. But this is the first time in the history of our country the Congress has not been sensitive to the immediate need.

The procurement for Vietnam has now outpeaked Korea, by more than $6 billion. We have in procurement alone in excess of $45 billion.

I heard a lot of pious sentiments here about the soundness of the dollar and about the danger to fiscal integrity. Where is the sensitivity of the same voices about accountability? If I were to preach so piously about soundness of the dollar I believe in order to be consistent, at least, let alone honest, I would be greatly disturbed about this inconsistency.

Essentially this is what we are confronted with today. I do not believe anybody so intends it. Certainly if there is anybody who assumes this is an insult to his integrity, he takes that gratuitously.

My plea has been simple and based on the fact that we do not have even the modicum, the minimal of safeguards at this time, when our procurement has outpeaked Korea, as we had during Korea and during World War II.

In the case of the Renegotiation Board, in the case of the Truth in Negotiations Act, and in the case of this Defense Production Act we have only a fragmentation of policy. There is nobody in or out of the Government who can assure us as a matter of truth and fact that can be readily established exactly to what extent the American taxpayer is paying excessive prices.

Nobody is talking about the proper profit motive. No voice has been raised about whether this is an attack on private initiative or capitalism or what have you. It is nonsense to have that kind of scare tactic. Nobody voices an objection to anyone doing business, in or out of the Government, making a reasonable and conscientious profit. We intend that that should be.

In fact, ever since the days of Secretary Forrestal the law has been so shaped that the industry doing business with the Government will even be rewarded for promptness in carrying out its contracts, for efficiency in carrying out its contracts, and in a host of other ways.

So, I say that it is not fair to us as individual Americans and it is not fair to us as collective Members of Congress to let this slipshod, jerry-built system continue without some frontal assault and some attempt made to correct it. If we do not do it now we shall miss our opportunity.

We in Congress can never look at ourselves honestly and straightforwardly without wincing if we fail today to act to put a stop to these shameful conditions.

Mr. HARDY. Mr. Chairman, I move to strike the requisite number of words.

I am sorry other commitments made it impossible for me to be here to hear all this debate. The part I have heard leads me to make an observation.

I am completely in accord with the objective of the gentleman's amendment. However, I read it for the first time this morning. I can see that it would present some problems of administration. I am not a bit sure it would be a workable approach to the objective which the gentleman from Texas has in mind.

This is a problem which my subcommittee of the Committee on Armed Services has had before it. It is a problem with which I have been familiar during all the 22 years I have been in the Congress. I do not want to minimize the seriousness of it for a moment, and I certainly want to agree with the gentleman from Texas in his observation that the business of overcharging the Government is by no means a partisan proposition. It is something that transcends any party lines, and I suppose it is a weakness of human beings.

I would hope that this amendment as it is now framed—and unfortunately I do not have a substitute which would accomplish the objectives—would not become a part of the law, because I think it would be extremely difficult to administer. I am afraid its purposes would not be accomplished at all. This is a matter that has been continually before the Committee on Armed Services and is one to which I have given a great deal of attention. We have tried from time to time to strengthen the Procurement Act. I think it more appropriately belongs in the Committee on Armed Services than the Committee on Banking and Currency, but I am not too concerned with that as long as we can accomplish our objective. It is true that this thing has sort of grown in a patchwork fashion, but as I view this amendment, it would be but another patch added to the patches we already have. I do not believe it would accomplish the desired objective, and therefore I hope it will not become law.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 2, line 4, of the reported bill, strike "3" and insert "2".

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 2, line 6, of the reported bill, strike "sections" and insert "section".

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 2, line 7, of the reported bill, strike "Sec. 718." and all that follows down through line 6 on page 3.

AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Chairman, I offer an amendment to the committee amendment.

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

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. GONZALEZ: Strike out section 718 and insert in lieu thereof:

"SEC. 718. The Comptroller General shall develop uniform accounting standards to be applied to all negotiated prime contract and subcontract defense procurements in excess of $100,000. These uniform accounting standards shall include standards from which an accurate showing of production costs and profits by individual order can be determined. The Comptroller General shall consult with the Director of the Bureau of the Budget in the development of such uniform accounting standards, and shall promulgate rules and regulations in implementation thereof not later than one year after the date of enactment of this section."

Mrs. SULLIVAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-four Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 162]

Abernethy	Fisher	Minshall
Andrews, Ala.	Fraser	Monagan
Ashmore	Gardner	Montgomery
Baring	Gettys	Murphy, Ill.
Belcher	Gibbons	Nichols
Berry	Gilbert	O'Hara, Ill.
Betts	Griffin	Olsen
Bevill	Hagan	O'Neal, Ga.
Bingham	Hanna	Passman
Blackburn	Hansen, Idaho	Pepper
Bolton	Harrison	Pool
Bow	Hawkins	Rees
Brown, Calif.	Hays	Reifel
Burton, Calif.	Herlong	Resnick
Burton, Utah	Holifield	Rivers
Carter	Holland	Rooney, N.Y.
Cohelan	Irwin	Roybal
Colmer	Jones, Ala.	St Germain
Conyers	Kuykendall	Scheuer
Corman	Leggett	Selden
Cunningham	Long, La.	Steiger, Wis.
Dawson	Lukens	Taylor
Diggs	McCloskey	Teague, Tex.
Dorn	McDade	Utt
Dowdy	McMillan	Waldie
Dwyer	Machen	Widnall
Edwards, Calif.	Marsh	Wilson, Charles H.
Evins, Tenn.	Miller, Calif.	
Farbstein	Minish	

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17268, and finding itself without a quorum, he had directed the roll to be called, when 347 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the committee amendment, from line 7 of page 2 through line 6 of page 3, striking out section 718.

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 3, line 7, strike out "719" and insert "718".

The CHAIRMAN. The question is on the committee amendment.

Mr. HARDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARDY. If this committee amendment is rejected, would it then be in order to move to strike section 719?

The CHAIRMAN. The Chair will state that the committee amendment is to strike "719."

Mr. HARDY. I understand that. I am talking about all of the language of the section 719.

The CHAIRMAN. As soon as the committee amendments to this section are disposed of, the Chair intends to recognize the gentleman from Texas [Mr. GONZALEZ] in support of his amendment.

Mr. HARDY. I understand that situation. The point I was trying to determine is if the Chair can advise me under what circumstances it would be possible to offer an amendment, at this point, to strike out all of the language from line 7 to the end of the bill.

The CHAIRMAN. It will be in order as soon as the committee amendments are disposed of.

Mr. HARDY. That being the case, Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARDY. What is the situation with respect to the recognition which has already been granted to the gentleman from Texas [Mr. GONZALEZ]?

The CHAIRMAN. The gentleman from Texas has not been recognized. The amendment of the gentleman from Texas was read at the desk, but he has not been recognized as yet. As soon as the committee amendments are disposed of, the gentleman from Texas [Mr. GONZALEZ] will be recognized in support of his amendment.

Mr. HARDY. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARDY. I understand the situation, and I do not want to deprive the gentleman from Texas of an opportunity to present his amendment at all. The problem, however, is a question of being able to move to strike this entire language.

The parliamentary inquiry which I am trying to address to the Chair is to advise me as to what the procedure would be in order to be able to move to strike this entire language at this point.

The CHAIRMAN. Will the gentleman state his parliamentary inquiry again?

Mr. HARDY. It is, in view of the fact that the committee amendment on line 7 has not been agreed to, and I presume that is the situation, that it has not been agreed to——

The CHAIRMAN. The gentleman is correct.

Mr. HARDY. Prior to the recognition of the gentleman from Texas, presumably the gentleman from Texas was not in order to be recognized until after this has been agreed to. Is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. HARDY. That being the case, Mr. Chairman, my question is whether or not there is an opportunity at this time to offer an amendment to strike out all of the language from line 7 through line 20 and, if so, what the procedure would be.

The CHAIRMAN. After the committee amendments are disposed of a motion to strike out all of section 718 would be in order.

Mr. HARDY. Then, Mr. Chairman, do I understand from the Chair's ruling that the gentleman from Texas [Mr.

GONZALEZ], would not necessarily be recognized further? I do not want to be in the position of causing that, Mr. Chairman.

The CHAIRMAN. That is within the discretion of the Chair, which Member he recognizes whenever more than one Member seeks recognition.

Mr. GUBSER. Mr. Chairman, a parliamentary inquiry. Would the Chair kindly state the pending unanimous-consent request to which I reserved my objection?

The CHAIRMAN. The pending question is agreeing to the committee amendment on page 3, line 7.

Mr. GUBSER. Which is only striking section 719?

The CHAIRMAN. Which is only striking 719 and inserting 718.

Mr. GUBSER. Then, may I inquire further—and I hope that the Chair has not already explained this and I have missed it—what is the status of the Gonzalez amendment to the committee amendment? Is it pending at this time?

The CHAIRMAN. The amendment offered by the gentleman from Texas [Mr. GONZALEZ] has been read. The gentleman has not been recognized as yet in support of his amendment.

Mr. GUBSER. Do I understand, then, that the pending unanimous-consent request is to adopt the committee amendment prior to the consideration of the Gonzalez amendment to the committee amendment?

The CHAIRMAN. The gentleman is correct. And the following committee amendments to the section as well.

Mr. GUBSER. Mr. Chairman, I have no idea whether I am on sound ground, but simply for purpose of clarifying what appears to me is a muddled parliamentary situation, I object and make the point of order that consideration of the committee amendment is not in order until such time as we have considered the Gonzalez amendment to the committee amendment.

The CHAIRMAN. The Chair will state that the amendment of the gentleman from Texas [Mr. GONZALEZ] is not in order until the committee amendment has been disposed of.

Without objection, the committee amendment is agreed to. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 15, strike out "promulgate rules and regulations in implementation thereof".

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 3, line 17, after "section" insert ", recommend such legislation as he may deem appropriate to permit the promulgation of rules and regulations in implementation of the standards developed under this section".

Mr. HARDY. Mr. Chairman, a parliamentary inquiry. Would it be in order at this point to offer a substitute for the committee amendment to strike out the entire language beginning at line 7 through line 20?

The CHAIRMAN. Not until we have disposed of the committee amendment.

Mr. HARDY. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARDY. Will the committee amendment—is it not in order to offer a substitute for the committee amendment?

The CHAIRMAN. After we dispose of the pending committee amendment a motion to strike out the section would be in order.

Mr. HARDY. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARDY. Would it be in order for me to offer an amendment as a substitude for the committee amendment beginning on line 7, page 3, to strike out all of the language from line 7 through line 20?

The CHAIRMAN. The only amendment pending is the language which appears in lines 17 through 20.

Mr. HARDY. That is correct. But as a substitute for that, would it be in order for me to offer an amendment to strike out everything from line 7 through 20 on page 3?

The CHAIRMAN. It is not in order.

Mr. HARDY. I thank the Chairman.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. GONZALEZ: Strike out section 718 and insert in lieu thereof:

"SEC. 718. The Comptroller General shall develop uniform accounting standards to be applied to all negotiated prime contract and subcontract defense procurements in excess of $100,000. These uniform accounting standards shall include standards from which an accurate showing of production costs and profits by individual order can be determined. The Comptroller General shall consult with the Director of the Bureau of the Budget in the development of such uniform accounting standards, and shall promulgate rules and regulations in implementation thereof not later than one year after the date of enactment of this section."

Mr. GONZALEZ. Mr. Chairman, this amendment was defeated in the committee, and I refer to this fact because the gentleman from California made a partisan issue out of this debate this afternoon. This amendment was defeated by a strange Republican vote of 14 Members and three Democrats against and it carried by some four votes.

Mr. Chairman, since the gentleman from California has made this a strictly partisan issue, I would like to say in answer to that there is nothing partisan about profiteering, there is nothing partisan about corruption, there is nothing partisan about renegotiation in my opinion. This is a bipartisan question which is confronting the Members of the Congress.

It is my opinion that if there has ever been a clearcut issue this is it. Is this Congress going to be insensitive to a clearly established need? When I say that I am not referring to a clearly established need that I individually make; on the contrary, it has been a clearly established fact by study of the matter by subcommittee after subcommittee and by the Joint Economic Committee. And, what is the Joint Economic Committee? It is an ad hoc committee that Congress set up to do these very things and report to the Nation upon what is going on and who is buying what on a bicameral basis. We have had one brave man who has the temerity to come to the Congress and testify and who has given testimony after testimony. He is Admiral Rickover. He has also appeared before the Committee on Appropriations. We can go to the people in a pious manner and tell them that we are going to cut costs by $6 billion, and we can say this because the dollar is threatened and because the economy compels it.

At the same time that we are listed on record as overlooking $47 billion in procurement in which one watchdog agency, the Renegotiation Board, between 1945 and 1953 recovered in excess of $11 billion to the taxpayer. This Congress stripped that Board—not the administration, whether it was Republican or Democrat. It was this Congress that offered amendments to strengthen all the Board, opposed by the gentleman from California who is opposing this one.

The amendment does one simple thing—and I say simple, because that is exactly what it is, there is nothing complicated about it except for those who resist it, who would like to obfuscate the real issues—this amendment says you shall have a uniform standard of accounting so as to establish costs and profits in the procurement of goods and services by the Government in defense.

Is this $5 million or $2 million? No, it is over $45 million, over $47 million. And one agency, the Renegotiation Board alone, has recovered within the last year in excess of $50 million, even though it has no staff, even though it has been dismantled by the Congress, even though we are still insensitive to the need.

I do not believe there is one of us in Congress who cannot honestly and clearly go to the people and say, "We had a chance to do something about profiteering, we had a chance to do something about these unconscionable men who are willing to make an improper profit, and did nothing."

No one is against proper profits. We all are committed to the system which is unique in America. But of all the legitimate concerns, there is not one concern in the United States that is not willing to abide by a fair and honest and uniform system of accountability. I know of no reputable corporation that is against an honest, fair, and uniform method of accountability.

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

Mr. GONZALEZ. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Texas, the Honorable HENRY B. GONZALEZ.

I heartily concur in the amendment he has submitted for our consideration. It seems to me that it would be no great burden on our defense producers to comply with uniform methods of accounting which could be developed by the GAO in cooperation with the Bureau of the Budget. This is the only way in which the real cost of military hardware and material can be determined. Uniform accounting procedures prepared by the GAO could also be brought into conformity with the tax reporting procedures established by the Internal Revenue Service and utilized by the Renegotiation Board.

The defense producer is entitled to a fair profit on what he manufactures or produces for the Government. By the same token, the American taxpayer is entitled to a fair deal. He is entitled to a full dollar's value for every defense dollar spent. There is nothing in this amendment which should offend the sense of integrity of any defense producer. I heartily support the amendment.

Mr. Chairman, now that defense procurement expenditures are running between $40 and $50 billion, it is absolutely essential that everything possible be done to insure an orderly Government procurement policy.

On May 27, the House debated and passed a bill to extend the life and authority of the Renegotiation Board. The Board, which consists of five members, is designed to examine all contracts let by the Defense Department and several other Government agencies which are larger than $1 million to see that the contractor is not making an excessive profit.

I supported successful motions in the Committee on Ways and Means to extend the life of the Board for more than 2 years and to close certain "commercial exemption" loopholes in the Board's coverage.

I also sponsored a motion to reduce the floor or size of contracts which the Board can examine from $1 million to half a million dollars. Although this motion failed in committee, I raised the issue again on the floor of the House where it received considerable but not majority, support. I am hopeful that the Senate Finance Committee and the other body will support a reduction in the Board's floor so that more accurate and comprehensive coverage can be given to the examination of defense procurement contracts.

In conclusion, particularly since these efforts to amend the Renegotiation Act did not succeed, it is highly important that this uniform accounting amendment to the Defense Production Act of 1950 be enacted.

Mr. GONZALEZ. I thank the gentleman for his comments.

In short, the need is clear, the need is imperative. We cannot sit back and say that because a Subcommittee on Government Administration, or on House Administration, or the Subcommittee on Appropriations, the subcommittee in the Committee on Banking and Currency, has discovered that there are some things wrong, we cannot sit back and piously say "Well, let us make a study." We have already had more than one study.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(On request of Mrs. SULLIVAN, and by unanimous consent, Mr. GONZALEZ was allowed to proceed for 5 additional minutes.)

Mr. GONZALEZ. Mr. Chairman, I thank the distinguished gentlewoman from Missouri. I do not believe I can fully utilize the additional 5 minutes, because the need here is not for words and excess verbiage, the need here is for action.

The action is simple. The amendment is clear. All it says is that the defense production and procurement system in prime contracts—in prime contracts of $100,000 or more—you shall have a system of uniform accountability.

Mr. Chairman, I hope that my colleagues will consider this amendment very seriously and vote in the affirmative for it.

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

Mr. GONZALEZ. I yield to the gentleman from Maine.

Mr. KYROS. Mr. Chairman, I thank the gentleman for yielding, and I rise in support of the amendment presented by the gentleman from Texas [Mr. GONZALEZ.]

The recent awarding of the M–16 second source procurement contract to General Motors, as you know, has raised serious legal and economic questions. The gravity of these questions leads me to call to your attention the continued and indefensible failure of the Army to justify its actions in this important matter.

The Army today informed me of a third delay in responding to the legal objections I raised to acceptance of the General Motors contract before the House Committee on Armed Services on May 15. When a clearly reliable contractor offers comparable services at a $20 million savings to the Government, as did the Maremont Corp., such prolonged silence by the Army seems extraordinary.

In addition to arousing fundamental legal doubts, the ignoring of so substantial a savings represents a complete disregard of taxpayers' money. When production itself progresses in the midst of basic unanswered questions, such delay is inexcusable. It seems incomprehensible that the Army not only entered into the contract on questionable legal grounds, but also continues production while withholding any justification for its apparently arbitrary decision.

The Army's decision to delay for the third time, a response to the grave legal and economic questions raised here in the Congress concerning the award of the M–16 to General Motors is an inexcusable violation of the public interest. Each day of continued silence on their part deepens the doubt of the Army's right to ignore the substantially less expensive and fully comparable contract offer of the Maremont Corp. to supply the Army with the needed rifles.

How can they continue to blatantly ignore answering for the unnecessary expenditure of $20 million of taxpayers' money with no attempt to justify the legality of the contract? All information made available to me and to the House Armed Services Subcommittee leads to the inevitable conclusion that the M–16 contract, as awarded, is illegal. Since when does the procurement procedure of the Army permit totally ignoring cost considerations? It has now taken the Army more than 2 weeks to inform the Congress that it will take 2 more weeks to answer this fundamental question. This, quite simply, is not good enough.

On behalf of my constituents, the Maremont Corp., and the American taxpayer, I object to the Army's utter disregard of their responsibilities and their continued stalling tactics.

It would seem to me if the General Accounting Office had available to it the kind of powers contained in the amendment proposed by the gentleman from Texas, then we could assure that the taxpayers' money would be more fully safeguarded and that similar "M–16 incidents" might be prevented.

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

Mr. GONZALEZ. I yield to my distinguished colleague, the gentleman from Texas.

Mr. ECKHARDT. I thank the gentleman for yielding and I thank the gentleman for his service to his country in offering this amendment. I support it and I wish to associate myself entirely with his remarks.

Mr. GONZALEZ. I thank my colleague very much.

Mr. BROCK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to take this out of the emotional plane for just a couple of minutes and point out some things about this amendment and what it would imply.

The gentleman from Texas says that this Congress dismantled the Renegotiation Board. I would like to know in what specific instance, how and where and when? I have taken no action to reduce the ability of this Government to protect itself from the abuses he mentions. I do not think there is a Member of this body who does not feel very deeply concerned about protecting the taxpayer from abuse.

It was not this Congress that dismantled the Renegotiation Board. It is this administration which refuses to enforce the powers it has.

If you want to stop excess profits, you do it by competitive bids. That is where this administration has flagrantly abused the American taxpayer, by depending upon negotiation rather than competition.

You cannot pass this amendment and expect any relief for the gentleman from Maine. It would not address itself to that problem. That problem would have been solved by competent management in the Pentagon.

I fully agree that it was a shameful award. This amendment does nothing to correct that. The gentleman from Texas would have us impose, without proper congressional process, without any regard to the legislative process whatsoever, a so-called uniform accounting

standard upon all defense establishments and defense industries of this Nation.

Let me just point out a couple of thoughts to you. I would guess that we buy at least a half million different items—probably several million—for the defense of this Nation. If that is the case, and they are all different, and they are all manufactured by a different process, or are not even items at all but simply services, I am not sure that you can have a provision for a uniform standard for all. The probabilities are that you will have 500,000 specific uniform standards. That is about as "uniform" as a bowl of mush.

I would imagine there are 5,000 plus industries supplying this Defense Establishment with $45 billion worth of goods and services each year. We might have 5,000 different uniform standards. I do not think that is very uniform either. What the committee has requested in this bill is a direction to the GAO, in consultation with the Bureau of the Budget, to do a thorough study of the problem, and to recommend ways and means of combatting the problem.

But we do not abdicate our legislative responsibility to see that those standards and those rules and regulations are within the framework of this competitive system. We do not have that confidence in the GAO. We simply feel it is within our responsibility to review and hold hearings on the impact of these regulations and then to take what action our responsibilities require us to take.

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

Mr. BROCK. I yield to the gentleman.

Mr. GONZALEZ. The gentleman obviously has not been conversant with the facts with respect to the time-negotiated contracts in excess of $45 billion that he was speaking of, otherwise he would not mention the total number of firms that he did.

The question I want to ask is with reference to whether this Congress has or has not acted on this matter. I believe the gentleman was present when we made an effort to strengthen the Renegotiation Board. Is it not true that at that time the gentleman resisted those amendments?

Mr. BROCK. I am not sure of the action to which the gentleman refers.

Mr. GONZALEZ. It was during the recent Ways and Means Committee action on the extension of the Renegotiation Board Act.

Mr. BROCK. No. The gentleman is not correct. I was not present, apparently, at the Ways and Means Committee hearing. Nor have I at any time attempted to hamper the effectiveness of the Renegotiation Board.

Mr. GONZALEZ. No. I refer to the House action on the Ways and Means Committee presentation for an extension of the Renegotiation Board. I thought the gentleman was present. If he was not, then I think he missed a very important portion of the debate which has a direct bearing on this question, because at that time the distinguished chairman of the Ways and Means Committee indicated strongly that it was this act to which this type of amendment should be offered. That is why we offered it.

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

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

Mr. GUBSER. I think the point should be made that during the debate to which the gentleman from Texas refers it was pointed out that 87 percent of this $47 billion of which he speaks is contracted by negotiated fixed prices. Many of these contracts include incentive clauses, which means that the price can be adjusted downward after performance of the contract by a review of the actual cost data.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

(By unanimous consent, Mr. BROCK was allowed to proceed for 2 additional minutes.)

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

Mr. GUBSER. To continue, an incentive clause requires that a price can be adjusted downward after the contract has been performed upon the basis of cost figures which are actual figures in being. This is certainly all the protection in the world that the taxpayer needs without adding this extra accounting cost, which is going to be considerable and which will reduce the tax liability of the companies involved by at least 48 percent but which will add to the cost of the item being procured due to the extra administrative cost.

Mr. BROCK. I thank the gentleman.

Mr. Chairman, I would like to summarize, if I may, very briefly. The only difference between the gentleman's amendment and what we have in the committee bill is this: Both require a study to be made to determine the ability to achieve a uniform accounting standard for industry by whatever method is necessary to protect the American taxpayer. The difference lies in this very simple thing: The gentleman would empower the General Accounting Office to impose these standards as soon as they have achieved their evaluation, or their study. Conversely, our bill requires that they report their recommendations to the Congress so that we can have hearings, exercise our legislative responsibility, allow those on the other side to be heard, and that we then exercise our legislative responsibility to write the kind of legislation that will do a job. That is what the committee bill does. It does not permit Congress to abdicate or delegate its responsibility.

Mr. HARDY. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. HARDY. Mr. Chairman, I shall not take 5 minutes. I merely wished to make this observation, as I did earlier in the debate: I am in complete accord with the objectives the gentleman from Texas has in mind. But I do not think his approach to them will solve the problem at all. In fact, I think as between the language of his amendment and the language the committee has submitted the committee language is much to be preferred. So, Mr. Chairman, I hope that the amendment of the gentleman from Texas will be defeated.

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

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

Mr. CABELL. I thank the gentleman for yielding. I rise to associate myself with his remarks with reference to the more desirable features of the committee amendment as opposed to the amendment offered by my very good friend and colleague from Texas [Mr. GONZALEZ].

I would also like to take issue with the statement that this is a partisan issue. This is not a partisan issue. I do not think partisanship has any place in this.

Mr. HARDY. The gentleman is absolutely correct on that point.

Mr. CABELL. I think our legislative processes are being sidetracked when we come out with a procedure as outlined in the amendment of the gentleman from Texas, because there would be no further legislative hearings and no further debate.

It gives untold power to the General Accounting Office in setting up and promulgating these rules. I sincerely hope the amendment offered by my colleague from Texas will be defeated and that we will accept the wording of the committee amendment, which provides for proper study and for proper hearings and for due process of our legislative system.

Mr. HARDY. Mr. Chairman, I thank the gentleman for his contribution.

Mr. Chairman, I want to make one further observation. In connection with the language which the gentleman from Texas [Mr. GONZALEZ] has proposed, I had a member of my staff contact the General Accounting Office this morning. While I do not have an official pronouncement according to my information, GAO does not consider the language of the amendment offered by the gentleman would be productive of the objective which he seeks. As I understand it, the General Accounting Office considers it would be extremely difficult, if not impossible, to administer.

I hope, Mr. Chairman, therefore, that the amendment of the gentleman from Texas will be defeated.

Mr. GUBSER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas, I was impressed with the words of the gentleman from Tennessee [Mr. BROCK], when he pointed out quite clearly that if the amendment offered by the gentleman from Texas is adopted, this House will be passing its legislative responsibility to the General Accounting Office and the Bureau of the Budget. They will be writing the law.

Article I of the Constitution says that the legislative branch of the Government shall consist of two Houses, the House of Representatives and the Senate. Yet, the Gonzalez amendment would be saying in effect that this House will sign a legislative blank check and the General Accounting Office and the Bureau of the Budget will be writing the law—not the Members of Congress.

One other point I think we ought to consider before we vote on this amendment. Let us not presume that simply because someone engages in defense industry, he is automatically a profiteer and a crook. In this Nation innocence is presumed until guilt is proven. Honesty is not confined to government. I recall the case of Billy Sol Estes and I recall the case of Bobby Baker.

Today's figures, if we want really to studiously look at them, do not show this alarming profiteering that the gentleman from Texas speaks of. In fact, they show just the opposite: that defense profits are going down, to the point where Secretary of Defense McNamara became so alarmed that he promulgated armed services regulation 3.808–1, which says—I paraphrase it—low profits in defense industry are forcing people out of the business and we must do something to improve profits so we can attract people back into the industry. That is a paraphrase, but an honest one, which is part of the Armed Forces procurement regulations promulgated by Secretary McNamara.

One last point. Let us stop and think for a moment about what accounting really is. Accounting is more than the rigid old double-entry bookkeeping system, where we have a journal and a ledger, a trial balance, and so forth. Accounting is much more than that today. Accounting is a management tool.

This is a private enterprise system and management ought to be able to use the tools which enable it to do a better job in the private enterprise system. Some companies have one type of cost accounting and others have another type, because it suits their particular needs and helps them do a better job of management. But now, in the private enterprise system, if this amendment is adopted, we will be saying that only the Government knows proper accounting procedure, and that every private industry must be told how to do its accounting. At the very least we will be forcing private industries to keep at least one more set of books than it presently does. We will be forcing an unnecessary expense upon them.

Under existing accounting procedures, industry must be able to satisfy the Internal Revenue Service—and they do it. In addition, they must be able to satisfy the requirements of the Renegotiation Board if they are in defense industry which is renegotiable—and they do it. Additionally, they must be able to satisfy the very explicit and very stringent requirements of the Truth in Negotiation Act—and they do it.

Now this amendment would tell one government agency: You have the power to make law. We in Congress consider ourselves incompetent for that purpose. You write the law. You impose upon this private enterprise system the accounting practices that it shall follow.

This will not be a private enterprise system if we do this, and we will not have defense contractors around who are willing to put up with such harassment and such unnecessary added costs in this day of shrinking defense profits.

This is a very bad amendment, one of the worst conceivable. I urge the Members to vote it down.

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

Mr. GUBSER. I yield to the gentleman from Illinois.

Mr. ERLENBORN. Is the gentleman aware that some 15 years ago, by law, the agencies and departments of our Federal Government were required to have approved accounting systems approved by the General Accounting Office, and that today, some 15 years later, less than half of the agencies and departments of our own Federal Government have had their accounting systems approved by the General Accounting Office?

I would think an amendment like this, with the General Accounting Office in a position to dictate to private industry what sort of accounting practices private industry should have certainly flies in the face of the experience we have had with our own agencies and departments.

Mr. GUBSER. Imposing a strict, unyielding provision of law such as this on private industry is certainly not the hallmark of a free and democratic society. We should keep private enterprise private and free.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. GONZALEZ].

The question was taken; and on a division (demanded by Mr. GONZALEZ) there were—ayes 41, noes 61.

Mr. PATMAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GONZALEZ and Mr. BROCK.

The Committee again divided, and the tellers reported that there were—ayes 51, noes 86.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 17268) to amend the Defense Production Act of 1950, and for other purposes, pursuant to House Resolution 1193, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. GUBSER

Mr. GUBSER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GUBSER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GUBSER moves to recommit the bill H.R. 17268 to the Committee on Banking and Currency.

Mr. PATMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and to include any relevant extraneous matter.

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

There was no objection.

GOVERNMENT PRINTING OFFICE EMPLOYEES NEED PROTECTION AND NEED IT NOW

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

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

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, could this House operate tomorrow with no CONGRESSIONAL RECORD, no Daily Digest, no bills printed, none of the vital documents provided us by the loyal Government Printing Office employees? I think not.

A wildcat strike of GPO employees may come at any hour. The unions are not threatening to strike, Mr. Speaker. They are too high level to make threats and they are fully aware that striking against the Federal Government is illegal. Yet on the other hand their members, the employees, cannot continue to face the muggings, yokings, beatings, stabbings, and robbings they are sustaining in their travel to and from work.

The chairman of the Council of Organized Crafts, GPO, Mr. Donald Taylor, representing 5,000 craftsmen and 13 crafts, was called to meet on Friday with Safety Director Murphy, Mayor Washington, and others, after repeated pleas to the White House from GPO employees. He was promised more police would be assigned to the area, but within hours after the meeting another GPO employee was assaulted and robbed of his billfold. Ironically, while Mr. Taylor was assisting the employee, his wife was

being threatened by an anonymous telephone caller that "her husband would get it next" if he continued to demand protection. A few hours later, a second employee got in his car and was forced to drive at gunpoint over Memorial Bridge into Virginia where he was robbed.

Mr. Speaker, we have been promised 1,000 more police, but the GPO employees cannot wait for them to be recruited and trained. They are employees of the Congress. If it takes Federal troops then we must demand that Federal troops be brought into Washington and kept here until permanent protection can be provided them.

We need Federal troops in Washington today, not only to protect our own Federal employees, who have so courageously faced danger daily to serve us, but also the busdrivers, cabdrivers, small businessmen, and countless individuals whose employment forces them to be on the streets of this city during the evening hours.

How long must the people of this city live in constant fear for their lives? How long must they watch the overtaxed policemen of this city running from place to place to accompany protesters while leaving them virtually unguarded in their jobs and their homes? Mr. Speaker, the Metropolitan Police Department is one of the finest police departments in any city in the Nation. But no department of its size could handle the situation in this Nation's Capital without help—Federal help—men in uniform to augment their forces.

Mr. Speaker, we congratulate the drivers of our city buses for their bravery in returning to the streets tonight. They, too, have received promises from the District government of more police protection. But can it be provided? I think not, Mr. Speaker. I think the only way law and order can be restored to this city is by bringing Federal troops into the city to ride every bus, stand at or near every bus stop, and on street corners in the crime-infested areas until the police department can be brought up to strength and can guarantee protection to those who walk the streets of the Nation's Capital.

Mr. Speaker, I plan to ask consent to insert in the Extensions of Remarks of the RECORD today a copy of a statement I have received from Mr. Donald Taylor, of the Columbia Typographical Union, as well as a statement of Mr. Virgil West, a linotype machinist at GPO who was kidnapped and robbed upon leaving his employment Saturday morning, June 1, 1968.

SUPREME COURT DECISION ON CAPITAL PUNISHMENT

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

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

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, the decision of the U.S. Supreme Court announced yesterday on the question of capital punishment may well be the "last straw" insofar as those of us who have tried to restrain ourselves from criticizing the Court, are concerned.

The effect of the Court's decision is to carry into judicial decree something which has become far too prevalent in other aspects of our society, and that is to allow the minority to control the majority, which is exactly the reverse of how our Founding Fathers envisioned our society.

As I read this decision, it will mean virtually the end of capital punishment in the United States unless this Congress or the States themselves can devise a way to eliminate the requirement for unanimous verdicts by juries. For, in its obvious application, the Court's decision makes unanimous decisions in capital punishment cases practically impossible.

The citizens of the various States, through their elected representatives in the various legislatures of the several States, have decreed that capital punishment shall be imposed on those convicted of various crimes. Prosecuting officers, in order to obtain juries that will carry out the will of society, have traditionally excused from jury service those who state that even though they may be convinced that the person is guilty of the crime for which the people through their legislators have set the capital penalty, they will not carry out the will of society.

The will of society obviously cannot be carried out if the prosecuting attorney is required to accept on a jury persons who are opposed to the law he is trying to enforce. Yet, this is what the latest decree of the Court will require. The prosecuting officer is told to accept a jury that is stacked against ever obtaining a unanimous verdict imposing capital punishment.

Look further into the ramifications of this decision. Through the back-door route of judicial decree, the Court has imposed upon this entire Nation and all the courts thereof the minority views of those who oppose capital punishment. Time and again the question of outlawing capital punishment has been raised in the several States and rejected. Obviously, the majority of the people in the Nation feel that capital punishment is necessary as the penalty for certain crimes and as a determent for the commission of the crime by others in the future. And the people have decreed in their wisdom that capital punishment should remain in force.

This decision of the Court, however, means that the will of the people in the many States will be denied. It is ironic, too, that this will be the effect of the decision even though the Court carefully skirted declaring that it was outlawing capital punishment. As the dissenting opinion stated, if the Court intended to prohibit capital punishment, then it should say so and mince no words.

Mr. Speaker, decisions of this sort which go entirely beyond the intended jurisdiction of the Court have brought our society to the point that the people are fast losing respect for the highest judicial body in our Nation. The preponderant opinion in this country is that this Court has turned its back on its duty of protecting society by its overzealousness in protecting what it feels are the rights of criminals.

This decision, I predict, will lower the opinion of the Court in the eyes of the people even more. Law enforcement and prosecuting officers throughout the Nation today will throw up their hands in exasperation at this latest judicial fiat because it will fit like a pair of handcuffs when they attempt to enforce the laws requiring capital punishment.

RESULTS OF OPINION POLL IN FOURTH DISTRICT OF INDIANA

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

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

There was no objection.

Mr. ADAIR. Mr. Speaker, the anxiety and concern over the course the Federal Government is taking are clearly manifest in the results of the opinion poll I have taken in the Fourth District of Indiana.

My constituency is composed of solid Americans who believe in their country and its greatness. But they are confused and troubled about the serious problems that remain unsolved. Furthermore, they are questioning the policies which have us involved in a war that is taking such a heavy toll in lives and taxes without any apparent solution. They are worried about the Federal debt and the fact that our Nation is in such a financial muddle that the dollar is threatened although Federal expenditures continue virtually unchecked.

One of the gravest issues facing the people is increasing crime and the rioting and lawlessness in our cities.

It was with some of these questions in mind that I decided it was vital that I again conduct an opinion poll of my constituents. In their quick response to the questionnaire, their deep concern, their frustration and desire for positive action was evident. By their opinions, they indicated that they felt it imperative that certain steps be taken immediately by the executive and legislative branches of our Government to bring order out of chaos and restore the basic concepts of government that have been essentials of our growth, freedom, and prosperity.

I am confident that the results of the poll will be of interest to my colleagues. Therefore, I am publishing the results in the CONGRESSIONAL RECORD.

I might add that it appears that when all the results are in, more than 20,000 constituents will have responded to the poll. Many not only marked the ballots but took the time to write a letter to amplify their views.

The results of the poll follow:

RESULTS OF PUBLIC OPINION POLL OF FOURTH INDIANA DISTRICT (CONDUCTED BY E. ROSS ADAIR, MEMBER OF CONGRESS)

[In percent]

Questions	Yes	No	Undecided
1. Do you favor the President's proposed surtax on certain income?	25	68	7
2. Do you favor the President's proposed tax on travel abroad?	45	48	7
3. Do you feel that Federal spending should be reduced, rather than increasing taxes?	91	5	4
4. Do you feel that the decisions of the Supreme Court in recent years have			
(a) Helped the "war on crime"	4		
(b) Hindered enforcement of our laws	85		
(c) Had no effect	6		
Undecided	5		
5. As regards Vietnam, which selection most clearly approximates your views?			
(a) Increase our military and diplomatic pressure to try and resolve the conflict	63		
(b) Deescalation of the war	25		
(c) Maintain our present course	7		
Undecided	5		
6. Do you feel that our present laws regarding subversion and the activities of the Communist Party of the United States need to be strengthened?	88	9	3
7. What do you feel is the solution to summer riots in our cities?			
(a) More vigorous law enforcement	82		
(b) More Federal aid to our cities	5		
(c) More civil rights legislation	5		
Undecided	8		
8. Do you feel that President Johnson and Secretary Freeman are solving the present farm problem?	3	85	12

BITING THE BULLET

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

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

There was no objection.

Mr. PELLY. Mr. Speaker, it is a sorry state of affairs when fiscal policy during a national financial crisis has become a sort of tug-of-war between the President and the Congress. But, that is the way it is. And, now the matter comes to a head. Now, the Members of the House must vote either for or against a tax increase and, at the same time, for or against a $6 billion cut in spending. We cannot vote for one and against the other; or vote against one and for the other.

I want to say, having carefully studied this issue, I intend to "bite the bullet." There seems to be no alternative at this late date.

A lot of us warned that the Johnson-Humphrey "guns and butter" policy was wrong and in the end would cause a major depression, which is what the economists say we are headed for unless stern measures, such as a tax increase and expenditure cut, are taken to curb inflation.

I have said for years that the best way to increase Government revenues is to cut Federal taxes. Taxes are too high now. Lower taxes accelerate business activity and produce more income and prosperity in which the Government participates.

But, with the cost of living rising and spiralling inflation, a tax cut is no answer now. We are in a crisis because of enormous deficits and overspending by the Government. If the Government had reduced its level of domestic spending during the past few years, as some of us advocated, the situation would be different. As things are, we face a further and bigger deficit.

There is only one answer. Government spending must be reduced, and, unfortunately, at the same time a part of the tax cut, passed by Congress in 1964 must be restored.

In the meanwhile, I want to make two things clear. First, the 10-percent increase in the price level of goods and services since mid-1964 is not something that resulted entirely from Vietnam. Only about half of the increase in Federal expenditures between mid-1965 and mid-1968 are attributable to the war.

Despite the war, the administration has stepped up its efforts to stimulate the economy instead of coming to grips with the reality of the the inflation it was causing.

The second point I want to make is that Federal expenditure reductions of $6 billion can be made without cutting programs for health, education, and the poor. But, we cannot curb spending to this extent if we keep troops in Europe at the present strength, or if we continue foreign aid at its present level, or if we fail to deaccelerate our space program. Also, I think defense spending can be cut.

Finally, while deflationary measures, such as a tax increase and less Federal spending are needed to curb inflation or at least hold it down, let us remember that a rubberstamp, free-spending Democrat Congress got the country into this mess. If many of us had had our way, the crisis in which the Nation finds itself today would never have occurred.

It serves little purpose to say, "I told you so." Rather, I do suggest that the voters evaluate the records of their Members of Congress. Especially, I would urge the careful evaluation of Congressmen who consistently supported overspending and now fail to support President Johnson's plea for a tax increase and expenditure curb. The voters should deal with that kind of politics that puts the national interest in second place.

I know the country is in trouble, and I will, as I said, "bite the bullet," but I do not feel kindly in supporting the administraton, if the liberal spenders whose policies brought on inflation will not stand up and be counted with me, even if it is an election year.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT OF 1965

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

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

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today two bills to amend the Immigration and Nationality Act of 1965 in order to remove inequities which have become apparent since the revised law was put into effect.

The first bill, already introduced by Chairman CELLER and by Senator EDWARD KENNEDY in the other body, would perfect a number of reforms initiated in the 1965 legislation and would open the way for a general review of many of the policies now in operation.

The bill would make a number of amendments to strengthen the objective of uniting families, which I have long believed to be one of the major purposes of our immigration policy. In particular, section 18 of the bill attempts to clean up the backlog in fifth preference—brothers and sisters of U.S. citizens—accumulated under the old national origins quota system. The section provides for the issuance of special immigrant visas to applicants whose petition for admission was filed prior to December 1, 1965, the effective date of the Immigration and Nationality Act of 1965.

This provision is intended specifically to clear up the backlog under the fifth-preference Italian quota. There are currently over 100,000 approved fifth-preference petitions of Italian brothers and sisters on file, and it is estimated that issuance of visas for all these petitions would result in the entrance of some 250,000 to 300,000 relatives of American citizens of Italian extraction.

Under the new worldwide quota system which goes into effect on July 1 of this year, visas will be issued to those whose petitions were filed first, with a numerical limitation of 20,000 per country. Thus, by clearing up this backlog of Italian petitions which have been on file for some time, section 18 will therefore make visa numbers available to nationals of other European countries under the fifth preference in the nearer future.

The second bill, which has already been introduced in the House, would further benefit prospective immigrants from northern and western European countries which have already experienced an unintended decline in the number of immigrants able to enter the United States under the 1965 act. By emphasizing the immigration of entire families, the 1965 act has unintentionally resulted in a reduction in the number of other immigrants who may enter, and those affected have principally been from those European countries which have historically contributed so many immigrants to this land.

One of the hardest hit nations has been Ireland. Ireland's annual quota was 17,756, which it did not fully use. In average years about 7,000 Irish immigrated to the United States. Already, because of the labor certificates and other requirements of the 1965 act, immigration has dropped to 1,809 visas issued in Dublin in 1967. After July 1, 1968, it is

estimated that only 500 to 1,000 Irish will be able to enter the United States yearly.

Clearly, this was never the intention of the Congress. When the 1965 amendments were considered, the State Department estimated that Irish immigration would be about 5,200 annually.

The bill I am introducing—which would also benefit the Scandanavian countries, Great Britain, the Netherlands, Germany, Switzerland and others—would permit immigration from these nations without returning to a quota system and without injury to those countries benefiting from the new law.

The bill provides that any nation whose immigration has dropped below 75 percent of its yearly average during the 10-year base period 1956–65 will be allotted additional places in excess of the worldwide quota to bring its total up to 75 percent of the base period average annual immigration.

In no case would a single country's immigrants exceed 10,000, and the bill further requires that 30 percent of the additional visas be made available to sixth-preference immigrants—skilled and unskilled laborers in short supply. It would be my hope that this provision will help to relieve the problems faced by many small businessmen who have been waiting for some time for the services of immigrants whose qualifications are in short supply in the United States.

Under the bill, Ireland would be able to send about 5,300 immigrants and since the number of nations affected by the bill is small, it is estimated that the total number of additional visas would not exceed 20,000 to 30,000 above the worldwide quota.

Mr. Speaker, I know that the Judiciary Committee has been considering a number of aspects of the 1965 Immigration Act and I would hope that these particular matters will receive the committee's careful attention in the near future.

VIVA LA FRANCE

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

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

There was no objection.

Mr. RARICK. Mr. Speaker, Gen. Charles de Gaulle has again demonstrated proven military leadership and shown the world that he is first, last, and foremost a Frenchman.

The Communist conspiracy had obviously scheduled France for an all-out effort and if nothing more General de Gaulle has demonstrated that a little willpower and the courage of patriotism can stop the threat of any Communist takeover.

The probable result of France's triumph—respect and leadership with other nations as well as the reawakening of the French people.

His former manipulated world image as a Communist will most probably now be distorted by the ultraleft to picture him as a "Nazi." After all, he dared speak out and take a stand against communism.

While there are some areas of disagreement, I laud the gallant general for his courage and devotion to his country and people.

As a representative of the State of Louisiana where our society is enriched with a proud French heritage, I join in proclaiming. "Long live the Republic. Viva la France."

Mr. Speaker, I insert General de Gaulle's speech of May 30, 1968, and the UPI release of May 30, as follows:

ADDRESS DELIVERED BY GEN. CHARLES DE GAULLE, PRESIDENT OF THE FRENCH REPUBLIC, BROADCAST OVER FRENCH RADIO ON THURSDAY, MAY 30, 1968

Frenchwomen, Frenchmen: Being the custodian of the national and republican legitimacy, I have examined, for the last twenty-four hours, all the eventualities that, without exception, would enable me to maintain it. I have made my resolutions. In the present circumstances, I shall not withdraw. I have a mandate from the people. I shall fulfill it. I shall not change the Premier, whose worth, strength and ability deserve the tribute of all. He will propose to me the changes that will seem useful to him in the composition of the Government.

I am dissolving the National Assembly today.

I have proposed to the country a referendum that gave the citizens the opportunity to prescribe a profound reform of our economy and our university system and at the same time to say whether or not they retained their confidence in me by the only path acceptable, that of democracy. I note that the present situation makes it materially impossible to proceed with this. That is why I shall postpone the date.

As for the legislative elections, they will take place within the time period provided by the Constitution, unless some intend to muzzle the French people as a whole by preventing them from expressing themselves at the same time that they are being prevented from living, by the same means that the students are being prevented from studying, the teachers from teaching, the workers from working. These means are the intimidation, the intoxication and the tyranny exercised by groups organized long in advance for that purpose, and by a party that is a totalitarian enterprise, even if it already has rivals in this respect.

If, then, this state of force continues, I shall have to take, in order to maintain the Republic and according to the Constitution, other paths than the immediate polling of the country. In any case, everywhere and immediately, civic action must be organized. This must be done to help the Government first of all, then, locally, the Prefects, who have become or become again Commissioners of the Republic, in their task which consists of ensuring as much as possible the existence of the population and of preventing subversion at any time and in every place.

France is indeed threatened by dictatorship. Some want to force her to resign herself to a power that would impose itself in national despair, a power that would then obviously be mainly that of the conqueror, that is, of totalitarian communism. Naturally, to begin, it would be colored with a deceptive appearance, by using the ambition and the hatred of shelved politicians. After which, these people would carry no more than their own weight, which would not be great.

Well, no. The Republic will not abdicate. The people will collect themselves. Progress, independence and peace will prevail, along with liberty.

Long live the Republic!

Long live France!

[From the Washington (D.C.) Evening Star, May 30, 1968]

ONE HUNDRED MILLION DOLLAR U.S. CREDIT GIVEN TO PROTECT FRANC

The United States went to the aid of the troubled French franc today, but throughout Europe worried bankers said they could no longer take the risk of buying French currency.

The U.S. Federal Reserve Bank granted France a $100 million credit to help the franc over a crisis brought on by current political turmoil.

In Switzerland, the Bank for International Settlements, which stepped in Tuesday to help the franc as it had to aid the British pound in pre-devaluation difficulty, withdrew its support.

The franc, said bankers who make up the BIS, had become "practically unsalable."

Only yesterday, the BIS, a kind of clearing house for the world's great central banks, had offered to exchange unlimited amounts of U.S. dollars for French francs turned in by Swiss banks.

"We do not know where things will go but we are very harassed," one banker said.

In Italy, West Germany, the Netherlands and other European nations, banks simply stopped all transactions in French francs. Franc quotations disappeared from many foreign currency listings.

Italian and German banks made one concession—they offered to buy small numbers of francs to help tourists stranded with nothing else in their pockets. The rate of exchange was predicably lower.

In London, by contrast, franc transactions went on, apparently as usual. The London quotation for francs remained a low 11.88 against the pound, but trading was nearly normal.

Paris financial sources said the U.S. credit was granted to France under an agreement guaranteeing that France—or any other nation receiving such help—would be obliged to reciprocate were the dollar or pound to be placed again in jeopardy.

The same sources also said the franc was solid despite a heavy run on it abroad by speculators and by the closing of most French banks by striking workers. The buffeting given the franc is similar to that suffered by the U.S. dollar in the 1967–68 international gold rush.

[From the Washington Daily News, May 29, 1968]

REDS MARCH—DE G GOES TO RETREAT—FRENCH CRISIS DEEPENS

PARIS, May 29.—President Charles de Gaulle stormed out of Paris today to the seclusion of his country home and there was mounting speculation he may resign tomorrow as the only way to solve the political and economic crisis plunging France toward bankruptcy.

The communist-led General Confederation of Labor called millions of striking workers out in public demonstrations today to demand higher wages—and to demand that Gen. de Gaulle end his strongman Fifth Republic.

Students again howled their protests against the Gaullist regime and fiery left-wing student leader Daniel Cohn-Bendit slipped back into France and pledged he would lead the students in a revolution to "destroy capitalism and establish true socialism."

LOSING HEAVILY

The nation remained in the grip of paralysis with 10 million workers on strike and other millions unable to work. Officials in the Finance Ministry estimated the strike was costing the nation $1 billion a week of its gross national product. Already France was dipping into its $6 billion gold and dollar reserves that had been so carefully hoarded by Gen. de Gaulle.

Yesterday, Francois Mitterand, leader of

the combined leftist forces, called on the 77-year-old Gen. de Gaulle to step down and call off the June 16 referendum he has scheduled as a vote of confidence. Mr. Mitterand threw his hat in the ring as a successor, heading a "popular front" government including the communists.

Gen. de Gaulle's authority appeared to be crumbling from hour to hour and there were reports he would call off the referendum in what could be a humiliating defeat. It appeared his government was losing its grip as surely as the discredited Fourth Republic did almost 10 years ago.

No reason was given for Gen. de Gaulle's sudden departure. He left by helicopter for his home at Colombey-les Deux-Eglises in eastern France 90 minutes after cancelling a cabinet meeting without warning.

The Elysee Palace said the cabinet session would take place tomorrow afternoon and that Gen. de Gaulle would return in time to preside.

Radio Europe No. 1 and Radio Luxembourg, two independent stations, both speculated he may quit as he has before at time of crisis.

If Gen. de Gaulle should resign, he would be replaced temporarily by Senate President Gaston Monnerville, 71, a Negro from French Guiana. It would be Mr. Monnerville's job to organize elections for a new president in not less than 20 or more than 35 days after the resignation.

Mr. Monnerville has been one of Gen. de Gaulle's bitterest political opponents since 1962.

Prime Minister Georges Pompidou is striving to keep the regime from collapsing. He is bargaining endlessly with workers and government employes in a desperate effort to get them back to work.

He is handing out raises ranging from 10 to 35 per cent, but every time he thinks he has made a deal with union leaders, the workers tell them to go back and demand more. And the regime already has granted more than industry can afford without a rise in prices and a loss of competitiveness.

The workers, quite simply, saw the government back down before rioting students, then before the strike wave. So they are holding out in hope of even better wages and hours and, in some cases, an end to capitalism.

Mr. Pompidou has been reduced to "asking" that workers decide on his offers by secret ballot so they will not be intimidated by militants. He is warning that the standard of living will suffer if wages rise faster than productivity.

These are sensible points, but they are not being heard in this climate: The working class discovering its strength and the political jackals smelling the blood of the old lion in the presidential palace.

The union leaders, especially communists, started out after bread-and-butter issues while many young workers wanted a new society. Now it appears the leaders have learned from their troops and also seek to overthrow the government.

GENERAL ACCEPTANCE CORP. AND GOVERNMENT

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

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

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, ever since I first entered public life I have tried to encourage maximum participation in the many facets of public policymaking from the private sectors of our Nation.

It is my conviction every franchised citizen should exercise his voice and his vote in the best interests of his Nation, his State, his community, and himself. Not only does he have the right to be heard in the affairs of the public, but also he has a very definite responsibility to participate.

In the past, I have observed with distubing regularity efforts by some employers in the private sector to discourage their employees from engaging in community, civic, or governmental affairs. Whenever possible, I have urged reevaluation of such policies because they are totally inconsistent with the basic principles of our democratic society.

This week, a statement of policy issued by the General Acceptance Corp., based in my congressional district, came to my attention. Because it is an extraordinarily positive policy which recognizes fully the importance of responsible citizen participation in public affairs, I am pleased to be able to bring this policy to the attention of my colleagues.

It includes both a statement of GAC's resolve to fulfill its role as a corporate citizen, by Mr. S. H. Wills, president and chairman of the board, and a policy statement encouraging employee activity:

PUBLIC RELATIONS POLICY

The lives and future welfare of GAC employees and their families have been and will continue to be greatly influenced by public affairs. Public policy as developed by community, civic and governmental activities covers a wide area, bearing directly on the future status of free competitive enterprise in this complex society. If we are to have a voice in the formation of that policy, we must take an active interest.

The employees of the GAC Corporation and its subsidiaries should express informed interest and actively participate in public affairs. In doing so, they will assist in fulfilling the objectives of keeping our Nation strong and our social and our economic institutions viable. GAC employees are urged to seek out those cultural, governmental, or community service activities suited to their particular talents, interests, and preferences.

In addition, the Corporation encourages all employees to support the political parties of their choice with their time and talents and whenever possible, to take an active part in the bi-partisan processes of government in the communities where they live. This should include:

1. Registering with a lawful political party.
2. Informing one's self on issues and candidates.
3. Contributing to the party of your choice.
4. Voting in political elections.

Moreover, employees are free to express their opinions regardless of where they stand on political issues. In instances where an employee is asked to speak *for the Corporation* on a matter on which he personally holds views contrary to the company position, he is free to decline to speak.

The Corporation believes that if all employees inform themselves of the major public issues and problems at the National, State, and local levels, they will be able to participate more effectively as individuals in civic, business and political affairs.

STATEMENT OF S. H. WILLS, PRESIDENT AND CHAIRMAN OF THE BOARD

There has long been a need for business people to speak out and act in support of their convictions. By the same token, sound business policies for this Corporation can be developed only with a full understanding of the influence that various other interests exert at the Federal, State, and local levels. With these realities in mind, we recognize one of the basic requirements of a true democracy is that all of its components be articulate in their own best interests, consistent with the best interests of our society as a whole.

Therefore, with a strong desire for GAC to portray a positive business image, dedicated to fostering the principles of the free enterprise system and Constitutional government, the Corporation intends to participate actively in significant public relations and civic affairs programs. The Corporation has an obligation to respond to unfavorable and unsound political, social, and economic stimuli on behalf of its owner-shareholders, its employees, its customers and its neighbors.

In the following policy statement we urge each employee, as a private citizen, to assume this essential role, as GAC intends as a corporate citizen.

NEW STATISTICS SHOW FARMER SINKING FURTHER INTO ECONOMIC QUICKSAND

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

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

There was no objection.

Mr. LANGEN. Mr. Speaker, the House Republican Agriculture Task Force, of which I have the privilege of being chairman, contends the latest report issued by the Department of Agriculture shows our farmers sinking further into the economic quicksand with each passing year. The April farm income situation as published by the Economic Research Service of the Department shows specifically farm production expenses on the increase. In fact the report tells us that farm production expenses this year may run up to $1½ billion higher than last year's Agriculture Department estimate. This only reflects the effect of increasing inflation on the American farmer.

PER ACRE STATISTICS ALARMING

The task force was particularly alarmed at the rise in capital expenditures, taxes and interest payments as calculated by the Department on a per-acre basis. Capital expenditures, including farm buildings, vehicles and other machinery and equipment, have risen 55 percent since 1960, according to the report. This same situation report shows that taxes payable per acre also rose 55 percent and interest payable per acre rose 110 percent during the same period. Compare such increases with the much smaller 5.7 percent increase in the per acre index on prices received for all commodities as reported in USDA's agriculture statistics publication, and you can readily understand why our farmers feel the ever-increasing pressures of the current pinch. There is a limit on how much a farmer can squeeze out of an acre of land in income, but there seems to be no limit on where his per-acre expenses can go under current administration policies.

It is evident that the policies developed during the past 7 years in Washington need a transfusion of new ideas that will be responsive to the economic needs of

our farmers and rural America. We must not forget these polices led to a drop of $1.9 billion in realized net farm income this past year and threatens to perpetuate the condition.

We need a change in Washington that will result in the immediate reversal of these deplorable conditions and I would be less than candid to suggest any other course than to get to the root of the problem by changing the leadership that has brought rural America so far down the road to ruin.

LOTS OF LUCK

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

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

There was no objection.

Mr. MAILLIARD. Mr. Speaker, on May 22—National Maritime Day, 1968—the distinguished chairman of our Committee on Merchant Marine and Fisheries wrote to the President pointing up the needs of the American maritime industry and concluding that only he, the President of the United States, could right the neglect and wrong our merchant marine has felt for so many years.

To the gentleman from Maryland, I say, "Lots of luck." Two years ago on a similar occasion—National Maritime Day, 1966—I addressed an open letter to the President, expressing a similar alarm over the deterioration of our maritime posture and suggesting certain areas for immediate action. Unfortunately, my expression of concern apparently fell upon deaf ears. For the sake of the American merchant marine, I only hope my colleague fares better than I.

The full text of my open letter to L. B. J. on Maritime Day, 1966 and the letter of the chairman of our Merchant Marine and Fisheries Committee to the President follows:

COMMITTEE ON
MERCHANT MARINE AND FISHERIES,
Washington, D.C., May 22, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Only as a last resort do I write you, knowing full well your preoccupation with many vital matters of national concern. Few can appreciate more than you the responsibilities of the Congress in effectuating and/or initiating programs and policies of our government. Certainly, I cannot add to your knowledge anything on the essentiality of creating cooperative attitudes and relationships between the White House and the Congress.

In recent days, I personally, as Chairman of the House Committee on Merchant Marine and Fisheries, and my colleagues, have been treated to a rare indignity which we collectively feel has been most offensive.

On April 23, 1968, our Committee commenced hearings on legislation to formulate, modify and improve our merchant marine through a national policy. We recognized that it was impossible to delay much longer initiating mechanisms to rectify the many things wrong with our maritime industry.

We invited the Secretary of Commerce, in whose department the Maritime Administration operates, to appear. In response, I was advised that all transportation functions were placed by you in charge of the Secretary of Transportation. This, in spite of the fact that the Congress in approving the creation of the Department of Transportation, specifically excluded from that department maritime functions.

Moreover, this year the House agreed to establish an independent Maritime Administration outside of any specific established government department.

For the Secretary of Commerce, with maritime authority under him, to decline our invitation and, in fact, delegate it to the Secretary of Transportation who has been denied such custody, creates confusion for all of us and, even worse, denotes a total rejection of the expressed will of Congress.

We all realize that our merchant marine program is largely contingent upon the scope of Federal appropriations therefor. While we are in the midst of prolonged and basic hearings on this vital subject, we were kept unaware of the Administration's thinking on the amount of appropriations that might be requested in the future. Instead, we learned of the Administration's point of view in this regard from the public press on May 9. On that day, the Baltimore Sun reported, and Secretary Boyd has confirmed the reliability of that report, to the effect that if the Administration is required to seek reductions in Federal expenditures, one of the vehicles chosen would in effect decimate even the very limited appropriations earlier requested.

This, Mr. President, is the equivalent of ending new merchant construction for at least a full year, perhaps longer. This step was apparently taken within the Administration without prior consultation with responsible Congressional leaders of your own Party. You can, I am sure, appreciate my shock, not only at the substantive suggestion but at being advised thereof by the press.

Last fall, Mr. President, you indicated to me and others of the House and Senate your desire to move forward with an improved modernized merchant marine in light of its present decrepit state. You recognized maritime industry's vital trade and defense role which will continue to be demanded of it and which demands it has always met in the past.

That need continues at this very moment but no progress is as yet in sight. Instead, we are treated to a few examples of lack of concern—perhaps even worse.

In these critical times, it is essential that positive and constructive declarations on our merchant marine come from you as our national leader. This is a pressing need. We in Congress can then seek to legislate your maritime wishes. We must not, however, be placed in a position of being both slighted and ignored. The Administration's spokesman at the departmental level must not be the head of an agency who has been denied this authority by the Congress itself.

Hopefully, it is not already too late, but I fear only you can right the neglect and wrong our merchant marine has felt for too many years.

Sincerely,

EDWARD A. GARMATZ,
Chairman.

AN OPEN LETTER TO L. B. J. ON MARITIME DAY

For more than a year now, I have been prodding agencies of the Executive, attempting to stir them into taking constructive action on the problems of the American Merchant Marine. I have made public speeches. I have spoken on the floor of the House. I have appeared before Congressional Committees. I have communicated with the Maritime Administrator, the Under-Secretary of Commerce for Transportation, the Secretary of Commerce, various members of the Department of Defense, and yes, even the Secretary of Defense himself. I stand before you this evening, feeling like a 20th Century Paul Revere whose cries of alarm have fallen upon deaf ears.

Let us not, therefore, delude ourselves any further. You know and I know there is but one man today who can remedy the current inadequacies of the government's role in maritime affairs. That one man is the President of the United States. For no matter how arduously Congress may labor to bring about a constructive maritime program, success or failure is wholly dependent upon Executive implementation. Therefore, this evening I will make my presentation to you in the form of an open letter to the President of the United States.

"DEAR MR. PRESIDENT: It seems appropriate that, since you have set aside this day, May 23, 1966, for the 34th annual celebration of National Maritime Day, I should address you on this occasion, expressing my sincere and profound personal concern over the ever-deepening crisis developing in the American Merchant Marine. I unfortunately find little cause for celebration on this festive occasion, since it is my personal belief as a private citizen, as a Naval officer, and as a Member of Congress that, because of the present attitude of the federal government, the American merchant marine today is being steered along a course to disaster. If we hope to preserve the American merchant marine as a useful and effective national asset, we must come to grips with its problems without further delay. Conditions have been allowed to deteriorate to such an extent that now, Mr. President, you and you alone can rescue the American Merchant Marine from the arena of endless academic debate.

"We have endured patiently at least five years of extensive study of the ills of the American Merchant Marine by various groups sponsored by the Executive. Each group has published its respective recommendations. None have been disposed of, either through Congressional or Administrative action. To the contrary, each and every study has served only to provide additional material for debate over alternative courses of action which may be taken to revitalize the industry. With more than 80% of our present merchant fleet reaching the end of its economic life within the next five years, we can no longer afford further pursuit of this dilatory and most unprofitable course.

"We had hoped that the 'new' maritime policy which you promised in your State of the Union Message in January 1965 would resolve this conflict. However, more than sixteen months have now elapsed, and we still have no new maritime policy. Instead, we have two additional and conflicting reports on what should be done. We have received also a bill to create a new Department of Transportation, in which the Maritime Administration will be submerged much in the same manner it now is within the Department of Commerce. None of these events has served to abate the conflict. Rather they have served to increase its severity, raising further doubt over the role of the government in maritime affairs and the future course of the American Merchant Marine.

"So confused has this matter become that today we are unable even to get agreement on the existing condition of the merchant marine, much less on a new policy. We have, for example, the Maritime Administrator stating that, and I quote: 'Our present fleet is, for the most part, physically obsolete.' The Deputy Maritime Administrator states, and I quote: '. . . I, for one, fail to find that our merchant marine is in a disastrous situation.' Finally, we have the Secretary of Defense, to whom a considerable amount of responsibility for the industry appears to have been abdicated contrary to existing law, stating that the American Merchant Marine is 'adequate.' Yet high-ranking professional Naval officers frequently have stated that it is *not* adequate.

"Mr. President, this current confusion is

simply a manifestation of my worst fears entertained in 1961 when the Maritime Administration was placed within the Department of Commerce. In a word, we are bankrupt—bankrupt in federal maritime leadership; and because of it we find ourselves in this present deplorable state of affairs. Only you, Mr. President, can bring some semblance of order out of this chaos.

"I respectfully suggest that there are answers to the current problems facing the American Merchant Marine. The situation is not incapable of solution, but we must get on with a realistic ship construction program.

"In your proclamation setting aside this day as National Maritime Day, you stated that, and I quote: '. . . we will continue to need ships—fast, modern descendants of the famous "Clippers"—to carry our products to the far corners of the earth.' I fear that under existing conditions these ships will never be constructed. The subsidized ship replacement program today is more than 90 ships behind schedule. Yet the Congress has before it your budget request for fiscal year 1967, which will allow the construction of only 9 to 11 ships. I respectfully suggest that this level of federal expenditures for ship construction is totally inadequate. We are, for example, scrapping ships from our National Defense Reserve Fleet at ten times the rate of construction provided for under this current request.

"I believe you will find upon examination of budget requests over the last several years that the allocation of our national resources to maritime affairs is becoming progressively smaller, while the problems of the industry are getting progressively larger and larger. Even compared with last year's inadequate federal budget for ship construction, this year's request represents a substantial reduction, a cut of about one-third in both dollars and numbers of ships. It is one-half the amount of federal funds requested for ship construction in fiscal 1959 at a time when the total federal budget was only about 60% of that being requested today. Clearly, this is indicative of a shocking de-emphasis of the role of the federal government in maritime affairs.

"This budgetary privation can have but one inevitable result, and that is to postpone to some future date the time when we shall have to allocate a substantially greater amount of federal funds to overcome this ever-mounting deficit. A realistic and ongoing subsidized ship replacement program may require that the current level of federal expenditures in ship construction be doubled or even tripled above current levels.

"You also stated in your Maritime Day proclamation that, quote: '. . . we will continue to need ships . . . [to] return with the raw materials essential to our national prosperity,' and to transport, quote: '. . . surplus commodities to many of the underdeveloped countries.' Unless we take prompt and effective action, we will not have the necessary ships to accomplish either of these aims.

"Bulk trade represents approximately 80% of our total water-borne commerce, yet today American-flag ships engaged in this trade carry less than 5%. So deficient have we become in this type of ship capability that I have serious doubts whether we have sufficient American-flag ships today to carry even 25% of this year's aid cargoes referred to in your proclamation, much less the statutory requirement of 50%.

"We must put to sea a competitive fleet of bulk carriers, and we must set out to do this now. Too long has this segment of the maritime industry been made to wait, hat in hand, for the perfection of an administrative program under existing statutory authority. The only realistic course of action now open to us is to follow the example set by Mr. Truman in 1950 and use the provisions of Title VII of the Merchant Marine Act of 1936. Under this Title, these ships can be constructed for the government's account, placed under charter for operation, and ultimately sold by competitive bids to American-flag operators. It is to my mind the only plausible course left to inaugurate a meaningful program to correct in a reasonable time an alarming gap in national capability.

"Non-subsidized American-flag operators must be provided also the ability to accumulate funds for the construction of future replacement ships. This can be accomplished by the simple expedient of amending the Merchant Marine Act of 1936, and extending to these operators the same privilege now afforded subsidized operators of depositing earnings into tax-deferred reserve funds. Several bills now are pending before the Congress to accomplish this end. Successful enactment, however, is greatly dependent upon a change in attitude in those agencies of the Executive which have opposed similar measures in the past.

"Significant benefits would flow directly from a ship construction program of this magnitude. First, it would represent a commitment by the government to live up to its responsibilities to the American Merchant Marine. This, in turn, would restore some measure of confidence in the future, which would bring about the necessary climate to inject stability into maritime labor relations and permit both management and labor to make maximum contributions to long-range programs to improve productivity and efficiency.

"There also would be a more profitable investment of the taxpayer's dollar in the form of more ships for dollars invested. This could be accomplished through multiple ship construction providing a potential saving of about one-half million dollars per ship. Combined with some degree of standardization in vessel design this potential cost saving might even be doubled.

"Our National Defense Reserve Fleet also would benefit from this program. Presently, through a combination of apparent neglect and natural deterioration, the responsive capability of this fleet is today severely limited. We now are paying the price for our folly in permitting this to come to pass. The average reactivation cost to prepare these ships for service in Viet Nam is running about $1½ million each. Five years from now, the cost will be astronomical, and it is doubtful even then whether we will be able to obtain the caliber of ships required to meet our national needs. An effective ship construction program would result in the opportunity to place in our Reserve Fleet some of the better traded-in vessels. With adequate preservation and a periodic ship repair program, we could be assured of future availability of the reserve shipping capacity which our nation requires.

"I would contemplate, of course, that the construction of these ships would be accomplished in American shipyards. I sharply disagree with your Maritime Administrator, who has said repeatedly that, and I qoute: 'We may very well end up sinking our fleet in the name of preserving our shipyards.' The truth of the matter is that in recent years we have not held forth the promise to American shipyards of a ship construction program of sufficient magnitude to supply any real incentive. We should, at the very least, provide them with an opportunity to meet this challenge and not close the door prematurely in their face. Moreover, in light of the current position of our balance-of-payments and the drain upon our gold reserves, it is to me totally inconsistent to, on the one hand, request American business to reduce expenditures abroad, and at the same time have an officer of the Executive promote, both here and abroad, the construction of American ships in foreign yards.

"Mr. President, I recognize that the suggested programs will not be without increased cost to the government. However, we cannot afford to continue this shopping around in the bargain-basement. Soviet Russia has recognized this fact and is, even today, spending hard currency to build up her maritime power. It is incongruous to me that we should become so preoccupied in our competition with communist nations in other areas, yet totally ignore this direct challenge for control of the seas.

"Your Maritime Administrator has stated before our Committee that the reason such programs have not already been inaugurated is because there is, and I quote: 'No money.' I, for one, know of no request that has been made in recent years for additional money from the Congress for merchant ship construction. I cannot believe a nation which is approaching a Gross National Product exceeding $700 billion cannot afford to underwrite the cost of a reasonable promotional program for a strong American Merchant Marine. To the contrary, from the standpoint of national security, I would think that we cannot help but face up to this cost.

"This is not merely a matter of budget cost, but rather a question of what the country receives in return for its tax dollar. If, for example, we can afford to spend $5 billion a year in space efforts without any assurance whatsoever of a return on our investment, then the expenditure of one-tenth of that amount in the construction of a modern merchant marine holding forth the promise of a tangible return is equally deserving of support. I would further venture to say that an investment in the maritime industry would withstand any cost-benefit ratio test. As a matter of fact, your own Maritime Administrator has himself noted, and I quote: '. . . there are substantial domestic economic benefits from the merchant marine. The maritime industry, including the merchant portion of the shipbuilding industry, generates about $1.5 billion in Gross National Products and pays about $75 million in federal and local taxes. In addition, the 100,000 maritime employees pay about $80 million in personal income taxes. The provision of shipping services by U.S.-flag ships conserves about $800 million of our dollar exchange each year, thus aiding our balance of payments position.'

"I would like to bring to your attention also, Mr. President, the fact that the funds needed to finance such a maritime promotional program need not constitute wholly additional expenditures by the government. The Department of Defense is proposing to construct from 20 to 40 Fast Deployment Logistics ships at a cost of $40 million each. This represents a potential expenditure of between $800 million and $1.5 billion. Under this proposal, the federal government would bear the total cost of both constructing and manning these ships. Frankly, I have very grave doubts that this would constitute an efficient use of either capital or of manpower, especially when a more profitable investment mechanism is available.

"Your Secretary of Defense has repeatedly stated that he is interested in 'getting more back for the buck.' If this be so, then I would respectfully suggest that you have him explore the possibility of investing these federal funds under the provisions of the Merchant Marine Act of 1936, or in the proposal currently being formulated by the Committee of American Steamship Lines. Under either approach, the government would not bear the total cost but rather would share the cost with private industry. Certainly, such proposals warrant serious consideration if only for the fact that they hold forth the promise of a greater return from the investment of the taxpayer's dollar.

"Mr. President, my proposals are neither revolutionary nor are they inclusive of all the actions which might be taken to cure our maritime ills. They would, however, con-

stitute a constructive step toward ending the current impasse. They would transpose words into deeds, assuring the continuation of what you yourself referred to in your proclamation as the '. . . long tradition of essential service to the American economy and defense,' by the American merchant marine. All we require is your support, and I am sure most members of Congress, both of your Party and of mine, would welcome the chance to move our merchant marine forward.

"To sum up—I suggest that we immediately:

"(1) Double our present ship replacement program, to head off impending block obsolescence in the liner fleet;

"(2) Inaugurate a government ship construction program under Title VII of the Merchant Marine Act of 1936, and provide new tax deferments to overcome our alarming deficiency in bulk carriers;

"(3) Reaffirm the government's role in maritime affairs and restore confidence to the industry;

"(4) Establish a more favorable climate in maritime labor relations, setting the stage for technological advances in ship design and providing career incentive to American maritime personnel; and

"(5) Up-grade our National Defense Reserve Fleet, and thereby assure its continued availability in times of national emergency.

"Mr. President, I recognize that you are preoccupied with many pressing matters such as our commitment in Viet Nam. But, let me remind you that the prosecution of that limited war in Southeast Asia would not be possible without the American Merchant Marine. For, as you yourself have said, and I quote: '. . . our ships are necessary to insure continuous supply of the military material that helps to prevent or defeat aggression by any country.' I fear that the day is not too far off when you will no longer be able to rely upon the American Merchant Marine to respond to such demands. We may, in fact, see just how overtaxed our shipping capability is if the current British seamen's strike continues for any appreciable period of time. For so dependent have we become upon the shipping capacity of foreign nations that we would be sorely pressed if at any time these services were to be denied to us.

"In conclusion, let me call to your attention the theme for this National Maritime Day of 1966—'American Ships Chart America's Future.' If our country's future does sail with American ships, then we urgently need a strong and competent navigator, and I respectfully request, sir, that you take hold of this situation, reconcile the conflict within the government, and get us back on course. You and only you, Mr. President, can do it."

HOUSE SCHOLAR'S GALLERY: BRIEF STATEMENT IN SUPPORT OF HOUSE RESOLUTION 587

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

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

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, materials presented in college and university government courses all too often pass over lightly the functions of the Congress in our political system. As a result, many students neither have an opportunity to understand fully—or appreciate properly—the workings of the House and the Senate. In short, through no fault of their teachers, they do not always get an accurate picture of the critically important role of the elected legislature.

In recent years there has been a resurgence of interest in Congress among scholars who spend long periods of time observing at firsthand the activities of Members, the committees, congressional party organizations and leadership, and floor action. A large number of textbooks and journal articles have been produced by such scholars in the past decade, and these have provided substantially improved descriptions of congressional organization and operation, at the same time focusing attention on the value of the freely elected legislature in a democratic society.

I know that many of my colleagues are familiar with the works of some of these outstanding political scientists—Richard Fenno at Rochester, Robert Peabody of Johns Hopkins, Nelson Polsby at the University of California, Charles Jones at the University of Arizona, John Wahlke and Samuel Patterson of the University of Iowa, Lewis Froman at the University of California at Irvine, Randall Ripley and James Robinson of Ohio State, to name but a few.

I also know that most Members have recognized the importance to the Congress of the work of these scholarly observers and have given generously of their time for interviews, have made arrangements for placement of interns, and have assisted scholars in gaining access to documentary materials they require. But in at least one area, we have been remiss.

Mr. Speaker, I refer to the lack of facilities for scholars in the gallery, facilities which are essential if students of the House are to gain adequate insights into the operation of the rules and the meaning of activity on the House floor.

In House Resolution 578 I propose to make such facilities available, by setting aside a portion of the House gallery for the use of scholars. At present, those who wish to observe floor action systematically do so from the sections open to the general public, subject to the rules that apply there. This means that scholars cannot take notes—a privilege which we have long since extended to representatives of the press—and it also means that, during the peak tourist season, scholars are rotated out of the gallery after only a few minutes.

House Resolution 578 is designed to give our scholars an opportunity to study the House at work, an opportunity that I submit will pay off in the preparation of even more adequate books and articles about the Congress—and, eventually, in improved understanding of and appreciation for the legislative process among succeeding generations of students.

Moreover, the provisions of this resolution will provide for a closer liaison between the Congress and the academic community. We need to develop and maintain contacts with scholars, to remain abreast of the new techniques and methods of scholarship, to tap the expertise of the intellectual community so that we can better equip ourselves for the task of securing—and processing—the vast quantities of information we require to do our jobs.

The resolution which I am commending to your attention today is simple and straightforward. No authorization of expenditure, no use of tax money, is envisioned under its terms. This resolution simply sets aside 12 seats in a portion of the House gallery for the use of scholars. Supervision of this House scholar's gallery will be maintained by a standing committee of scholars, chosen by—and subject to the direction and control—of the Speaker. The relevant section of the resolution states:

(b) The supervision of the portion of the gallery of the House of Representatives set aside under this clause for scholars shall be vested in a standing committee of scholars which shall be selected by the Speaker, in consultation with the American Political Science Association, and which shall be subject to his direction and control.

To limit use of the scholar's gallery to those who are clearly interested in the legislative process, the resolution provides the following guidelines:

(c) For purposes of this clause, the term "scholar" means a scholar who is actively engaged in a research project that includes a study of the House of Representatives as an integral and substantial part of the project, and who is (1) a full-time faculty member of an accredited institution of higher learning, (2) pursuing independent postdoctoral research, or (3) preparing a doctoral dissertation to be submitted to an accredited institution.

While House Resolution 578 is only a first step toward our development of new contacts with the academic community, I am convinced it is an important step. Initially, the Standing Committee of Scholars will be occupied with supervision of the gallery and accreditation of scholars to it, but eventually I believe that this committee can serve as a clearinghouse, where Members of this House can go for information and advice as to the availability of experts they wish to consult in various fields.

Mr. Speaker, since I first introduced this resolution, on June 15, 1967, I have received letters from some of the Nation's outstanding students of Congress; all who have contacted me have expressed enthusiastic support for my proposal for a House scholar's gallery, and I would like to include some of their letters in my remarks at this point:

THE JOHNS HOPKINS UNIVERSITY,
Baltimore, Md., February 13, 1968.

Hon. FRED SCHWENGEL,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE SCHWENGEL: I write to support H. Res. 578 and companion resolutions which would set aside twelve seats in the gallery of the House of Representatives for scholars of Congress. These seats would greatly assist students of the House of Representatives in their observation and assessment of the roles of the members and the organization, operations and policy outcomes. The role of Congress and its relationships to other governmental agencies and persons are frequently misunderstood. Better informed research and commentary about Congress and the way it works will contribute substantially to the preservation and improvement of our representative institutions.

Under the present rules of the House and Senate, sustained observation and note-taking are all but prohibited. Students of Congress share the public galleries with tourists and other interested citizens. On

momentous occasions such as the opening of Congress, floor fights over the rules, and critical votes on important legislation, it is all but impossible to obtain admission. In the public galleries, particularly on the Senate side, the observer may be rotated out after fifteen minutes of viewing. No note-taking is allowed, except to members of the press in their press galleries. The political scientist must wait until he leaves the gallery before he records his impressions. Unlike the reporter, the scholar does not benefit from Senators who climb upstairs to the press gallery for "backgrounders," nor can he conveniently buttonhole members in the Speaker's lobby, just off the floor of the House of Representatives. Thus, his job of observation, interviewing, recording, and analysis is further complicated. The establishment of a scholar's gallery would help to overcome a number of these limitations.

H. Res. 578 is thoughtfully conceived and skillfully drafted. Under its provisions the Speaker of the House of Representatives would prescribe the regulations. Supervision of the portion of the gallery set aside would be vested in a standing committee of scholars selected by the Speaker in consultation with the American Political Science Association. Scholars would be limited to those persons engaged in the study of the House of Representatives who are full-time faculty members of accredited institutions of higher learning, those pursuing independent postdoctoral research, or graduate students preparing doctoral dissertations.

Alternatively, perhaps a portion of the press gallery, itself, could be open to professional scholars. This would enhance the mutually profitable interaction between journalists and political scientists which has been characteristic of such endeavors as the American Political Science Association Congressional Fellowship program.

Please let me know if I can be of further assistance in securing the passage of this resolution.

Sincerely,

ROBERT L. PEABODY,
Associate Director, the American Political Science Association Study of Congress.

THE OHIO STATE UNIVERSITY, DEPARTMENT OF POLITICAL SCIENCE,
Columbus, Ohio, January 19, 1968.

Hon. FRED SCHWENGEL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SCHWENGEL: I am heartily in accord with both the general purposes and the specific provisions of H. Res. 578, which would create a twelve-seat gallery for scholars studying the House of Representatives.

I have spent most of the last five years studying the House, particularly the activities of the party leaders in it. It was extremely frustrating, when observing an important floor debate, to be rotated out of the gallery with the tourists and miss much of the activity while waiting in line for another seat. Your proposal would prevent such frustrations and would guarantee a continuity of observation that, in the long run, should help allow political scientists and other scholars to write more knowingly and intelligently about the House.

You have my best wishes and full support as you endeavor to amend Rule XXXIV by your resolution.

Sincerely,

RANDALL B. RIPLEY,
Associate Professor.

Mr. Speaker, it is my hope that we can act on House Resolution 578 this session. The costs of doing so are nil; the benefits to the Congress, the academic community and the public generally are potentially very substantial.

A copy of the resolution follows:

H. RES. 578

Whereas freely elected legislatures are vitally important in maintaining the values, the institutions, and the processes of our democratic society;

Whereas scholars in the past decade have become increasingly interested in the organization, the operation, and the functions of the Congress of the United States;

Whereas publication of scholarly research contributes substantially to teaching and to public understanding of and appreciation for the role of the Congress in the American system: Therefore be it

Resolved, That rule XXXIV of the Rules of the House of Representatives is amended by adding at the end thereof the following:

"4. (a) Such portion of the gallery of the House of Representatives as may be necessary to accommodate up to twelve scholars shall be set aside for their use, and such scholars shall be admitted thereto under such regulations as the Speaker may from time to time prescribe.

"(b) The supervision of the portion of the gallery of the House of Representatives set aside under this clause for scholars shall be vested in a standing committee of scholars which shall be selected by the Speaker, in consultation with the American Political Science Association, and which shall be subject to his direction and control.

"(c) For purposes of this clause, the term 'scholar' means a scholar who is actively engaged in a research project that includes a study of the House of Representatives as an integral and substantial part of the project, and who is (1) a full-time faculty member of an accredited institution of higher learning, (2) pursuing independent postdoctoral research, or (3) preparing a doctoral dissertation to be submitted to an accredited institution of higher learning."

CRISIS IN WORLD STRATEGY: EXECUTIVE BRANCH OF U.S. GOVERNMENT, IGNORING THE CONSTITUTION AND THE CONGRESS, SUPPORTS U.N. RESOLUTION ESCALATING WAR AGAINST RHODESIA

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

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

There was no objection.

Mr. RARICK. Mr. Speaker, testifying before a joint meeting of the Committees on Armed Services and Foreign Relations of the U.S. Senate on May 3, 1951, General of the Army Douglas MacArthur made this significant statement:

If the United States doesn't bring the Korean War to a decisive and victorious end, she will have to accept all of the consequences of a disastrous defeat. (*Testimony of General Douglas MacArthur*, May 3–5, 1951, Hour-Glass Publishers, Post Office Box 443, River Station, Paterson, New Jersey, 07524, p. 55.)

Prior to his testimony, which should be studied by every Member of the Congress, General MacArthur, when addressing a joint meeting of the Congress, emphasized these key points: First, that the Communist threat is a global one; second, that its advance in one sector threatens the destruction of every other sector; and third, that we cannot appease or otherwise surrender to communism in Asia without undermining our efforts to halt its advance in Europe.

Our leaders, unfortunately, failed to follow his advice with consequences clearly foreseen. In the Western Hemisphere, we have an activist Soviet satellite in Cuba almost in swimming distance from the United States and, aided and abetted by elements within the executive branch of our own Government, a movement that would inevitably give control over the strategic Panama Canal to Communist power.

In the Far East, we are fighting another no-win war in Vietnam and are threatened with a renewal of that unfinished Korean war.

In the Near East, the free world has lost control of the Suez Canal and the Red Sea route to the Indian Ocean; and Egypt's possession of this canal vividly shows the inability of a weak, backward nation to operate, maintain, and defend this great interoceanic waterway.

In strategic Southern Africa, the Government of the United States has participated in the harrassment of friendly little Rhodesia in compliance with requests from the United Nations Organization, which body, because of the large number of Negro African states in its membership, is invariably oriented against the United States; and of all things, the Carnegie Endowment for International Peace, assisted by West Point faculty, has prepared a general staff type of war plan for waging war against South Africa and the overthrow of its government. At the least, the Carnegie Endowment estimates that between 19,000 and 30,000 of the intervening forces would be killed and wounded. "Apartheid and United Nations Collective Measures," Carnegie Endowment for International Peace, U.N. Plaza at 46th Street, New York, N.Y. 10017, page 150. See my remarks, CONGRESSIONAL RECORD, volume 113, part 8, page 10432; volume 113, part 8, page 10545; volume 113, part 10, page 13140.

Mr. Speaker, as in Korea and Vietnam, the Carnegie Endowment's estimate of casualties for the planned aggression against South Africa would undoubtedly be our own sons. Certainly, the time has long since passed when the Congress should investigate fully what has been going on in the executive branch and the Carnegie Endowment as regards the conduct of U.S. foreign policy, especially as it relates to Southern Africa.

What could possibly be a reasonable explanation for the adoption of African policies that are hostile to the best interests of the United States and of Western civilization itself?

Can it be that vote-seeking politicians in our Government are appeasing the extremist demands of some 40 Negro African governments in order to appeal to Negro voting blocs in the large cities of the United States? There can be no other valid explanation for the executive branch, ignoring the Constitution of our country and the Congress, to commit our country to foreign policies of such anti-white racist character.

In these general connections, I would invite attention to a statement of mine in the House of Representatives: "Crisis in World Strategy: An Appraisal" in the daily RECORD of April 18, 1967, page A1879. Also for those seeking the basic

causes of what has been transpiring throughout the world, I would invite attention to Lothrop Stoddard's prophetic 1923 book, "The Revolt Against Civilization," recently reprinted in paper back edition by the Freeland Products Co., 3233 Conti Street, New Orleans, La. 70119. In this book, written soon after the Russian Revolution of 1917, Stoddard exposes the nature of the destructive forces in communism, which to the executive branch of our Government are nonexistent.

The latest developments as regards Southern Africa are a highly pertinent recent statement by former Secretary of State Dean Acheson and two notable broadcasts by Fulton Lewis III.

In the first, former Secretary Acheson reveals that the United States has become a member of the "international conspiracy hatched by Great Britain to destroy Rhodesia. Moreover, the current situation in Africa is also used to augment the dangerous race tensions now prevalent in the United States. The full text of Mr. Acheson's speech before a section of the American Bar Association will be found at the conclusion of my remarks.

In the other two, Fulton Lewis admirably summarizes the problem facing Rhodesia as a result of the indicated action of the United Nations, exposes the hypocrisy in the executive branch of our Government in supporting the U.N. resolution, and suggests what should be done in the way of protests by our citizens to meet the current situation.

Notwithstanding the fact that the Constitution of the United States specifically prescribes that only the Congress can declare war, the recent resolution by the United Nations declares that all of its members, including the United States, are bound to undertake an aggressive war against Rhodesia, if that step is deemed necessary by the United Nations.

Arthur Goldberg, the administration's chosen representative to the United Nations, lent his authoritative voice in unqualified support of the United Nations policy in dealing with Rhodesia, which country seeks independence from Colonialism and a despotic mother country just as our American forebearers sought and achieved our independence from the British Crown. Rhodesia presents no threat to world security. The blatant charges of the U.N. declaration is utterly without foundation. It is merely serving as a backdoor to involve the United States in an aggressive war with South Africa—the Communist desired second front.

Thus, through our U.N. membership we are striving to help a feeble and rapidly deteriorating British Socialist government in getting its African chestnuts out of the fire. At the same time Great Britain adds to the frightful toll of American youth in the Vietnam war by openly and seemingly with the assent of our executive branch, joins the Soviet in supplying the brutal forces of communism with munitions and other war materials to sustain Red forces now killing and wounding our soldiers and sailors in Southeast Asia.

Accordingly, Mr. Speaker, I repeat what I previously stated. The time is long past when the Congress must conduct a full and complete inquiry into the conduct of our foreign policy. This should include an investigation of the Carnegie Endowment for International Peace and the extent of United Nations policies and dictates superceding lawful delegated authority in our U.S. Government.

The previously indicated papers are quoted as parts of my remarks:

[From the Top of the News with Fulton Lewis III, week of May 27–May 31, 1968]

(Thursday, May 30, 1968, Washington, D.C.)

EXTREME UN COUNCIL VOTE

The United Nations Security Council voted unanimously last night to impose total economic sanctions against the rebellious African nation of Rhodesia. It was the most sweeping decision of its kind in the history of the world organization. Under the adopted resolution; the UN ordered an end to all exports and imports to and from Rhodesia with the exception of medical supplies, books and news and educational materials. In addition, it imposed a ban on all airline service to or from the country, and prohibited any further monetary payments to, or investments in, Rhodesia by outsiders, including payments which may be owed that nation.

The action was far more severe than a previous step taken by the Security Council in December of 1966. The earlier sanctions were selective, and were aimed at trying to cripple and ultimately topple Rhodesia's government by curtailing the country's key exports. The new measure is designed to stop all trade and it goes so far as to prohibit world nations from even maintaining diplomatic or travel communications with the African country.

As expected, U.S. Ambassador *Arthur Goldberg* not only voted for the resolution but offered words of praise for it. He said it is consistent with American policy and expressed the hope that the new UN action will hasten the advent of a representative government in Rhodesia.

Today, I spoke with representatives of the Rhodesian government of *Ian Smith*. They conceded that the new and stiffer sanctions will undoubtedly cause more problems in their country, but none which cannot be overcome. In short, the spokesmen expressed their determination that Rhodesia will survive the new onslaught just as it survived the old.

There are several aspects of the latest UN action which justify close examination. The first, and perhaps the most important, is that again the Security Council has conducted its trial and decreed its judgment without the defendant having an opportunity to speak in his own behalf. Article 32 of the United Nations Charter provides that "any state which is not a member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute." There has been no such invitation in the case of Rhodesia, even though Prime Minister Ian Smith has appealed on a number of occasions for an opportunity to present his defense. The ruling by Secretary General *U Thant* was that the legal status of Rhodesia was that of a non-self government territory of Great Britain and therefore the provisions of article 32 did not apply. If that is the Secretary-General's point of view, it raises two other important questions. Chapter I, Article 2, Paragraph 7 of the Charter provides unequivocally that the United Nations shall not intervene in matters which are within the internal jurisdiction of any nation. So if the Secretary General's position is that Rhodesia shall not be permitted to speak in its own defense since it is still a British territory, then last night's resolution is clearly illegal, since the United Nations is forbidden to interfere in a domestic British dispute.

A second question is one of consistency. Two years ago U Thant himself took the position that non-members should be invited to present their position before the UN when it is debating measures which might affect them in some way. His statement on that occasion was with reference to Communist China, and the Secretary-General said: "Of course my attitude regarding Security Council involvement is guided by one single consideration: If the Security Council has to take any action on any dispute, the first prerequisite is that it must be in a position to hear both sides of the question. This is a must."

That professed doctrine of fair play was obviously intended to apply to a Communist nation, but not to Rhodesia. Unfortunately, the Johnson Administration has played along in this game of hypocrisy by denying Prime Minister Smith a visa which would have enabled him to accept a speaking engagement this spring at the *University of Virginia*. We, too, are apparently afraid to practice what we preach in the arena of free speech.

It is also interesting, I think, to take a close look at the Security Council membership itself, since it has acted as both the judge and jury in the case of Rhodesia. And remember, the crimes with which that African nation has been accused, and now found guilty, are that it has illegally declared its independence from the British Crown. It has not operated on a one-man, one-vote basis, and is a threat to world peace.

One of the Security Council judges was Great Britain which, itself, has been guilty of serious denial of rights to its citizens. In one of the more racist rulings to come out of London, the British government just this year decreed a ban on any further immigration of colored persons coming in from Kenya, where they had been denied a right to earn a living. More than a million coloreds of Asian, African and West Indian ancestry were denied entry, even though they were British citizens.

Another judge of Rhodesia last night was Algeria, which operates under a ruthless dictatorship. Still another was Ethiopia, which is, of course, a monarchy where the people have virtually no voice in governmental affairs. Another was India which continues to permit vicious persecution and denial of rights to millions of so-called "untouchables," people who, because of ancestry, are relegated to a permanent life of poverty and hunger. Still another judge was the Communist nation of Hungary which not only denies its citizens—all of them—the right to vote, but which just 12 years ago brutally suppressed an attempt by the people to claim their right to self-determination. Another judge was the Soviet Union, where the doctrine of "one-man, one-vote" is unheard of. Somehow, by the UN's strange set of standards, the Soviets are NOT considered to be a threat to world peace but Rhodesia is.

Another judge, of course, was the United States itself. It is true that we do operate on a so-called "one-man, one-vote" system, or at least we are supposed to under a recent decree of the Supreme Court. But, in all fairness, it is truly difficult for us to profess a complete lack of racial discrimination. The peculiar thing, and this may surprise you, is that for all of the bad things you may hear about Rhodesia there is a greater non-white representation in its government on a percentage and on a per-capita basis than there is right here in the United States.

The contention that Rhodesia is a threat to world peace is very obviously ridiculous. That country has never threatened anyone. Its only desire is to be left alone. The UN's suggestion that Rhodesia IS a threat is purely legalistic. That claim must be made before the Security Council can pass the resolutions

that it has passed regarding Rhodesia. Chapter VII, Article 39, of the UN Charter provides: "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."

The Council was therefore forced to make the fantastic ruling regarding Rhodesia—that it is a threat to world peace—and in order to justify imposing its powers under the following sections.

Article 41 provides: "The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions and it may call upon the members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations." That, of course, is the Article that was invoked by the Council last night.

Let me read further, though, because IF Article 41 does not succeed in accomplishing its objective of toppling the Ian Smith government, the United Nations, and the United States, will be called upon to take the next step, which is outlined in Article 42:

"Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea, or land forces of members of the United Nations."

In short, Article 42 provides for the use of military force.

A number of members of our Congress in recent months have complained over the fact that the Administration has somehow gotten this nation involved in a series of commitments all over the world without Congressional approval. These complaints have been levelled specifically at the current problem of U.S. military involvement in Vietnam. In the UN resolution which was adopted last night, we see the foundation for another possible Vietnam of the future. And here again the Johnson Administration has gotten the nation committed to a course of action which the Congress and indeed the American people may not want to take. I truly doubt if many Americans are interested in having their sons committed to battle as part of a United Nations army trying to overthrow the government of Rhodesia.

And yet that is a real possibility in view of last night's Security Council resolution, which the Johnson administration supported. On this Memorial Day, when we honor those sons and relatives who have already lost their lives on the world's battlefield, you might take a minute and write your Congressman to express your views on the prospects of still another war.

I'll discuss this issue further tomorrow evening because, as I have said on many previous broadcasts, this is a very, very serious question.

(Friday, May 31, 1968, Washington, D.C.)

RHODESIA DEFENDED BY DEAN ACHESON

There has still been no official reaction from Rhodesian Prime Minister Ian Smith to Wednesday night's action by the United Nations Security Council ordering across-the-board sanctions against his country. There was a comment today, however, from South Africa's government. Foreign Minister Hilgard Muller reaffirmed South Africa's refusal to become involved in any anti-Rhodesian actions. That is important because, without South Africa's full cooperation, the latest UN sanctions are likely to be completely ineffective.

The basis of those sanctions, as I discussed last evening, is the Security Council's contention that Rhodesia is a "threat to world peace." That contention is rather imaginative, but it is sheer nonsense. Rhodesia has threatened no one. It has cautiously refrained from making any gestures which might be interpreted as aggressive. It has asked only to be left alone in peace to solve its own problems.

The sanctions resolution which was adopted was pressed by the government of Great Britain, which is angry—and perhaps understandably so. The Crown likes to have the privilege of doling out independence to its colonies at its own discretion, whenever it feels so moved. It resents Rhodesia's unilateral decision to withdraw from the Empire without permission just as much as it resented our own departure nearly 200 years ago. The Declarations of Independence by Thomas Jefferson and Ian Smith were both equally "illegal" insofar as British law is concerned. This no one denies. But since when does an act of internal dissent, or revolution, or, if you prefer, "civil disobedience," become a proper subject of international interference and punishment? Remember, according to the United Nation's reasoning, which is supported by the Johnson Administration, the current dispute between Great Britain and Rhodesia is strictly internal. It is a non-violent civil war. And yet, somehow, in this instance, we justify not only our own interference but the interference of the entire world against this drive for independence. Under this logic, I would remind you, had the United Nations been in existence two centuries ago, you and I would still be using pounds instead of dollars as currency. The world organization would have lashed out at the use of slaves on the American continent. It would have condemned the colonists' brutal treatment of the native Indians. It would have complained over the fact that the colonies had initiated a minority white control and that neither slaves nor Indians were permitted a voice in governmental affairs. In short, the Security Council would have branded the 13 American colonies a "threat to world peace," denied Jefferson an opportunity to speak in their defense, and then clamped down tight economic and travel sanctions against the colonists. If these failed, the UN would have escalated its action to include the use of military forces to help the British suppress the revolution.

We can all thank God that there was no United Nations, and no Lyndon Johnson or Arthur Goldberg, around when our forefathers were making their bid for freedom. It is saddening, however, today to see the American people standing by idly letting their government reach the unbelievable heights of hypocrisy of attempting to profess such innocence and self-righteousness as to actually persecute another people whose only crime is that they are doing precisely the same acts which were responsible for our own birth.

As I mentioned last evening, the only possible way the United Nations, under its Charter, could take the action it has taken against Rhodesia was to arbitrarily declare that country to be a "threat to world peace." That decision was made by a vote of the 15 members of the Security Council under the powers granted to it in Article 39. That is a necessary step before the Council could invoke the economic sanctions provided for in Article 41, or the actual military force called for under Article 42 of the Charter.

The defendant in this case was accused and found guilty of being "a threat to world peace" with no trial. He was not permitted to speak in his own defense, or even to be present at the procedures. And yet the sentence that was handed down was death by starvation, and if that doesn't work—death by a firing squad. That is the very best the Security Council could come up with in the way of justice and it is little wonder that the Soviet Union and Communist Hungary played along gleefully. That is the kind of "trial" they understand. The unbelievable thing is that our own representative, Ambassador Goldberg, participated to the hilt in these Star Chamber procedures. He not only did not walk out in disgust, but he supported every action that was taken. And those actions, I remind you again, could ultimately involve the use of United Nations troops, including American soldiers, in a war on the African continent.

This sort of thing can go on and on. If the United Nations, and the Johnson Administration, get by with this one, there is no telling what the future may hold. Rhodesia has been declared a threat to world peace. The only argument advanced to support this imaginative but preposterous contention is that white-controlled Rhodesia has incurred the wrath and anger of its black-controlled neighbors. The fact of the matter is that Zambia and Tanzania and Kenya and the other militant black nations in Africa are enraged at Rhodesia. Their fury, however, stems from envy. Rhodesia has been able to achieve the internal peace and prosperity which they have dreamed of, and instead of trying to copy Rhodesia's plan of progress, they have sought to destroy it and thus end the embarrassment to themselves. Through some strange logic, the United Nations has weighed this situation and has found Rhodesia to be the villain.

Pursuing this course, the Security Council might well decide that Israel is a threat to world peace, since it too is productive and prosperous and since it too has incurred the anger of its Arab neighbors. Further to the north, the Communist nations of Eastern Europe have only recently met in Moscow to consider their common contempt for the new government in neighboring Czechoslovakia. In Communist jargon, the new Czech regime has been branded deviationist, anti-democratic, illegal, and a threat to the Soviet empire. In view of the UN Security Council's action this week against Rhodesia, it would seem logical for the Soviet Union to resist the temptation to send troops and tanks into Czechoslovakia as it did to "reform" the deviationists in Hungary 12 years ago. Instead, Moscow could appeal to the Security Council to stop Czechoslovakia's breach of the peace. If it were consistent, the Johnson Administration, I imagine, would jump at the opportunity of supporting the Soviet resolution, to use United Nations economic sanctions, and perhaps even troops, to bring the rebel Czech regime in tow.

All of this sounds like fantasy, but it is consistent with the fantastic decree which was issued by the United Nations Security Council two nights ago. And speaking of consistency, I would expect to hear loud voices of protest from the Congress over this latest anti-Rhodesian action. Senators *Fulbright*, *McCarthy* and *Kennedy* and company have long criticized the Johnson Administration's failure to get Congressional approval of policies regarding war and peace. Well, in this case, the President has single-handedly authorized a commitment on the part of this nation which does constitute an act of warfare, and which could ultimately involve the use of American troops in battle.

Others on the left who have previously condemned U.S. involvement in the internal affairs of foreign nations like Vietnam and the Dominican Republic, I would expect to raise sharp protests now condemning this new interference on our part in an internal dispute between Britain and Rhodesia. Those who have spoken out against colonialism and imperialism on the part of Free World nations, I would expect to demand independence for the Rhodesian colony.

From conservatives, the protests should be even louder. For decades they have voiced a fear that the United Nations might ultimately be able to supersede our Constitution. Well, here is perfect proof that that, indeed, is the case. Article I, Section 8, paragraph 3 of the U.S. Constitution provides that Congress shall regulate all foreign trade. And yet, on January 5th, 1967, it was the President who issued an executive order forbidding Americans from engaging in trade with Rhodesia. He did so claiming the authority of the United Nations Participation Act of 1945, which gives the President the power, "notwithstanding the provisions of any other law," to apply such sanctions as the Security Council may decree. These may involve the prohibition of economic relations between American citizens and any foreign nation, and may include the prohibition of travel, and any means of communication, with any country.

The same section of our Constitution provides that the Congress alone shall have the power to declare war, and yet here again it has been the President who has just this week authorized the commitment of this nation to an act by the UN Security Council which constitutes an act of war against Rhodesia, and which might well involve the use of American military forces in the not-too-distant future.

The Constitution and the Connally reservation which was intended to preserve this nation's autonomy are very obviously being ignored, and it appears that the power of the Executive is rapidly growing out of control in this nation. This fact was recognized a week ago today by a very prominent American. Former Secretary of State *Dean Acheson*, speaking before the American Bar Association's International Law Division here in Washington, made an eloquent statement. In view of the fact that it came from him, I think it deserves to be repeated.

"Those of whom I complain are not the peddlers of spurious panaceas of peace, not those who are overimpressed with the role of international law, but those who would impose upon states—in the name of law—their own subjective conceptions of justice. As is so often the case with the righteous, deeply convinced of the righteousness of their cause, their impulse is to snatch the knotted cord from the hand of God and deal out murderous blows. These blows are usually directed against the weak by the strong. This process also furnishes the figleaf of legal responsibility to cover otherwise naked aggression. Such support was given to the actions of the United Nations Security Council in calling for economic sanctions against Rhodesia and to the attacks on the World Court's decision dismissing the complaint in the Southwest Africa case.

". . . It will surprise some of my fellow citizens . . . to be told that the United States is today engaged in an international conspiracy instigated by Britain and blessed by the United Nations to overthrow the government of a country that has done us no harm and threatens no one. This is barefaced aggression, unprovoked and unjustified by a single legal or moral principle. The charge that Britain brings against the Rhodesians is the one that George III once brought against Americans and sought unsuccessfully to enforce by arms. It is that the colonies felt it necessary, as Mr. Jefferson put it, "to dissolve the political bands which [had] connected them with another [people], and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitled them.'

". . . How fortunate were the American colonies in 1776 that there was no United Nations confronting them. I need hardly remind you that our Constitution had nothing to say about adult universal suffrage but did have a few pregnant paragraphs continuing the institution of slavery."

Dean Acheson concluded his comments with these few sentences: "Contemplating the possibilities, I am moved to salute the shade of Senator Tom Connally and thank him for his reservation which, at the time, I regretted, providing that our acceptance of the World Court's jurisdiction should not apply to disputes with regard to matters that are essentially within the domestic jurisdiction of the United States, and, he added, as determined by the United States. One of the troubles of the troubled age in which we live is that too many people are trying to achieve harmony of interest, by forcing everyone to harmonize with them. Conscience used to be an inner voice of self-discipline. Now it is a clarion urge to discipline others. It took a long time to develop the international precept that peace would be furthered by governments having respect for each other's autonomy. That should apply to them acting in concert. And this is the notion embedded in Paragraph 7, of Article 2, of the United Nations Charter. Whatever mistakes they have otherwise made, the draftsmen of the Charter at least did not intend to open the way to endless conflict through unbridled impulses to reform. The new romantic impulse is to overthrow that wise inhibition in favor of a compulsion to re-shape the world to fit all sorts of shared subjectivities. Another thought also occurs. Perhaps if the meek are to inherit the earth they might consider adding a clause to the litany. It could follow the passage, 'From all blindness of heart, from pride, vain glory and hypocrisy, from envy, hatred and malice and all uncharitableness,' and would add, 'and from the United Nations Charter as distorted by professors of international law, Good Lord, deliver us.' "

So spoke Dean Acheson, the former Secretary of State, last week. May I add my own "Amen."

ADDRESS TO THE INTERNATIONAL AND COMPARATIVE LAW SECTION OF THE AMERICAN BAR ASSOCIATION BY THE HONORABLE DEAN ACHESON, FORMER U.S. SECRETARY OF STATE, WASHINGTON, D.C., MAY 24, 1968

This is not the first time that I have undertaken to do what Mr. Truman used to call "stir up the animals" with the International Bar. Five years ago I was bold enough to scold a meeting of this sort about what I call the arrogance that international law seems to instill into its addicts. To be sure, law in general instills this in lawyers in general. One can be tolerantly amused at the veneration which craftsmen in any craft have for the materials of their craft. The cobbler murmurs that there is nothing like leather, but he is too modest to envision as man's highest earthly condition the Rule of Leather. Yet the lawyer does not blush to proclaim it to be the Rule of Law. As he describes it, the rule of law seems to be governance by disembodied principle without the intervention of human hand or voice. Even his own and not unimportant role at the bar and on the bench, the lawyer turns into the mere voice of the oracle inspired by the Law Principle itself. This miracle finds its most mystical expression in the doctrine of Natural Law which makes it the efflux of the universe flowing forth from the Godhead itself. The disciple of Natural Law seemed to Justice Holmes like the knight of romance to whom it was not enough that you agreed that his lady was a very nice girl. If you did not admit that she was the best that God ever made or could ever make, you must fight. Ordinary lawyers, who work around the temple of Apollo feeding the oracle questions, most of which are loaded, arguing with it and among themselves, "cussing" its pronouncements that go against them, take a more earthy view of law. When a former Justice (as he was then) Charles Evans Hughes, bluntly and perhaps too delphically said that the Constitution is what the Supreme Court says it is, the lawyers were not too shocked, although they pretended that they were.

Those who devote themselves to international relations in foreign offices at what is disparagingly called "the working level" are understandably and wisely reticent about the role of law. This, however, is not true of academicians who write about it and who teach it. Undeterred by the discipline of adversary procedure or by the test of judgment in contested application, motivated by the highest principles and often spurred by a gift of imaginative rhetoric, some of them recall Disraeli's description of Gladstone as "intoxicated by the exuberance of his own verbosity". I hasten to add that it was the Bar Association *en masse* and not the International and Comparative Law Section of it that voiced the most elusive of all slogans "World peace through world law."

Those of whom I complain are not the peddlers of spurious panaceas for peace, not those who are overimpressed with the role of international law, but those who would impose upon states in the name of law their own subjective conceptions of justice. As is so often the case with the righteous, deeply convinced of the righteousness of their cause, their impulse is to "snatch the knotted cord from the hand of God and deal out murderous blows." These blows are usually directed against the weak by suborning the subjectivities of the strong. This process also furnishes the figleaf of legal respectability to cover otherwise naked aggression.

Such support was given to the actions of the United Nations Security Council in calling for economic sanctions against Rhodesia and to the attacks on the World Court's decision dismissing the complaint in the Southwest Africa case. The viciousness of substituting subjective conceptions of justice for law in these instances is that in both cases it provides means for collective aggression, in both degrades international adjudication, and in both departs from the basic conception of international law. This is that it is inter *national*, between sovereign states, based upon accepted practices and agreements of sovereigns. In this latter respect it differs basically from the law taught by the international lawyers' other academic colleagues. To strike at this conception of agreed limitations on sovereignty is to strike at confidence in judicial honesty and restraint, which alone can lead to the slow development of international law from its primitive state.

It will surprise some of my fellow citizens, though hardly anybody here, to be told that the United States is today engaged in an international conspiracy, instigated by Britain and blessed by the United Nations, to overthrow the government of a country that has done us no harm and threatens no one. This is barefaced aggression, unprovoked and unjustified by a single legal or moral principle.

The Charge that Britain brings against the Rhodesians is the one that George III once brought against Americans and sought unsuccessfully to enforce by arms. It was that the Colonies felt it necessary, as Mr. Jefferson put it, "to dissolve the political bands which (had) connected them with another (people), and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them". However, two academics writing in the American Journal of International Law have taken quite a different view:

They say, "In the most fundamental sense, the assertion of independence at a time and by means which the authoritative organs of the international community had decided would precipitate a threat to the peace of the surrounding region and the world was an act of irresponsibility in violation of the most basic policies of the Charter for the main-

tenance of international order." Where authorities differ so widely, inquiry and judgment are indicated.

In the first place, was independence so broad a step for Rhodesia to take? While Britain had asserted sovereignty over the Rhodesian countryside since the latter part of the last century when Cecil Rhodes started to develop it, Whitehall had never administered government there, nor provided funds or forces for its defense. All this had been done locally, first under the British South Africa Company chartered to Cecil Rhodes and his associates and after 1923 under the Constitution of that date, established after the electorate had voted for self-government and against incorporation in the Union of South Africa. In fact, so self-governing was Rhodesia that between 1935 and 1953 (the beginning of the Federation) the Rhodesian Prime Minister sat as an equal in the meetings of Prime Ministers, first of the Empire and then of the Commonwealth. The Prime Minister of the Federation (with Nyasaland and Northern Rhodesia) took his place until its dissolution in 1964. Thereafter the Prime Ministers of her two associates, then independent states, sat with them. But Rhodesia was excluded because of this dispute which had then arisen.

Turning to this dispute and to the circumstances of the Rhodesian assertion of its independence, the country had had since the beginning of its history, an electorate based on male suffrage later extended to women with modest literacy and property requirements. These requirements are those adopted in this and other countries during early stages of representative government by a people among whom education was the exception rather than the rule and experience, cultural or otherwise, was unequal. When white settlement began in 1890, Rhodesia was sparsely populated by a very primitive people. The great bulk of its present population, white and black, has immigrated since then, attracted by opportunity and security of life and property available there. The Rhodesian Constitutional Commission was well aware of this situation.

"The Shona," it said, "and the Ndebele and the Europeans were all in turn (im)migrants, conquerors and settlers. All now know no other home. Thus they have established for themselves and their successors the right to remain in this country in perpetuity, a right which they have every expectation of exercising. . . . For the(se) reasons . . . Rhodesia is the permanent and rightful home of peoples of different origins and backgrounds and does not belong to one race or one ethnic group alone."

Now what did the Commission see as the end of this matter? The progressive extension of the franchise but not majority rule. "For a time", it said, "which cannot be measured by clock or calendar Europeans would exercise the more authoritative voice at national government level and Africans would have a voice that must be allowed increasing, but not limitless power." The ultimate solution recommended was based on racial parity of representation as most likely to produce immediate and long-term confidence and stability. Now this was not everyone's cup of tea; neither was it everyone's business; nor was it apartheid. It was a matter relating solely to the internal affairs of Rhodesia, in which the United Nations by its Charter was forbidden to meddle, and to the political relation between Rhodesia and the United Kingdom. When the latter sought to impose a majority rule, in time measured by the calendar, Rhodesia severed the bands that bound them.

It was this act and Rhodesia's assumption among the powers of the earth, of the separate and equal station to which the Laws of Nature and of Nature's God entitled her which the General Assembly and the Security Council said created a situation that threatened the peace. While Rhodesia threatened no one, the idea that her independence, "if continued in time," would disturb the peace because, apparently, someone would attempt to terminate it, because of disapproval of Rhodesia's long-established internal legislation regarding suffrage. The General Assembly spelled this out in its resolution of November 5, 1965 when it, and I quote from the resolution, "reaffirm(ed) the right of the people of Southern Rhodesia to freedom and independence", the very thing which was now threatening the peace, "and recogniz(ed) the legitimacy of their struggle for the enjoyment of their rights". Now what sort of rights?—"their rights as set forth in the Charter of the United Nations, the Universal Declaration of Human Rights, and the Declaration on the Granting of Independence to Colonial Countries and Peoples." And the resolution went on that the "United Nations solemnly warned the present authorities in Southern Rhodesia and the United Kingdom of Great Britain and Northern Ireland in its capacity as administering power, that the United Nations will oppose any declaration of independence which is not based on universal adult suffrage."

How fortunate were the American colonies in 1776 that there was no United Nations confronting them. I need hardly remind you that our Constitution had nothing to say about adult universal suffrage but did have a few pregnant paragraphs continuing the institution of slavery.

Of course, no one in the United Nations really believed that Britain, which had been handing out independence in wholesale lots, would fight Rhodesia, or that any African state would take on such a prickly job. Perhaps I might pause for a moment to remind you of the present situation. As everybody knew, this blockade of Rhodesia has not worked. Therefore, Her Majesty's government, in accordance with that universal principle, which seems to instigate all fanatics, that one must redouble efforts on finding oneself on the wrong road, has asked the United Nations to extend the blockade and our African friends have raised their cry that the British should come out of the bushes and gain enough courage to fight Rhodesia by arms. Now the point that I am making here is that this highly theoretical and imaginative threat to the peace was not posed by Rhodesia but was posed against Rhodesia. From this premise only the most Humpty-Dumpty reasoning could move to the conclusion that Rhodesia should be punished by international action aimed at overthrowing her government and ending her independence. This reasoning, however, has been supplied by academic authority. It is hardly less curious, yet here it is:

"In the contemporary intensely interdependent world", they say, "peoples interact not merely through the modalities of collaborative or combative operations", simple English—basic English, "but also through shared subjectivities, not merely through the physical movements of goods and services or exercises with armaments, but also through communications in which they simply take each other into account. Much more important," they go on, "than the physical movements are the communications which people make to each other. In the case of Rhodesia, the other African peoples have regarded themselves as affected by the authoritarian and racist policies of the Rhodesian elites."

In simpler and nonpejorative terms, they don't like Rhodesia's elective system. Subjectivity means the quality or condition of viewing things exclusively through the medium of one's own mind and individuality; the condition of being absorbed in one's own personal feelings, thoughts and concerns. It means also personal bias, emotional predisposition, the substitution of perception for reality. The authors may mean any or all of these senses. But the point is that what we have here is the idea that law is only the mirror of the beholder's emotional condition at the moment.

Consider a situation which wounds shared subjectivities of a wholly different nature and ones with which we may be less in sympathy. Within the month the nations of Eastern Europe have met in Moscow to consider their shared dislike of what they regard as the deviationist, anti-democratic and indeed bourgeois policies of the Czechoslovakian elite in permitting a modicum of personal liberty in that country. Rumour even carries reports of Soviet troop movements near the Czech border. Now suppose that instead of repeating its armed interventionist tactics in Hungary in 1956, the Soviet Union should appeal to the Security Council to stop this Czech breech of the peace by assault on shared subjectivities on Communist states. I suppose that the authors would expect to direct us all to cease building bridges to the East and instead to refurbish our embargoes against trade with the renegade Communist state.

Consider too our own parlous condition in the face of this doctrine. Does any country in the world so widely offend the shared subjectivities of others as we do? Ask General de Gaulle, ask Ho Chi Minh, Mao Tse Tsung, Mrs. Gandhi, Castro, the Arabs. Even the South Vietnamese are not too clear about this. And what about our own subjectivities? Should our own brainchild, the United Nations, expound on what we have done to theirs? Somehow this romantic interpretation of the Charter does not make it read like the last best hope for peace on earth.

Nevertheless, ridiculous as it appears on analysis, much as it recalls Cicero's observation that there is nothing so absurd but some philosopher has said it, the fact remains that it rationalizes an attempt to overthrow a government that has done us no harm and threatens no harm to any state. Is participation in such an assault desirable foreign policy? Is this cabal what Mr. Hull thought was being prepared at Dumbarton Oaks, or the Senate almost unanimously ratified?

Of course clever men will attempt to use any instrument to accomplish indirectly what they cannot do directly. But we should have known better than to agree to it, had we not been bemused by substituting ideas that appeared to us as ethical for the plain engagements of sovereign states. In the Charter the subscribing sovereigns undertook not to use force as an instrument of policy in their international relations. By a process which cannot be dignified as reasoning, force applied against another state has now been equated with the failure to adopt internationally the principle of universal suffrage, plus the egalitarian doctrine of equal weighted votes as announced by the Supreme Court of the United States in *Baker* v. *Carr*. And this—mark you!—is only the first application of that new doctrine of international lawyers—the sovereign equality of shared subjectivities.

This doctrine is allied in its harmful and disruptive potentialities with the doctrine of liability without injury averted only by the casting vote of the President of the World Court in the decision of the South-West Africa case. An analogy to that case would have been an original action in the Supreme Court of the United States, say by the State of Michigan, activated by the policies of its former governor in his State Department days, against, say the State of Virginia, to correct the school situation once said to prevail in King William County. If the Court had found that neither Michigan nor any of its citizens had been injured, its precedents (which it might or might not have followed) would have required it to dismiss the case for want of jurisdiction. This is what

the World Court found and did. The wounding of shared subjectivities would, of course, furnish jurisdiction for the Court on the same reasoning as for the Security Council.

Contemplating the possibilities, I am moved to salute the shade of Senator Tom Connally and thank him for his reservation which, at the time I regretted, providing that our acceptance of the World Court's jurisdiction should not apply to disputes with regard to matters that are essentially within the domestic jurisdiction of the United States, and, he added, as determined by the United States.

One of the troubles of the troubled age in which we live is that too many people are trying to achieve harmony of interest by forcing everyone to harmonize with them. Conscience used to be an inner voice of self-discipline; now it is a clarion urge to discipline others. It took a long time to develop the international precept that peace would be furthered by governments having respect for each others' autonomy. That should apply to them acting in concert. And this is the notion embedded in Paragraph 7 of Article 2 of the Charter. Whatever mistakes they have otherwise made, the draftsmen of the Charter at least did not intend to open the way to endless conflict through unbridled impulses to reform. The new romantic impulse is to overthrow that wise inhibition in favour of a compulsion to re-shape the world to fit all sorts of shared subjectivities.

Another thought also occurs. Perhaps if the meek are to inherit the earth they might consider adding a clause to the litany. It could follow "From all blindness of heart, from pride, vain glory and hypocrisy, from envy, hatred and malice and all uncharitableness", and would add, "and from the United Nations Charter as distorted by professors of international law, Good Lord deliver us."

AIR FORCE CHIEF OF STAFF GENERAL McCONNELL RECEIVES SPACE TROPHY

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

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, on May 28 of this year the distinguished Chief of Staff of the Air Force, Gen. John Paul McConnell, was presented the Gen. Thomas D. White Space Trophy for 1967.

The trophy, honoring General White, the retired Air Force Chief of Staff who died in 1965, is awarded annually to the military or civilian member of the Air Force who made the most outstanding contribution to U.S. progress in aerospace.

General McConnell was cited for his "effective leadership and direction of the U.S. Air Force in the development and utilization of aerospace vehicles."

The following are the remarks made by General McConnell upon receipt of the award:

I am highly honored to receive the General Thomas D. White USAF Space Trophy. As you can well understand, this award holds a special significance for me because of my long association with Tommy White, whose leadership and vision I came so much to admire.

I value in equal degree the privilege of being identified through this award with the many other individuals who have helped to advance the vital programs which this nation is pursuing in space.

No aspect of my career has brought greater satisfaction than my relationship with our astronauts and technicians as well as the managers of major space projects, both in the military and in NASA. And I am pleased to see at this function so many of the people whose knowledge and ability have contributed to our team effort in this field of endeavor.

I am more and more convinced that on the human side of the equation this team relationship, resulting from our common interest and experience, is a key requisite for success. In fact, it may one day be recognized as the single most important asset in our entire space program. For this reason, I wish to draw special attention to some of the dividends of our teamwork that have benefited both the civilian and military segments of space activity. It is this foundation for continuing progress that underlies my confident outlook toward several Air Force space objectives that I will touch on later in my remarks.

The more than 110 major agreements that spell out the working arrangement for joint NASA, DOD and Air Force operations are clearly essential. But these agreements cannot by themselves assure the effective meshing of our activities. Far more important is the professional rapport that enables us to resolve informally the day-to-day problems which no amount of advance planning can anticipate. A matter of particular pride to the Air Force is the fact that through our interface with NASA we have provided extensive support for the Gemini program, including launch, range and recovery operations and assistance with related research and technology.

I think it is clear that through this pooling of resources we have fulfilled not only the letter but also the spirit of a crucial provision of the Space Act of 1958. I am referring to the provision that called on each military department to make available to NASA the services, equipment, personnel and facilities that could be effectively employed in supporting our national space activities. In a practical sense, this dovetailing of our planning and operations has permitted more progress toward many civilian and military space objectives than would otherwise have been possible.

Looking now at some of our military objectives, I think it is well to reaffirm the non-aggressive intent of all our operations in the space medium. On the other hand, we do want to insure that no potentially hostile nation develops an offensive capability against which we have no defense. That is why we place such great importance on our systems that are already in operation for the purpose of detecting, cataloging and to the extent possible, evaluating the space vehicles launched by other countries.

Turning to the more active side of our military space effort, I would like to comment first on our attainment of a reliable and versatile launch capability as a primary requisite for success. In meeting this requirement we have developed the Titan III family of boosters for a number of current and future space programs. Because of its demonstrated reliability and effectiveness, one of these boosters, the Titan IIIC, was ordered into production last year before completion of its research and development flight test program.

To provide a safeguard in detecting space and atmospheric nuclear detonations the Air Force has worked jointly with the Atomic Energy Commission in developing the VELA Nuclear Detection Satellite. We have launched eight of these satellites successfully and they have far exceeded their expected period of useful operation in orbit.

We are also interested in advancing the technology of maneuverable spacecraft. To this end, we have completed a series of unmanned spacecraft tests which successfully demonstrated maneuverability, reentry and precision recovery. We will soon begin flight testing the X-24A. This manned, lifting body spacecraft is designed to evaluate flight characteristics from a speed of Mach 2 to horizontal landing and at altitudes from more than 100,000 feet to ground level.

In moving toward another space goal, we have long recognized the possibility of increasing the effectiveness of both air and ground operations with a communications satellite system. That is why we have taken such keen satisfaction in the opportunity to support the Defense Department's development of such a system. We have done this by procuring the boosters, satellites and airborne terminals and by launching the satellites themselves and injecting them into precisely calculated orbits.

One indication of our success with this program is offered by the fact that 17 of the 18 satellites already launched for this communications role are still operating effectively; and the Pacific segment is now providing communications support for our operations in Southeast Asia. A replenishment launch of communications satellites, looking toward an operational capability in the early 1970s, is scheduled for next month.

With our Tactical Satellite Communications Program, which is now in the experimental stage, we have employed a single vehicle to demonstrate a potential for supporting all of the military services. In the next few months, we plan to orbit a second experimental satellite with greater power output to be kept "on station" at any point we select over the equator. Early next year, we will carry out more advanced experiments with a much larger satellite using airborne and surface terminals. This exercise will further demonstrate the usefulness of tactical communications satellites in a simulated combat environment.

In assessing the significance of this tactical communications program, we should keep in mind that at the level of conventional conflict, the problems of command and control are far more diverse and extensive than at the strategic level. The reason for this is that our tactical forces are more numerous and their roles and missions more varied. It is not enough for this nation to have adequate military force levels. In order to support a national strategy of conflict management, our forces must be directed with speed and precision. This represents a practical and compelling requirement which our progress with communications satellities can be expected to fulfill.

Coming now to our most promising and complex space effort, the Manned Orbiting Laboratory, we find two reliable indications of our prospects for achieving in the near future a significant improvement of military capabilities in this expanded medium of operations. One indication is provided by the very nature of MOL's broad-gauged objective as being that of developing, operating and evaluating highly specialized military equipment that will benefit from man's presence in the spacecraft. In imparting momentum to this program, we have successfully test fired the first stage engine of the MOL's Titan IIIM booster. And we have completed the mockup and structural test assemblies of the laboratory and experimental modules. We now have 14 aerospace research pilots in training for MOL operations and expect to launch a two-man crew in 1971.

A somewhat broader, but perhaps even more important indication of the favorable outlook for the MOL program is provided by several additional and meaningful examples of the NASA-Air Force team relationship. Throughout the MOL program, we have worked closely with NASA in selecting the proper configuration for the basic components. We also have taken full advantage of the technology derived from NASA space

programs in a series of steps that produced a saving in funds as well as increased confidence in proven hardware and techniques. Further, we have concluded that the same basic system technology and experience gained in developing the attitude control system and fuel cells for Apollo can be used for related purposes in the MOL.

These are but a few of the many indications that could be cited to illustrate the growing maturity of our space technology as an asset that has enormous economic, political and military potential. I am confident that I share with all of you the conviction that this technology can be nutured and applied most effectively within the highly creative environment of our free society. Therein we see the promise and the challenge of the future. And knowing as I do the integrity and competence of those to whom we look for the planning and support of our national space program in all its aspects, I am also confident that our survival and continued progress are assured.

In conclusion, and with acknowledgment to all who have contributed to Air Force achievements in space, I again wish to express my deepest appreciation for the honor accorded me by the award of the General Thomas D. White USAF Space Trophy.

THE HONORABLE LEONOR K. SULLIVAN

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

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the very gracious lady who represents the Third Congressional District of Missouri, the Honorable LEONOR K. SULLIVAN, was honored recently by the St. Louis Bicentennial Civic Improvement Corporation for her contributions toward the realization of low-income family homeownership.

As a result of her sponsorship of the 221(h) program in the 1966 Housing Act, significant Federal assistance has been made available to Bicentennial and other nonprofit sponsors of low-income homeownership projects.

It has been my distinct personal pleasure to have joined Mrs. SULLIVAN on several projects of mutual concern, including the food stamp program and the Gateway Arch project. She has always worked diligently and effectively toward her objective. The latest example, and certainly the greatest success to date during her distinguished career, is the Truth-in-Lending Act which President Johnson recently signed into law.

Because of this remarkable woman's efforts, it is appropriate that she has been recognized as one of the most effective legislators in Congress.

As a further attestment to this recognition, I would like to include in the RECORD the May 27 article in the St. Louis Post Dispatch complementing our able colleague, LEONOR K. SULLIVAN:

SHE IS ARCH SUPPORTER OF POOR

(By Ellen Schlafly)

Mrs. Leonor K. Sullivan spends more than 10 hours a day doing "Housework," but has little time to dust and scour her small apartment near Washington.

What she calls housework are the committee meetings, legislation drafting and other responsibilities of being a member of the House of Representatives from the Third Congressional District in Missouri.

A sweet-smelling bouquet of peonies and irises on the Democrat's desk was dwarfed by a stack of file folders and letters. "I get anywhere from 100 to 300 letters a day," she said in an interview in Washington last week, "and I read every one."

Mrs. Sullivan, the only woman to have served in Congress from Missouri, was honored here Saturday for her legislative efforts in two areas.

She was among dignitaries on the Speaker's platform at the dedication of the Arch which is in her district. In 1953, Mrs. Sullivan introduced a bill authorizing the building of the Arch; the $17,250,000 authorized by Congress had been appropriated by 1965 and she has worked since then to get federal money to complete the memorial.

And she was the honoree at a benefit dinner for the Bicentennial Civic Improvement Corp.

"Her legislative efforts are responsible for the success of our program on the scale it is today," said D. Jerry McGlynn, executive director of the home-ownership program.

BCIC is a nonprofit corporation organized by religious, political and civic leaders about three years ago. It buys and rehabilitates homes in the Mullanphy district of north-central St. Louis and then makes them available to low-income families.

"If we can make them homeowners, we can make them responsible citizens," Mrs. Sullivan said.

She was sitting in her office in the Rayburn building, a few hundred yards from the Capitol. Her aqua knit dress almost matched the color of her eyes. Table and floor lamps, numerous plants and choice photographs from her 16 years in the House added to the living room atmosphere.

"When I first read about BCIC program in 1965, I thought it was wonderful. No government was involved," she said, keeping her eyes directed at her listener. "It was helping people to help themselves."

The area, bordering the Pruitt-Igoe housing project, was not in her district, but she began searching for federal funds to help the program. It was started in 1963 by the Rev. Joseph M. Kohler, former assistant pastor of St. Bridget of Erin Catholic Church and Richard B. Woods, who operated a small home renovation business.

Housing authorities had told Mrs. Sullivan that no funds were available for such a scheme but, "less than eight months later I included a provision in the administration's housing bill of 1966."

She explained that she garnered support from both Republicans and Democrats she served with on the subcommittee on housing by telling them that the program was already working and already a success.

"Through the Federal Housing Administration, $20,000,000 was allocated to nonprofit corporations like BCIC," Mrs. Sullivan said. "We're now asking for $50,000,000."

St. Louis was first, but more than 60 cities have used these funds for low-income, homeownership programs. The money provides for 100 per cent Federal Housing Administration financing of loans to homeowners. Interest rates and monthly payments are low.

"We would be scraping for every penny if it weren't for federal help," McGlynn said.

To date, more than 80 houses have been bought, renovated and made available for ownership.

Contributions from the dinner, $50 a plate, will go to BCIC. Stan Musial was general dinner chairman. Senator Stuart Symington (Dem.), Mo., spoke to the more than 500 guests in the Khorassan Room of the Chase-Park Plaza Hotel.

One of the 11 women members in the House, Mrs. Sullivan will be campaigning for re-election in the fall. She is the widow of John B. Sullivan who died in 1951 when serving his fourth term in the House.

Because she loved politics and Washington and "had to earn a living," she decided to run for the seat he had left vacant.

"I was scared silly," she admitted, "but serving in Congress has been an exhilarating experience."

Mrs. Sullivan said that the ideas for all the legislation she has introduced came from letters from constituents. She represents about 440,000 persons. Her district contains almost all of central and south St. Louis.

Letters in 1952 from the Consumer Federation of St. Louis led to her interest in consumers' problems. As chairman of the house subcommittee on consumer affairs, she guided the so-called truth-in-lending bill through the House.

"I've worked for this for eight years," she said. "There has never been so much opposition to a bill; but it has been rewarding," she said of its passage.

A few blocks from her office is Resurrection City, the plywood tent encampment of the Poor People's March.

"I could just weep when I see them," she said of the participants, "but this march cannot achieve their goals because they are asking the impossible. There is no plan. The idea must be spelled out in specific details. No one has to sell me on the fact that there is poverty."

She is the author of the food stamp law, which distributes surplus agricultural commodities to the needy through grocery stores.

Mrs. Sullivan, whose hobby is knitting and hooking rugs, "because I can talk while I do it," is modest about awards she has received.

"I didn't finish college but here is an honorary doctorate of laws from Lindenwood College," she said, pointing to a framed diploma on the wall.

Although she graciously accepted a silver plate from the BCIC Saturday night as a tangible testimonial to her efforts, Mrs. Sullivan said that, "whenever people are involved, it's rewarding."

ROLE OF THE CARPENTERS' UNION IN THE AMERICAN LABOR MOVEMENT

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

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

There was no objection.

Mr. HANLEY. Mr. Speaker, on May 17, it was my privilege to attend a banquet sponsored by local 12 of the Carpenters' Union, in Syracuse, N.Y., at which they honored 139 members of the local who had celebrated 25 years of membership. It was a particular pleasure for me, because so many of the members of local 12 and many of the honored guests that evening have been close personal friends of mine over the years.

Last week, Father Richard McKeon, S.J., who is one of the acknowledged leaders in the fields of industrial relations and labor-management negotiations, devoted his entire weekly column in the Catholic Sun to that banquet and to a brief history of the Carpenters' Union's role in the American labor movement.

In a very real sense, the progress of the Carpenters' Union has been inextricably bound up in the progress of our Ameri-

can society. I commend this excellent piece to all my colleagues:

TRIBUTE TO THE CARPENTERS

(By Father McKeon)

On May 17, 1968, I was happy and honored to attend the service award banquet of Carpenters Local Union No. 12 which was held "in honor of and dedicated to those of us who have passed the 25 year mark in continuity of membership with devotion to both the union and the construction industry." Those with 25 years numbered 139.

Prominent citizens paid tribute to these veterans and thanked them for their contribution to the community. This writer was privileged to give the main address. After thanking the veterans for their loyalty to union ideals, he then portrayed how unionism was an important factor in American life.

However, in the program there was a brief history of the carpenters union which intrigued me deeply. I shall comment on some of its fascinating story for history is a stern teacher.

The Pilgrims who were seeking a new life in the new world were anxious to enjoy liberty. But they had rigid ideas about certain things. Thus in 1630 the law of Massachusetts stated:

"Carpenters, joiners, etc., shall not take above two shillings a day nor any man shall give more under pain of a fairly heavy fine."

About 100 years later the seeds of true unionism were sown in Philadelphia where in 1724 was organized the "Carpenters' Company of Philadelphia." Members were both master and journeymen carpenters. What was a basic objective? It was "to adopt such a system of measurement and prices that everyone concerned may have the value of his money and every working man the worth of his labor."

"The Company's 'Book of Prices' became and remained the standard in the building industry until about 1860. Members were not allowed to accept less than the established scale, or to work with non-members under pain of expulsion." It is surprising to discover that the Company provided sickness and death benefits, and assistance to unemployed members.

In 1770 the Carpenters' Company erected their own building. It still stands—a monument linked with American history. Trouble was brewing in the colonies. England was not treating these subjects justly. Grievances were mounting up. In September, 1774, delegates from the several colonies came to Philadelphia to discuss these grievances and to petition England to settle them fairly. "On September 5, 1774, the first meeting of the Continental Congress convened in Carpenters' Hall. There they began the deliberations that resulted in the Declaration of Independence on July 4, 1776." During the War of the Revolution the hall was a rallying point for our patriotic forefathers.

In the same city in 1791 the carpenters went on strike for shorter hours and won. They had been working from sunrise to sundown for 5 shillings a day. The union demanded a uniform workday from 6 a.m. to 6 p.m. the year through and one hour for lunch. How did they succeed? When the employers refused to meet with them "the journeymen house carpenters desire to announce that . . . they propose to work for the public direct for 25 per cent below the rates formerly charged." They won.

Although the carpenters had been dreaming about an eight-hour day, it was not till 1882 that they set the nine-hour day as a more realistic goal. In fact seven locals did gain the eight-hour day and others the nine-hour. And so the carpenters were foremost in keeping the goal of shorter working hours before our people.

The carpenters were also strong advocates of a national labor organization. They supported the beginning of the Federation of Organized Trades and Labor in 1881. When this failed, they helped to reorganize the unions into the American Federation of Labor in 1886. Under the dynamic leadership of Samuel Gompers there was steady growth despite tremendous obstacles.

Organized labor owes a great debt of gratitude to the carpenters for their efforts to lessen hours of work. In 1886 they could report 12 cities with the eight-hour day and 25 cities with the nine-hour day. Eleven cities were working shorter hours on Saturdays. And so "the principle of the eight-hour day emerged as a rallying point for all labor, and the Carpenters became known as the eight-hour organization."

In 1889 at Boston the delegates of the AFL selected the Carpenters as the best prepared union to spearhead the movement for the eight-hour day. The Carpenters accepted the challenge. A street fight began which meant sacrifice and money. Employers fought back hard. The press was hostile. The public fell for anti-union propaganda. But the Carpenters fought on and soon "more than 23,000 carpenters in 36 cities gained the eight-hour day and some 32,000 more in 234 cities gained the nine-hour day."

Americans who now enjoy the 40-hour week should be conscious of the great fight waged by organized labor to secure the same. They should be duly grateful. And to the Carpenters should go the finest tribute of all for leading the way to this desired goal.

RAISING PERSONAL EXEMPTION FOR INCOME TAX

The SPEAKER pro tempore (Mr. CULVER). Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, the years 1948 and 1968 have a number of things in common. They are both election years. A bitter war was raging in Vietnam both these years. And the personal exemption from the Federal income tax has not changed a bit, either. It is still $600 just as it was in 1948.

Of course, a great many other things are not the same as they were in 1948. Probably nothing has advanced quite so steadily and inexorably with the passage of these 20 years as the cost of living.

Department of Labor statistics reveal unmistakably that in 1948, $600 represented a percentage of family earnings exempted from tax that was more than twice as high as the percentage exempted today.

In 1948, the median family made $3,031, and each $600 exemption represented 19 percent of that yearly income. Today, the same family earns $7,436, and that same $600 exemption amounts to only 8½ percent.

Of course, it is true that today's family has greater earning power than its counterpart of 1948. Nonetheless, much of this differential has been the product of a harsh, cruel inflation that has depreciated the value of the dollar more than 30 percent since 1948.

The policy behind the exemption was to let the taxpayer earn enough money tax free to pay the basic necessities for himself and his dependents. But we are all agreed, I think, that one cannot adequately feed, clothe, and house a child today for $600 a year. It might have been possible in 1948, but certainly not in 1968, and, therefore, the exemption should be raised.

To fulfill this need, I am today introducing a bill that would amend the Internal Revenue Code to raise the personal exemption deduction to $1,000. That would include the exemptions for the taxpayer, his spouse, and any other dependents, as well as the additional exemptions for old age and blindness.

I feel that this would go a long way toward relieving the pressure of inflation, and give a tax break to low- and middle-class taxpayers right where it is most needed.

At first glace, it might seem as though this will cost the Treasury a lot of money just at the time when Congress is being asked to enact a 10-percent surtax. But this bill is not inconsistent, because it is being offered in the context of a system of tax reform which I introduced earlier this session, and which would close tax loopholes to net the Treasury a minimum of $5 billion in additional revenues. The money saved by closing these escape hatches in the tax laws will more than pay for this sorely needed adjustment in the exemption.

I consider it a glaring inequity that many very affluent persons should have the advantage of all sorts of loopholes—in some notorious instances, escaping taxation entirely—while hardworking people of modest means must struggle along with an exemption that is long outdated and totally inadequate.

I earnestly urge every Member of this House to give this measure his full support.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

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

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

Mr. CUNNINGHAM (at the request of Mr. GERALD R. FORD), for June 3 and 4, on account of official business.

Mr. PIRNIE (at the request of Mr. GERALD R. FORD), for June 5, on account of official business.

Mr. HALL (at the request of Mr. GERALD R. FORD), for June 5, on account of official business.

Mr. CORMAN, for today, on account of official business.

SPECIAL ORDERS GRANTED

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

(The following Member (at the request of Mr. BURKE of Florida) to revise and extend his remarks and to include extraneous matter:)

Mr. HALPERN, for 10 minutes, today.

Mr. HALPERN, for 10 minutes, on June 5.

EXTENSIONS OF REMARKS

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

Mr. BURLESON in two instances and to include extraneous matter.

Mr. EVERETT and to include extraneous matter.

Mr. CONTE in two instances.

Mr. MILLS to extend his remarks on the four bills from the Committee on Ways and Means today.

Mr. DON H. CLAUSEN and to include extraneous matter.

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

Mr. BYRNES of Wisconsin.

Mr. MINSHALL in three instances.

Mr. GUBSER in two instances.

Mr. ASHBROOK in two instances.

Mr. SNYDER.

Mr. MORSE of Massachusetts in three instances.

Mr. SCHERLE.

Mr. GUDE.

Mr. SCHWENGEL.

Mr. DON H. CLAUSEN in two instances.

Mr. QUIE in five instances.

Mr. BRAY in two instances.

Mr. WYMAN in two instances.

Mr. QUILLEN in two instances.

Mr. BURKE of Florida.

Mr. BROTZMAN.

Mr. BROYHILL of Virginia.

Mr. WYDLER.

Mr. MATHIAS of Maryland in two instances.

Mr. PRICE of Texas.

Mr. BERRY.

Mr. POLLOCK.

Mr. MATHIAS of California.

Mr. MCCLORY.

Mr. KEITH.

Mr. BUSH.

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

Mr. ROONEY of Pennsylvania.

Mr. BURKE of Massachusetts.

Mr. RARICK in six instances.

Mr. PUCINSKI in 12 instances.

Mr. MORRIS of New Mexico in two instances.

Mr. NICHOLS.

Mr. RESNICK.

Mr. MURPHY of New York in three instances.

Mr. HANNA.

Mr. MINISH.

Mr. RONAN in two instances.

Mr. PODELL in three instances.

Mr. PEPPER in two instances.

Mr. EDWARDS of California in two instances.

Mr. TUCK in three instances.

Mr. EILBERG.

Mr. OTTINGER.

Mr. BROWN of California.

Mr. VIGORITO.

Mr. GONZALEZ in three instances.

Mrs. KELLY.

Mr. CABELL.

Mr. ABBITT.

SENATE BILL REFERRED

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

S. 3504. An act 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"; to the Committee on House Administration.

ENROLLED JOINT RESOLUTION SIGNED

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

H.J. Res. 1224. Joint resolution 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.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1581. An act to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584);

S. 2178. An act for the relief of Dennis W. Radtke;

S. 2452. An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois;

S. 2634. An act to amend section 867 (a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes;

S. 2884. An act to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; and

S. 3017. An act to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 3, 1968, present to the President, for his approval, a bill of the House of the following title:

H.R. 15004. An act 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.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 5, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

1903. A letter from the Assistant to the Commissioner, 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; to the Committee on the District of Columbia.

1904. A letter from the Comptroller General of the United States, transmitting a report on the opportunity to improve U.S. balance of payments through an increased agricultural barter program, Departments of Agriculture, State, and the Treasury, and the Bureau of the Budget; to the Committee on Government Operations.

1905. A letter from the Acting Comptroller General of the United States, transmitting a report on the need to increase competition in procurements of anthracite coal by the U.S. Army for use in Europe; to the Committee on Government Operations.

1906. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according the beneficiaries of such petitions third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1907. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

1908. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a proposal to transfer the submarine *Cabrilla* (AGSS-288) to the U.S. Submarine Veterans World War II, Texas, Inc., pursuant to title 10, United States Code, section 7308(c); to the Committee on Armed Services.

1909. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation together with a list of persons involved, pursuant to section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1910. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1911. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

1912. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay judgments in favor of the Seminole Tribe of Oklahoma in dockets Nos. 150 and 248 of the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

1913. A letter from the Postmaster General, transmitting a copy the Department's cost ascertainment report for fiscal year 1967, pursuant to the provisions of 39 U.S.C. 2331; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on Foreign Affairs. H.R. 16903. A bill to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes (Rept. No. 1512). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAY: Committee on Public Works. H.R. 16358. A bill authorizing the trustees of the National Gallery of Art to construct a building or buildings on the cite bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and making provision for the maintenance thereof; with amendment (Rept. No. 1513). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAY: Committee on Public Works. S. 2484. An act to authorize the extension of the additional Senate Office Building site (Rept. No. 1514). Referred to the Committee of the Whole House on the State of the Union.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 15651. A bill to amend the Immigration and Nationality Act to facilitate the entry of foreign tourists into the United States, and for other purposes; with amendment (Rept. No. 1515). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1203. Resolution providing for the consideration of H.R. 3400, a bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulations, and for other purposes (Rept. No. 1516). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1204. Resolution providing for the consideration of H.R. 16162, a bill to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States (Rept. No. 1517). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1205. Resolution providing for the consideration of H.R. 17267, a bill to amend title 5, United States Code, to remove persons from Federal employment who engage in unlawful acts connected with riots or civil disorders, and for other purposes (Rept. No. 1518). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BROYHILL of Virginia:

H.R. 17635. A bill to amend the act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

By Mr. CONTE:

H.R. 17636. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. FISHER:

H.R. 17637. A bill to amend title 10, United States Code, to authorize an Assistant Secretary of Defense for Health Affairs, and for other purposes; to the Committee on Armed Services.

By Mr. KING of New York:

H.R. 17638. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 17639. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 17640. A bill authorizing the Secretary of the Army to make a study of maintaining a channel in the Back River, Md.; to the Committee on Public Works.

By Mr. QUILLEN:

H.R. 17641. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 17642. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 17643. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 17644. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. ABBITT:

H.R. 17645. A bill limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes; to the Committee on Public Works.

By Mr. CHAMBERLAIN (for himself, Mr. CORMAN, and Mr. TIERNAN):

H.R. 17646. A bill to establish a Commission on Hunger; to the Committee on Education and Labor.

By Mr. DIGGS:

H.R. 17647. A bill 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; to the Committee on the District of Columbia.

By Mr. DONOHUE:

H.R. 17648. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 17649. A bill proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. MORRIS (for himself and Mr. WALKER):

H.R. 17650. A bill to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN (for himself, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. ANNUNZIO, Mr. REES, Mr. WOLFF, Mr. HALPERN, Mr. FRIEDEL, and Mr. PEPPER):

H.R. 17651. A bill to assist in the provision of housing for low and moderate income families, and to extend and amend laws relating to housing and urban development; to the Committee on Banking and Currency.

By Mr. RUPPE:

H.R. 17652. 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. HARDY (for himself, Mr. ABBITT, Mr. BROYHILL of Virginia, Mr. POFF, Mr. TUCK, Mr. DOWNING, Mr. MARSH, Mr. SATTERFIELD, Mr. WAMPLER, and Mr. SCOTT):

H.R. 17653. A bill to revise certain taxing authority of the State of Virginia with respect to Washington National Airport; to the Committee on the District of Columbia.

By Mr. DENT:

H.J. Res. 1288. Joint resolution authorizing the President to proclaim annually the period October 1 through October 7 as "National Better Recordkeeping Week"; to the Committee on the Judiciary.

By Mr. GRAY:

H.J. Res. 1289. Joint resolution authorizing the President to proclaim annually the first Sunday in May as "Chaplains' Sunday"; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.J. Res. 1290. Joint resolution to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President; to the Committee on Interstate and Foreign Commerce.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 1291. Joint resolution extending greetings and felicitations to Muhlenberg College in the city of Allentown, Pa., on the centennial of its naming; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 17654. A bill for the relief of Kheng Hoon Ng, also known as Yu Chu Sun Ng; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 17655. A bill for the relief of the survivors of Police Officers John Nagle and Anthony Perri; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17656. A bill for the relief of Giovanni Recupito; to the Committee on the Judiciary.

H.R. 17657. A bill for the relief of Antonino Rubino; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 17658. A bill for the relief of Mrs. Rosario Rodriguez; to the Committee on the Judiciary.

By Mr. KARSTEN:

H.R. 17659. A bill for the relief of Drs. Suresh B. and Aruna S. Patel; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 17660. A bill for the relief of Dr. Claudio G. Alvino and his wife, Anna Maria Alvino; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 17661. A bill for the relief of Roufan J. Balich; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 17662. A bill for the relief of Luisa Vignocchi and Ugo Guido Vignocchi; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 17663. A bill for the relief of Mr. Owen Rogers and Mrs. Joyce Rogers; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 17664. A bill for the relief of Michio

Kobayashi and Hisako Ohata Kobayashi, his wife; to the Committee on the Judiciary.

H.R. 17665. A bill for the relief of Bernardita C. Perena; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 17666. A bill for the relief of Mrs. Rosa Zimmerman; to the Committee on the Judiciary.

By Mr. REES:

H.R. 17667. A bill for the relief of Mr. Pao Ro Chen; to the Committee on the Judiciary.

H.R. 17668. A bill for the relief of Miss Visitacion V. Hernandez; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 17669. A bill for the relief of Motek Rodzynek; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 17670. A bill for the relief of Zaven O. Kodjayan; to the Committee on the Judiciary.

H.R. 17671. A bill for the relief of Mike George Spanoudakis; to the Committee on the Judiciary.

SENATE—*Tuesday, June 4, 1968*

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

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

Dear God of all goodness, we are reminded of the positive part of living when we bow for a moment of prayer.

In this time of history when we are prone to major on the negative, we need the thought of the power of the basic goodness which is given to life as its sure foundation.

Help us to have the spirit to minister and not expect to be ministered unto. Quicken in us an awareness of human need. Teach us to forget ourselves in service to others. Give us the will to pay the personal spiritual price for the peace we seek.

May we share our abundance with the hungry, open doors of opportunity to the poor, and extend the hand of friendship to the lonely and confused.

Give us the grace to be wise stewards of good things that have been entrusted unto us.

We pray in the name of our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 3, 1968, be dispensed with.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of A. Everette MacIntyre, of Virginia, to be a Federal Trade Commissioner, which was referred to the Committee on Commerce.

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, without amendment, the following bills of the Senate:

S. 2452. An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois;

S. 2634. An act to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes; and

S. 3017. An act to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936.

The message also announced that the House had passed the bill (S. 2047) to exempt certain vessels engaged in the fishing industry from the requirements of certain laws, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3363) to designate the U.S. Customs House Building in Providence, R.I., as the "John E. Fogarty Federal Building," with amendments, in which it requested the concurrence of the Senate.

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

H.R. 3165. An act for the relief of Hood River County, Oreg.;

H.R. 8953. An act to amend the act of November 21, 1941 (55 Stat. 773), providing for the alteration, reconstruction, or relocation of certain highway and railroad bridges by the Tennessee Valley Authority;

H.R. 10911. An act to provide for preparation of a roll of persons of California Indian descent and the distribution of certain judgment funds;

H.R. 15395. An act to provide salary step advancements and adjustments for employees moving to and from different pay systems, and for other purposes;

H.R. 15971. An act to increase the participation of law officers and counsel on courts martial, and for other purposes;

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes;

H.R. 16451. An act to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest;

H.R. 17002. An act to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; and

H.R. 17024. An act to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections, under the postal embezzlement statute, section 1711 of title 18, United States Code.

HOUSE BILLS REFERRED

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

H.R. 3165. An act for the relief of Hood River County, Oreg.; and

H.R. 17024. An act to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections, under the postal embezzlement statute, section 1711 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 8953. An act to amend the act of November 21, 1941 (55 Stat. 773), providing for the alteration, reconstruction, or relocation of certain highway and railroad bridges by the Tennessee Valley Authority; to the Committee on Public Works.

H.R. 10911. An act to provide for preparation of a roll of persons of California Indian descent and the distribution of certain judgment funds; to the Committee on Interior and Insular Affairs.

H.R. 15395. An act to provide salary step advancements and adjustments for employees moving to and from different pay systems, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 15971. An act to increase the participation of law officers and counsel on courts-martial, and for other purposes; to the Committee on Armed Services.

H.R. 16065. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in deeds conveying certain lands to the State of Iowa, and for other purposes;

H.R. 16451. An act to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest; and

H.R. 17002. An act to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture and Forestry.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

TRANSPORTATION PERFORMED BY AGRICULTURAL COOPERATIVE ASSOCIATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1136, S. 752.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 752) to amend section 203(b)(5) of the Inter-

state Commerce Act to clarify this exemption with respect to transportation performed by agricultural cooperative associations for nonmembers.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That at the end of section 203(b)(5) of the Interstate Commerce Act delete the semicolon and add the following language: ", but any interstate transportation performed by such a cooperative association or federation of cooperative associations for nonmembers who are neither farmers, cooperative associations, nor federations thereof for compensation, except transportation otherwise exempt under this part, shall be limited to that which is incidental to its primary transportation operation and necessary for its effective performance and shall in no event exceed 15 per centum of its total interstate transportation services in any fiscal year, measured in terms of tonnage: *Provided*, That, for the purposes hereof, notwithstanding any other provision of law, transportation performed for or on behalf of the United States or any agency or instrumentality thereof shall be deemed to be transportation performed for a nonmember: *Provided further*, That any such cooperative association or federation which performs interstate transportation for nonmembers who are neither farmers, cooperative associations, nor federations thereof, except transportation otherwise exempt under this part, shall notify the Commission of its intent to perform such transportation prior to the commencement thereof: *And provided further*, That in no event shall any such cooperative association or federation which is required hereunder to give notice to the Commission transport interstate for compensation in any fiscal year of such association or federation a quantity of property for nonmembers which, measured in terms of tonnage, exceeds the total quantity of property transported interstate for itself and its members in such fiscal year."

SEC. 2. Section 220 of the Interstate Commerce Act, as amended, is further amended by adding the following immediately after subsection (f):

"(g) The Commission or its duly authorized special agents, accountants, or examiners shall, during normal business hours, have access to and authority, under its order, to inspect, examine, and copy any and all accounts, books, records, memorandums, correspondence, and other documents pertaining to motor vehicle transportation of a cooperative association or federation of cooperative associations which is required to give notice to the Commission pursuant to the provisions of section 203(b)(5) of this part: *Provided, however*, That the Commission shall have no authority to prescribe the form of any accounts, records, or memorandums to be maintained by a cooperative association or federation of cooperative associations."

Mr. LAUSCHE. Mr. President, the bill, S. 752, which was ordered reported unanimously by the Senate Commerce Committee, would further the objectives of our national transportation policy and strengthen our Nation's common carrier system by enabling the ICC to act more effectively against illegal haulers pretending to be bona fide farm cooperatives, and by restricting and clarifying the agricultural cooperative transportation exemption.

S. 752 contains two sections. The first section proposes to amend section 203(b)(5) of the Interstate Commerce Act to limit the agricultural cooperative transportation exemption, and to require agricultural cooperatives to notify the ICC before transporting "general freight." Section 2 of S. 752 proposes to amend section 220 of the Interstate Commerce Act to grant the Commission specific authority to examine the books and records of such cooperatives.

In the last Congress, Public Law 89-170 was enacted to amend the Interstate Commerce Act to provide the Commission with better tools to eliminate illegal carriers from the highways. This legislation provided for cooperative State and Federal enforcement agreements, civil forfeiture penalties, and increased penalties for violations of the Interstate Commerce Act.

After the enactment of this legislation, in the first session of the 89th Congress, the Surface Transportation Subcommittee began considering legislation recommended by the ICC to enable the Commission to proceed against illegal operators pretending to be legitimate farm services operating under the agricultural cooperative transportation exemption.

Surface Transportation Subcommittee hearings were held on the ICC's proposal in the 89th Congress, and on a revised ICC legislative recommendation on July 24, 25, and 26, 1967, in this Congress.

The Surface Transportation Subcommittee recommended to the full committee a somewhat different bill than the proposal suggested by the Commission. The subcommittee's approach with certain amendments suggested by the Department of Agriculture was favorably reported by the full committee. The version of S. 752 as reported is acceptable to the Department of Agriculture and to the major farm groups testifying—the National Council of Farmer Cooperatives, American Farm Bureau Federation, and the National Grange. The reported version of S. 752 is also acceptable to the Interstate Commerce Commission, the American Trucking Associations and the Association of American Railroads.

The bill as reported requires a cooperative to notify the Commission before beginning to transport general freight, authorizes the Commission to inspect the books and records of such cooperatives, and clarifies and limits the agricultural cooperative transportation exemption. The exemption limit proposed in the bill is that for-hire transportation performed by a cooperative or federation of such cooperatives for nonmembers who are neither farmers, cooperative associations, nor federations thereof and excepting agricultural products which are exempted from other provisions of the Interstate Commerce Act, shall be limited to: First, transportation which is incidental to the cooperative's primary transportation operation and necessary for its effective performance; and second, transportation which in no event exceeds 15 percent of the cooperative's total interstate transportation services in any fiscal year, measured in terms of tonnage.

The proposed bill is acceptable to both the farm community and the transportation industry. The revised scope of this limitation, notice, and inspection of books and records provisions will provide a workable means whereby the Commission can identify and proceed against illegal operators masquerading as legitimate exempt cooperative transportation operations. At the same time the revised scope of this limitation will enable bona fide agricultural cooperatives to continue to provide farm services without substantially affecting our national common carrier system.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill to amend sections 203(b)(5) and 220 of the Interstate Commerce Act, as amended, and for other purposes."

ORDER OF BUSINESS

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

The PRESIDENT pro tempore. The clerk will call the roll

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MANSFIELD (for Mr. FULBRIGHT), from the Committee on Foreign Relations, without amendment:

H.R. 16911. An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes (Rept. No. 1164).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. THURMOND, from the Committee on Armed Services:

Gen. Harold Keith Johnson, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general; and

Gen. William Childs Westmoreland, Army of the United States (major general, U.S. Army), for appointment as Chief of Staff, U.S. Army.

By Mr. CANNON, from the Committee on Armed Services:

Ernest Louis Massad, of Oklahoma, to be Deputy Assistant Secretary of Defense for Reserve Affairs.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

Vice Adm. Waldemar F. A. Wendt, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of admiral while so serving.

By Mr. MANSFIELD (for Mr. FULBRIGHT), from the Committee on Foreign Relations, reported favorably, with reservations:

Executive J, 90th Congress, first session,

Tax Convention with Brazil; Executive N, 90th Congress, first session, Tax Convention with France; and Executive D, 89th Congress, first session, Tax Convention with the Philippines (Exec. Rept. No. 5).

BILLS INTRODUCED

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

By Mr. FANNIN:

S. 3579. A bill to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies; to the Committee on Armed Services.

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

By Mr. BOGGS:

S. 3580. A bill for the relief of Dr. Abid Mohiuddin; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 3581. A bill for the relief of James Glen Ramsay; to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. METCALF):

S. 3582. A bill to amend section 122 of title 23, United States Code, to authorize use of Federal-aid secondary system funds in retirement of certain bonds; to the Committee on Public Works.

By Mr. METCALF:

S. 3583. A bill to extend the provisions of certain laws relating to housing and urban development to the Trust Territory of the Pacific Islands; to the Committee on Banking and Currency.

S. 3584. A bill for the relief of Pao Fen Lee, Hang Kwun Sze; to the Committee on the Judiciary.

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

By Mr. PERCY:

S. 3585. A bill for the relief of Myong-Sok Chu; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 3586. A bill to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. JORDAN of Idaho:

S. 3587. A bill for the relief of Benedicto Inchausti; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 3588. A bill to amend the 1964 amendments to the Alaska Omnibus Act; to the Committee on Interior and Insular Affairs.

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

By Mr. BAYH:

S. 3589. A bill to provide that the highway known as U.S. Highway No. 41 between Chicago, Ill., and Evansville, Ind., shall be designated as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

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

S. 3579—INTRODUCTION OF BILL TO INCREASE THE NUMBER OF CONGRESSIONAL ALTERNATES AUTHORIZED TO BE NOMINATED FOR VACANCIES IN THE MILITARY, NAVAL, AND AIR FORCE ACADEMIES

Mr. FANNIN. Mr. President, I introduce, for appropriate reference, a bill to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for vacancies at the service academies.

This bill would increase from six to 10 the number of candidates a Member of Congress may nominate to each vacancy he has at the Naval, Military, and Air Force Academies. As a member of the Board of Visitors, I can affirm that the passage of this legislation is badly needed in view of increasing candidate recruitment problems faced by the service academies. The increased number of candidates which would result from this bill, or H.R. 13593 recently passed by the House, would contribute to the solution of this problem and help assure an adequate number of qualified candidates each year.

Mr. President, I am hopeful that this much needed legislation will receive prompt action.

The PRESIDING OFFICER (Mr. NELSON in the chair). The bill will be received and appropriately referred.

The bill (S. 3579) to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies, introduced by Mr. FANNIN, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 3583—INTRODUCTION OF BILL RELATING TO EXTENSION TO THE TRUST TERRITORY OF THE PACIFIC ISLANDS CERTAIN FEDERAL HOUSING LAWS

Mr. METCALF. Mr. President, I introduce, for appropriate reference, a bill to extend the provisions of certain laws relating to housing and urban development to the Trust Territory of the Pacific Islands.

Mr. President, the intent of the proposed amendments is to extend to the Trust Territory of the Pacific Islands certain of the Federal housing laws including the loan guarantee provisions of the housing act. At the present time the act does not apply in the trust territory. Adequate and safe housing is a serious lack in all of the major islands of this vast area. Financial assistance is needed if any substantial improvement is to be made.

A recent census was taken in the trust territory which reported approximately 14,000 housing units throughout the islands. Of this total, only 858 had concrete walls and only 247 had concrete roofs. Almost 5,000 had thatch roofs and more than 2,000 had thatch walls. In view of the humid climate of the area and its location within the typhoon belt of the Pacific, this kind of housing falls far short of the minimum standards sought by the Micronesians.

The proposed amendments seek to make available guarantee support for private individuals who wish to replace or to improve their dwellings, to assist in overcoming the urbanized congestion which is growing in the several district centers and, in the event of natural disaster such as the recent typhoon which swept Saipan, to assist in replacing damaged or destroyed private housing.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3583) to extend the provisions of certain laws relating to housing and urban development to the Trust Territory of the Pacific Islands, introduced by Mr. METCALF, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3586—INTRODUCTION OF ALASKA NATIVE LAND CLAIMS LEGISLATION

Mr. JACKSON. Mr. President, I introduce, by request, for appropriate reference, a bill to provide for the settlement of certain land claims of Alaska natives, and for other purposes. This measure was transmitted by the Department of the Interior on April 30, 1968, and I am introducing it at the Department's request.

Mr. President, I ask unanimous consent that the Department's letter transmitting the legislation, the bill and a short explanation of the bill's major provisions be printed in the RECORD.

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

The bill (S. 3586) to provide for the settlement of certain land claims of Alaska natives, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Native Claims Settlement Act of 1968".

DEFINITIONS

SEC. 2. For the purposes of this Act, the term—

(a) "Secretary" means the Secretary of the Interior;

(b) "Native" means an Alaska Indian, Eskimo, or Aleut of at least one-fourth degree Alaska Indian, Eskimo, or Aleut blood, or a combination thereof; and

(c) "Native group" means any tribe, band, clan, village, community, or association in Alaska composed of twenty-five or more eligible Natives and approved by the Secretary.

DECLARATION OF POLICY

SEC. 3. Congress finds and declares that there is an immediate need for a fair and just settlement of all claims by Natives of Alaska by providing (a) a grant to each Native group of title to their village sites that are now being used by said group and to additional lands in the vicinity of the villages that will be needed for reasonable community expansion to fulfill future economic and social requirements, (b) a reasonable payment to Native groups for the purpose of enhancing the present and future welfare of the Natives in Alaska, and (c) provision for Native hunting, fishing, trapping, and berry picking, within Federal lands not granted to the Native groups; and that it is the purpose of this Act to provide such a settlement.

DECLARATION OF SETTLEMENT

SEC. 4. The provisions of this Act shall be regarded as full and final settlement of any

and all claims against the United States based upon aboriginal right, title, use, or occupancy of lands in Alaska by Natives or arising under the Act of May 17, 1884 (23 Stat. 24), or the Act of June 6, 1900 (31 Stat. 321), including claims pending before the Indian Claims Commission by previous authorization of Congress and not finalized by said Commission on the date of enactment of this Act.

GRANT OF LANDS

SEC. 5. (a) Subject to the provisions of this Act, the Secretary, upon his own initiative and without application, is authorized to grant, in trust, to each Native group, subject to valid existing rights and if not withdrawn for purposes unrelated to Native use or the administration of Native affairs, (1) title to the village site or sites now occupied by such group, and (2) title to such additional lands in the vicinity of such site or sites which, in his judgment, would contribute significantly to the reasonable community expansion to fulfill future economic and social requirements, taking into account such factors as population, economic resources of said group, traditional way of life of said group, and the nature and value of the land proposed to be granted: *Provided*, That, at any time during the term of the trust, the Secretary, upon application of the Native group and upon the approval by him of a land use plan submitted by said group, shall terminate the trust for all or any part of the lands granted under this subsection to said group. Such grant may include a grant of title to noncontiguous lands being used and occupied by such Natives for burial grounds, airfields, water supply, hunting and fishing camps, and dock or boat-launching sites that are not withdrawn for other purposes. In the case of Native villages in locations where there are not sufficient additional lands in Federal ownership to permit the Secretary to make the grant of additional lands contemplated by this subsection, the Secretary may convey other lands in lieu thereof but subject to the same conditions and limitations that apply to conveyances of land within the vicinity of a village.

(b) In no case may the grant of land to a Native group under this section exceed fifty thousand acres.

(c) The provisions of this section shall not apply to Native groups who are beneficiaries of the judgment recovered by the Tlingit and Haida Indians in Court of Claims Docket No. 47,900.

RESERVATIONS AND RESERVES

SEC. 6. (a) The areas of lands and waters heretofore reserved and set aside by Executive or Secretarial order for the use of the Native groups of Akutan, Diomede, Karluk, Unalakleet, Venetie, and Wales shall be granted in trust to said groups. To the extent such areas are smaller than the areas of land that could be granted to each group under the terms of section 5 of this Act, additional lands may be granted to the group, in trust, by the Secretary: *Provided*, That the total grant shall not exceed fifty thousand acres.

(b) The various reserves set aside by Executive or Secretarial order for Native use or for administration of Native affairs, including those created under authority of the Act of May 31, 1938 (52 Stat. 593), shall be revoked, subject to any valid existing rights of any non-Natives, by the grant of title in trust by the Secretary of up to fifty thousand acres of land now covered by such order to the Native group using or occupying said lands on the date of enactment of this Act.

(c) At any time during the term of the trust covering lands granted under this section, the Secretary, upon application of a Native group and upon the approval by him of a land use plan submitted by said group, shall terminate the trust for all or any part of the lands granted to said groups.

(d) The grant of lands under this section now covered by an Executive or Secretarial order shall include the underlying mineral deposits.

INTERIM ADMINISTRATION UNDER PUBLIC LAND LAWS

SEC. 7. (a) As soon as possible after the effective date of this Act, the Secretary shall, subject to valid existing rights, withdraw from all forms of appropriation under any of the public land laws, including without limitation selection by the State of Alaska under the Statehood Act of July 7, 1958 (72 Stat. 339), any lands which he believes may be subject to a grant to a Native group pursuant to this Act, but not to exceed a total of 20 million acres. Such withdrawals shall be revoked as rapidly as grants to Native groups permit. A State selection of lands that are withdrawn shall not be approved, regardless of whether the selection was initiated before or after the withdrawal, until the withdrawal is revoked.

(b) A Native claim based on use and occupancy of unwithdrawn land shall not be the basis for the rejection of State selections or other applications or claims under the public land laws.

(c) Either before withdrawing lands under this section or before granting a patent pursuant to this Act, the Secretary shall consult with the Secretary of Defense with respect to the effect of the withdrawal or grant on the security of the United States.

(d) Nothing in this Act shall affect the rights of Natives as citizens to acquire public lands of the United States under the Native Allotment Act of May 17, 1906 (34 Stat. 197), as amended (48 U.S.C. 357), or the provisions of other applicable statutes.

(e) Lands granted pursuant to this Act shall, so long as they remain not subject to State or local taxes on real estate, continue to be regarded as public lands for the purpose of computing the Federal share of any highway project pursuant to title 23 of the United States Code, as amended and supplemented.

(f) Any lands granted in fee or in trust under this Act shall be subject to the right of the Secretary to issue and enforce for the protection of migratory birds regulations in accordance with the provisions of the Migratory Bird Treaty Act, as amended.

(g) The Secretary is authorized to make any grant of land under this Act subject to easements for any public use, benefit, or purpose, including easements for the administration and utilization of any Federal lands.

(h) Prior to conveyance of land under this Act, the Secretary shall have its exterior boundaries surveyed. This requirement for survey shall be satisfied without continuous marking of the line, but by establishment of monuments along all the boundaries, except meander courses, by electronic measurement or other means, at intervals of not more than six thousand feet, or by extension of the rectangular system of surveys over the areas conveyed. Conveyances of surveyed lands shall be in accordance with the plats of survey, and those for unsurveyed lands shall, following survey, be so conformed.

TRUSTS

SEC. 8. (a) Title to land granted under this Act to a Native group in trust shall be held by the United States in trust, acting through the Secretary as trustee. The term of a trust established by, or pursuant to, this section shall not exceed twenty-five years from the date of any grant made under this Act, and when the trust terminates it shall be liquidated in accordance with the terms of the trust instrument or as prescribed by the Secretary, if there is no trust instrument, or as prescribed in sections 5 and 6 of this Act. Whenever a distribution of capital or income of the trust is made to the Native group, the finding of the Secretary as to the qualified recipients shall be final and conclusive.

(b) The Secretary, as trustee, under this Act shall have the powers and duties set forth in the deed of trust, including without limitation, subdivision, management, and disposal by sale, lease, or other method, of the lands or interests therein, except the mineral interests in lands granted under section 5 of this Act, investment and reinvestment of the proceeds, and distribution of income or capital of the trust to the Native group and he shall not be subject to the laws of Alaska governing the execution of trusts. In the disposal of any tract of land under the trust, the trustee shall give a right of first refusal to the occupant thereof. The title to land conveyed by the trustee to a Native shall be subject to the provisions of section 1 of the Act of May 25, 1926 (44 Stat. 692; 48 U.S.C. 355a), with respect to lands conveyed to Natives in townsites established under section 11 of the Act of March 3, 1891 (26 Stat. 1099; 48 U.S.C. 355), as supplemented by the Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355e). The trustee may convey without compensation to private religious, charitable, or educational institutions or organizations the land occupied by buildings of facilities owned by them on the date the trust is established, where such buildings or facilities are situated within the boundaries of the land to be granted pursuant to this Act.

MINERALS

SEC. 9. Subject to valid existing rights of any non-Native, the Secretary upon granting in trust or in fee any lands under section 5 of this Act to a Native group shall grant to the Corporation established by section 10 of this Act title to all mineral deposits in said lands together with the right to mine and remove the same under leases issued by said Corporation. Said Corporation shall hold such minerals in trust for the benefit of each Native group having the surface lands and shall administer the trust in accordance with the applicable provisions of this Act and the laws of Alaska governing the execution of trust. All revenues received by the Corporation in the administration of such trust shall be shared equally each year with the Native group that has title to the lands from which such receipts were derived. Whenever the trust terminates by reason of the dissolution of said Corporation or by subsequent Act of Congress, the Secretary shall convey title to such mineral deposits, subject to valid existing rights, to the Native group having title to the surface lands.

NATIVE ECONOMIC IMPROVEMENT CORPORATION

SEC. 10. (a) There shall be established a single nonprofit statewide Native Economic Improvement Corporation, hereinafter referred to as the "Corporation," for the purpose of promoting economic opportunity for the benefit of the Natives and their descendants in Alaska. The Corporation shall be organized as approved by the Secretary under the laws of the State of Alaska. The Board of Directors of the Corporation shall be elected by the Natives in Alaska on a basis, determined by the Secretary, which will assure adequate representation of all such Natives and their descendants. The Board shall appoint a manager of the Corporation and such other officers as the Board deems desirable to serve at the Board's pleasure, and shall fix their compensation. It shall be the responsibility of the manager to carry out the Corporation's functions in a business-like manner consistent with the provisions of this Act and the policies and directives of the Board. The manager shall select the Corporation's agents and employees, define their duties, and fix their compensation.

(b) The Corporation, in accordance with such standards as the Commission established by this Act may from time to time prescribe, may, among other things:

(1) Initiate and coordinate the preparation of long-range overall economic development

programs for the Natives and their descendants;

(2) Foster surveys and studies to provide data required for the preparation of specific plans and programs of development;

(3) Promote private investment in enterprises or activities which will improve the economic status of Natives and their descendants;

(4) Develop, establish, operate, and maintain various business enterprises or invest in such enterprises to develop, improve, and utilize skills and capabilities of the Natives and their descendants;

(5) Make loans to Natives and their descendants in Alaska on reasonable terms and conditions to finance plant construction, reconstruction, conversion, or expansion, the acquisition of equipment, facilities, machinery, supplies, or materials, and for any other purpose that will promote effectively economic development for the Natives and their descendants in Alaska, where financial assistance applied for is not otherwise available on reasonable terms;

(6) Make grants to one or more Native groups for the development and operation and maintenance of projects which will promote the welfare of the Natives and their descendants; and

(7) Lease competitively, in accordance with sound conservation principles and practices, the minerals held in trust by the Corporation.

(c) The Corporation shall not be regarded as an instrumentality of the United States for any purpose and the United States shall not be responsible for the Corporation's actions or debts. The members of the Board, the manager, and the other officers, agents, and employees of the Corporation shall not be regarded as Federal employees for any purpose.

(d) The Corporation shall at all times maintain complete and accurate books of account and records which shall be reviewed by said Commission periodically. The Commission shall periodically report to the Congress, through the Secretary and the President, but at not less than three-year intervals on the activities and financial condition of the Corporation.

TAXATION

SEC. 11. So long as the lands granted to a Native group by this Act and the minerals granted to the Corporation are held by such group or by a Native or his descendants or by the Corporation in fee or in trust, such land and minerals shall not be subject to State or local taxes upon real estate. Rents, issues, profits, royalties, and other revenues or proceeds derived from such lands by a Native or his descendant or a non-Native shall be subject to Federal and State or local tax laws. Payments made under this Act or under any State statute to the Corporation shall not be taxed to the Corporation. Leasehold or other interests in such lands held by non-Natives may be taxed as provided by State law. No part of any per capital distribution made by a Native group of any or all of the funds granted to said group under section 14 of this Act or of any or all of the mineral revenues paid to said group by the Corporation under section 9 of this Act shall be subject to Federal or State income tax. The Corporation shall be organized and operated in a manner which will enable such Corporation to qualify for tax exemption under section 501 of the Internal Revenue Code of 1954.

ENROLLMENT

SEC. 12. The Secretary shall prepare a roll of Natives, and he shall prepare a roster of Native groups eligible to receive any grant under this Act. Such roll and roster shall be determined as of the date of this Act. Rolls of Natives and descendants eligible to vote in any election held pursuant to this Act may be prepared by the Secretary from time to time. Before any such roster or roll is finally approved by the Secretary, it shall be published in such manner as he shall find to be practicable and effective, and an opportunity shall be given to lodge protests thereto. The Secretary's findings shall be conclusive. Each Native shall be afforded an opportunity to be enrolled in the city, town, or village in which or nearest which he resides or in the city, town, or village from which an ancestor came, under regulations issued by the Secretary.

ABORIGINAL USE

SEC. 13. The Secretary may permit the Natives of Alaska to use for fifty years or less from the date of this Act exclusively for hunting, fishing, trapping, and berrypicking purposes any land in Alaska that is owned by the United States, in accordance with applicable State and Federal laws and regulations and with the concurrence of the head of the agency administering such land. Any patents or leases hereafter issued for such lands pursuant to the Alaska Statehood Act, or the public land, mining, or mineral leasing laws, shall contain a reservation to the United States of the right to issue for nonexclusive hunting, fishing, trapping, and berrypicking purposes, permits for up to fifty years from the date of this Act.

GRANT

SEC. 14. (a) In lieu of according the Natives any right to recover compensation for the extinguishment of aboriginal title, there is authorized to be appropriated and deposited in a special account in the United States Treasury to the credit of the Natives such sums as may be necessary to make a grant to each Native group (1) in an amount computed on the basis of $3,000 for each Native in said group, except that, in the case of any Tlingit and Haida Natives in said group, there shall be deducted their pro rata share, after attorneys' fees and litigation expenses, of the money judgment awarded to them in Court of Claims docket numbered 47,900, or (2) in the amount of $180 million, whichever is the lesser sum. One-third of the grant shall be deposited into the special account during fiscal year 1971 and the remainder deposited into the account in equal amounts in each of the succeeding four fiscal years and shall earn interest in the amount of 4 percent per annum.

(b) Each year the Secretary shall apportion 90 percent of the funds then in the special account among the Native groups in Alaska. The apportionment shall be in the ratio that the number of Natives in each Native group bears to all of the Natives. The funds apportioned among each Native group may be advanced, expended, invested, or reinvested for any purpose that is authorized by the governing organization of the Native group and that is approved by the Commission established by this Act. Each year the remaining funds then in the special account shall be credited to the Corporation and such funds, together with all other revenues available to the Corporation, may be expended by the Corporation, in accordance with an annual budget prepared by the Corporation and approved by said Commission.

(c) Before apportioning any money under the provisions of subsection (b) of this section to the Native groups composed of Tlingit and Haida Natives who participated in or received benefits from, the judgment awarded to the Tlingit and Haida Natives in Court of Claims docket numbered 47,900, the Secretary shall deduct the pro rata share, after the deduction of attorneys' fees and litigation expenses, of said money judgment.

METLAKAHTLA INDIANS

SEC. 15. The provisions of this Act shall not apply to the Native groups of Metlakahtla Indians in the Annette Island Reservation but such groups shall be eligible to receive any benefits the Corporation may provide.

ALASKA NATIVE COMMISSION

SEC. 16. In order to assist the Secretary in the administration of this Act, the President may appoint an Alaska Native Commission of not to exceed three members who shall serve at the pleasure of the President. A majority of the members shall have been residents of Alaska for one or more years preceding appointment. The Commission shall be located without the Department of the Interior and shall have the duties and powers prescribed in this Act and such other duties and powers as the Secretary may from time to time delegate. The Secretary shall also prescribe the compensation to be paid to the members and provide for payment of Commission expenses, including employment of necessary personnel. The Secretary may utilize, with or without reimbursement, personnel and facilities of the Department of the Interior to assist the Commission in carrying out its functions.

NATIONAL FOREST LANDS

SEC. 17. The Native groups shall qualify as communities within the meaning of section 6(a) of the Alaska Statehood Act.

APPROPRIATIONS

SEC. 18. (a) There are authorized to be appropriated to the Secretary such sums as may be necessary to defray the costs of the planning, subdivision, survey, management, and disposal of lands under this Act, either directly by the Secretary or by contract, and to pay the expenses of the Commission established by this Act, and to carry out functions authorized by this Act. Such sums shall be available until expended.

(b) There is authorized to be appropriated to the Secretary such sums as may be necessary to pay all reasonable attorneys' fees and expenses actually incurred by any Native or Native group, as determined by the Secretary, in connection with any claims pending at the date of enactment of this Act before the Indian Claims Commission, which have been terminated by reason of section 4 of this Act.

(c) At the beginning of each Congress the Secretary shall report to the Speaker of the House and the President of the Senate the grants made under this Act and an estimate of the time needed to complete the grants. The reporting may be discontinued when the grants are substantially completed.

REPEAL

SEC. 19. Section 3 of the Act of May 25, 1926 (44 Stat. 630; 48 U.S.C. 355c) is hereby repealed.

The letter and explanation, presented by Mr. JACKSON, are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 30, 1968.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Since transmitting legislation to the Congress last June to settle the claims of Alaska Natives which was introduced as S. 1964, a new bill (S. 2906) prepared by the Governor of Alaska's Task Force on Native Land Claims was introduced. That bill, in our opinion, represents significant progress toward reaching agreement among the interested parties on the principles for an equitable settlement of the long-standing problem.

The early resolution of this matter would be of inestimable significance not only to the Alaska Natives who make up about 25 percent of the State's civilian population, but also to all citizens of the State.

We believe that this issue is one of the most important Indian matters before the 90th Congress. President Johnson in his message "The Forgotten American" urged "prompt action on legislation to:

"Give the native people of Alaska title to

the lands they occupy and need to sustain their villages.

"Give them rights to use additional lands and water for hunting, trapping and fishing to maintain their traditional way of life, if they so choose.

"Award them compensation commensurate with the value of any lands taken from them."

Enclosed is a proposed bill which carries out the three principles outlined by the President. We urge its early enactment in lieu of S. 1964 or S. 2906.

The Act of May 17, 1884 (23 Stat. 24), providing a civil government for the Territory of Alaska, declared that the Natives "shall not be disturbed in the possession of any lands actually in their use and occupation or now claimed by them, but the terms and conditions under which such persons may acquire title to such lands is reserved for future legislation by Congress." A similar provision is contained in the Act of June 6, 1900 (31 Stat. 321), which provided a civil government for Alaska.

In the absence of Congressional action, the Natives cannot be given full title to the lands they have traditionally used and occupied. Moreover, since the Natives have a Federal guarantee that they shall not be disturbed in their use and occupation of lands, we do not feel that we can allow lands to be patented to the State under the land selection provisions of the Alaska Statehood Act, July 7, 1958 (72 Stat. 339), in the face of the Natives' claims that they have traditionally been using and occupying such lands. To allow these lands to pass into other ownership would pre-empt from Congress the power to exercise its right and obligation to decide this issue, and would deny the Alaska Natives an opportunity to acquire title to lands which in many instances, it is generally admitted, they have openly and continuously used and occupied from a period that antedated the purchase of Alaska by the United States.

When Congress recognizes an aboriginal title, as it did in the Act of June 19, 1935 (49 Stat. 388), with respect to the claims of the Tlingit and Haida Indians to compensation for the expropriation by the United States of lands in southeastern Alaska, and for failure of the United States to protect their property rights from usurpation by non-Indians, the Natives acquire a compensable ownership interest in the land that is protected by the due-process clause of the Constitution.

The extent to which aboriginal or Indian title is to be recognized is exclusively a policy matter for Congressional determination. In the past, Congress has repeatedly shown great respect for aboriginal title and has dealt most generously with the Indian people. Once the Congress recognizes the Government's obligations to pay just compensation for Indian title, the courts have consistently held that the applicable standard of valuation, in the absence of a statutory provision to the contrary, is the same as if the Indians held the property in fee simple ownership.

We have long grappled with the problem of providing a fair and equitable settlement to the Natives' land claims. We have come to realize, however, that there is no easy solution that is equitable to all. A number of proposals have been made in the past. They have, however, met considerable opposition from the various interested parties.

While S. 1964 and S. 2906 generally adhere to the principles set out by the President, we believe that they have some basic shortcomings. Upon further consideration, we now believe that the proposal (S. 1964) to grant jurisdiction to the United States Court of Claims to adjudicate a general claim on behalf of all Natives of Alaska and to render judgment based on the market value of the Natives' aboriginal title as of March 30, 1867, the date of purchase of Alaska by the United States, does not now offer the best approach to the problem. Moreover, because of the length of time involved in judicial proceedings to determine the extent of Indian title and its value, and the difficulties attendant to obtaining the detailed factual information upon which to base such a determination with respect to the vast area of the State of Alaska, we no longer recommend judicial determination of Native claims. It is our position that after weighing the equities involved and the data available, the Congress can arrive at a just solution to this complex problem.

S. 2906, on the other hand, while providing for a more generous settlement, is objectionable in three major aspects.

First, in our opinion the grant of 40 million acres to the Natives is much greater than is required to give them title to the lands they need for village expansion. The purpose of a land settlement of this magnitude is clearly to allow the Natives to select land primarily for investment purposes. While we recognize the need of the Natives for resources that will provide continuing income to facilitate their transition to a wage-oriented society, we believe this need can be met far more equitably by providing ready cash.

Second, we believe that the land selection provisions of S. 2906 are far too cumbersome and complicated. The legislation should provide a workable, speedy, and simple mechanism for granting to each Native group a sufficient amount of land to meet its needs.

S. 2906 would not be speedy. On the contrary, it would let the selection process drag on for 25 years.

Also, we continue to advocate the basic land grant provisions contained in S. 1964. They would grant to the various groups the village sites they occupy, and additional lands within the environs of those sites that will contribute significantly to the livelihood of the Natives. The maximum acreage for any group would be 50,000 acres, which should be adequate to meet the Natives' needs, both present and future.

In addition, we do not believe that there is any need for an adjudication of Native claims by a Commission. While we support the need for a Commission, its role should be directed to monitoring the use of the funds available to the villages and Native corporation. Native representation on such a Commission would clearly be desirable, but we do not believe that the legislation should provide for its control by the Natives as in S. 2906. The President should be free to choose the best people available.

Further, we are opposed to the provision in S. 2906 which would require a Federal agency to justify to the Commission that its lands are needed for public purposes, and to any provisions authorizing a grant of various wildlife and recreational reservations. We also oppose the provision related to National forests. The needs of the Native groups bounded by National forest lands can be met from the 400,000 acres of such lands allowed the State under section 6(a) of the Alaska Statehood Act.

Third, we believe that an open-ended provision for utilizing Outer Continental Shelf revenues would not be in the best interest of the Natives or the Nation. If Alaskan OCS receipts do not live up to expectations, such a mechanism as outlined in S. 2906 might result in the Natives obtaining less than adequate compensation, leaving Congress with the possibility of facing the issue again in the future. On the other hand, if the Shelf proves to be a bountiful producer, the revenues to the Natives might far exceed any reasonable relationship to the Natives' claims. It is our opinion that a more definite and more equitable solution would be to grant the Natives a fixed cash settlement, based on the value of the lands taken from them as recommended in the President's message on Indians.

In the absence of lengthy and costly litigation it is impossible to determine the precise value of the Natives' claims.

The economic needs of Alaska's Natives are unquestioned. Native housing is generally considered to be the most primitive and dilapidated of any occupied by native people in the United States. Income is lower and unemployment higher than among Indians anywhere. Increased acculturation, the absence of employment opportunities, and the ever-decreasing availability of subsistence opportunities have contributed to a growing dependence on welfare. Exposure to the white man's way of life has generated in the Native needs he had never known, without adequate means for their satisfaction.

In the valuation process there are a number of variables:

(1) The extent of the Natives' aboriginal title.

(2) The date or dates as of which the valuation should be made.

(3) The actual value of the lands on those dates.

A rough approximation of value can be derived from the Tlingit and Haida award of the Court of Claims. The Court held that the Indians had established aboriginal Indian title to virtually the entire Alaskan archipelago by their exclusive use and occupancy of that area from time immemorial. Based on the standards adopted by the Court of Claims, it is possible that the various Indian, Eskimo, and Aleut groups could establish aboriginal title to practically all of the remaining area of Alaska, roughly 350 million acres. This land would be worth over $150 million at the Tlingit and Haida valuation which averaged 43 cents an acre.

We believe that in line with the principles outlined by the President that a settlement involving up to 50,000 acres per village that will total some 8 to 10 million acres, plus the payment of $3,000 per person or $180 million, whichever is the lesser, is an equitable and just settlement for these claims. In addition, we are aware that the State of Alaska has recently passed legislation providing for payment to the Natives annually of 5 percent of the revenues derived from lands selected by the State under the Alaska Statehood Act, up to a maximum of $50 million. While we are concerned that this action has been made contingent upon this Department's lifting the "freeze" on the patenting of State selections that conflict with Native claims, we are very pleased that the State has evidenced a desire to join with the Federal Government in contributing to an equitable resolution of this problem. It is our hope that the State will see fit to amend its legislation to provide that a larger portion of its annual contributions be channeled to the Native Economic Improvement Corporation proposed in our bill in order that it may be used for projects that will provide continuing income to Alaska's Natives.

Accordingly, the enclosed proposed bill, we believe, would adequately provide an equitable settlement to the Natives.

Also, enclosed is a brief explanation of its major provisions.

The Bureau of the Budget has advised that this legislative proposal is in accord with the President's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

BRIEF EXPLANATION OF MAJOR PROVISIONS OF PROPOSED ALASKA NATIVE CLAIMS SETTLEMENT ACT OF 1968

1. The proposal would provide that the benefits accruing under legislation to the Native groups shall be in full and final settlement of any and all claims based on aboriginal use, etc., or arising under an 1884 and 1900 statute. This settlement would include claims now pending before the Indian Claims Commission under other Acts of Congress but not finalized by the Commission on the date of enactment. The proposal authorizes appropriations to pay reasonable attorney fees and expenses in connection with these claims.

2. The proposal would define Native groups

to mean tribes, bands, clans, villages, communities, or associations in Alaska composed of 25 or more Natives and approved by the Secretary.

3. The proposal would authorize the making of a grant in trust to each Native group of unwithdrawn land or village sites and additional lands for future economic and social well-being. The maximum grant to any Native group would be 50,000 acres. At any time during the term of the trust the Secretary upon application of the group and approval by him of a land use plan shall terminate the trust for all or part of the lands granted for the benefit of the said group. The land grant may include title and trust to noncontiguous lands being used and occupied by the Natives for various purposes such as burial grounds, air fields, water supply, and hunting and fishing camps. In any case where the Native villages are located in an area where there are not sufficient additional Federal lands to permit the contemplated grant, the Secretary may convey other lands which would be subject to the same conditions.

4. The land grant proposal would not apply to Native groups who are beneficiaries of the Tlingit and Haida award in the Court of Claims.

5. Lands and waters previously reserved for the use of six named Native groups shall be held in trust by the United States for their benefit for a 25-year period at the end of which time the trust may be liquidated. In addition, at any time during the term of that trust, such groups may apply for the termination of the trust upon approval by the Secretary of a land use plan submitted by them. The 50,000-acre limitation does not apply to these six groups, except, to the extent that such areas are smaller than areas that could be conveyed generally by grant and lands in the immediate vicinity of these areas are available, additional lands may be granted up to the 50,000-acre limitation.

6. The various reservations set aside by Executive order or Secretarial order for Native use shall be revoked by the grant of title under section 6 of this proposal.

7. The proposal provides for withdrawal by the Secretary from all forms of authorization under public land laws any lands which he believes may be subject to a grant to a Native group under this proposal, but the total withdrawal shall not exceed 20 million acres. The withdrawal must be revoked as quickly as possible if the grants are made and the State selection of lands withdrawn shall not be approved until the withdrawal is finally revoked.

8. Lands granted under this proposal that continue to remain not subject to State or local taxes on real estate shall be regarded as public lands for the purposes of the Federal Aid Highway Act.

9. Land granted in trust, except the underlying minerals, to a Native group shall be held by the Secretary of the Interior as trustee. The maximum term of the trust shall be 25 years and when the trust terminates it shall be liquidated in accordance with a trust instrument or if there is not any, as prescribed by the Secretary or as prescribed in sections 5 and 6 of the proposal. The Secretary acting as trustee would have all the powers set forth in the deed of trust, including the right of disposal of the land except the mineral interest.

10. The proposal would grant the underlying mineral interest in lands granted under this legislation in trust or in fee to a Native group to the Native Economic Improvement Corporation established by this proposal, together with the right to mine and remove such minerals under lease. The Corporation would hold the minerals in trust for the benefit of each group and would administer and manage the trust in accordance with the applicable provisions of the proposal. If the trust is terminated by reason of dissolution of the Corporation or by subsequent Act of Congress, the Secretary shall convey the minerals in fee to the appropriate Native group.

11. The proposal would establish a single nonprofit statewide Native Economic Improvement Corporation designed to promote the economic opportunities of the Natives and their descendants in Alaska. The Corporation would be organized under the laws of Alaska and shall be composed of directors elected by the Natives in Alaska in a manner that would assure adequate representation of all of the Natives and their descendants. The directors would appoint a manager of the Corporation and he would be responsible to carry out the Corporation's functions in a business-like manner. The Corporation would, among other things, promote private investment, foster surveys and studies for programs of improvement and development, develop, establish, and operate various business enterprises, invest in business enterprises, make long-term, low-interest loans to Natives in Alaska or Native groups, make grants to the Native groups for publicly sponsored projects which would benefit the entire group and lease on a competitive basis the minerals held in trust by the Corporation. In the case of mineral receipts, the Corporation would have available to it one-half of the total receipts and would distribute the other half to the Native groups having title to the surface lands in which the minerals were developed. The Corporation would not be a Federal instrumentality for any purpose. The Corporation must maintain complete and accurate books and records and would be generally supervised by the Alaska Native Commission established by this proposal.

12. The proposal provides for the establishment by the Secretary of a roster of Native groups and a roll of Natives and their descendants eligible to vote in any election held pursuant to this proposal.

13. The proposal would authorize the Secretary to permit, in accordance with applicable Federal and State laws and with the consent of the administering agency, Natives of Alaska to use public lands in Alaska for 50 years or less exclusively for hunting, fishing, trapping, and berrypicking. In the case of any lands that are patented or leased pursuant to the Alaska Statehood Act or any other public land laws such lands shall contain a reservation to the United States of the right to issue such a permit for nonexclusive hunting, fishing, trapping, and berrypicking purposes for up to 50 years from the date of enactment of this proposal.

14. The proposal would grant to the Natives a sum of money which would be established in one of two ways: (1) it could be computed on the basis of $3,000 for each Native in a Native group, except that, in the case of any Tlingit and Haida Natives in the group, their share of the money judgment would be deducted, or (2) the payment would be a lump sum not to exceed $180 million, whichever is the lesser. The payments would be made into a special account in the Treasury for the benefit of the Native groups and the $180 million is the maximum amount of the payment. Each year the Secretary would apportion 90 percent of the payment in the account to the Native groups to be used by them in any manner that is authorized by their governing body and is approved by the Alaska Native Commission. The remaining sum in the account would be distributed to the Corporation. These payments would be made over a 5-year period beginning in fiscal year 1971.

15. The proposal would authorize the establishment of an Alaska Native Commission composed of 3 members appointed by the President and the majority of whom shall be residents of Alaska for one year or more preceding appointment. The Commission shall be located within the Department of the Interior and shall have duties as established by this proposal and other duties the Secretary may delegate.

16. The proposal provides for appropriations to carry out the provisions of this legislation.

S. 3588—INTRODUCTION OF BILL RELATING TO ALASKA'S DISASTER URBAN RENEWAL PROJECTS

Mr. BARTLETT. Mr. President, I am today introducing, for appropriate reference, a bill which would correct an inequity which has inadvertently developed in handling funds authorized by the 1964 amendments to the Alaska Omnibus Act, Public Law 88–451. Those amendments authorized the appropriation of $25 million for urban renewal projects in those communities of Alaska involved in the reconstruction and redevelopment made necessary by the earthquake of March 27, 1964. Property damage and loss was extensive. The need for Federal aid was urgent, and the Congress responded promptly and generously.

The authorization expired on June 30, 1967. The law contained a provision, however, that obligations incurred prior to the expiration date would be honored even after that date.

The entire emergency fund authorized by Public Law 88–451 was obligated or committed before June 30, 1967. Thereafter, additional money became available under the regular urban renewal authorizations, and financing for several of the previously authorized projects was authorized from that source. The result was a reduction of approximately $851,000 in the funds previously committed. Although these funds have been released from the purpose for which they were originally committed and might otherwise be available for expenditure, they cannot be because of the technical requirement imposed by the June 30, 1967 deadline.

I am informed by the Alaska State Housing Authority, Mr. President, that this money can be used to help pay the cost of eight disaster urban renewal projects already underway in Anchorage, Kodiak, Seward, Valdez, Seldovia and Cordova. All of these projects were authorized under Public Law 88–451, before the June 30, 1967 deadline, but some will not be completed until mid-1970. Rapidly changing economic conditions and high acquisition cost awards by the Alaska courts have increased project costs beyond the amounts obligated a year ago. Since there is money from the original $25 million disaster fund still available, I see no reason for its not being used to help meet the increased costs of these disaster projects.

The bill I am introducing today will involve no additional cost to the Federal Government. It merely permits the use of money already appropriated which otherwise would be returned to the general fund. It is money which well can be used within the purposes of the 1964 legislation. I urge prompt enactment of this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3588) to amend the 1964 amendments to the Alaska Omnibus Act, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3589—INTRODUCTION OF BILL TO DESIGNATE U.S. HIGHWAY 41 IN INDIANA AS PART OF THE INTERSTATE HIGHWAY SYSTEM

Mr. BAYH. Mr. President, I am introducing, for appropriate reference, a bill which would designate U.S. Highway 41 in Indiana between Chicago, Ill., and Evansville, Ind., as part of the National System of Interstate and Defense Highways. Although portions of this highly traveled, key route have been converted to a divided, four-lane system approaching freeway standards, the bulk of it is still a narrow, two-lane road which is noted for its very high accident rate and for long delays in the movement of traffic.

Mr. President, the present U.S. 41 through Indiana is one of the major north-south corridors followed by much of the motor vehicle traffic between Chicago and Kentucky, Tennessee and other Southern States. It is the shortest, most direct route for those traveling from Nashville and other cities to the metropolitan area of Chicago. In addition to Evansville, a city of approximately 150,000 population on the Indiana-Kentucky border, U.S. 41 also services the major cities of Terre Haute and Vincennes, plus many smaller communities on or near the right of way.

Both Evansville and Terre Haute are heavily industrialized cities. Large quantities of products manufactured or processed there or in nearby communities are carried by motor truck to Chicago. In addition it is a rich farming area from which flows a constant stream of agricultural goods. When combined with the heavy commercial and tourist traffic moving interstate between Illinois or Northern Indiana and points south of the Ohio River, the present highway has long proved to be a major bottleneck.

Mr. President, the National System of Interstate and Defense Highways was first authorized in 1944, but it was not until Congress in 1956 provided for Federal payment of 90 percent of the basic cost that the program began in earnest. In the last 12 years great progress has been made toward the construction of this magnificent network of travel arteries. Approximately 26,000 miles, or nearly two-thirds, of the authorized 41,000 miles system has been completed and is open for use, and excellent progress has been made on the planning, engineering and building of much of the rest. There can be no doubt that the Interstate System has been a direct factor in helping to prevent countless accidents and in saving many injuries and lives. Likewise, it has served to speed up the movement of people and goods and has resulted in sizable savings in fuel and repair costs.

Bills now under consideration would extend for 2 years the completion of the Interstate System and would increase basic authorization for appropriations for this purpose. A number of measures have been proposed which would boost the total mileage for the Interstate System, bring particular highways within its scope, and establish a new program with 75 percent Federal contributions to improve the Federal-aid primary system. These and other proposals should receive careful consideration by Congress so that proper planning for the continued development of our vital highway needs can proceed in the near future.

Mr. President, U.S. 41 in Indiana should be given high priority among those highways which will be evaluated for possible inclusion in the Interstate System. Year after year it has proven to be one of the most dangerous roads to travel in my State. During the year 1967 alone there were 49 persons killed on the 281 miles of its length from border to border. That is an average of one death per year for each 5.73 miles. It is time to stop this needless slaughter of our citizens. As an illustration of the life-saving advantages derived from modern throughways, let me point out that nine times as many motorists were killed last year on our primary road system than on the completed sections of interstate highways, although the latter handled about one-third as much traffic as the former. As a matter of fact, there were 33 fewer casualties incurred on the 635 miles of interstate in use last year than there were on the 531 miles of two of Indiana's old primary roads, U.S. 41 and U.S. 31. As one of the vital links between major metropolitan areas and as a direct North-South route, U.S. 41 between Illinois and Kentucky ranks among the highways most in need of reconstruction. In view of the fact that the fatality rate on modern interstate throughways in Indiana is four times less than that on our wornout, inadequate two-lane roads, I strongly believe that the time has come when every effort must be made to eliminate these death traps. Mr. President, I urge that this bill receive prompt and favorable considerable.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3589) to provide that the highway known as U.S. Highway No. 41 between Chicago, Ill., and Evansville, Ind., shall be designated as part of the National System of Interstate and Defense Highways, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Public Works.

EXTENSION OF CERTAIN LOANS, GUARANTEES, AND INSURANCE IN CONNECTION WITH EXPORTS FROM THE UNITED STATES—AMENDMENT

AMENDMENT NO. 839

Mr. TOWER. Mr. President, on May 14, I stated in the RECORD my reasons for supporting S. 3218. I would reemphasize now that in my opinion, the provisions of the bill would not make a soft-money institution of the Export-Import Bank. I believe that the passage of the bill will be an important legislative step toward assisting our balance-of-payments problem.

There is no need for the Export-Import Bank to turn to so-called soft-money operations under the terms of S. 3218. However, to further establish the assurance that soft-money terms will not be used by the Bank in assisting developing countries, I am submitting an amendment to S. 3218, and ask that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table, and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 839) is as follows:

On page 3, beginning with "except" in line 18, strike out all through line 21 and insert the following: "except as to the standard of reasonable assurance of repayment required under section 2(b)(1) of that act, all loans, guarantees, and insurance extended hereunder shall be subject to the provisions of that Act and to the policies of the Bank with respect to terms of repayment, interest rates, fees, and premiums applicable to loans, guarantees, and insurance extended under that act."

Mr. TOWER. The amendment, similar to one incorporated in the House bill, H.R. 16162, in committee, would require the Bank to continue its previous policy with respect to terms of repayment, interest rates, fees and premiums applicable to loans, guarantees and insurance under the Export-Import Bank Act of 1945 as amended.

Throughout the Bank's existence, the interest rates charged have been determined by the cost of money to the Bank. Terms and other conditions of the Bank's participation have been fixed primarily upon consideration of the obsolescence of the equipment financed or due to competitive conditions in Europe.

These policy guides need not be changed by the enactment of S. 3218.

The congressional mandate in the basic act requiring "reasonable assurance of repayment" restrains the Bank from an opportunity to finance substantial exports to emerging developing countries and to countries in which Eximbank commitments are so high that the Board is reluctant to make additional loans at the present time.

In neither of these instances, however, would changing of rates, terms, or conditions affect the Board's determination of assistance because buyers, with few exceptions, have no way of making purchases under financial arrangements in Europe which would differ to any marked degree from present Eximbank terms.

Mr. President, let us review for a moment the existing conditions faced by the Bank and by some of the emerging developing countries.

Korea, Taiwan, Thailand, Turkey, and possibly Indonesia present economic conditions whereby the Bank Board may find it difficult to make a current determination that additional assistance by the Bank in those countries would have "reasonable assurance of repayment." But, economic improvement is being brought about at a fast pace.

We find substantial free enterprise investments moving into these countries, particularly in Korea. American banks are active in those countries on a cautious note. European countries are active and permitting large numbers of loans.

A new look by the Eximbank Board at the expanding economic conditions of these countries might well bring forth additional Bank participation, despite existing commitments which were based on the basic requirements of "reasonable assurance of repayment."

Let us look at some countries where

Eximbank commitments are currently very high. Examples are Argentina, Brazil, Chile, and several others.

Eximbank has financed exports to these countries over a period of many years, and the Bank Board today may rightfully feel that it has reached a limit in its financing under the congressional mandate of "reasonable assurance of repayment."

However, there are many instances in these countries where an additional loan would have a good prospect of repayment. One of our airframe manufacturers, for example, has an order in Brazil for the sale of six aircraft which could be consumated with Eximbank financing. Another U.S. exporter has an order for substantial machinery in Chile which could be completed if Eximbank does the financing.

It is natural that the Bank Board, with millions of dollars on the books in these two countries, would hesitate to make further commitments.

In these cases, the Bank might well make the judgment that "there is a good prospect of repayment," but not a judgment of "assurance" of repayment.

Again, I point out, Mr. President, that there is no need for the Bank to soften its terms and interest rates on a competitive basis.

It may also be pointed out that the Bank has various divisions, such as an engineering division, a group of economists and financial experts, and each loan is subject to the appraisal and evaluation of these technical groups. This economic feasibility and financial evaluation would also apply to loans under S. 3218.

Finally, all prospective actions under S. 3218 by the Bank would be carefully scrutinized by the Advisory Committee incorporated in the proposed legislation.

Mr. President, I believe that the adoption of my amendment would negate a good portion of the objection to S. 3218.

CORPORATION FARM HEARINGS CONTINUE IN UPPER MIDWEST

Mr. NELSON. Mr. President, the Monopoly Subcommittee of the Senate Select Committee on Small Business will hold the second in a series of hearings on the effects of corporation farming on small business and on the economic and social structure of rural America beginning at 9 a.m. on Monday, June 10, 1968, in the Eau Claire County Board Room, 731 Oxford Avenue, Eau Claire, Wis.

Our hearings 2 weeks ago in Omaha documented the fact that large congolmerate corporations and other absentee interests are acquiring vast tracts of agricultural land across the Great Plains once owned and farmed by family farmers. Testimony asserted that water resources are being depleted by massive irrigated farming operations. Witnesses asserted that rural communities and businesses are suffering and family farmers are being pushed off the land.

Now we want to explore the implications of corporation farming in the upper Midwest and will hear testimony from businessmen and bankers as well as farmers and rural residents from Wisconsin, Minnesota, and the Dakotas.

It is a very real possibility that corporate ownership of the land could lead to corporate control over our country's food production with food prices to consumers dictated by syndicates rather than being determined by competition.

ANNOUNCEMENT OF HEARINGS ON PRETRIAL RELEASE

Mr. HRUSKA. Mr. President, on behalf of the Senator from North Carolina [Mr. ERVIN] chairman of the Judiciary Committee's Subcommittee on Constitutional Rights, I wish to announce that the subcommittee will hold hearings on July 16, 17, 18, 23, 24, and 25 on the operation of the pretrial release system in Federal courts in room 2228, New Senate Office Building. These hearings will be the first of a series designed to conduct a comprehensive study of the administration of the Bail Reform Act of 1966 and related laws and procedural rules, and to consider legislative changes and operational improvements to facilitate the administration of the act in the light of experience gathered during the 2 years the act has been in effect.

Mr. President, the purpose of the Bail Reform Act of 1966 was to revise bail practices in Federal courts to assure that no accused persons, regardless of financial status, should be detained pending their appearance in court to answer criminal charges, to testify, or pending appeal, when detention would serve neither the ends of justice nor the public interest. Studies prior to 1966 by the Subcommittee on Constitutional Rights and other public and private agencies and individuals had demonstrated that the Federal bail system was characterized by an undue reliance on money bail set in an amount based largely upon the crime charged rather than in an amount which would reasonably assure the appearance of the defendant in court. These studies starkly documented the grave consequences of pretrial detention for the alarmingly large numbers of persons who were unable to post even nominal money bail.

In addition to being forced to undergo the psychological and physical deprivations of jail life while still untried and presumed innocent, many defendants lost their jobs and were unable to provide for their families, were unable to assist in the preparation of their defense, and were thus more apt to be convicted and punished than were released persons. Added to these minus factors was the great cost to the public of pretrial detention of large numbers of defendants. On the other side of the coin, the studies showed that overreliance on money bail resulted in a failure to take into account the most reliable indicia of likelihood of return for trial—the personal circumstances and background of the defendant. For many defendants, the risk of financial loss proved to be no deterrent to flight, whereas character and community ties of many others were in most cases sufficient to assure their reappearance in court. Experimental bail projects in large cities, including New York, Philadelphia, and the District of Columbia, proved in practice that a careful inquiry into the facts concerning defendants' character and community ties would enable the courts to release large numbers of defendants without bail with no increased risk of flight to avoid trial.

The Bail Reform Act of 1966 established as Federal law the two primary principles that evolved from these studies—that pretrial custody should be minimized by releasing as many persons pending trial as possible upon the least restrictive conditions appropriate under the circumstances, and that financial status should be irrelevant in the pretrial release decision.

The act requires that any noncapital defendant be released pending trial upon personal recognizance or unsecured bond unless the facts bearing on his character, circumstances, and community roots indicate that his release should be conditioned in some fashion to assure his reappearance in court. In the latter case, the judicial officer may employ a series of release conditions, depending upon individual circumstances, ranging from release in the informal custody of a responsible person or organization to release only during working hours. The conditions of release are arranged in priorities so as to relegate money bail to a position of last resort and, even then, an unsecured bond coupled with a refundable 10 percent cash deposit is preferred. Defendants in capital cases and convicted defendants awaiting appeal may be detained outright under the act if the evidence suggests that application of the release provisions would entail a risk of public harm or flight.

Mr. President, there is little question that, during the 2 years since its enactment, the Bail Reform Act has proved to be a great step forward in Federal criminal procedural reform. Greater numbers of defendants have been able to secure their release pending trial with all the attendant benefits to the defendants and the public, and with no increase in the flight rate. There is also little question that, notwithstanding these improvements, the act has not fully accomplished the purposes for which it was designed, particularly in the District of Columbia, the only Federal jurisdiction where the courts are required to handle a large volume of trials for ordinary crimes of violence. Soon after its implementation in the District of Columbia, the act became the subject of much criticism by judges, lawyers, and law enforcement officers, who felt that its mandatory release provisions required the release of many dangerous defendants who previously could have been detained by the sub rosa expedient of setting high money bail.

As proof of the folly of such practices, these critics pointed to the alarming incidence of crimes committed by persons released under the act pending trial. It was suggested by some persons that the act be repealed and by others that it at least be amended to permit judges to take the defendant's alleged dangerousness to the community into consideration in setting release conditions. Many responsible persons suggested that the act be amended to authorize the outright detention of defendants considered to represent a high risk of further criminal conduct.

Responding to this criticism of the act, the Judicial Council of the District of Columbia Circuit last November ap-

pointed a committee to study the operation of the act in the District of Columbia and to recommend any legislative or administrative changes deemed necessary. The committee, under the chairmanship of U.S. District Court Judge George L. Hart, Jr., included representatives of virtually every segment of the law-enforcement establishment in the District of Columbia. After 6 months of careful study the committee published its excellent report last month and it was approved by the Judicial Conference at its meeting on May 23. The same week, the American Bar Association Project on Minimum Standards for Criminal Justice had released a tentative draft of proposed "Standards Relating to Pretrial Release" based upon a 3-year study by a distinguished national committee of judges, law-enforcement officials, law professors, and practicing attorneys.

Both of these reports wholeheartedly endorsed the basic premises and purposes of the Bail Reform Act. The Judicial Council Committee report stated:

> It must be patent to all that the Bail Reform Act is designed to carry out the theory, the spirit and the express and implied provisions of the Eighth Amendment's proscription against excessive bail, the Judiciary Act of 1789 and Rule 46(c) of the Federal Rules of Criminal Procedure. The Act is a great step forward in that it insures the carrying out of the basic law on bail which has been ignored so long.

The committee concluded that the failure of the act to fully accomplish its designed purposes in the District of Columbia was due primarily to the fact that "in practice the act has not been administered with maximum undertanding and effectiveness in this jurisdiction" and the fact that "there has been little consistency in the application and operation of the act." The committee's recommendations, therefore, deal primarily with "administrative, operational improvements," although some legislative changes are recommended. The conclusions and recommendations of the American Bar Association Project closely parallel those of the Judicial Council Committee.

The Subcommittee on Constitutional Rights will use the conclusions and recommendations of these committees as the starting point for its study. It will also consider some of the specific legislative proposals that have already been introduced in both Houses of the Congress. Like the Judicial Council Committee, the subcommittee will start with the premise that the Bail Reform Act is basically sound and that the need is for a more efficient and effective use of the range of pretrial release conditions authorized by the act.

The subcommittee will seek to devise means of encouraging judges to make more thoughtful use of the release restrictions authorized by the act as a means of controlling the activities of released persons and thus reducing the criminal activity of those on bail. It will consider recommendations for better methods of securing and verifying background information necessary for a rational bail determination, for providing sanctions for violation of release conditions to make them more effective, and for increased cooperation among the various agencies and individuals involved in the operation of the pretrial release system.

The subcommittee will give careful attention to recommendations for amendments to the act to authorize judicial officers to consider the alleged danger to the community posed by a defendant in considering what conditions of release to impose or, indeed, whether to detain him. It has been recommended by the Judicial Council Committee and others that judicial officers be given such authority in all cases or at least during the existence of a civil disturbance such as the recent riots in the District of Columbia. Careful attention will be given by the subcommittee to the very sensitive constitutional and practical problems posed by any provision for partial or complete denial of pretrial release based not upon conviction for a crime already committed, but upon the alleged predictability of future criminal conduct.

In considering the question of detention, either in the first instance or upon rearrest for further crime or violation of conditions of release, the subcommittee will give special consideration to the requirement for expedited trial of detained persons. It will seek means of assuring that any detention authority is dependent upon the speedy trial of detained persons with a view to keeping time in custody to an absolute minimum. It will also inquire into the relationship between the length of delay in trial and the commission of further crimes by those who are released. The ultimate goal of the subcommittee's study will be to recommend legislative and administrative changes necessary to revise the Federal pretrial release system to assure the pretrial release of as many persons as possible upon conditions appropriate to minimize the likelihood of flight or further criminal conduct, while authorizing the absolute minimum pretrial detention power consistent with public safety coupled with the assurance of prompt trial of detained persons.

Invited witnesses for this first series of hearings will include members of the Judicial Council and the American Bar Association committees, representatives of all law enforcement and correctional agencies in the District of Columbia and other Federal jurisdictions, representatives of the Vera Institute bail project in New York and similar projects, law professors and practicing attorneys. It is the subcommittee's intention to hear from the broadest spectrum of opinion possible upon which to base recommendations and additional legislation.

SENATOR McGOVERN FINDS WASTE IN DEFENSE SPENDING

Mr. YOUNG of Ohio. Mr. President, on numerous occasions I have spoken out denouncing wasteful Defense Department procurement practices that have cost taxpayers billions of dollars in recent years. In particular, I urged compliance instead of lipservice by Defense Department officials with the 1962 Truth-in-Negotiating Act, and have introduced legislation which would strengthen the Renegotiation Board to enable it to perform effectively the function for which it was created—to act as an alert Government sentry against war profiteering.

Unfortunately, waste in defense spending continues. Perhaps the most flagrant recent example was the awarding of contracts for the M–16 rifle by officials of the Department of Defense. In the past, Colt Industries was permitted to make a profit of 1,400 percent on resale of manufacturing rights and in royalties and production guarantees on this weapon. Now, officials of the Defense Department have utterly disregarded competitive bidding for secondary sources for production and procurement of the M–16 rifle. Contracts were awarded to two firms which came to $55 million and $42 million respectively in expenditure of taxpayers' money. This, despite the fact that another firm equally capable of doing the same job submitted a bid of $36 million. This is just one item of many in which hundreds of millions of dollars have been wasted by Defense Department procurement officials.

Mr. President, the distinguished junior Senator from South Dakota [Mr. McGOVERN] has long been one of the strongest advocates in the U.S. Senate for stricter procurement policies in the Defense Department. Senator McGOVERN recently wrote an excellent article entitled "McGOVERN Finds Waste in Defense Spending," which appears in the June issue of the Great Plains Observer, a magazine published in Madison, S. Dak. In his article he clearly and concisely points out the present intolerable state of affairs in the military procurement program. I commend our colleague's article to the attention of all Senators and ask unanimous consent that it be printed in the RECORD at this point.

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

McGOVERN FINDS WASTE IN DEFENSE SPENDING

South Dakota's Sen. George McGovern, who has tangled repeatedly with the Pentagon on Vietnam policy, has challenged the military's top brass on another front: weapons procurement.

In a second Senate speech on the subject in mid-May, McGovern traced the history of the awarding of contracts for the new Army M–16 rifle, pointed out that the U.S. taxpayers are giving General Motors $316 per rifle and Colt Industries, Inc. $104 each for the same rifles, and suggested that "something is drastically wrong in the Pentagon's procurement policies."

The South Dakota Democrat's investigation followed publication of a United Press International story which noted that Harrington and Richardson Co., Worcester, Mass., had been awarded a contract of $15 million to turn out 60,000 of the new rifles, and GM had been given a contract of $19 million for the same number of identical rifles.

McGovern asked why. And in pursuing his inquiry, he found that the discrepancy was only a small segment of the puzzle.

The chain of events concerning the M–16, as reported to the Senate by McGovern:

Colt had for some years held the proprietary rights to the M–16, and produced the light-weight rifles—designed to replace the standard M–1 rifle of World War Two and Korea—for $104 each. In 1964, Colt offered to sell proprietary rights to the government under a plan which would have cost the taxpayers $600,000. The Pentagon declined. Then in 1967, the U.S. purchased those rights—for $4.5 million.

The U.S. wanted proprietary rights, said Dr.

Robert Brooks, Assistant Secretary of the Army, to insure a solid source of supply, possibly when more than one supplier was available. Furthermore, Dr. Brooks said, "we also anticipate there will be a saving, of course, from the competitive procurement as established."

Then the contracts were let—and under the Pentagon's "competitive procurement," taxpayers wound up paying two to three times as much per rifle as they did when Colt was sole supplier. And Dr. Brooks himself shot down the argument that a secondary source of supply was needed to meet an immediate demand, stating "we could obtain the rifle through a straight expansion of Colts somewhat sooner than by the establishment of a second source."

"It appears that once the error was made," Sen. McGovern told the Senate, "the Pentagon decided that it had to compound it by actually developing the secondary source using some form of inverted reasoning to conclude that a failure to make use of the proprietary rights would have amounted to a waste of $4.5 million."

But the eyebrow-raising doesn't end with that decision.

Total contracts awarded to GM and Harrington and Richardson for 240,000 rifles came to $55 million and $42 million, respectively. One of four firms judged technically capable of doing the same job was Maremont Corp. of Saco, Maine; its bid for the same work was $36 million. It was turned down.

Why?

The Pentagon, in answer, listed such factors as the number of college grads on Maremont's payroll, and the age of Maremont's production equipment.

"I suppose there is some perceptible relationship between the educational attainment of a company's employes and its productive abilities," Sen. McGovern said. "I cannot see, however, how it could conceivably make a difference of some $19 million in the price we are willing to pay for 240,000 rifles.

"The age of Maremont's existing equipment is even less relevant, since 100 per cent of the facilities for producing the M–16 are to be supplied by the Defense Department."

The Army, McGovern said, told Maremont it has more confidence in GM and H & R—despite the fact that GM had never made a rifle in its corporate life, and Maremont has built over 100,000 M–60 machineguns, as sole supplier of that weapon for the Defense Department. "Certainly its reliability has been well established," McGovern said.

An Army spokesman's answer to the issue was that the taxpayer needn't worry, the "Renegotiations Board" will step in and correct the situation if it turns out the gunmakers are making a killing beyond the "normal" profit off of weapons. However, McGovern pointed out, the powers of the Renegotiations Board—which can change terms of a contract in cases of excess profiteering—has been stripped of much of its powers since it was established during the Korean War.

"I have no doubt that the questions I am raising would be widely welcomed were they directed to the Office of Economic Opportunity, the Department of Agriculture, or virtually any other agency of the government. I think it is time for a similar standard to be applied in the case of military procurement . . .

"Far from contributing to our security, wasteful defense expenditures undermine our national strength. The funds that we do appropriate are less effective than they should be, and the dollars wasted are diverted from more pressing needs.

"I consider these questions to be profoundly serious, not only because they suggest waste of the nation's financial resources, but also because they have a direct bearing on the combat and defense capabilities of the young men we have committed to battle in Vietnam," McGovern said.

"I have sharply differed with the policies that have involved American forces in that tragic conflict. But I regard our responsibility to supply them with the best possible equipment and support as a most urgent and demanding duty, to say nothing of the economic considerations involved.

"If preference for a particular weapon's supplier or a desire to cover past mistakes has interfered with that obligation, then we are faced with an intolerable state of affairs in the military procurement program . . ."

SAIGON—CENTER OF CORRUPTION

Mr. SYMINGTON. Mr. President, it is no secret that for a long time I have been opposed to the quantitative way this war is being fought, with heavy shackles on our airpower and seapower, at the same time the capacity of both these services is consistently denigrated, not only by former members of this administration, but also by various candidates for office.

Some of these people apparently want to continue pressing forward in this ground war, one of us for one of them in the Asian jungles, their rifles at least as good as ours, their knowledge of the terrain incomparably superior, their expertise in guerrilla warfare.

Others want to retreat to some form of holding action, continue the killing and the heavy cost, in effect agree to an indefinite stalemate.

More and more the average citizen has the right to ask, "What is any true definition of victory in Vietnam? We know what we have lost and are losing, but what do we win if we win?"

In this connection, in the Saturday Evening Post of June 1, there is an article entitled "Our Own Worst Enemy: A First-Hand Report on the Corruption That Is Sabotaging Our Effort in Vietnam."

I personally have seen these black markets but a few steps from the American Embassy, with needed but unavailable field boots, nevertheless for sale in said markets at much higher prices.

Inasmuch as we are operating as "guests of the South Vietnamese Government," the clearing up of this corruption is not a problem for the United States, rather a problem for the Government of South Vietnam; and the fact that over the years that Government has been able to do little about it, casts grave doubts as to whether it is a Government that should continue to merit this degree of support, support which has already cost the lives of over 700 young men from my own State.

From the article in question, I ask unanimous consent to include the first section at this point in the RECORD.

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

[From the Saturday Evening Post, June 1, 1968]

OUR OWN WORST ENEMY

(By William J. Lederer)

"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 reason 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 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."

AMENDMENT OF THE INTERSTATE COMMERCE ACT—BILL PLACED ON THE TABLE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 560, S. 1314, to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein, be indefinitely postponed and placed on the table.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

VOTING AGE SHOULD BE LOWERED TO 18

Mr. YOUNG of Ohio. Mr. President, the Congress should without delay act affirmatively on President Johnson's forthright call for lowering the voting age to 18 years. I am hopeful that the Committee on the Judiciary will soon report favorably Senate Joint Resolution 8, the proposed constitutional amendment introduced by the distinguished majority leader, to enable 18 year olds to vote in all elections.

Frankly, I personally believe that a constitutional amendment is not necessary for this purpose and that the voting age in Federal elections could be lowered through regular legislative process. It is my view that the precedent set in abolishing the poll tax and literacy requirements in Federal elections indicates that such action by the Congress would be upheld by the courts. Certainly, the attempt should be made without further delay and thereby enable millions of Americans who are 18, 19, and 20 years of age to vote in the forthcoming November elections.

Today, young men and women 18 years old are better educated and better informed citizens than were those with college degrees 25 years ago. I wholeheartedly agree with President Johnson's statement last week that this generation of young people is the best ever—that they are healthier, quicker of mind and better trained than their predecessors. Also, that there is a moral energy in this generation that exceeds any of previous generations.

Four States—Georgia, Kentucky, Alaska, and Hawaii—permit voting by citizens before they attain the age of 21. It is high time that the rest of the Nation follows suit. There is no reason for assuming that 18, 19, and 20 year olds are not capable of casting a responsible vote. More of those young people have completed high school and more are attending college than ever before in our history. They are clearly as capable as other Americans in the effective use of the franchise.

Over the years I have met with hundreds of groups of college students and high school students and other young people. I know that today they are better informed than many others in our society. Their interest in public affairs and their potential for public service at home and abroad has been clearly shown through their participation in the Peace Corps, VISTA, and through the active part that millions of young Americans have played in the political events of recent years.

What reason can be given for considering an American old enough to fight in Vietnam—or anywhere else, for that matter—but not old enough to vote for those who determine where and when he shall fight? Certainly if a young man of 18, 19, or 20 years of age is old enough to fight and die for his country, he is old enough to have a voice in the selection of those who govern the Nation and whose decisions affect his very life.

Mr. President, lowering the voting age to 18 will also tend to bring about more effective and responsible government in the future as it will provide a more equitable balance in the electorate. As the number of older voters increases due to longer life expectancy, a corresponding increase in the number of young voters will help provide a more balanced approach in the general political outlook of the men and women of our Nation.

In the midst of great ferment in our colleges and universities, we must reiterate our faith in our youth and in the ability of the great majority of them to cope with the problems which beset our society and affect the welfare of our Nation. I urge immediate enactment of legislation to lower the voting age in Federal elections to 18 years of age; or at the very least the approval of the proposed constitutional amendment to accomplish this.

ORDER OF BUSINESS

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE CONSERVATION YEARBOOK SERIES OF THE DEPARTMENT OF THE INTERIOR

Mr. JACKSON. Mr. President, I invite attention to a vital service being performed for the American public by the Department of the Interior—one that, in addition, is more than paying its own way. I refer to Interior's conservation yearbook series of which this year's book is entitled "Man: An Endangered Species?" This publication is the fourth of Interior's annual efforts to arouse and engage the American people on behalf of their own environment. The message it contains is literally of life-and-death importance. It is compellingly presented, and it is a sales document. "Man: An Endangered Species?" is sold for $1.50 by the Superintendent of Documents, Washington, D.C. 20402. Sales of all four yearbooks have far exceeded the cost of their preparation and printing. The Seattle Times, in its lead editorial of Sunday, May 19, pays glowing tribute to the importance of this yearbook. I ask that the editorial comment be printed in the RECORD.

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

PRODUCTION, SPEED AT ANY PRICE: BUT WE NEGLECT PEOPLE

This year's annual report by the United States Department of the Interior deserves much more than the cursory notice usually accorded such documents before they disappear into the obscurity of the federal archives.

The publication is the hardest-hitting report of its kind to appear since 1964, when a privately published book by Peter Blake—"God's Own Junkyard"—warned of the "planned deterioration of America's landscape."

In Blake's book, a cynical observer remarked that "the national purpose of this country from the beginning has been to let everyone make as much money as he possibly can. If they found oil under St. Patrick's Cathedral, they would put a derrick smack in the center of the nave and nobody would give the matter a second thought."

A similar theme is pursued in the new Interior Department report, but it goes even further, suggesting that the continued mindless ruination of the environment now has placed human beings themselves in danger of extinction.

Pleading for more intensive efforts to curb pollution, to preserve open spaces and to attack the "diminishing quality and creeping vulgarity and ugliness of the environment," the report calls upon Americans to control their "unbridled technology."

Interior Secretary Udall said there is an "insidious logic that implies that production, speed, novelty, progress at any price must come first and people second." Udall suggests that the race for superproductivity has made the "gross national product our Holy Grail." In so doing, we often ignore the "little things" that add joy to everyday living.

There ought to be, Udall observed, a "tranquillity index, a cleanliness index and a privacy index" as well as statistics on such things as steel production, automobile output and housing starts.

Conservation programs to date, the report continued, largely are "apologies to the past." While Americans earnestly support such limited enterprises as saving the whooping cranes, they fail to notice their own growing eligibility for the title, "endangered species."

It is a scathing indictment, very nearly every word of which happens to be true.

OUR TOO BIG FEDERAL GOVERNMENT—ADDRESS BY SENATOR HOLLAND

Mr. TALMADGE. Mr. President, last Friday, at Sea Island, Ga., the distinguished senior Senator from Florida [Mr. HOLLAND] delivered an address to the annual meeting of the Board of Directors of the Southern States Industrial Council.

Our able colleague and learned champion of sound government and fiscal responsibility discussed an issue vital to every citizen of the United States, and especially important to our State and local governments. Senator HOLLAND views with justifiable alarm the decline of State sovereignty and the trend toward an all-powerful, centralized state in which the creation of more and more socialistic programs have almost become the order of the day. In his most eloquent and forceful address, he issued a call—in which I wholeheartedly join—for the restoration of Federal-State relations as envisioned and intended by the Constitution, and for restoration of "the old-fashioned American idea that personal ambition and the willingness to work are virtues."

The concern expressed by Senator HOLLAND in discussing these and many other serious social and economic problems facing our country today is shared by millions of Americans—a majority of our citizens, I believe—including myself.

The Senator from Florida is to be commended for his splendid appraisal of these State and national problems. In my judgment, he has wisely pointed the direction for their solution. I ask unanimous consent that the text of his speech be printed in the RECORD.

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

OUR TOO BIG FEDERAL GOVERNMENT

(By U.S. Senator SPESSARD L. HOLLAND before the annual meeting of the board of directors, Southern States Industrial Council, Sea Island, Ga., May 31, 1968)

I am glad to be here today with my kind of folks—you directors and associates of the Southern States Industrial Council.

It is also a pleasure to be once again in the great State of Georgia where my father, Benjamin Franklin Holland, was born and fought and shed his blood in the defense of Atlanta; where he lived until he migrated to Florida in 1882. While I have a very warm spot in my heart for this state, received my academic degree at Old Emory College, and am now honored to be a Trustee Emeritus of Emory University after many years as an active Trustee, I must say that I am pleased that my father saw fit to relocate in Florida. For Florida, my native state, has treated me wonderfully well.

I could not visit Georgia without mentioning two of my beloved colleagues in the Senate—Senators Dick Russell and Herman Talmadge—with whom I see eye-to-eye on most of the important issues which come before us in the Senate. They possess a world of wisdom and practical knowledge so necessary to assist us in playing our part in shaping the destiny of our nation. They are a great credit to Georgia and are patriotic servants of our nation—they epitomize the motto of this Empire State: "Wisdom, Justice and Moderation."

I wish to talk to you today about a subject which I am certain is deep in the minds of all of us—that is, the constant erosion of our constitutional dual sovereignty form of government and the move towards an all-powerful, centralized, socialistic state. I am sure you know what a socialist is—he is an unsuccessful person who figures his last chance to get something for himself is to take part of what you have. My subject, therefore, is "Our Too Big Federal Government."

It would be trite these days to talk about the Vietnam War and our too-many foreign commitments, along with our heavy load in giving aid to many less fortunate, undeveloped nations. But I mention these subjects in passing, because they create a sizable part of the overload which makes our federal government and our federal budget too big. It would be trite, also, to mention the huge burden of domestic welfare programs, many of them socialistic, which our federal government has assumed, the mass of ill-considered civil rights legislation with all of its enforcement provisions and personnel, relating to schools, so-called fair employment controls, anti-discrimination voting controls, and many other features. It might be of interest to discuss the new fields of necessary federal activities such as aviation, space, atomic energy, radio, television, oceanographic exploration, and others. But I simply mention all of these as a background for stating that our federal government has grown so big that it has become grossly extravagant.

As a long-time member of the Appropriations Committee of the Senate, I long ago realized that it is simply impossible for any human mind in the legislative branch to grasp all the implications of our swollen governmental machinery and to appropriate for it with that careful prudence and economy which we earnestly desire. And it is equally impossible for a human mind in the executive department, whether the President or any of the top officials of our huge agencies, to plan well and spend efficiently and economically the astronomical sums which they handle.

These difficulties exist and they will have to be faced and overcome separately and, I fear, over a long period of time. I hope and trust that American ingenuity will find many ways to accomplish savings and I shall expect many of these programs to be reduced and simplified and some of them to be eliminated.

In my remarks today, however, I shall discuss some of those many activities now pending which are being promoted by ultra-liberals and which would add further to the federal burdens and make more impossible the job of carefully reorganizing the massive national overload and bringing it back to sane proportions. Such a group as yourselves can do much in combatting these pending efforts and these new trends to further complicate our government and further pile up unbearable loads on the already over-burdened federal structure.

Among these ultra-liberal efforts which I hope you will oppose vigorously are several which are pushed by power-hungry leaders of the labor movement and which, if accomplished, would add greatly to the difficulties of industry and do violence to the public interest. I am sure you all remember the active efforts which have been made several times in recent years to repeal Section 14(b) of the Taft-Hartley Act which is the section permitting any state to adopt for itself, the so-called "right-to-work" provision. Some 19 states have acted to adopt this provision and still have it in force. Twice in the last three years such a drive has been stopped in the Senate by our defeating the efforts to impose cloture. But that does not mean that the subject is dead and we hear constant talk of the renewal of the effort to repeal Section 14(b). We will surely face such an attempt again in the near future and in the meantime there is a flank movement under way, related directly to federal employees, which I call to your attention and which is nothing more nor less than a "foot-in-the-door" approach to another try at repealing Section 14(b).

In 1962 President Kennedy issued an Executive Order permitting federal employees to join or refuse to join a union. A Labor Management Review Commission, appointed by President Johnson, has recently recommended changes in that Executive Order requiring federal employees to join a union and to pay union dues and assessments. Recognizing this effort for what it is, Senator Bennett of Utah has recently introduced S. 3483, of which legislation I am a co-sponsor, to protect the freedom of choice of federal employees to join a union or to refuse to join and in the case they decide not to join, to protect them against the payment of union dues or assessments. I think it is unnecessary to point out that if federal employees are denied the right-to-work provision or the freedom of choice now guaranteed to them by the 1962 Order of President Kennedy this would be a logical approach to the repeal of Section 14(b) so that other employees generally could be deprived of the benefit of the right-to-work laws of the several states. I hope that your organization will be quite alert on this matter and will strongly support the bill of Senator Bennett to assure complete freedom of choice to federal employees as to whether they shall join an employees union or refuse to do so.

Another measure now pending called the

"Equal Employment Opportunities Enforcement Act", proposes to amend the Civil Rights Act of 1964 so as to give the Equal Employment Opportunity Commission the right to issue cease and desist orders. This legislation was favorably reported by the Labor Subcommittee to the full Senate Committee on Labor and Public Welfare which has reported it to the Senate as S. 3465. I do not think I need tell you how arbitrary a handling of this important question may be expected if the very Commission which is investigating employment practices in the effort to prevent discrimination in employment were given the power to issue cease and desist orders just as a United States Court, after adequate proof in which the complained-against party would have every right to be heard, were taking the action. I am sure you already know that the United States Chamber of Commerce and other groups which are interested in assuring employers fair treatment are strongly opposing this proposed legislation and I hope you will join in opposing it.

Yet another measure now pending before the Senate Committee on Labor and Public Welfare, Senate Bill No. 8, proposes to place all agricultural employees under the National Labor Relations Board. This is a measure which has the strong opposition of all agricultural groups, particularly those which are producing perishable fruit and vegetable crops. I am sure that you can realize the disaster that would threaten many agricultural producing industries if agricultural labor had the right not only to organize in unions, but to have all of the advantages of resorting to NLRB. I shall not belabor this question, but to my mind, there could be nothing more unfair to agriculture, which has already had its labor placed under the provisions of the Wage and Hour Act, and which must operate under the constant uncertainties of weather and changing market conditions, than to now provide that it would have to be prepared at all times to meet hazards of strikes and the complaints of every sort filed with the NLRB and to comply with the dictation of NLRB. I hope that you will throw the weight of your organization very strongly against the adoption of this proposed, hurtful, legislation.

Aside from the field of labor legislation, yet another proposal now pending in the Congress is that to guarantee an annual income to all citizens. The recently-functioning Labor Advisory Committee on Civil Disorders included, among its recommendations, the setting up of a national system of guaranteed income. Immediately after the filing of the report of that Committee, a bill was presented, known as H.R. 17331, now pending in a House Committee, which would provide a comprehensive maintenance income system for all Americans. As an example, taken from the supporting statement of the author of that bill on the Floor of the House of Representatives, a family of four with no outside income would be guaranteed $2004 per year. A family of four with outside income of $1000 per year would receive $1500 in benefits, or a total of $2500. A family of four with outside income of $2000 would receive $1000 in benefits, or a total of $3000. And a family of four with outside income of $3000 per year would receive $500 in benefits, or a total of $3500. If such a family has an annual income of $4000 it would receive no government supplement. The bill does not explain the logic of its approach to guaranteed income of different amounts to different families of four, but it does make it very clear that it feels that the government's duty is to guarantee what is called a minimum income to every American individual and to every American family. I do not know what has happened to the old fashioned American idea that personal ambition and the willingness to work are virtues. I hardly think I need say to you that I strongly hope you will oppose all legislation of this type. I fear we will see many more bills of this nature introduced in the two Houses of Congress.

Still another domestic problem which is already bad, but promises to be worse, stems from the unfortunate one-man one-vote decision of the United States Supreme Court. By this decision the Supreme Court read into the 14th Amendment of the Constitution, which was adopted under questionable circumstances 100 years ago, a meaning that was not attributed to it in the Congressional debates at the time and which would have completely prevented its adoption if such a meaning had been understood. Following this one-man one-vote decision, the courts have greatly disturbed the distribution of members of both the House and Senate of many state legislatures by reapportioning them approximately on a population basis. This ignores the fact that counties were formed long years ago with distinct interests and with their governing bodies elected on a county basis. Under these new reapportionments, county lines have been disregarded, common interests of counties and regions have been ignored and every rule of convenience has been cast to the winds.

My favorite horrible example of what these new legislative reapportionments have done is to point to the fact that the federal courts, in reapportioning the Florida Senate, saw fit to bracket Monroe County, of which Key West is the county seat, with Broward County, of which Fort Lauderdale is the county seat, and Collier County, a sparsely settled West Coast County, as a Senatorial District with four Senators. There is practically no similarity of interest among the three counties, and the county seats of Monroe and Broward are 190 miles apart with no highway access from one to the other except through the populous county of Dade, meaning metropolitan Miami. The population of Broward is so much greater than that of Monroe and Collier that all four members of the State Senate elected to represent this new, misshapen district, have come from Broward County and none from Monroe or Collier. Other instances in our state and in many other states illustrate the ridiculous results which have been perpetrated under the application of the one-man one-vote rule.

A sizeable majority of the United States Senate has sought to correct this situation by referring to the states a constitutional amendment known as the Dirksen amendment under which each state must base the apportionment of one of its legislative houses strictly upon population, but may, if it so decides, base the other upon any other principles which it prefers. We have not been able to get a two-thirds vote in the Senate to submit this proposed constitutional amendment, but the effort will continue, and meantime, evidences of dissatisfaction with the application of the one-man one-vote rule have multiplied from one end of the nation to the other. In many places in following this strictly nosecounting basis multi-county, multi-member districts have been set up with one large county bracketed with several small ones. The result has deprived numerous small counties of any direct representation in both Houses of the legislature. I am sure that the effort to correct this great mistake will continue and I hope you will actively help to correct it.

Still another field in which the ultra-liberals are trying to reduce the constitutional power of the states by taking away their control of the election machinery and the qualification of their voters, is presented by the drive to control the election of the President and Vice President by popular vote throughout the nation. Of course, the Electoral College, as set up under the Constitution, has substantial defects which can and should be cured, but I feel strongly that at least its basic provision must be preserved, which gives to each state a weight in Presidential elections based not only upon its population, as reflected by the number of its representatives in the House, but also upon its statehood, as reflected in its two members in the Senate. This was an important compromise between the small states and the large ones in the original Constitutional Convention and it still constitutes an important provision which must be safeguarded if our dual sovereignty system of government is to survive. The general public must be made to realize that the direct election of the President would downgrade the weight of over 30 states. It would diminish the power and thus harmfully affect all states which have populations below the national average. Further it would place 8 states in the unenviable position of having less weight in Presidential elections than the District of Columbia since each of these 8 states has a population less than that of the District of Columbia.

I cannot conceive of any of the smaller states approving the proposed amendment for the direct election of the President, and yet the ultra-liberals continue to press towards that end. Even now, they are proposing a uniform 18 year limit for voters in all states which is nothing more nor less than a large step towards what they really want, which is, the direct election of the President.

I was impressed by an editorial on this subject a few days ago in the Washington Post which is the town crier in Washington for all ultra-liberal movements. I think it is worthwhile to quote from that editorial briefly so that there may be no doubt in your minds as to where the ultra-liberals are trying to take us. After discussing with approval the 18 year old voting age amendment, the Washington Post says, and I quote:

"But age is only one of the voter qualifications that ought to be uniform throughout the country. The most useful amendment in this area would be one specifying fully who could vote in federal elections or authorizing Congress to do so. Such an amendment might also provide for federal supervision of Congressional and Presidential elections . . . Federal qualifications and federal supervision will be the more important if the country should approve direct election of the President as we surmise it soon will . . . Perhaps the safest course would be to let Congress fix the voting age and other voter qualifications."

The sad fact is that many of our ultra-liberals are obsessed with the idea that all wisdom and all virtue is vested in a huge, centralized, national government and that the sooner the states are made subject to such a government, the better it will be for the nation. I disagree so completely with this philosophy that I am asking you to form ranks with the other conservatives of the nation, regardless of party and regardless of region, as an unbeatable phalanx to prevent the success of this movement which, if successful, would emasculate our dual sovereignty system of government and make of our country a completely different and a much weaker nation.

May I next call your attention to a field in which I think it is necessary for conservative patriots of both parties to take a stand to prevent our nation from being weakened by hurtful strikes or work stoppages in industries that are vital to our national welfare.

We have a cooling-off period which is provided in the Taft-Hartley law and which has been helpful to the nation in many cases, but it does not give the complete assurance that vital industries will continue. Furthermore, there are some necessary industries which are not affected by that law but are controlled by even weaker provisions of the Railway Labor Act such as the railroads and the airlines. In my judgment, we must have stronger legislation which will protect both the economy of our nation and our national security against shut-downs in the vital industries which, by their stoppage, would soon bring complete national collapse. That it is possible to correct this situation was

clearly shown during our railway labor crisis in 1967 when in a third attempt Congress, by legislation, forced the railroads and the recalcitrant railway unions to settle their differences. We finally placed in our third act on this question a provision tantamount to compulsory arbitration. You will recall that Congress did this only after many of the railroads had ceased to operate and we did it only on an ad hoc basis applicable to that particular situation. But it forced a settlement and the trains began to run again.

In my judgment it is now necessary that we pass permanent legislation covering all of the vital industries and guaranteeing the nation against any stoppage of any vital industry. We cannot pass strong general legislation on this subject without the vigorous support of citizens, generally, from all parts of the nation who realize that not only our national economy, but even our national security may be threatened almost over-night if we longer refuse to pass strict legislation on this subject. I hope you will give your unlimited support to the passage of such strong general legislation.

There are many other troublous matters which I could discuss, but I shall simply mention them: The Vietnam War—Our too-far extended foreign commitments—Our balance of payments problems—Our deep fiscal difficulties—The problems of our poor—The riots in the cities. These problems are known to each of you. I think most of them are in the process of being solved and that the solutions will continue towards greater perfection. I hear much these days about the need to give greater federal aid in solving the problems of the poor, including education, training, health and welfare payments. The Congress has been moving in the direction of a solution to these problems for several years and I feel sure that they will be solved in the course of time. For instance, relative to federal aid to the poor, our total action in that field has jumped from a cost of $9.5 billion in 1960 to $12.5 billion in 1963; to $21.1 billion in 1967; to $24.6 billion in 1968; and for the fiscal year ahead, 1969, the estimated amount will be $27.7 billion. These programs have increased almost 300% in the short space of eight years. These programs should be perfected and made more efficient now rather than enlarged and that is what Congress is trying to do.

It would be useless here to go further in mentioning the heavy problems which confront us and which call for the activity and support of good citizens in every region in order that they may be solved. I want to end my statement on a more optimistic note. I hope that our whole nation is recovering from its lethargy, awakening from its binge and steadying itself for a sounder and more stable future. Whether that proves to be true will be shown in the elections of this fall and in the performance of this and the next Congress.

At this time I merely want to say that in my judgment most of the rest of the nation is beginning to realize, and much of it has already realized, that the greatest bastion of strength in our nation is the conservatism and stability of the South. I hear this theme discussed every day by Senators from other parts of the country. I think the nation, generally, realizes that the prosperity of the entire South from Virginia to Texas is resulting from the more conservative philosophy that dominates this whole area. Taxes, generally, are more reasonable than elsewhere; the growth of business is more pronounced and more stable; the attitude of the working force is more reasonable; and the demands of the minorities are, generally speaking, more nearly in accord with the public good. In the matter of racial controversy it has become very clear that those conflicts have been largely transferred to the great cities of the north and west and that relative peace prevails throughout the Southland. In the matter of labor-industry relations it is equally clear that most of the Southern labor force will not follow radical and unreasonable leadership. In the matter of continuing the membership in Congress of our Senators and Representatives until their experience and seniority enable them to better serve their states and also the whole nation, there is a real contrast between our Southern practice and that which seems to prevail in most other parts of the nation. For the most part, the South is following the point of view of grand old Sam Rayburn who always said the sound rule to follow was "pick 'em young, pick 'em honest and keep 'em there."

The longer I serve in the Congress, the prouder I am of the South and its stability and the more jealous I am of its reputation for insisting on stable government at home on doing its best to accomplish stable government at the federal level. It is not necessary for me to tell you about the great advantages possessed by our region—the fertile lands—the abundant waters—the attractive and varied weather patterns—the sweeping forests and the wide variety of crops—the reliability of our work force—the proven attractiveness of investment from elsewhere both in money and in living manpower—the enormous oil and mineral wealth which we are producing—our tremendous participation in maritime and other commerce—our closeness to Latin America—and the great human and natural resources existing here. All these assets and many others in my judgment will continue to make the Southland an ever more important portion of our nation clothed with ever greater potentiality and obligation to serve the nation as a whole. I am sure that each of you is animated with intense pride in our region and complete understanding of our increasing responsibility to the nation as a whole.

In my judgment, there has never been a time when we have been challenged to so great a task in endeavoring to move forward soundly in solving the national problems which loom so large and of which today I have mentioned only a portion.

In closing my remarks here and expressing my appreciation to you for inviting me to come and visit with you, may I say that I keenly feel that the whole South has both a challenge and a potentiality to serve the nation which is greater than that being offered now to any other portion of our great nation. It is my hope and prayer that we may supremely live up to that challenge and to that great opportunity.

THE LAW DAY PROJECT: LESSON IN DEMOCRACY

Mr. DOMINICK. Mr. President, on May 1, 1968, ninth grade "citizens" of Hill Junior High School, in Denver, Colo., lived under the People's Democratic Republic of Tirainia. The program, in observance of Law Day, was designed to let the students experience regimented life under a dictatorship and was the first of its kind in the United States.

The day highlighted the prevailing philosophy in totalitarian countries that "the state is supreme." Political discussions except in "glorification of the state" were banned; in addition, religious discussions, creative writing, art, and music not previously approved by the authorities were also prohibited for the day. Freedom of assembly was also denied.

An election slate of government officers was offered to the students, but only the names of government selected persons were included on the ballot. Flags and armbands bearing the national insignia of Tirainia were required and a militaristic atmosphere prevailed in the classrooms. Arrests were made for failure to mark ballots in the rigged election, criticism of the state, religious discussion, and for failure to possess identification cards.

Three trials were held before a "Three Judge People's Court" and were based on legal principles generally prevailing in totalitarian countries.

The day ended with a stirring Law Day speech delivered by District Judge Sherman G. Finesilver of Denver. His remarks pointed out the duties and privileges of U.S. citizenship and pinpointed the differences between law in the United States with its constitutional guaranties and legal proceedings under totalitarian regimes.

Judge Finesilver, State chairman of the Bar Association Committee, was the principal organizer of the Law Day program. The project was sponsored by the American Citizenship Committee of the Colorado Bar Association in cooperation with the faculty and students of Hill Junior High School.

Mr. President, I ask unanimous consent that Judge Finesilver's speech be printed in the RECORD at this point in my remarks.

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

TO VIOLATE THE LAW IS TO TRAMPLE ON THE BLOOD OF OUR FATHER

(Speech by Judge Sherman Finesilver)

Today we have lived under an atmosphere where the State is supreme, and the rights of the people are meaningless. Our every action was dictated by the State.

We enjoyed no freedom of expression . . . no freedom to create or write . . . we were prevented from peaceful assembly or even discussing politics or government . . . even our reading material was restricted. Yes, we were regimented in every phase of living . . . the air we breathed was not free. We even observed the overthrow of our elected officials without the voice of the majority being heard, and without the guaranty of free elections.

We observed three trials for "vicious crimes against the State," and we saw how insignificant liberty and freedom are under a totalitarian State.

We saw that there was no public trial . . . there was no jury trial . . . the right of the accused to be faced by his accuser was prohibited.

The judges were biased and prejudiced in favor of the State and they merely promoted the attitudes and beliefs that the State encouraged . . . they operated at the whim of the State.

Of greatest importance is the fact that the accused was presumed to be guilty and he had to prove his innocence.

We can't really say that the accused in the three trials were given any semblance of a fair and just trial or that due process of law prevailed.

In contrast in the United States we are clothed with the strongest beacon of justice—the presumption of innocence unless guilt is proven beyond a reasonable doubt and through legal and just means. As Americans we have the priceless protections afforded by the Bill of Rights—the first ten Amendments to the Constitution. As Americans we know that the roots of American law are set forth in the Constitution of the United States and the Bill of Rights—documents unparalleled in the world. This means

that every American citizen is protected by law.

The individual liberties guaranteed us by law under the Constitution distinguish our free society from all other systems of law, particularly those practiced by the totalitarian nations.

One must remember that our rights under the law include:

1—The right to be free from arbitrary search or arrest; 2—The right to seek educational and economic opportunity; 3—The right to choose public officers in free elections; 4—The right to own property; 5—The right of free speech, press and assembly; 6—The right to attend the church of your choice, 7—The right to have legal counsel of your choice and a prompt trial if accused of a crime, and 8—The right to be represented by competent counsel in the event of indigency.

Under our system it is the function of the judge to see that the rights of the individual on trial are protected and to guaranty him a fair trial in every manner. The judge is wholly independent of other branches of government—legislative and executive—and is responsible only to a higher court for his decision.

Our system emphasizes individual rights, and refuses to convict a man upon improper evidence.

This day—Law Day, 1968, is one where we reflect on our respect for law and duties owed to our country, and should be a day of deep reflection on our precious freedoms.

The underlying purpose of this day is to strengthen a nation dedicated to liberty and justice—a nation in which its citizens may live an abundant life, developing to the fullest their indivdual opportunities for success and rendering a corresponding service to their country.

American citizenship is a precious privilege in this troubled world—it is sought my many, rendered to few, and treasured by people in the far reaches of the earth.

We do not have to be military leaders to show courage . . . every day we have the opportunity as ordinary Americans to perform in extraordinary ways to the best advantage of our country . . . we have the opportunity daily to show our love to our country through loyalty and respect . . . the nation cannot survive without great numbers of good dedicated Americans.

However, along with the rights we enjoy as free citizens of our great Republic, there are certain responsibilities we have as a consequence.

Perhaps it is necessary to point out some of these today on the 10th anniversary of Law Day. These are:

1—The duty to obey the laws; 2—The duty to inform yourself on issues of government and community welfare; 3—The duty to vote in election; 4—The duty to serve on juries if called; 5—The duty to serve and defend your country; 6—The duty to assist agencies of law enforcement, and 7—The duty to practice and teach the principles of good citizenship in your home, in school and in the community.

In Indianapolis only last week, I read a plaque erected to President Abraham Lincoln, who in Indiana on February 11, 1861, made this statement on his way to assume the presidency of the United States:

"I appeal to you to constantly bear in mind that not with politicians—not with office seekers, but with you is the question, 'Shall the Union and shall the liberty of this country be preserved to the latest generation?'"

He later said:

"There is even now something of an ill omen among us. I mean the increasing disregard for law which pervades the country, the gross disposition to substitute wild and furious passions in lieu of the sober judgment of courts. As the patriots of '76 did to support the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, property, and honor; let every American remember that to violate the law is to trample on the blood of his father and to tear down the charter of his own and his children's liberty."

Let us heed the words of President Lincoln and pledge that we will not "trample on the blood of our father and tear down the charter of our children's liberty." Let us today pledge that we will never bring disgrace to our country by any act of dishonesty, disloyalty, or violence. We will fight for the ideals and sacred things of our country. We will revere and obey our laws and do our best to encourage others to respect and revere these laws. We will strive to make our country greater, more useful, more abundant than it was transmitted to us, and we will add our efforts to the American dream by being loyal, honorable and responsible and in no way detract from the high heritage we are privileged to enjoy."

Mr. DOMINICK. Mr. President, I can think of no more dramatic method to give our young people an idea of what democracy is all about than to demonstrate what the absence of freedom really means. This unique experience gave the students of Hill Junior High School an unforgettable taste of totalitarianism and I believe this project could serve as a model for similar programs throughout the country. I commend Judge Sherman Finesilver and the members of the Colorado Bar Association for their efforts in helping to develop greater citizenship, leadership, and motivation in our young people.

CONNECTICUT SALUTE TO ARMED FORCES IN VIETNAM

Mr. DODD. Mr. President, I invite the attention of Senators to a proclamation issued by Gov. John Dempsey, of Connecticut, setting aside Sunday, July 7, 1968, as a day of prayer for our Armed Forces in Vietnam and for peace throughout the world.

The Governor's proclamation has been given the support of patriotic organizations and citizens throughout the State.

I believe this is an observance in which all patriotic Americans can properly join.

I ask unanimous consent that the text of Governor Dempsey's declaration be printed in the RECORD.

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

SALUTE TO ARMED FORCES IN VIETNAM,
JULY 7, 1968

(By His Excellency John Dempsey, Governor, State of Connecticut)

Today in Viet Nam thousands of men in the armed forces of the United States are striving to oppose the spread of the forces of Communism.

It is important that these men, who are far from home and exposed constantly to the hazards of war, know that we are mindful of the great sacrifices they are making in our behalf.

In Stratford and other Connecticut communities many of our fellow-citizens are participating in an organized effort to offer prayers for our armed forces in Viet Nam and for peace throughout the world.

The day designated for a Salute to Armed Forces in Viet Nam is Sunday, July 7, 1968.

This is an observance which serves to bring deserved recognition to our fighting men in Viet Nam. I am pleased to join in the Salute and to call it to the attention of the people of Connecticut.

JOHN DEMPSEY,
Governor.

HORATIO ALGER VISITS ALASKA

Mr. BARTLETT. Mr. President, not only is Alaska separated physically from the rest of the continental United States but there also is an isolation in the minds of our citizens. Almost 10 years after Alaska was admitted to statehood, there are still people who conceive of it as a foreign country. Perhaps more than any other State, it is thought of in stereotypes. It is that vast arctic wilderness covered with ice the year round. Or it is the place which hardly sees daylight during the winter. It is cold beyond human endurance. It is the home of the Alaska King Crab, perhaps more well known than the State from which it derives its name.

Indeed, Alaska is all of these things. As with most stereotypes, however, those about Alaska are only partly true. Few people know, for example, that Alaska is one of the fastest growing and most promising of our 50 States. Not many more people knew that Alaska enjoys spring, summer, and fall days comparable in magnificence to those found anywhere else in the United States. The breathtaking beauty of the State has yet to be discovered by those millions of tourists who travel the length and breadth of these United States but who somehow have not yet made it to Alaska.

Alaska is a State of grandeur and wonders. Alaska means miracles to those who know it and love it. Alaska is America's new frontier, promising almost beyond imagination, beckoning the creative free spirit. It also beckons those interested in investing in the future of the State. And in increasing numbers, both are arriving in the State. No one has been disappointed yet. Alaska has been paying off with huge dividends to all of those who have been daring enough to stake their claims there.

An article published in the June 10 issue of U.S. News & World Report tells something of the miracle which has been occurring in Alaska since statehood in 1959. It is a success story unsurpassed. I commend it to Senators and 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:

NOW ALASKA STARTS TO "OPEN UP" ON ITS OWN

Times are changing in the 49th State. Everything is hustle and bustle as investment funds for development pour in. New industries are emerging. More people are settling on a new frontier. Japan is helping in the build-up. Cost of living is high, but so are wages.

Alaska, after 100 years of near neglect, suddenly is offering brighter prospects to Americans looking for a frontier with a future.

Once regarded mainly as a defense outpost and source of a few products such as gold and seafood, the 49th State now is moving ahead on a broad economic front. The payoff from a big increase in investment, principally in oil, fisheries and timber, is beginning.

A 10-year telescope. The potential for a lengthening list of resources needed by the

U.S., especially minerals, is increasingly evident. And Alaska no longer is waiting for help from Washington. It is going ahead on its own.

"We are 70 years behind the Russians in opening up Arctica," says Governor Walter Hickel. "We intend to telescope time and open our Arctic within the next 10 years."

Some new developments:

A "winter trail" is being pushed from the railhead of the Alaska Railroad at Fairbanks across the Yukon River, into the rich oil and gas areas to the north and mineral areas to the west. It is planned as a future railroad route.

The trail, a rough route over frozen terrain, will open to tracked vehicles in winter a huge area previously accessible only by air. It will be impassable in the warm months because the tundra over which it is to be laid is too soft then.

In southeast Alaska, winter service on a State-owned ferry system has been extended to Puget Sound to connect the State to the "lower 48," as Alaskans call the other continental States. This is Alaska's "marine highway," built and extended at a cost of 38.5 million dollars.

A modern ferry fleet of four ships is expected to speed migration to Alaska, encourage tourism and lower transportation costs. Alaska now has a population estimated at 275,000.

Two cents an acre. The U.S. paid a little less than 2 cents an acre for Alaska's 375 million acres when it bought the huge area for 7.2 million dollars in 1867.

Since then, it has cost billions to make a small part of that land usable, and it will cost billions more to develop its huge resources. Nobody knows what Alaska is worth, but those who are committing their lives and money are convinced it is worth whatever it costs. Among the investments are these:

The U.S. has spent billions to make Alaska, so close to Russia, a defense bastion. Still more is to be spent in the future.

More than 1 billion has been spent so far by the oil and gas industry for exploration, development and production. This year, 18 oil companies are starting an $800,000 survey in the Gulf of Alaska, the first step in bidding for offshore oil and gas leases when these are offered. Other projects are under way.

More than 220 millions has been spent or committed by Japan, including 75 millions for a share in ammonium-fertilizer and liquid-gas plants, and 41 millions toward oil and gas exploration and development.

More than 350 millions in federal funds provided for reconstruction in Alaska following the Good Friday, 1964, earthquake. This money, plus other funds, served as the catalyst that brought a new surge of growth to Alaska.

The last frontier. "The thing that makes Alaska go is that the people who come here want to be here; they like it," says a close observer of the State. For most of them who stay, "Alaska is the land that dreams are made of." For others, who don't stay, "It is pure hell."

Wayne Ostendorf, manager of the Northern Commercial Companys Anchorage outlet, largest in its chain of 32 stores in Alaska, says:

"More young people are coming because Alaska is the land of opportunity. It has the challenges that other States don't offer any more. Those who have the pioneer spirit and want a different, not soft, way of life find that about the only place left to develop in the U.S. is Alaska."

Donald Schmiege, a research biologist for the National Forest Service in Juneau, sold his home, boat and beach property there in 1966, then taught for a year at the University of Wisconsin. He recalls:

"Last summer, looking for a new place to live, we decided to investigate a job offer in Washington, D.C. We didn't get halfway across the country before my wife was ready to come back to Alaska. Then, the children decided that they were, too."

Now, the Schmieges have bought a lot at the edge of the national forest near Juneau for $6,500 and have built a new home.

"It's the people, scenery, no pollution or traffic, the chance to do things together as a family," Mr. Schmiege says.

Mrs. Allan Neidhold, of Fairbanks, observes:

"There's a period in winter when you ask yourself? What am I doing here? Your husband is out trying to start the car. The children have frostbitten hands. But then come spring and summer and lightness, and the autumn is gorgeous and you know why you are here."

Changing way of life. An expanding, year-round job base is inducing more people to work and live in Alaska. There's a gradual shift away from the sharp, seasonal swings in employment that leave the State with 8 to 12 per cent unemployment. In some inland communities, winter joblessness has been 40 to 60 per cent.

In the city of Kenai, construction of an 8.5-million-dollar shopping center went on during the winter of 1967–68. So did building of a hospital, a motel expansion and a recreation center. Two years ago, the city didn't issue any building permits in winter.

The accelerating boom in oil and gas is providing more year-round jobs and taxes. The average of 1,163 jobs in the industry in 1965 has increased to more than 2,000 now. Eleven drilling platforms are operating in Cook Inlet, near Anchorage. Two more will start next year and eventually 40 will be working "before Cook Inlet is drilled out," says a petroleum engineer.

State royalties from oil production more than tripled in 1967. Production from 78 wells neared 170,000 barrels a day at the start of 1968, for a $41,000-a-day State royalty.

Alaska now leads the U.S. in per-well output in oil and gas. Some industry leaders predict that it will be the third-largest oil and gas-producing State by 1980. Also, Alaska's oil is highly marketable because it contains less than one quarter of 1 per cent of sulphur—compared with 2 per cent for most crudes—an important consideration in a pollution-conscious society.

To the north. Arctic Alaska may one day provide additional oil and gas. The U.S. Navy has spent 45 million dollars drilling 75 wells in the Umiat area, 200 miles southeast of Barrow, where it is estimated there are 100 million barrels of oil reserves and some gas.

Private companies also are exploring the area during the seven months of winter freeze, working from a caterpillar train complete with living quarters, supplies and shops.

Big production per well continues with new discoveries, including one of 7,600 barrels a day in March. Another company completed in December what is Alaska's largest single producing well, with an output of 10,000 barrels a day.

Aside from the weather, high labor costs in Alaska mean that any discovery has to be much bigger than any in the "lower 48" to be profitable.

Extension of the Alaska Railroad to the north is being pressed by Governor Hickel to open up "the largest area in the world without ground transportation." It would run from Dunbar, near Fairbanks, to the oil-and-gas areas in the north and the Kobuk area, known to be rich in copper and other minerals. In the extreme northwest, some 82 billion tons of coal wait to be claimed in the Kukpowruk River basin. Cost of the rail extension would be an estimated 150 million dollars.

The State is spending $750,000 for its NORTH Commission [Northern Operations of Rail Transportation and Highways], authorized by the legislature last year, for initial land surveys now under way and aerial surveys to be completed by mid-1968.

The hope is that the Federal Government will lend the money for construction; perhaps even make land grants such as those given to railroads a century ago.

Fish and timber. Fisheries also are becoming the basis for more year-round jobs. Kodiak, rebuilt since near-total destruction by the 1964 earthquake, is enjoying new prosperity. One estimate is that, with modern methods and facilities, Alaska could pack 5 to 6 million cases of salmon a year, 200 million pounds of king crab, 500 million pounds of shrimp and 2 billion pounds of perch and cod.

About 32 per cent of Alaska's labor force of 92,000 people now find work in the fishing industry.

Alaska's timber industry is being developed, with much of its exports going to Japan. Billions of board feet of timber are available for cutting in the Tongass National Forest in the southeast.

The Statehood Act gave Alaska the right to choose 104 million acres over 25 years to help develop its economy. To date, 18 million acres have been selected and secure land title acquired for 7 million acres. It is these lands that the State offers for sale or lease for specified uses: resource exploration and development, homes, business, agriculture or recreation. There is a limit of 640 acres for sale to one individual.

Land prices vary widely, from $100 an acre for scrub property near Anchorage to $8,000 an acre for land sold by the city of Kenai for approved purposes. Farmland in the Matanuska Valley goes for $375 an acre and up.

The aborigines. Native claims of "aboriginal possession" of 290 million of Alaska's 375 million acres led Secretary of Interior Stuart Udall to put a freeze—with a few exceptions—on disposal of federal lands in December, 1966. The natives are asking full title for the lands they claim and compensation for lands taken from the claimed areas.

Alaska's natives, like the State itself, are in transition from a primitive to a modern society. The 55,000 Eskimos, Indians and Aleuts make up 20 per cent of Alaska's 275,000 people. Many live in abject poverty. Training programs now are being instituted to help the natives get jobs and draw them into the cash economy. Some firms which have hired Eskimo and Indian workers say that they are more than satisfied with the results.

The tax problem. High taxes are a major burden in Alaska, complains John Dugan, a real estate developer in Juneau:

"One of the big things stifling Alaska is the borough system. It means three levels that can bond—city, borough and State."

Before the borough outside Juneau's city limits was organized, Mr. Dugan paid $355 in taxes on his home. Now the bill is $565.

In addition, he says:

"We pay a 4 percent sales tax on everything—groceries, rent and services, but not on doctor or hospital bills. People with the most kids have to pay the most tax."

Because of Alaska's huge size, its small population, small work force and small tax base, the State has the lowest bond rating of the 50 States.

Small-size agriculture adds to local problems. Alaska grows less than 8 per cent of the food it consumes. Farm products are mainly milk and meat.

At most, some 2 million acres are suitable for agriculture; only 40 per cent of that is tillable, with the rest usable only for pasture. Main farming areas are the Matanuska Valley north of Anchorage, the Tanana Valley and the Kenai Peninsula.

With up to 20 hours of daylight in summer, vegetables grow to record size, such as a 62½-pound cabbage grown in the Matanuska

Valley. But the growing season is short—about 100 frost-free days.

Hamburgers, $1.65. The high cost of living is a handicap to Alaskan development. A market basket of 40 basic foods last September cost $16.81 in Seattle and $29.73 in Nome.

In Anchorage, haircuts are $3.50 and a shoeshine is $1. A hamburger sandwich at a hotel coffee shop in Juneau is $1.65.

In Kenai, "It costs $24 a square foot to build," says John Morris, a Western Airlines station agent. Biologist Schmiege, in Juneau, says: "I had $20,000 invested in my new house before I even bought any lumber."

Autos are an expensive necessity. Although regular gasoline is 51.9 cents a gallon in Kenai and $1 in Nome, engines are left running while their drivers are shopping or visiting in winter so that they won't freeze up. Tires freeze flat at 40 degrees below zero.

High utility rates and long, cold winters make for staggering bills—more than $100 a month for a typical Fairbanks family.

The price spread between Alaska and the "lower 48" is getting less as transportation improves and competition grows.

The gap used to be 30 per cent; now it is down to about 20 per cent and still dropping.

High incomes offset high prices for some Alaskans. Auto dealer Robert Kron in Anchorage says a good salesman can make $20,000 a year or more.

In the same city, Dr. Asa Martin says that a doctor can earn $30,000 to $40,000 a year. City Manager William Harrison in Kenai—with 30,000 population—is paid $19,600 and is getting a $2,000 raise.

The basic rate for construction labor is $5.47 an hour, plus 80 cents in "fringes." Welders and pipefitters get $7.10. Most construction men work up to 10 hours a day, six days a week, so overtime pay mounts up.

At a chemical complex being built near Kenai, construction workers can make more than $18,000 a year.

Despite the problems, most Alaskans see great hope for the future. Says Dr. William Wood, president of the University of Alaska:

"This is an exhilarating place to live. The spirit of the people has been fantastic. The element of complaint just doesn't exist.

"To us, it would be a horrible existence if life were just one soft pad—if you didn't have something that excites you to do, to reach for."

COMMUNIST POLAND'S TRADE STATUS WITH THE UNITED STATES

Mr. BYRD of Virginia. Mr. President, for the last 8 years, the Communist government of Poland has enjoyed most-favored-nation trade status with this country, giving it special privileges and benefits not available to many other countries. This trade advantage was given to Poland in 1960 in the hope that it would be an incentive for Poland to assert greater independence from the Soviet Union.

There is no question that Poland has benefited handsomely from these trade concessions. In 1959, the year before most-favored-nation treatment was extended to it, Poland's exports to the United States were about $31 million, and her imports from us were nearly $75 million. That amounted to a trade deficit of $43 million for Poland.

By 1967, however, Poland's exports to the United States had almost tripled to $91 million, while its imports from us declined to $61 million. Thus, the trade deficit of 8 years ago has been converted to a substantial surplus of $30 million for Poland. Needless to say, this Polish trade surplus has been at the expense of the U.S. balance-of-payments position.

Mr. President, I would have no objection to continuing this trade arrangement with Poland were there any evidence that it was having the desired effect of making Poland more independent of the Soviet Union, and of halting its shipment of military supplies to North Vietnam.

Today, Poland is the only country with most-favored-nation status which is sending arms to North Vietnam. Poland is second only to the Soviet Union among East European Communist countries in the number of ships it sends through the port of Haiphong each month.

Last year, an Associated Press report quoted Mr. Zenon Kliszko, a member of the Polish Communist Party, Politburo, as saying to the North Vietnamese:

We are glad the Polish guns are bringing concrete results to you in your fight. We are giving and we will continue to give material, political, and military aid.

There is growing evidence of Polish anti-Semitism. Scarcely 25 years have gone by since nearly 3 million Polish Jews were exterminated in the concentration camps and gas chambers of the Third Reich. Today, the remaining few thousand Jews in Poland—probably not more than 25,000—are again the target of official repressions.

In 1964, the President used the discretion given him under the Trade Expansion Act of 1962 to determine that the continuation of Poland's most-favored-nation status was in the national interest.

I submit that in the 4 years since that determination was made, conditions have changed and we now find Poland assisting our enemy in North Vietnam and embarked upon a program of anti-Semitism against its Jewish minority. I call upon the President to review this matter taking into account developments in Poland since 1964, and to tell the Congress why Poland's most-favored-nation trade status should be continued.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of a resolution adopted by the Board of Governors of the B'nai B'rith at a meeting in Washington, D.C., on May 11–13, 1968.

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

RESOLUTION ADOPTED BY THE BOARD OF GOVERNORS OF B'NAI B'RITH MEETING MAY 11–13, 1968, WASHINGTON, D.C.

Faced with a demand from the Polish people for more freedom and independence, the Polish government has responded with brutal force and shameful fabrications, combining police clubs and political anti-Semitism to defeat the freedom movement. Borrowing from the notorious tactic of the Russian Czars, the government has played on anti-Semitic prejudices and scapegoated the Jew to deflect attention from its own weaknesses. The student demonstrations and the protests, it has falsely said, were a Zionist plot.

Since anti-Semitism is condemned by Communist ideology and by world opinion, the Polish government has pretended that its target is Zionists, not Jews. No one is deceived. Even the Communist press in other countries, notably Czechoslovakia, has condemned the Polish government's tactics.

Poland is one of the dwindling number of countries in Eastern Europe that slavishly follows the Soviet Union's lead. After the Six-Day War in the Middle East, the Soviet Union severed diplomatic relations with Israel and intensified its program of vilification of Israel and Zionists. Dutifully, Poland followed the Moscow line. Now it has exceeded its teacher in its harsh discrimination against Jews in government and in the universities.

In 1958, Congress authorized the President to extend the most-favored-nation tariff benefit to Yugoslavia and Poland, whose governments were then moving away from Soviet domination and were seeking closer relations with the West. Poland continues as one of only two nations of East Europe that enjoys the privilege of its exports entering the United States at the lowest duties imposed by the tariff act. Ironically, Rumania and Czechoslovakia, substantially independent and genuinely seeking better relations with the West, have not been granted this economic advantage.

In view of the Polish government's encouragement of anti-Semitism and hostility to the West, B'nai B'rith calls upon the President of the United States to declare that the conditions which led to granting most-favored-nation benefits to Poland no longer exist, and that therefore this preferential status be rescinded.

A systematic, government-organized campaign of anti-Semitism can no longer be regarded as simply a matter of domestic concern. Our generation knows too well the ultimate cost in lives and civilized standards. The governments of the world must speak out against this reactionary menace.

A HALFWAY HOUSE CAN MAKE REHABILITATION WORK

Mr. DODD. Mr. President, our prisons, detention homes, correctional institutions, and reformatories do not always live up to their high sounding names.

All too frequently, the facts show, the opposite is true. They are notoriously known among penologists as the "finishing" school for the amateur criminal, and for providing the first "professional" instruction for the beginning criminal.

Government is slowly recognizing this, and I hope will do something about it in the not too distant future.

Because of the lack of "reform" in reform schools, and the lack of "correction" in correctional institutions, the halfway house concept has developed.

The idea is simple enough. It helps prisoners, male and female, addict and burglar, who have spent long periods of time in the confinement of a prison to adapt himself to the rigors and self-discipline of life as a free man.

It eases the pain of adjustment from the precise, ordered life of an institution to the much more difficult life of a free man where the person does things because they should be done, rather than because they must be done.

Ideally conceived, the halfway house convict who has become an automaton in prison and with very humane treatment makes him over again into a human being. It helps him adjust.

There are far too few of these halfway houses. There is far too little interest in what happens to the thousands of people each year who are released from prisons and returned to society.

Such is not the case in Hartford, Conn., however. There is a difference in Hartford. There are people who care. There is the Watkinson House, a half-

way station to help prisoners through those first, dangerous 90 days of freedom after prison.

The story of Watkinson House, its executive director, Ralph Cheyney and the important job it is doing in making former prisoners into useful citizens is told in the May 1968 edition of Connecticut Life, a newspaper supplement published in West Hartford, Conn.

Halfway houses fill a gap in the reformation process now largely ignored by government. And government fails in reforming and correcting prisoners to the extent it does not see that the prisoner is blended back into community life with a minimum of problems.

Mr. President, I ask unanimous consent that the article on the Watkinson Half Way House—"A humane idea helping men over the shoals between prison and freedom"—be printed in the RECORD.

I commend it to the attention of Senators. It is a subject which this Congress and the next will be required to consider. I hope that when it is considered here, Congress will take the same humane approach as that taken by those who support Watkinson House.

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

HALF WAY HOUSE—A HUMANE IDEA HELPS MEN OVER THE SHOALS BETWEEN PRISON AND FREEDOM

Today, at this moment, there are 3,095 criminals locked up in Connecticut prisons. Sooner or later 99% will be free, and back in town, somewhere. Even lifers, after 25 years, become eligible for parole. Every year the state prison at Somers releases 500 men. When they hit the street all any expert is certain of is that prison has changed them. There is a good chance that change is not an improvement.

As it sets him free, the state gives each prisoner a 90-day prerelease briefing on how to make it outside, and a parting word: "Everything is not going to be rosy." The state gives him also one set of work clothes complete with underwear, gloves and shoes, packed in a cardboard suitcase tied with a string.

He is dressed, by the state, in a suit, white shirt and tie, and, black Navy shoes that are, he is convinced, the give-away, telling the world these clothes are the uniform of an ex-convict. Gloomily he suspects that everyone who sees him *knows*.

"I had $45 when I got out. The first day I bought a $35 pair of shoes. Those state shoes were like a sickness to me. I had to get rid of them. At the prison they ought to prepare us for these feelings. I was sick for clothes of my own. I see that now. But I couldn't help myself."

He comes down from prison, usually to a city since he is, as most convicts are, a city boy. He probably has $35 in cash—$20 the state gives every man as he is released and perhaps $15 saved from prison earnings. He has the promise of a job, but he won't get his first paycheck for two weeks. He must pay his room rent in advance.

He eats, he travels to work, he needs toothpaste. The phone is a dime; the laundromat a quarter. Maybe he has a beer. His money is all gone. Another week's rent is due. He can starve. Or he can borrow money, maybe, from his new employer or his parole officer. Or he can steal. Three-quarters of all the men who are returned to prison go back within the first 90 days.

If he's in Hartford there is one difference. He can go to the Watkinson House, a "halfway" station where he can stay for nothing, or possibly work his way, until he has some money. When he can pay the charges for board and room are scaled to his income—$14 plus 10% of his take-home pay. He can stay as long as he needs to; the longest stay was a little over a year. The shortest, says Executive Director Ralph Cheyney, "was the time it took to come in the front door and beat it out the back." The halfway house purpose was to shelter ex-convicts during their first, dangerous, 90 days of freedom. Two months is the usual stay.

In 1966 Watkinson House won the right to open its doors to its first ex-convicts, against whose coming the neighbors had fought four bitter years.

The first residents may have seemed timidly chosen. Gung-ho reformers, none of whom lived in the neighborhood, criticized Cheyney's cautious selection of "nice" ex-convicts, and especially of "safe" ex-convicts who didn't really need a halfway house. The first year, in deference to a nervous neighborhood, there were restrictions against accepting some kinds of ex-convicts.

From that careful beginning the halfway house with a practical courage gradually included men whose crimes were sufficiently terrifying, though not to the Cheyney family. Ralph, his British wife, Gloria, and their sons Alexander 4, Roland 2, and the new baby Allan, live in the house with the men, who seem to find in their daily association with the family, especially the children, a warmth that makes Watkinson House more like a home, and less like an institution. They are impressed that this family calmly accepts them.

At dinner, one night this spring, there were at the table the Cheyney family, a woman guest, one murderer, one bank robber, a man whose crime was a sex violation. And on the other side of the table sat a group who had been convicted (and served their time for) breaking and entering, stealing cars, assault and battery, and one forger.

After almost two years, and 110 resident ex-convicts, the neighbors' fears of a crime wave on Irving Street were not realized. No rapes, no robberies. The property values didn't even go down. One resident of Watkinson House did get involved in a mugging—some other guy mugged *him*.

The principal consideration in accepting a new man is not his crime but how much this halfway house may be able to help him.

Watkinson House can hold only 12 men at a time. Its director picks his own, constantly changing, dozens. They may be fresh out of prison or fresh out of luck—men who have been making it on their own for as long as a year, then lose their jobs, get sick, or for some reason need help. They turn to the halfway house for time to pull their lives together.

Some residents come from state jails, and other correctional institutions. This month, under a new prerelease program, a few carefully screened federal prisoners work in the community and return at night to Watkinson House. Only these residents are subjected to curfews, sign-outs and bed-checks.

For everybody else there are only three restrictions: no drinking, no girls in the bedrooms and no smoking in bed.

On Tuesdays chess experts come over to teach, and play, chess. Once in awhile Trinity College boys drive up and take the men bowling.

On Wednesdays, a few directors and friends of Watkinson House bring along their wives and join the men in an evening of playreading, and after the readings, in the "pretty heated discussions" which the men say is the part they like best. They've read Cyrano, an Inge play, and lately "Only the Valiant" a play about Connecticut State Prison. The men thought it was a faithful portrayal of prison life.

Something else (besides money) an ex-convict is often short of is a social life, especially if he's been a long time away from home. Watkinson House tries to relieve this shortage too—developing recreational and social skills. President of the Board, Attorney John Berman sees this as "an area where we are falling down. I'm happy about the playreadings, chess lessons and the few people who drop in from time to time. We need men who can stop by and visit, who can find common interests with the residents. Even to take them out to a bar for a drink and talk. We've got to give the men who are living at Watkinson House enough influence of people who are law-abiding." Because there are old friends who welcome ex-cons back in town:

"The people they had associated with, as criminals, in the past, would wait for them to come out. Perhaps the guy coming out had been a pusher; the users were waiting. Or he was a user and the pusher was waiting. And thieves. They run in packs. They need each other. And it goes like that. When you get back on the street, they are waiting."

Most of the people they loved, were *not* waiting. It is estimated that more than 50% of the wives of convicts divorce their husband while he is in prison, probably mostly on the legal ground of "intolerable cruelty." (Conviction of a crime is automatic grounds for divorce only in cases of life imprisonment or specific sex offenses.) Nobody cares to guess how many other wives without the formality of divorce abandon their marriages just the same.

Ralph Cheyney says he tries to help men re-unite with their wives and families. "But our batting average hasn't been very good. We do reach out, not only in the marriages but in trying to get our younger men back with their familes. It's not unusual for me to call up and say, "Look, your brother is here. Why don't you come and see him?" Almost half the men at Watkinson House failed to receive a single Christmas card or letter addressed to them.

If a man should lose, or more probably, quit the job he took when he was released from prison, he can move in (if there's room) at Watkinson House. Ralph Cheyney will help him find another job or direct him to someone who can (like the Connecticut Prison Association who last year got jobs for 1,058 people paroled from state institutions). He has personally placed ex-convicts in jobs honestly good enough for their talents. That is a circumstance a great many men who have been in prison say they have rarely experienced:

"This job was supposed to go for $70 a week. As soon as they heard I was an ex-con the guy dropped it down to $55 because he knew he could do it. All a person could do if he wants the job is say 'yeah, I'll take it at $55, and hang his head. And, oh beautiful! He's doing me a favor."

Ralph Cheyney, who works a 100-hour week, spent 2,000 hours in one year counselling residents and their families. "These men have problems," he says, "I try to be available to them."

He also conducts weekly group counselling sessions. The men in the group changed the name of the game from "group therapy" to "group meeting" and voted out the tape recorder on the grounds that it made them feel as though they were back in prison. Cheyney persists all the same. "Maybe the men don't like it but we ought to keep trying. We might just hit with one or two of the 12 who are sitting there."

The counselling done at Watkinson House can't and doesn't try to repair the damages of a lifetime. (Nor does it take the place of the parole officers who, even with their present case loads of 50 men each, are nevertheless the principal source of guidance for all Connecticut parolees, including those who live at the halfway house.) For a couple of months residents get a little practical help, a little counsel, a little time to adjust to a freedom that finds him ill at ease on the phone, irrationally terrified

to cross the street, in traffic, plagued by a constant fear he is on the wrong bus.

Cheyney measures his program's effectiveness in numbers: "Only one-tenth of the 110 residents were returned to prison while they were living at the halfway house." And he measures Watkinson House also in words: "The man comes out with a higher image of himself than when he came in. We have given him a growth experience."

As for the residents themselves, some men have, after a short stay, left the halfway house, unchanged and unimpressed, putting down Ralph Cheyney as "just another Big Brother running an orphan asylum for adults." Others have been helped, and have been grateful:

"Cheyney and his family and the staff cared about me, in spite of my record, and they weren't afraid of me. They went down with me to my first job, coaching me and bolstering me up. They encouraged me to start saving, to visit a psychiatrist, to go to night school, and to be open with myself. I began to feel less confused and scared.

But even to those who make it, society still looks like the enemy:

"What happens, a person comes out . . . regardless of whether he's been rehabilitated or not, the most important thing is that society has not been rehabilitated. He's in a system where people are against him. They have to make sure that he does not jeopardize their businesses, their possessions, or their lives. People shun him. Any guy who comes out of a prison into this society and can rehabilitate himself, this is a phenomenal accomplishment. It takes a guy with tremendous discipline. He has to condition himself, if he's going to be successful, not to give a damn."

Half Way House makes a uniquely effective contribution to the rehabilitation of society, says its 36-year-old President Berman. "As a private organization, we are able to be much more of a conscience and make the community much more aware of the convict's problems. If we were a state organization, people could feel the state was taking care of the job."

Racing around from group to group, Ralph Cheyney spent more of his time this past year rehabilitating society—with speeches, community relations, public relations and community education—than on all the rest of his job put together. (In addition to Cheyney, Watkinson House—on a budget of $42,000 a year—is staffed by one full-time assistant Joe Becton, two relief supervisors, a part-time secretary and a part-time cook.)

If one halfway house, in one city, sheltering one dozen ex-convicts, is a good thing, should there be more? Yes, says John Berman. "It may be that the new State Department of Corrections might ask us to become a part. I don't think I'd favor that. I feel being private we are able to do new things a state organization couldn't do. Maybe the Community Chest will help us . . . We ought to have halfway houses in New Haven and Bridgeport, and halfway-in houses as well." Cheyney adds, "When an entire community was fearful of the program, this small agency stood firm and held its ground. That's the value and the role of a private agency . . . to pave the way."

FEDERAL SPENDING AND THE NEED TO REDUCE IT

Mr. DOMINICK. Mr. President, Costilla County is located in the San Luis Valley. It is high, protected by mountains to the east and south, has a low rainfall, is the oldest settled town in Colorado, and has beautiful scenery and dignified, courteous, pleasant people.

The editor of the Costilla County Free Press is well known and highly respected, and he reflects his thoughts in a clear, frank manner. In the March 29 editorial, he discusses Federal spending and the urgent need to reduce it. In his May 3 editorial, he discusses the same situation again. Because I believe that these editorials reflect the great, good sense of a majority of our citizens, I ask unanimous consent that they be printed in the RECORD.

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

[From the Costilla County (Colo.) Free Press, Mar. 29, 1968]

AN APRIL 15TH REMINDER

When the typical American family talks about buying a new car, building a home—or any other major expenditure—the head of the house usually asks some searching questions.

Can we afford it? Do we have the money, or will we borrow?

The average American family doesn't buy on impulse . . . we can't indulge our desires without regard to our pocketbooks. We must of necessity choose wisely.

But there is something we all buy each year with very little choice and with questionable satisfaction. It's the package presented every year in the federal budget—a package we pay for dearly with our taxes.

Today the federal government seems preoccupied with the issue of consumer protection. It wants to be sure our package of breakfast food is full and plainly marked; it wants us to be fully aware of the cost of borrowing money.

Right now, when many of us are having to think about borrowing to pay our taxes on April 15, we might well wish that our benevolent Uncle Sam would worry less about the size and weight of our breakfast food package and show more concern about our plight as harried taxpayers.

When the Administration in Washington last summer proposed a surtax to help reduce large and persistent federal deficits, many economists and businessmen pointed out that a sharp slash in government spending would be a better solution. The government continues to face a critical balance-of-payments situation, growing inflation, and interest rates at century-high levels.

A substantial cut in federal spending would help solve all these problems and of course help all of us as individual taxpayers.

Do your legislators in Washington know how you feel about excessive federal spending? It costs just six cents to express your views.

[From the Costilla County (Colo.) Free Press, May 3, 1968]

HARD TO UNDERSTAND

Income tax time (April 15) has come and gone. Money collected by Uncle Sam hasn't been sufficent to pay all his bills; $20 billion deficit will be added to the national debt, which already is greater than that of all the other nations combined. There are a number of things which taxpayers would want to ask Uncle "Is this money really necessary". Or we might want to bring up this subject:

You allow taxpaying parents only $600 a year to feed, clothe, house and educate a youngster. Yet to feed, clothe, house and educate a youngster in your Federal Government Job Corps you spend from $7,000 to $11,000, depending on whether he sticks around or becomes a dropout.

Either we're allowing you too much, Uncle, or you are not allowing us enough. And, to carry this a bit farther, under your Cuban refugee program you reach the conclusion that minimal upkeep for a child requires $1,200 a year, and if the child is attending school an extra $1,000 a year. It looks like you're shortchanging the homefolks.

In the confining and austere environs of a Federal prison, you have somehow discovered that it costs—to maintain one person, with no frills, no luxuries, and no borrowing Dad's car—$2,300 a year. How do you find that Mom and Dad can do much more than that for one-fourth that amount?

Also, Uncle, your VISTA program, Volunteers in Service to America, spent $3.1 million this last year to turn out only 202 trainees. That works out to maintaining and training one youth for one year at a cost of $15,000.

We might also want to point out to Uncle that, with all of our present unprecedented prosperity, he is spending per year $2.9 billion more for relief than during the depth of the Depression of the '30's. Could it be, Uncle, that you are a bit extravagant?

Actually, of course, the cost of feeding, clothing, housing and educating large numbers of people should be less, not more, per person than it is for two or three persons.

Maybe few people know it, but Uncle gives the mother of an illegitimate child $800 a year for upkeep, under the Aid to Dependent Children program, while permitting parents of a legitimate child only a $600 tax deduction.

Uncle, which is the correct figure?

HANOI'S FIGHTING BARS UNLIMITED TALKS

Mr. McGEE. Mr. President, North Vietnam's determination to keep on pressing its attacks against South Vietnam have had the effect of limiting the hope for any substantive negotiations in Paris. It is clear, however, as Crosby Noyes points out in a column published in the Evening Star of June 1, that the losses Hanoi is taking on the battlefields of South Vietnam cannot be sustained indefinitely, even if the talks in Hanoi can be. What this means, of course, is that we must continue to meet the military situation in Vietnam, maintaining the pressure on our adversary to settle down to serious negotiations for a settlement that will insure firm guarantees to prevent renewed warfare.

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

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

HANOI'S FIGHTING LIMITS BAR UNLIMITED TALKS

(By Crosby S. Noyes)

GENEVA.—The widespread impression of observers in Paris that the leaders in Hanoi may be prepared for talks of virtually indefinite duration has some puzzling implications in the light of the military situation in Vietnam.

It is perfectly true, of course, that the Communists are in no hurry at this point to move out of the phase of pure propaganda to the substantive problems involved in a settlement. Undoubtedly, they are waiting for developments in the war and in the American election campaign which they hope will be favorable to them.

This seems likely to rule out any real progress for some time to come—perhaps until after the American political conventions in August, perhaps even until after the election in November if a candidate whom they consider congenial to them should be nominated.

At the same time, however, the talks in Paris are an integral part of the Communists' military operations in Vietnam. And there is at least some reason to believe that

those military operations have been planned on a fairly restricted and limited time table.

The evidence is that we are at the beginning of a long hot summer in Vietnam. Gen. William Westmoreland and his chief subordinates are firmly convinced that the recent offensive against Saigon is only the first round of a series of spectacular stabs which the enemy is preparing to launch in the months to come.

The next major effort is expected in the Central Highlands. After that, in all probability, the northern provinces will come under pressure again, with the main thrust perhaps directed against the city of Hue. And in due course, when he has had time to regroup and replace his losses, the enemy may well take another swipe at the capital.

These attacks, it is constantly emphasized in Saigon, have been planned exclusively for their political effect. In terms of military significance, they promise to be quite literally suicidal from the Communists' point of view. The willingness of the leaders in Hanoi to take casualties at a continuing rate of up to 10 to 1, purely for the sake of the headlines they will produce, is the clearest possible proof that a political victory is the real and, indeed, the only hope the Communists have.

But it is also quite clear that this kind of suicidal effort, unlike the talks in Paris, cannot be sustained indefinitely. The fact that Hanoi today is replacing troops in South Vietnam with boys as young as 15, with as little as two weeks of training, is reasonable evidence that the manpower situation in North Vietnam has reached a critical stage. And quite apart from the evidence, the Communists themselves at this point are advertising the fact that the war has reached its final climactic phase.

It would seem, therefore, that the talks in Paris and the military effort in Vietnam are both closely tied to the American political timetable. The logical assumption is that the Communist leaders came to Paris believing that a political victory, in the wake of President Johnson's withdrawal, was clearly in sight. Their objective, within the next three to six months, will be to nail down that victory, whatever the military cost may be.

This, however, does not answer the question of what will happen in Vietnam or in Paris if the expectations of the Communist leaders turn out to be mistaken. What Hanoi will do if the American electorate fails to cave in on schedule and elects an administration firmly committed to seeing the war through makes an interesting subject for speculation.

What is likely to happen in Vietnam is not really much in doubt.

If the prospect of an early political victory goes up in smoke, the whole point of Hanoi's climactic military effort will go with it. Fanatical as they may be, the North Vietnamese leaders would certainly not be interested in continuing a ruinous and futile military exercise on anything like the present scale. A drastic reduction of the Communist military effort—perhaps down to the level of scattered guerilla operations—would be almost inevitable.

But before this happens, things may start to move rather rapidly in Paris, assuming that the talks are still going on. If the Communists, in fact, are willing to make any settlement at all short of total victory, they will try to do it before any significant slackening of the military tempo in Vietnam takes place.

There is also some reason to believe that they would press for a settlement of some kind rather than let the war fizzle out. For one thing, any settlement would certainly include a provision for the early withdrawal of American military forces from Vietnam, leaving Hanoi in a position to renew the war when the time is more propitious.

The aim of the allies, of course, will be to insure against this by the firmest possible international guarantees to a settlement. And this should be possible—provided always that we have not lost our nerve and thrown in our hand in the meantime.

MURDER IS MOSTLY A "FAMILY AFFAIR," AUTHOR SAYS

Mr. DODD. Mr. President, I agree with Miami Beach Police Chief Rocky Pomerance that the arguments for extremely tight control over gun sales are sound and that the way to lower the murder and mayhem rate is to lower it at the gun counter, prior to the point of purchase.

Chief Pomerance's views were published in an article in the Miami Beach, Fla., Sun, May 8, 1968, in a first-class discussion of the firearms problem by Ted Crail.

Mr. Crail handily dismisses the tired, worn out arguments of those who oppose firearms laws for both practical and philosophical reasons. He gets down to the heart of the matter, and that is who kills whom and why. Mr. Crail observes:

We bump each other off at an astounding rate, often for astoundingly inconsequential reasons; around every murder victim there are concentric rings of other sufferers—the family of the victim, the family of the murderer, the insurance company which pays the policy, the taxpayer who keeps up the prison.

Most of the victims in shootings are close relatives or friends. A study now being conducted by the Juvenile Delinquency Subcommittee in 130 cities across the Nation proves this beyond all question.

It also proves that most of those who kill with a gun have a record of crime and instability.

Mr. Crail made this observation:

Few murderers ever get around to strangers. As a matter of fact, the figures are alarming—murder is very much a family affair. Take New York city: Husbands, wives and common-law mates are running neck and neck as the quickest shots on the block.

And that old bugaboo about having a gun for home protection is neatly filed away by Mr. Crail with the observation that—

It is important to remember that few burglars and few rapists are felled by eagle-eye marksmen wearing pajamas and a look of righteous anger. It's mostly wives, girl friends, boy friends, husbands, nephews, uncles, aunts, mothers-in-law, brothers, sisters, daughters, sons, common-law scamps and interfering inlaws who get gunned down in the hallways.

Mr. President, Congress has yet to enact any new Federal firearms laws. On May 23, the Senate approved such legislation as title IV of the Safe Streets Act, S. 917. The matter is still to be passed upon by both the House and the Senate before it goes to the President for signature.

I commend this article to the attention of Senators as they prepare to cast their final vote on the firearms matter, and ask unanimous consent this entire article be printed in the RECORD.

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

HANDY GUN, HANDY VICTIMS

(By Ted Crail)

(NOTE.—Few murderers ever get around to strangers. As a matter of fact—the figures are alarming—murder is very much a family affair. Take New York husbands, wives and common-law mates are running neck and neck as the quickest shots on the block.)

If you could always tell who is likely to use a gun—and why, and when, and how well—well, then there would be no problem with guns, would there?

But you can't tell.

You couldn't possibly have told about Philip John Donovan. He was 24 years old, handsome as a lady's prayer. Almost four years ago, hundreds of curious and horrified residents of South Shore watched from a distance and tried to read in the handsome face of Philip John Donovan just what a gun had meant to him and why.

For Donovan it meant a wrecked life; for desk clerk B. Richard Stubbs of the Bolivar Hotel at 740 Ocean Drive it had meant the very end of life. Stubbs was an absolute stranger to Donovan. Yet Donovan had killed him.

It all happened in an instant and an arresting officer claimed that Donovan had said —just minutes later, as police quickly chased him into a trap—"I did it. I'm sorry. You guys work fast. Don't you feel sorry for me?"

The morning after Donovan was caught police walked him on a trail of blood—his own. Hundreds watched, gathering the import of the scene as a whisper passed through the crowd ("He's the murderer!"). At the Life Bar the night before, he had whipped out a gun and pulled a spur-of-the-moment robbery Then he had dashed on through two hotels, killing Stubbs at the Bolivar. He fled to the beach and was quickly captured. As Donovan—with policemen all around to guard him—retraced the murderous steps he had taken, a kind of disbelief could be seen on the faces of that mob of troubled people watching the terrible pantomime.

So this was what a murderer looked like! So much like the son of any one of them.

Murder, as it happens, is sufficiently a part of daily life that Donovan is almost forgotten here. The reasons why he had "broken bad," as policemen sometimes put it—well, those were mysterious though it was easy to see a certain neurotic pattern in his life. It seemed to go back to feelings about his family.

The intriguing question is not so much why Philip Donovan broke bad—so many boys do, don't they?—as what would have happened if there had been no gun to whip out. Would there have been an erratic robbery by an erratic young man? Would an erratic murder have followed the erratic robbery? Or would it all have ended differently somehow? Would Stubbs be alive today if the gun was not so readily a part of the American environment?

To gun-haters, the answer is obvious; to gun-lovers, the answer is just as obvious—but not the same. Both groups have oversimplified to a large extent.

Miami Beach Police Chief Rocky Pomerance believes that the arguments for extremly tight control over gun sales are sound. He says that most top law enforcement men around the country believe that the significant way to lower the murder and mayhem rate is to lower it at the gun counter, prior to point-of-purchase.

Most of the arguments on both sides of this subject are tired out from over-use. There are both practical objections ("How do I defend myself against bandits?") and philosophical objections ("Wouldn't the mass of men be subject to the dictatorship of a minority?") to taking weapons away from the common man. But there are also practical and philosophical objections to not doing it—we bump each other off at an astounding rate, often for astoundingly inconsequential reasons; around every murder victim there are concentric rings of other sufferers—the family of the victim, the family of the murderer, the insurance company which pays the policy, the taxpayer who keeps up the prison. It's all been gone over before. Nobody seems to change position

though the gun-sellers are getting more cautious and incidents like the assassination of Martin Luther King cause a momentary swelling in the ranks of ban-the-gun advocates.

Perhaps the most overlooked fact in the whole controversy over guns is this: murder is a family affair.

It may be chilling to think of it this way but if you live in an emotional household—and most people do—to put a gun in your house may be to put it within reach of your murderer. Worse, it may make a murderer out of someone who otherwise would be nothing worse than a pop-off with a quick-flaring, quick-dying temper. Worse still, that pop-off who will do time for murder—it could well be you.

You don't think so?

It's curious that, the closer you look at any homicide, the more it goes back to the home. Even that complete stranger-shooting-stranger encounter between Philip Donovan and B. Richard Stubbs had its origins not in some chance events in Miami Beach but in feelings of antagonism generated years before. Detectives were sure of this when Donovan, after his arrest, did a highly significant thing—of no particular use in court but of great use in understanding human nature. He called his mother to tell her about the murder.

It is stretching a point, however, to call the Donovan case another chapter out of the family casebook. This was as remote from the home as murder ever gets.

In the typical case, murder meets the description from Rocky Pomerance; husband or wife or boy-friend or girl-friend will "have a fight, it gets emotional, they look around for a weapon—if there's no weapon, it may result in the throwing of something but with a gun handy—once you squeeze that, the remorse is considerably extended." A professional view. Here are the figures:

Nationwide, 82 percent of all murders occur within families or between people who know each other. The criminal plugging a boy at a gas station—that's rare. Common: a sudden ferocious encounter between two people who embraced each other the day before and would, without a gun handy, embrace each other again 24 hours later.

The gun can make the difference.

Even in New York, that city of strangers, 72.8 per cent of the 746 murders which occurred there last year were, as the New York Post's Anthony Mancini pointed out, the work of murderers with a deep personal connection with the victim. There is a fascinating break-down on this. Part of it:

Thirty-two girl-friends were killed by boy-friends.

Thirty-one wives were killed by husbands.

Twenty-two husbands were killed by wives.

Twenty-one common-law wives were killed by common-law husbands.

Eighteen boy-friends were killed by girl-friends.

Eighteen daughters were killed by fathers.

Seventeen daughters were killed by mothers.

Sixteen sons were killed by fathers.

Twelve sons were killed by mothers.

Eleven common-law husbands were killed by common-law wives.

Four fathers were killed by sons.

Two brothers were killed by brothers.

Two uncles were killed by nephews.

Two aunts were killed by nephews.

Two cousins were killed by cousins.

Two mothers-in-law were killed by sons-in-law.

Two brothers-in-law were killed by brothers-in-law.

Two daughters were killed by both parents.

Two nephews were killed by an uncle.

One son was killed by both parents.

One mother was killed by a son.

One grandmother was killed by a grandson.

One daughter-in-law was killed by a father-in-law.

Put all that on a chart and you'll find it demonstrates the proposition that murder is always nearest from those who are supposed to be dearest. To live with the hot-tempered is one thing; to put a gun within reach is another.

Depending on temperament, the person reading these figures will make many deductions. The most common probably is: "It can't happen to me." That's why so many murder victims die with a look of surprise on their face.

It will not be easy—given the current mood of this country—to get or to keep a ban on weapons. Certainly it will not be easy to police any such law; it can be easily subverted—guns can be shipped from anywhere, the hood will probably be able to order anything up to a submachinegun and find contraband artists who will get it for him.

But "to order" requires premeditation. Delay and difficulty of any kind would stop the majority of murders before they start. Like suicide, it is often the act of a moment; to be regretted for a lifetime.

Few murders come from sufficient motive; they merely originate with sufficient anger. These statistics on murder clearly show that access is everything. The murderer, when his dander is up, finds a handy victim when he has a handy weapon. How combat it then? By making the weapon less handy. It's the only step that will count.

An officer says he doubts that any strong move in the direction of total gun prohibition can be accomplished right now. "And that," he said, "is because the question has been somewhat confused with a new fear in this country—fear of rioting conditions and so forth."

There is a form of gun prohibition, however, which you can indulge in tomorrow: you can prohibit guns in your own household.

If this seems dangerous, it is important to remember that few burglars and few rapists are felled by eagle-eye marksmen wearing pajamas and a look of righteous anger. It's mostly wives, girl-friends, boy-friends, husbands, nephews, uncles, aunts, mothers-in-law, brothers, sisters, daughters, sons, common-law scamps and interfering in-laws who get gunned down in the hallways.

On this point, the figures are absolutely devastating. You might say deadly.

COMMENCEMENT AT IN-PLANT HIGH SCHOOL

Mr. HARTKE. Mr. President, last year I brought to the attention of my colleagues a remarkable program wherein adults may complete their high school education through classes held at the factory before and after work shifts.

This year it was my pleasure to be the commencement speaker at the "In-Plant High School" at Western Electric in Indianapolis. Speeches made by the new graduates during those ceremonies demonstrate better than anything an outside observer might say the merit of this program which is now being copied elsewhere by enlightened management. I ask unanimous consent that those two speeches appear in the RECORD.

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

IN-PLANT HIGH SCHOOL GRADUATION CEREMONIES

(Class address, by Blanche Robinson, May 27, 1968)

It is a pleasure for me to speak for the class today.

I'd like to thank Western Electric for starting the In-Plant High School. And I'd like to thank the teachers for coming out here to teach us when they could have been home with their families.

The teachers say they would rather teach us than our children because we try harder. They also realize that we go to school because we want to learn. Some of the children don't care whether they learn or not. If they only knew what is before them!

I thought about going back to school long before they started the school here at the plant. But, I knew I couldn't go to Tech evening school and work, too. Even after they had the school here for more than a year, I waited before I enrolled.

You may wonder why an older person like me would want to go back to school. But, when your children come in with home work and you can't help them, you know it's time for you to do something about it.

Then, you think . . . Oh, I just can't go to school!

I've found that you can do about anything you put your mind to. It isn't easy to go to school for three hours after you've already worked eight hours. But, believe me, it's well worth the time.

Completing high school gives you confidence. Before, I wouldn't take part in any activities. Now, for example, I teach Sunday School . . . and I really love it.

I know I couldn't have done any of this without God's help. And my family has been a great help . . . doing the housework and encouraging me. We all worked together, and without their help, I couldn't have finished high school.

Now, I want to go to college and take some business courses. Truly, this is a day I have looked forward to for a long time, and I know all my fellow classmates feel the same way.

This is one of the happiest days of my life!

IN-PLANT HIGH SCHOOL GRADUATION CEREMONIES

(Class address, by Richard Hagan, May 27, 1968)

As the world looks to America today, what do they see? A nation progressively moving forward, or a nation in digression? On every hand there is destruction and violence, burning, looting, killing, and even cold blooded, premeditated murder. Can education save our nation?

In the wake of violence and strife that is tearing at the very heart of our nation, it is my belief that through various fields of education our nation can become what it was founded for; freedom and justice for all. Why do we continue to carry the yoke of hatred, greed and strife that our forefathers sought to leave on distant shores? I believe we have failed to educate ourselves about the bigotry our forbearers tried to leave behind.

Education in the field of religion has been by-passed for our desires for material gain. We have forgotten the God our forefathers came to this land to worship. Yes, our churches have large memberships, but do we worship God with our hearts?

With the love of God in our hearts we will love our fellow man, and will no longer wish to burn down his home, loot his store, lynch or shoot him in ambush. Through faith in God's word, our churches can give us this love which will cause us to love our neighbor as ourselves.

Education in the field of Social Studies will help us understand our fellow man, his problems, and why his behavior is peculiar to ours. This will help us communicate with a deeper understanding, thus tearing down the barriers of greed and strife between races and nationalities. It will also bridge the generation gap between us and our children, which is widening with every succeeding generation.

Education in the field of agriculture and livestock production will make it possible

to feed thousands of undernourished in our land at a minimum cost.

Education in the field of conservation will give ourselves and our children a greater abundance of natural resources. This will give us a higher standard of living, thus raising the social and economic standards for those who are trapped in the ghettos of our cities. I believe the most effective war on poverty is through a useful education.

Education in the field of medicine can free us from dread diseases that cause birth defects, cripples our children and forces people to quit work at a young age. Through medical technology, overcrowded hospitals could become a thing of the past.

Our forefathers came to this land to escape the evils of greed and strife, so why should we recreate those same problems in the twentieth century?

Because knowledge brings understanding and overcomes bias and prejudice, each one of us should do all we can to promote and extend our educational facilities through our legislative rights and, if possible, with dollars, to see that all the people in this great land are given equal opportunity, as their God given heritage, to become educated, law abiding, and God fearing citizens.

Let us, through education, give a better nation to a better generation.

MOUNTAIN MINI-SAFARI

Mr. BYRD of West Virginia. Mr. President, West Virginia is noted for the beauty of its rivers and mountains, and, therefore, I am pleased to note in the outdoors section of this morning's Washington Post an article about Mr. Frank Harmison of Berkeley Springs, W. Va., who operates a float trip down the Cacapon River.

These float trips are a good way to see the river and the surrounding countryside.

I ask unanimous consent that the article, entitled "Guided Float Trips Set Up for Cacapon," be printed in the RECORD.

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

GUIDED FLOAT TRIPS SET UP FOR CACAPON

(By LeRoy Whitman)

BERKELEY SPRINGS, W. VA.—Frank Harmison, managing editor of the county's weekly newspaper, has cleaned out his desk and is laying the groundwork for devoting full time to what always has been his first love and his hobby—the outdoors.

Harmison will open for business on June 15 under the title "Mountain Mini-Safari." His operations will embrace taking visitors on float trips down the Cacapon and Potomac Rivers, serving as a guide for hunting, night fishing or hiking, scenic or historic tours, or virtually any outdoor activity. Main emphasis will be on adventure and passenger participation.

Last year the Coolfont Recreation organization here operated float trips for their guests. Both the Potomac and Cacapon Rivers flow through heavily-wooded mountains alive with wildlife and wild flowers.

The float trips were popular, but handling them became an involved operation. It required trucks to put boats into the water and to take them out miles away. It tied up trained personnel needed at busy Coolfont. So this year they decided to drop them.

Mountainous scenery, wildlife, wild forests, wild flowers and wild rivers, being principal attractions of this area, the Chamber of Commerce wanted float and outdoor trips available to prospective visitors and looked around for some means of getting them in operation this year.

Just at this time, Harmison was having a problem of his own. His health seemed to be failing for no apparent cause. Finally a specialist gave him a thorough overhauling.

"There's nothing physically wrong with you," the Doc said. "All you need is to get away from that desk."

Harmison float trips and the outdoors fit together like bacon and eggs. When the Chamber of Commerce found he was interested, they offered their moral support in recommending his Mountain Mini-Safari trips to tourists.

Now he is busy getting together the boats and trucks he wants, and what help he will need.

He plans to operate four float trips a week. They will run an average of four miles, will leave at 9 a.m. and conclude about 2 p.m. or 3 p.m., with several stops along the way.

Where the floats will be held will depend upon the weather and the condition of the water. One favorite on the Cacapon will be from the low water bridge at Rock Ford rd. to the point where the Cacapon flows into the Potomac. Another will be along the Potomac from the Cacapon to Hancock, Md.

Harmison was born in this area and and has fished, hunted and tramped over most of it and knows the people along the way.

A visitor, of course, would be free to make his own float trips. But it requires a vehicle to carry the boat to the starting point and another to take it out down stream. Also, much of the shorelines are private lands and their owners look askance at strangers with trucks and boats running across it. These are problems Harmison can solve.

He can be reached by mail at Berkeley Springs, W. Va. 25411, or by phone at (304) 258-2524.

GUNS, CIVIL UNREST DISCUSSED BY CONNECTICUT LIFE

Mr. DODD. Mr. President, the Senate passed a milestone of sorts when during the first few weeks of May it debated for the first time in 30 years the need for new Federal firearms laws that would effectively keep guns out of the hands of criminals and others who are likely to misuse them during these times of domestic crisis.

It was August of 1963 when I introduced the first comprehensive bill in modern times to control the flourishing mail-order firearms trade.

I predicted then that the Senate would approve the legislation by an overwhelming majority at its first opportunity.

I made that prediction because I believed that the American people were sick of the mounting violence in the streets, and of its shoot-em reflection in our news and entertainment media.

I did not know then that it would take 5 years to get a sane firearms control bill to the floor of the Senate.

But had I known I would not have relented in pushing for its passage.

And as I predicted, given the chance to vote on it, the Senate approved it by a substantial margin.

I said the Senate would reflect public opinion, and it did.

At the time I introduced that first piece of firearms legislation, August 2, 1963, I mistakenly believed I had the support and confidence of the firearms industry, the sportsmen's groups, and the National Rifle Association.

At that time, I was convinced they, too, saw the need to keep guns out of the hands of known criminals and those who were clearly potential criminals and assassins.

My mistake, of course, was apparent a matter of weeks after the legislation was introduced. The bill, S. 1975, which took almost 18 months to write and refine, was landed on with both feet by the "gun lobby."

The documented research on the need for the legislation was ridiculed as "inadequate and inconclusive." Editors of sports magazines, editors who knew better, told their readers the sole aim of the law was to disarm legitimate sportsmen.

All this was particularly disappointing to me, in view of the fact that just a matter of days prior to the introduction of the original mail-order gun bill, we concluded a productive series of meetings with representatives of the firearms industry, representatives of sports organizations, editors, writers, collectors, and the National Rifle Association.

I was confident in my mind that I had their support for legislation that would help disarm the criminal and at the same time in no way interfere with the pursuit of shooting sports.

I was confident that we had a common interest in curbing the ever-growing number of gun crimes being committed each year, and on the runaway number of guns of all descriptions—including military ordnance—then finding its way into the hands of killers, robbers, teenagers, political extremists, and the insane.

I believed that as men of good will we could and would find common ground in our mutuality of purpose to pass a law that was in the public interest, that the public was clearly demanding, and that would protect the sportsmen's interests.

I was wrong.

We could not count on the gun industry, nor the sportsmen's groups, nor the editors, nor the antique gun collectors, nor the conservationists.

After the gun lobby finished working over the officers of these assorted organizations—most of whom do not seek the advice of their members in formulating policy—they all spoke with the same tongue.

As a group, the officers of these organizations misrepresented the feelings of millions of legitimate sportsmen by parroting the mouthings of the gunrunners.

It was impossible to tell the conservationist from the gunrunner, the legitimate hunter from the paid lobbyist.

I did not know 5 years ago that a group of firearms manufacturers and related businesses formed the National Shooting Sports Foundation for the specific purpose of opposing firearms laws.

And oppose firearms laws it did.

The NSSF let nothing stand in its way, including the truth. Most of its time and effort was spent in distortion, misrepresentation, and subversion of the truth. The remainder was expended decoying the public away from the hard facts of 18,000 firearms deaths a year and another 80,000 or so wounded and maimed.

They wanted those 100,000 firearms victims forgotten, as so many clay pigeons after the annual shooting match.

In the end, commonsense prevailed on behalf of the public good.

The first rewrite of the Federal firearms laws in 30 years is contained in title IV of the Safe Streets Act, S. 917.

Attempts to have it stricken from the law were soundly defeated. And when the Safe Streets Act cleared the Senate at 9:20 p.m. May 23, 1968—almost 5 years after the legislative battle began—it was approved by a vote of 72 to 4.

Mr. President, bringing this vitally needed legislation this far has not been easy. The gun lobby, through its distortion and outright lies, has seen to it that I have been bitterly criticized in public.

I have been accused alternately of being a friend and enemy of the gun industry and the sportsmen.

However, as time wore on, it was more and more encouraging to find that all the people were not being fooled by the gun lobby. In my own State, Connecticut, thought of as the home of the American firearms industry, many have come to support the need for workable, sane firearms laws.

I have included in the RECORD the endorsements and approvals of many outstanding public officials, newspapers, and organizations.

The May 1968 edition of Connecticut Life, a newspaper supplement edited by Bice Clemow, published by the West Hartford, Conn., News, and widely distributed throughout Connecticut, contained some thoughts by Mr. Clemow on the firearms industry and the need for the firearms laws for which I have been fighting.

Mr. Clemow sharpened the focus of this conflict when he said:

By chance the major figure that has emerged in Federal efforts at gun sale regulation—particularly the indiscriminate sale by mail-order—is that of Senator Thomas J. Dodd. The powerful gun lobby blanches apoplectic at the mention of him, and on the other side he is accused of letting his efforts get watered down into a weak bill now before Congress.

The gun lobby, which has genuinely intimidated the nation's lawmakers by avalanches of mail, thinks that licensing guns would have no effect on people who want to use them for criminal and riotous sallies. They argue that of the 18,000 or so civilians who will be killed by guns this year, more than 2,000 deaths will be accidental, another 10,000 suicidal and only 6,000 homicidal.

The fact keeps intruding on our objectivity that anybody who buys a gun contemplates the circumstances under which he or she actually would use it.

Mr. President, I ask unanimous consent that the entire column, entitled "Editor's View," from which I have quoted, be included in the RECORD at the conclusion of my remarks.

The same issue of Connecticut Life contains a thoughtful article on the gun in our society. It is entitled "The Gun's Many Faces: Disorder in the Streets Triggers New Drive for Firearms Control as Sportsmen's Lobby Digs In."

As Congress continues its consideration of the Safe Streets Act, and of title IV of it dealing with firearms, I commend these articles to the thoughtful attention of my colleagues.

Many of the thoughts and ideas contained in these articles I believe, Mr. President, reflect the opinion of Americans "back home" across this Nation.

I ask unanimous consent that both articles be printed in the RECORD.

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

EDITOR'S VIEW

(By Bill Clemow)

This month's story on guns, which we started thinking about last fall, grew like sugar crystals in a super-saturated solution—branching in every dimension. Particularly in Connecticut the gun has been a many-faceted instrument. A source of manufacturing skills and dollars, and a source of pleasure for hunters and target-shooters, the gun also has been here as elsewhere the crutch for the criminal element. As the level of violence rises in both the world and our own neighborhoods—between not only nations but between people—the gun is an historic symbol of the sheriff's final word in doing his job. In our gathering of data it became clear that more and more individuals have come to want this final word in their own hands, to be exercised at their own option. There are 45 million gun owners in this country, and there will be 2.5 million guns made this year, with retail sales for guns and ammunition running $350,000,000. The use of all these firearms, in both sports and self-defense, is carefully covered by the law and the arguments now center on whether and how the purchase of guns shall be controlled, for what purpose and with what effect. By chance the major figure that has emerged in federal efforts at gun sale regulation—particularly the indiscriminate sale by mail-order—is that of a Connecticut Senator, Thomas J. Dodd. The powerful gun lobby blanches apoplectic at the mention of him, and on the other side he is accused of letting his efforts get watered down into a weak bill now before the Congress.

The gun lobby, which genuinely has intimidated the nation's lawmakers by avalanches of mail, thinks that licensing guns would have no effect on people who want to use them for criminal and riotous sallies. They argue that of the 18,000 or so civilians who will be killed by guns this year, more than 2,000 deaths will be accidental, another 10,000 suicidal and only 6,000 homicidal.

The fact keeps intruding on our objectivity that anybody who buys a gun contemplates the circumstances under which he or she actually would use it. A handful fancies them for collector's items, perhaps two percent will use them on targets, and maybe half the gun owners will be tracking elusive wild game sometime. But that leaves a civilian arsenal which, in the tense racial relationships that have developed in the cities, does not make the authorities rest any easier. We have talked with police chiefs in major cities, and in some of the suburbs where many fear the civil malaise will spread, and it is clear that upon the chiefs' philosophy and performance the role of the gun as arbiter in civil disagreement will depend. The emerging nations of this land—the ghettoes—can be born in non-violence and Connecticut police are generally committed to helping preserve conditions under which whites and blacks can arrive at an American accommodation.

If there are hot places this summer, they are more likely to be cooled by exotic measures than by gunpowder. Chemical Mace, which the Smith & Wesson subsidiary that makes it conceives as a more effective alternate to the policeman's billy-club or "mace" is in $2.84 spray cans as part of many a policeman's kit. There are other gases, sprays, foams, skidding compounds, noises. We even read of one anti-riot experiment with a subsonic noise which can't be heard or traced yet resonates the human viscera and activates the large colon.

So, as I said, a look at guns circa 1968 took us down some amazing galleries which will perhaps perplex you as much as they did us.

THE GUN'S MANY FACES—DISORDER IN THE STREETS TRIGGERS NEW DRIVE FOR FIREARMS CONTROL AS SPORTSMEN'S LOBBY DIGS IN

In peaceful little Coventry (pop. 8320) where Nathan Hale was a boy, Negro Charles White stood before a town meeting this April and asked matter-of-factly why the police budget had included riot equipment—guns, Chemical Mace and such.

"Apparently," said White, this was to "ward off a 'long hot summer' in Coventry," set among the low, rolling hills of east central Connecticut.

"The townpeople should know," he went on, "that there are 11 Negroes living in Coventry, three of them under six years of age, and five of them who have lived here over 30 years."

Then he added, "I don't mean to be funny, and some of you will laugh, but with this $8000 for riot equipment, it would be cheaper to build a fence around us."

Coventry would forego Mace, the Board of Finance decided, but in virtually every major city of the state the exotic spray that scrambles people's senses would be standard equipment. (Its inventor is working on a spinning gas grenade that will hop around so it can't be intercepted and thrown back at police, and a projectile for gassing a fleeing man.) Frustrated by the time lag it takes to mount effective remedial programs for the ghetto conditions which spawn violence, the state's cities—and many of its individual citizens—were assessing and acquiring armament, offensive and defensive, more appropriate to the battlefield.[1]

Across Connecticut, which *The New Yorker* magazine currently notes is "sometimes referred to as 'the arsenal of America'" because so many arms manufacturers have plants here, the prospect of disorder got increasingly more than conversational attention. When small city and suburban police chiefs got together a sure question was whether disruption would become a core city export.[2]

No body has an answer to that, but police departments in the four major cities, where the vast majority of the state's poor are huddled, have been reorganizing and retraining in the light of last summer's hot nights and the restiveness that followed the assassination of Martin Luther King.

The coming summer issue was not so much over equipment for suppressing civil disorders, but the attitude and timing of any indicated police action. Both the State Police and the National Guard are going through riot control training, based on last summer's events and ordered, in the case of the Guard, by the Department of Defense. The State Police have two "task forces," North and South, of men from the regular complement. Most of the National Guardsmen in the state (6,200) have had some training for domestic deployment.

The training, according to Acting Chief of Connecticut National Guard, Col. Thomas F. Leonard, is "not new—we're just spending more time on it. We would only be committed in the event local and state police were unable to control things. We don't take sides in any disturbance—racial, Vietnam protest or whatever. We might be used in many ways but sometimes just our arrival on the scene is enough." But the Guard in this state has never been called out for a civil disturbance.

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[1] When the State Bond Commission this month approved $1,400,000 for 57 summer projects to help disadvantaged citizens in 11 cities. State Community Affairs Commissioner LeRoy Jones called it "an appropriate thrust."

[2] The state's hospital leaders, gathered last month to hear accounts of hospital chaos in the nation's cities during last summer's riots, concluded they too are ill-prepared to handle what might happen in a big civil disorder or natural disaster.

Lt. Colonel Leslie Williams, executive officer of the State Police, describes a transition in training methods: "At first the manuals envisioned large mobs, and talked about wedge formation to break up threatening crowds. Now the emphasis is on containing hit and run tactics. We concentrate on confrontation and increased patrol activity.

Col. Williams tells his men "You must tailor your actions to meet events. There are times when the better part of valor is discretion." He tells of an incident, the day after Dr. King's death, when two young ladies were knocked down, he feels deliberately by Negro girls let out from a high school annex next to the barracks. "Ten years ago," he says, "we would all have been out chasing them. This time we decided to take the mood of the day into account and we did nothing. Is this right or wrong? No one can tell, but at that time it seemed the best thing to do."

The "best thing to do" is often the emergency judgment of an elected leader, but the professional policemen of the state hope that their pre-planning will eliminate the necessity for hasty decisions after trouble breaks out. In the final squeeze, a city's response to disorder rests on the instincts and capabilities of the police chief, and between the four major Connecticut cities with ghetto concentrations this is a wide range.

In Bridgeport, the only one of the big four cities of the state which has not had headline civil strife (less than $400 damage the week of Dr. King's death), firm, paternal Police Superintendent Joseph Walsh makes no bones about it: there should be no political control in riot control. The fourth night after King's death Bridgeport did have one incident of "young kids raising halleujah," as Walsh put it. "As soon as they step out of line we lock them up."

He credits some of Bridgeport's pacific record with a cooperative community attitude and considerable police training in community relations. But mainly he feels it's because "we have a no nonsense police department." He follows the approach of Philadelphia Police Commissioner Frank Rizzo who has kept his city out of the riot column by meeting disorder with "absolute force." He argues that a hard line is the only way, so he is training anti-sniper squads to shoot from helicopters. Says Rizzo of the coming summer, "We may have a riot but it will be the shortest in history."

Bridgeport's 404 policemen (10 of them Negro) have helmets, riot batons, Chemical Mace. "We increased our communications through three radio wave lengths," Supt. Walsh says, "Walkie talkies we have . . . gas masks, tear gas." His technique calls for speedy arrest of looters. "The average policeman is not the type to shoot anybody anyway. If the police are present and properly deployed these things will not happen. You'll find many of these people are teenagers not out because of a civil rights protest but because the opportunity is there to loot and commit acts of vandalism."

Hartford Chief John J. Kerrigan, who has had to wrestle with three potentially explosive disturbances, two last summer and one after the King death, assesses that his city "is much further ahead than it was this time last year . . . There has been a lot of community effort in housing and employment." Chief Kerrigan has bought no new armored cars, liquid "banana peel" or any other of the sophisticated riot arsenal. "In a city of this size it would only complicate things."

But the calm, slow-talking Hartford chief is nonetheless worried about a 10 percent vacancy rate in his department (360 against a needed strength of 400) and says that "it can't be the money . . . our new pay plan is the best in the state."

Waterbury Superintendent Joseph Guilfoile surveying the scene from his dark, Victorian cubicle, doesn't have Chief Kerrigan's worry. He has enough men and equipment, and feels that his Waterbury constituency will keep its cool.

New Haven's Chief James F. Ahern, whose force has without bloodshed arrested more people in the last few years' civil disturbances than any other place in the U.S. except Newark, Watts, Detroit, Harlem and Selma, isn't anticipating trouble. Without beefing up manpower or arsenal, Chief Ahern counts on heavy and constant patrols, plus quick arrests, to dampen violence and avoid gunplay. More than "a flimsy reason" is required to get his okeh on a hand gun permit.

Since last year the major New Haven step-up has been between police and neighborhood groups, including the militant organizations. Neighborhood police stations in two predominantly Negro areas, coupled with "neighborhood police aides"—youths who cannot become policemen but do certain police-related jobs—have made New Haven police more peacefully visible and informal.

Among none of the big city chiefs is there an advocate of Chicago Mayor Richard J. Daley's shoot-the-looter policy, and very little talk about shooting at all. In the state's capital, for instance, there have been many Molotov cocktails tossed during the three civil disturbances, but not a shot fired.

Since Dr. King's murder, however, police across the state record a sharp rise in retail sales of personal weapons, particularly to women. A recent national poll indicates that just over half the American homes own a gun. Gun owners, asked if they would use their weapon to shoot another in case of a riot, said yes by 51%, a rise from 29% since last August.

An article headed "Pocket Pistol Potency" in a current national gun magazinne leads off this quaint colloquial way: "If you keep a bureau gun to keep belligerents away from the old homestead, if crime in the streets has caused you to stash a bit of ballast in your wife's handbag, if you're a cop off duty or an undercover sleuth making like a bad guy, it's a good bet that you've got a pocket pistol."

Police across the state caution against hasty conclusions that gun sale increases are tied directly to civil restiveness. In Bridgeport, where some 2,000 guns have been bought the past 18 months, the sales are up 50 percent, but most of the buyers are members of gun clubs—and women. Superintendent Walsh doesn't see any harm in a woman having a pistol "if it gives her ease of mind" but adds that a woman with a gun in her home should "know how to use it safely."[3]

Increases in gun sales, even though many are for sporting uses, have triggered new concern by police and new efforts to curb them.

In its marvelously microscopic style, *The New Yorker's* April 20 account of the futile legislative efforts to get federal control over firearms sale, or even ban mail-order shipments, ran through 100 pages. A short version is its first two sentences: "Nothing renders Congress less capable of action than the need for it. The more urgent the need, the more controversy it creates, the greater is the danger for any member who takes a stand."

Since only seven states (including Connecticut) now require a permit to buy a pistol, and only one prohibits their sale, and since no state requires a permit to buy a rifle or shotgun, the paranoid reaction to any sort of regulation is understandable.[3] Understandable despite the fact that 71 percent of the people asked in a national poll said they would like the sale of guns strictly controlled.

[3] Pistol permits can be held up by local police chiefs, many of whom are trying to slow down the hand-gun sales to people whose purposes don't seem to be sporting. Bridgeport has had a 100% increase in requests for permits to carry pistols since the first of the year. Applicants can appeal to the State Pistol Permit Board which has recently overruled the Waterbury chief twice. Present federal statutes prohibit only shipment of guns or ammunition to anybody known or reasonably believed to be a criminal or a "fugitive from justice."

In the six years since the Senate Juvenile Delinquency subcommittee documented a traffic in mail-order guns among youngsters, "Dodd" has become the worst four-letter word in the gun-toters vocabulary. Although Drew Pearson has written that Connecticut Senator Thomas Dodd "has had a disturbing, documented habit of consorting with the people he is investigating, then permitting the investigation to peter out," Pearson does concede that since his censure Senator Dodd has been more aggressively pushing the gun control bills.

The National Rifle Association, principal vehicle of the target-shooting fraternly, has returned the fire. At its meeting in Boston last month, the new president of the 960,000 member NRA labelled those who refuse to support the NRA's "drive for sensible and practical gun legislation"[4] as "gun bearers for the (Ted) Kennedys and the Dodds."

But the shot which six days before had taken the life of Martin Luther King may have put some life in the Dodd bill, watered down as it has gotten to be (exempting rifles and shot-guns and providing for state option). By a slim 9–7 the Senate Judiciary Committee has voted to let the Dodd gun bill go to the Senate floor for debate, for the first time in 30 years. There it will meet bitter opposition, particularly from Western and Southern law-makers. U.S. Rep. John D. Dingell, Michigan Democrat, told the Boston meeting of NRA that highly restrictive gun control laws do not reduce crime and attacked the "gross misstatement, false statistics and deceitful tactics used to push gun control measures . . ."

NRA's new president, Harold W. Glassen of Lansing, added that "the availability of firearms would seem to have a deterrent effect on crime—rather than the prohibition." If he was talking in any part about the deterrent effect of armed vigilantes who have appeared to help quell riots, Connecticut police say uniformly and firmly, "No thanks."

They echo Col. Rex Applegate, whom *Esquire* calls the "von Clausewitz of today's war in the streets," when he points out that the need for gas and other exotic devices make anti-riot techniques "highly specialized skills." Bridgeport's Superintendent Walsh vows he'd never use a vigilante or any other kind of citizen group. "It gets out of control. If we can't handle it we can call in the State Police and the National Guard." About vigilante citizens groups, the Guard's Col. Leonard adds, "We have no requirements for them in our plans, and they would have no standing as far as we're concerned. We certainly wouldn't be interested."

The rise in gun sales is of more than political consequences to Connecticut. Whatever its purpose—sporting, military, protective or even criminal—any American-made gun has a 90 percent chance of coming from within a 65-mile circle around Connecticut's capital. That has been the case for a century and a half. From the times when you had to hunt to eat meat, Yankee craftsmanship concentrated much of its care on making guns, and a good deal of the modern interchangeable parts production technique owes its inspiration to precision gun manufacturing.

Between the colonial and civil wars there were 25 arms manufacturers and 50 gunsmiths in tiny Connecticut. Though today there are fewer than 30 ordnance manufacturers in Connecticut (nine making guns) they turn out a whopping $200,000,000 worth of shipments. In February of this year there were 13,340 Connecticut workers making ordnance at an average $140.61 a week. There were 10,300 in 1967 and only 8,631 in 1966.

Though not the first armsmaker, Hartford's native Samuel Colt, more than any other, put Connecticut on the world gun map. When

[4] One NRA idea: Ship guns by registered mail, delivered only to the addressee, and the receipt recorded with the police.

he was a seven-year-old problem, somebody presented him with a flint-lock horse-pistol that whetted his appetite. A few years later he was kicked out of school for concocting and firing powder. He hated it at 16 when his father, in some despair, shipped him off to sea, but managed to carve in wood the model of the first automatic repeating pistol.

At 22 he founded his fabulous company, soon was travelling the world to sell guns for the world's wars—if possible, to both sides. His name became a synonym for firearms and his industrial pace-setting plants turned out 319,000 revolvers in the first three years of the Civil War. Colt died in 1862 at 48. Now widely diversified, Colt Industries is a $300,000,000 a year giant which has already produced 730,000 of the light, efficient and much-argued M16 army rifles, most of them now being carried in Southeast Asia. Colt will be turning them out at 50,000 a month by June next year.

Many other ordnance names, with their home base in Connecticut, are internationally known. The second big name, Winchester Repeaing Arms Co., was established just before the Civil War, in World War I turned out 600,000 rifles.

On his wall in the center of "gun country," amidst an extraordinary display of guns used in Connecticut crimes, Hartford's Det. Sgt. Walter S. Perkins, has a sign: "The only Courage possessed by most Criminals."

But to be fair, the gun evokes a variety of other images among millions of Americans whose "right to bear arms" often boggles foreign visitors trying to reconcile America's lawlessness with its freedom. To the 66,680 men and women who carry a Connecticut hunting license the image is of autumn woods and wary game. These hunters are stirred by the opening salute in Maj. Gen. J. S. Hatcher's introduction to "The Rifle in America." It reads: "To every redblooded American the rifle is a weapon with a deep and romantic appeal."

To 17-year-old Candy Mottram and her friends on the Stratford Police Athletic League girls' rifle team, as well as to the other 3,200 members of the Connecticut State Rifle and Revolver Association, the gun is a friendly piece of precision sporting equipment, used only with appropriate gear under the most elaborate safety regulations. To half of them it would never occur to use a gun even for hunting animals.

When 500 of them gather at Wallingford's 54-acre Blue Trail Range, operated by former gun-sight maker Charles Lyman, as they did for the first match of the big bore league late last month, riots are not even in their glossary. Their NRA indoctrination guides their conviction that "only people, not guns, shoot people," and they seem genuinely perplexed why their friend Eddie May could be so misinformed as to say that if he were in the Senate (for which he hopes to run this fall) he'd vote for Tom Dodd's bill.

These sportsmen, from every conceivable walk and circumstance (Stamford's artistic-tempered Virginia Williams, one of the world's crack shots, is a nurse), spend $100 to $500 on their sleek guns, often refine them with palm rests and hook butt-plates, always care for them like jewels. They recruit others annually to their passion, and some like Ronald Moley, a Stanley Works production planner in New Britain and a member of the Bell City Rifle Club, have been at it since their dads took them along target shooting at 12.[5] At 29, Ron Moley is a mild, single, devotee who eats and sleeps guns, has put 25 out of 25 shots into a seven inch bulls-eye at the 200-yard Blue Trail Range.

There is no way for anybody to do any better than that, but Ron Moley is humble about it. He and the gun just "had a good day," which consists of weather, gun conditioning and how Ron feels when he lies down for the prone firing. If the first five practice shots go well (they aren't counted) the rest may be in there—prone, kneeling and standing. He isn't thinking about the Dodd bill. All he hears—and that muted through the heavy plastic ear muffs that protect his tympanic membrane—is the battlefield sound barrage.

Not far from where Ron Moley was firing a whole different group of sportsmen fire away at Blue Trail targets with hand guns (under 12" barrel). If they got their pistols in Connecticut they had to file an application with state and local police, wait seven days while their police record, if any, is checked. By the day they come to the range, wives, children, the lot. They visit and compare notes over a hot dog, much in the manner of an outing at a golf driving range.

Most all are members of the state association, with headquarters in Glenbrook, where Manufacturer Ed Condon is the president. With rifles, shot-guns and pistols they travel from parts of New Jersey, New York, Rhode Island and all over Connecticut, for the state association is one of the nation's biggest. At indoor police ranges, scores of private clubs they spend the winter waiting for the outdoor days that culminate in 20 competition matches from April through October.

For them it is indeed a sport—demanding and rewarding. No par golfer gets more kick out of his score than Ron Moley did out of his perfect 250 at Blue Trail.

Meanwhile, back at riot headquarters . . .

[5] Many Connecticut towns have ordinances against possession or use of air-guns and pellet rifles. "These can be deadly and dangerous weapons," says Capt. Pethick of the State Police. "Someone was killed by one and people lose eyes all the time."

OUR 25 YEARS IN VIETNAM

Mr. McGEE. Mr. President, our 25 years in Vietnam were well chronicled on Sunday by Chalmers Roberts, of the Washington Post. Mr. Roberts has gone back to 1943 to trace the U.S. involvement in Indochina to the present stage of simultaneous fighting and negotiation—a stage he says may be the final one. But that is not certain, Roberts adds. What is certain is that Vietnam will have, for years to come, a major effect on American thinking, and that the final outcome in Vietnam will have a major effect, as well, on the shape of the world we will face for the next 25 years and more.

It is well that we recall now the past conditions and developments which led to our involvement in the Vietnam war. Mr. Roberts has, for the most part, presented them very well in what is, by newspaper standards, a lengthy article. It is, in fact, quite brief.

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

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

OUR 25 YEARS IN VIETNAM

(By Chalmers M. Roberts)

Like the moth for the flame, the United States has found some irresistible attraction in a faraway land long known as French Indochina and now all too familiar as Vietnam.

This extraordinary attraction has existed for a full quarter of a century. The United States surely has been singed but its ultimate fate in that small land is not yet clear.

The story can be divided into six acts, beginning in 1943, with the latest act now being played both at the Paris conference table and on the Vietnam battlefield. Whether the sixth is the last act no man can say with certainty, but that seems the probability.

Most Americans were totally unaware of their Government's involvement on their behalf in much that has gone on. Some awoke during the second act, more began to see what was happening by the fourth. But not until the last two acts has the majority turned its eyes to that corner of Southeast Asia. Yet, in retrospect, there has been a pattern, if not a plot, in all that has happened.

Here, in capsule form, is the story of the six acts of Vietnam.

I. ROOSEVELT VERSUS DE GAULLE

Three days before he flew off to Paris this May, Ambassador W. Averell Harriman remarked in a New York speech that "I recall hearing President Roosevelt on more than one occasion state categorically that he had no intention of permitting the French to return to Indochina."

Harriman's remark is well documented by the official record. Equally well documented is the determination of Charles de Gaulle to see France return to Indochina, to which the French had gone in 1858 to create, in time, a colony comprising what today is North Vietnam, South Vietnam, Laos and Cambodia.

When France fell to Hitler, the white man's days in Indochina were numbered. The Vichy regime granted expansionist Japan a "pre-eminent position" in the Far East. In late 1940, Japanese troops arrived from then occupied China.

One of the French forts attacked by the Japanese was at a place known as Dong-Dang. A widely quoted American newspaper editorial of the time was captioned: "Who wants to die for dear old Dong-Dang?" The answer then in still isolationist American was clear: no one.

After Pearl Harbor, Indochina was far behind enemy lines. Not until victory over Japan began to loom did President Roosevelt begin to think about the future of the French colony. By 1943 he was making, in private, the remarks to which Harriman referred.

F. D. R.'s trusteeship idea

President Roosevelt spoke to Britain's Anthony Eden in 1943 of a future trusteeship for the colony. He told Joseph Stalin at Tehran that "after 100 years of French rule the inhabitants were worse off than they had been before . . ." Winston Churchill objected but Stalin agreed, saying that he "did not propose to have the Allies shed blood to restore Indochina, for example, to old French colonial rule . . ."

On Jan. 24, 1944, FDR wrote Secretary of State Cordell Hull that he had told the British Ambassador that "Indochina should not go back to France but that it should be administered by an international trusteeship." He added that "France has milked it for one hundred years. The people of Indochina are entitled to something better than that."

Indochina, however, was but a minute problem for the wartime President. He did little more than to put obstacles in the way of small French forces trying to make their way to the Far East via the French enclaves in India. At FDR's request, Vice President Henry Wallace told Chiang Kai-shek that FDR was offering him all of Indochina as an outright grant. In a display of wisdom, Chiang turned down the offer, saying rightly that the Indochinese were "not Chinese. They would not assimilate into the Chinese people."

FDR's approach may have been humanitarian but it certainly was cavalier and showed his scant knowledge of Southeast Asia. The President died in April, 1945, with Indochina still under Japanese control.

De Gaulle's vow

Charles de Gaulle, today the host for the Paris talks, was the wartime leader of the

Free French, a role which brought him into bitter disagreements with FDR and the United States on many issues, including Indochina.

De Gaulle wrote in his memoirs that during the war Indochina "seemed like a great ship out of control," adding: "As I saw her move away into the mist, I swore to myself that I would one day bring her in."

By 1945, with France cleared of the Nazis, de Gaulle, "aware of the hostility of the Allies—particularly the Americans—in regard to our Far Eastern position," resolved that "French blood shed on the soil of Indochina would constitute an impressive claim" to regain the colony.

FDR's death eased de Gaulle's problem. During a Washington visit in August, 1945, President Truman told him that the American Government "offers no opposition to the return of the French army and authority in Indochina."

The atomic bomb had been dropped in Japan just before de Gaulle's trip to Washington. He recorded his "bitter visions" of the bomb's meaning but quickly added that the collapse of Japan removed "the American veto which had kept us out of the Pacific. Indochina from that day became accessible to us once again."

At the wartime Tehran and Potsdam conferences, it had been agreed that, after the fighting ended, Vietnam would be occupied by Chinese Nationalist troops down to the 16th parallel, with British Commonwealth forces taking over the southern half of the peninsula.

That was in fact done for a while. And as the French returned to reassert authority, they found that Ho Chi Minh already was leading an insurrection. He seized Hanoi before the French could get there, proclaiming the Democratic Republic of Vietnam.

De Gaulle worked for a French Union, with some autonomy for Vietnam, Laos and Cambodia and he recorded that "I intended to go to Indochina myself to settle matters . . ." He never did. In the end, negotiations between Ho and Paris were aborted by French diehards, fighting ensued and France regained control or her colony. De Gaulle retired from office in January, 1946, not to return until 1958.

The first act in Indochina was over. FDR failed in his aim. A European colony was reestablished in Asia but the auguries for its success were not good. Nationalism was the new power, with Communist Ho exploiting it.

II. HO VERSUS FRANCE PLUS EISENHOWER AND DULLES

Five months after the Japanese collapse, Bao Dai, emperor of Vietnam, wrote de Gaulle telling him to "abandon any thought" of reasserting French sovereignty, adding that if he attempted to do so "every village would become a core of resistance." But neither de Gaulle nor his successors saw the truth of that advice.

Ho's efforts to reach an accommodation with Paris was defeated by French officers in control in Indochina and by the French Communist Party in France, aided by the Soviet Union. The Communists played Paris' game against Ho in the hope that France itself would go Communist, sweeping Indochina into the Communist world without resort to war.

When Ho sent an emissary to Paris, Maurice Thorez, the French Communist, told him that he did not intend in any way "to be considered the eventual liquidator of the French positions in Indochina." French Communists did not block the Indochina war budgets in the Assembly.

But France did not go Communist. And the Indochina war escalated as Ho fought on to the climactic battle at Dienbienphu in 1954.

By December, 1950, the French were sounding alarm in Washington. At that moment, the United States was heavily engaged in Korea against both the Communist Chinese and the North Koreans.

Under Truman, a Military Assistance Advisory Group (MAAG) arrived in Vietnam in July, 1950. But Korea had the priority and it was not until the advent of the Eisenhower Administration and the end of the Korean war that the United States became deeply involved in trying to prop up the French and save their position in Indochina, meaning essentially in what is now the two Vietnams. Why?

The United States had no economic interests in Indochina worth mentioning; its anticolonial attitude, both governmental and public, had pressed in the postwar years for the British to give up India and for the Dutch to free Indonesia. But the pressure on France was limited, halting, less than effective for too long.

Answer lies in Europe

The answer lies in American policy in Europe. What Washington did to aid Paris in Indochina was a function of its European policy and a derogation of its basic anticolonial thrust in Asia. If Paris then had been as stable as London or The Hague, there probably would have been no aid and Ho would have triumphed. Retrospectively, it appears that in larger world terms it would have made little or no difference to the United States. Washington would have been satisfied with being an offshore Pacific power, as was the general intention even to the point of withdrawing troops from Korea in 1949.

But Paris, and France, were not stable. American policy centered on rebuilding Western Europe economically with Marshall Plan aid and in creating a viable defense community through NATO. These were the years when the Communist coup succeeded in Czechoslovakia and Stalin tried to force the Western powers out of Berlin by a blockade.

Stalin died six weeks after Gen. Eisenhower's inauguration as President, setting off what was to be polycentrism in the Communist world. But that was not to be apparent for some years. Meanwhile the Korean war had alarmed the United States. When it was over, the fear was that the Communists' next thrust would come in support of Ho in Vietnam.

By late 1953, with American dollar and arms aid to the French mounting rapidly in Indochina, a Senator on a study mission to Indochina concluded his report in words that expressed the temper of the times:

"The need to stay with it is clear because the issue for us is not Indochina alone. Nor is it just Asia. The issue in this war so many people would like to forget is the continued freedom of the non-Communist world, the containment of Communist aggression, and the welfare and security of our country."

The author of those words was Sen. Mike Mansfield (D-Mont.).

Berlin Conference, 1954

In the rubble of Berlin in early 1954, the United States, the Soviet Union, France and Britain held their first postwar conference, ostensibly to discuss the future of divided Germany and of then partially divided Austria. Nothing was accomplished on either issue.

But the French Foreign Minister, Georges Bidault, pressed the American Secretary of State, John Foster Dulles, to agree to what was to become the Geneva Conference on both Korea and Indochina.

"We had to have this conference," Bidault wrote in his memoirs. "France was fighting alone and was only being given financial aid. We were fighting 7000 miles away from home and the war was costly in human lives. The war came under heavy criticism in France and in the United States. Acts of treason and sabotage were committed in France."

Dulles was tugged two ways by Bidault's plea. On the one hand he desperately wanted French ratification of what then was the keystone in American policy in Europe: the creation of the European Defense Community, under which a unified armed force would be created, submerging German arms forever in a supranational command. French ratification was needed for success.

On the other hand, Dulles wanted to keep clear of Indochina, where he could easily smell failure—which to him meant the loss of territory to the Communists. Furthermore, he did not want to have anything to do, at least directly, with the Communist Chinese, although he recognized they would have to be at Geneva too. (Indeed, during the week he did subsequently spend at Geneva, Dulles sat stonily behind Chou En-lai, then Peking's foreign minister, without a word or a handshake between them.)

The American attitude toward China was so bitter at the time that Dulles felt impelled, on his return from the Berlin meeting, to say in a radio-TV report that he had dramatically held out until 60 minutes before adjournment to win Soviet Foreign Minister V. M. Molotov's acceptance of the Dulles demand "that I would not agree to meet with the Chinese Communists unless it was expressly agreed and put in writing that no United States recognition would be involved."

With this safeguard politically at home and in hopes that the French would accept the European Defense Community, Dulles agreed to the Geneva Conference.

The falling domino

Twenty-three days after the Berlin Conference organized the Geneva meeting, Ho's forces made their first major attack on the French fortress of Dienbienphu in western North Vietnam near the border of Laos. Ho had begun his "fight and negotiate" tactic now being repeated while today's talks go on in Paris.

Eisenhower's view of the importance of keeping Indochina out of Communist hands was essentially that expressed by Sen. Mansfield. The President wrote in his memoirs that "if Indochina fell, not only Thailand but Burma and Malaya would be threatened, with added risks to East Pakistan and South Asia as well as to all Indonesia."

It was Eisenhower who publicized what he called "the falling domino principle." He also was concerned, as he said at the time and later wrote in his memoirs, about the possible "loss of valuable deposits of tin and prodigious supplies of rubber and rice" in Southeast Asia, comments to which the North Vietnamese now in Paris have called attention in an effort to sustain a Marxist view of American actions.

Kennedy-Johnson views

American leaders were divided in 1954 on what to do about Indochina. Sen. John F. Kennedy castigated the French for not giving more ground to the non-Communist Vietnamese. Sen. Lyndon B. Johnson declared that he was "against sending American GIs into the mud and muck of Indochina on a blood-letting spree to perpetuate colonialism and white man's exploitation in Asia."

But neither was yet in power in the White House; Eisenhower was and to him came proposals for military aid to the French. From Berlin in January and February to Geneva beginning in May, "the ever-present, persistent, gnawing possibility was that of employing our ground forces in Indochina" as Eisenhower recorded it.

The crisis in Washington came in April as Ho's general, Vo Nguyen Giap, tightened his stranglehold on Dienbienphu while the world watched. In March, the French Chief of Staff had visited Washington to say that unless the United States intervened, Indochina would be lost.

On Saturday, April 3, Dulles met secretly with eight congressional leaders and told them the President wanted a joint resolution by Congress to permit him to use air and naval power in Indochina. If Indochina fell, said Dulles, the United States might be forced back to Hawaii as in World War II.

Adm. Arthur W. Radford, chairman of the Joint Chiefs of Staff, proposed using planes from two American carriers then in the South China Sea, plus land-based aircraft from the Philippines, for a single strike to save Dienbienphu. He conceded that the three other members of the Joint Chiefs disagreed with him.

Of the legislators in that room, only two are still in Congress; Sen. Richard B. Russell (D-Ga.) and Rep. John W. McCormack (D-Mass.), now the House Speaker. The other man still in power was Sen. Lyndon B. Johnson.

L. B. J.'s crucial question

It was Sen. Johnson who asked the critical question about allies in such a venture. He said he knew that the then Senate majority leader, William F. Knowland, had been saying publicly that in the Korean War up to 90 per cent of the men and the money come from the United States. The United States had become sold on the idea that that was bad. Hence in any operation in Inchochina, we ought to know first who would put up the men. Sen. Johnson asked Dulles whether he had consulted nations which might be allied in any intervention. Dulles said he had not. In the end, all eight members of Congress agreed that Dulles had better first go shopping for allies.

So Dulles did. And Gen. Giap's men moved closer and closer into the fortress at Dienbienphu. Within a week Dulles talked to diplomatic representatives in Washington of Britain, France, Australia, New Zealand, the Philippines, Thailand and the then three Associated States of Indochina: Vietnam, Laos and Cambodia. He ran into a monumental rock of opposition from the British.

The British attitude, given that of the congressional leaders, forced a shelving of immediate intervention. Instead, Dulles began planning the creation of a "united front" for "united action" in what was later to emerge as SEATO, the Southeast Asia Treaty Organization.

While Dulles was doing this, Vice President Richard M. Nixon, in an off-the-record speech that was quickly divulged, declared in Washington on April 16 that ". . . if to avoid further Communist expansion in Asia and Indochina, we must take the risk now by putting our boys in, I think the Executive has to take the politically unpopular decision and do it."

While Eisenhower was trying to keep the Nation calm, Nixon's remarks caused alarm. A rider to a House appropriations bill was introduced requiring prior congressional approval before the President could send toops to Indochina or anywhere else. Eisenhower was prepared to veto the bill but the rider failed to pass.

Unattainable or unacceptable

In answering a press conference question, the President described his 1954 dilemma much as Lyndon Johnson might describe his 1968 dilemma. Said Eisenhower: "You are steering a course between two extremes, one of which, I would say, would be unattainable, and the other unacceptable."

The "unattainable," he said, was a completely satisfactory agreement with the Communists. The "unacceptable" was "to see the whole anti-Communist defense of that area crumble and disappear."

In Paris on April 23, three days before the Geneva Conference opened (initially on the Korean issue), Bidault pleaded with Dulles for a massive air attack, using the American carriers then stationed in the Tonkin Gulf as their successors are today. Bidault has written that he pointed out to Dulles "that he had told me and the rest of the world that the U.S. would not tolerate the advance of communism in Southeast Asia; if he wanted, he could reconcile theory with practice by helping us in Dienbienphu."

Bidault also claimed in his memoirs that Dulles asked him "if we would like the U.S. to give us two atomic bombs." This has been denied on the American side and no evidence has been presented to support Bidault's statement. Bidault wrote that his answer was that with the use of atomic bombs the garrison "would be worse off than before."

Despite last-minute efforts by Dulles and Adm. Radford, Eisenhower would not agree to intervention without allies and without congressional approval, which he never publicly asked.

Gloom at Geneva

Thus the Geneva Conference opened in a mood of deepest American gloom. Dulles disassociated himself as much as possible from what he saw as the coming disaster. Dienbienphu fell and Pierre Mendes-France became the French Premier on a promise to negotiate peace in Geneva within a month. The Anglo-American-French relationship was in a shambles.

The shooting ended in Indochina on July 21, 1954, the day after Mendes-France's self-proclaimed deadline, but from most of the French other than embittered military there were only cheers for him.

The first Indochina war, which had lasted 7½ years, was over but in such a way as to invite the second Indochina war and, most importantly, to invite American intervention.

III. DULLES AND DIEM VERSUS HO CHI MINH

Geneva ended with a cease-fire agreement between the French and the Communists and a Final Declaration of all the conferees. The former ended the fighting and provided for a political regroupment of opposing forces; the latter sketched out the political future, declaring that the agreed "military demarcation line" at the 17th parallel, which now separates North from South, was to be considered "provisional and should not in any way be interpreted as constituting a political or territorial boundary."

The Declaration also said that consultations should be held between the authorities of "the two zones" beginning on July 20, 1955, leading to "general elections" which "shall be held in July, 1956. . ."

The elections, of course, have never been held, a fact that has aroused bitter dispute as to who was to blame. What did happen was that John Foster Dulles decided to make what became South Vietnam a viable state on its own.

Saigon disassociates self

The Saigon government, of which Ngo Dinh Diem became the head two weeks before the conclusion at Geneva, disassociated itself from the agreements. Diem's representative in Geneva who did so was Tran Van Do, until recently the Foreign Minister in the current Saigon regime.

Despite Soviet pressure to back the agreements, the United States limited itself to a declaration that supported unity of Vietnam through "free elections" under United Nations supervision to assure their fairness and a statement that it would view any renewal of aggression in violation of the agreements "with grave concern and as seriously threatening international peace and security."

The common expectation in Geneva was that the results would have the effect of getting the French out and preventing the Americans from intervening. It was presumably on this basis that Molotov and Chou En-lai convinced Ho Chi Minh to accept less than full control of Vietnam.

Although there is no direct evidence, the two key Communist leaders must also have argued that in due course South Vietnam would easily fall into Ho's control. In recent years there have been comments from Hanoi which indicate that retrospectively, the North Vietnamese Communists believe they were sold out by the Soviets and the Chinese. Many consider this a key factor in Hanoi's evident determination not to repeat the process in any new form at the current Paris talks.

But South Vietnam did not fall as the ripe apple to Ho and the Communists. Two men worked together to prevent that: Dulles and Diem.

Something to salvage

Lt. Gen. Andrew J. Goodpaster, now on the Harriman delegation in Paris and named by President Johnson to be the number two American military leader in Vietnam after Gen. William C. Westmoreland returns home, was then the top White House military aide to Eisenhower.

In a 1966 statement for the Dulles Oral History Project at Princeton, Goodpaster recalled that after the Geneva settlement "Dulles thought that it was perhaps not quite down the drain" although, said Goodpaster, "everyone else, I think, felt that it was." Dulles "felt that there might be something in this that would be worth trying to salvage, trying to sustain."

To assess the prospects, Dulles got Eisenhower to send Gen. J. Lawton Collins, suggested by Goodpaster, to South Vietnam in late 1954. Collins recalled, also for the Oral History Project, that when he was leaving Washington Dulles said to him: "Frankly, Collins, I think our chances of saving the situation there are not more than one in ten."

But some months later, after visiting Saigon himself and hearing Collins' report after the general's return to Washington, Dulles commented that now looked more like a 50–50 chance. Added Collins: "And he was very well pleased."

Role of Diem

By now Stalin's successors in the Kremlin, and the men in Peking as well, were talking up "peaceful coexistence" between the Communist and non-Communist worlds. But Dulles remained unconvinced of any change of heart and he determined to hold the line at the 17th parallel in Vietnam as well as at the 38th parallel in Korea, the two fringes of what he considered Communist power centered in Peking and perhaps directed from Moscow.

It would take a leader in Saigon, however, to make such a holding operation work and that man was Diem. A Vietnam nationalist and a Catholic, Diem had been living in the United States since 1951, mostly at Maryknoll Seminary in Lakewood, N.J., with occassional trips to Washington to discuss Vietnam with such men as Sen. Mansfield and Rep. John F. Kennedy. He also frequently met with Francis Cardinal Spellman in New York.

Diem had wanted the post in Saigon and it had been offered to him by Emperor Bao Dai. But each time Diem demanded a total end of French control and a free hand for himself. This he finally got when he took over the government on July 7, 1954. He had, by then, powerful friends in Washington who were to sustain him in the years ahead as he fought the Communists.

Twenty-six days after the Geneva accords were signed, Eisenhower transferred aid directly to Vietnam rather than through France. But the French were unhappy with Diem and wanted someone they felt would be more amendable to protection of their economic and cultural interests in Vietnam.

Dulles balked and his associates called on Mansfield for help. The Senator stated, on returning from a Vietnam trip, that "in the event that the Diem government falls . . . the United States should consider an immediate suspension of all aid to Vietnam and the French Union forces there." The French officers in those forces were soon to leave but Diem was long to stay.

Eisenhower letter

The French reluctantly agreed to back Diem. And on Oct. 23, 1954, President Eisenhower sent a letter to Diem in response to Diem's request for aid. The President said the aid was to assist South Vietnam in "developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means." Eisenhower also expressed the hope that Diem's government would be "so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people."

The letter, drafted by Kenneth Young in the State Department, is the one President Johnson has often cited to show that the current American involvement was begun by Republican President Eisenhower. Eisenhower has complained in private about this use of his letter but has never done so publicly.

By July, 1955, when the consultations for the elections in all of Vietnam were to begin under the terms of Geneva, Diem was in a strong position internally. His government has absorbed the nearly 900,000 refugees from the North, 250,000 of which has been evacuated and brought South in American naval vessels.

Diem said he was for unification and for free elections "to achieve this unity." But he was "skeptical" about holding them in the North, where "a regime of oppression" was in power. Furthermore, his government did not sign and was "not bound in any way" by the Geneva accords. Hence "nothing constructive will be done "as long as the Communists deny democratic freedoms.

The North objected, called for a renewed Geneva Conference but Moscow and Peking paid little attention. Indeed, the Soviets seemed so satisfied with the division that in 1957 they proposed admitting both Vietnams to the United Nations along with the two Koreans. But the United States opposed admission of the two Communist states.

Votes for Ho

In the wake of the first Indochina war, the probability is that, given a free election throughout all of Vietnam, Ho Chi Minh would have been the winner. That Dulles probably believed this is indicated by a comment in Eisenhower's memoirs:

"I have never talked or corresponded with a person knowledgeable in Indochinese affairs who did not agree that had elections been held as of the time of the fighting, possibly 80 per cent of the population would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai."

Diem gained support in his own country and in the United States as well. Sen. Hubert H. Humphrey declared in May, 1955, when Bao Dai tried unsuccessfully to put a rein on Diem, that "Premier Diem is the best hope that we have in South Vietnam. He deserves and must have the wholehearted support of the American Government . . ."

To Washington it looked as though Dulles was right and that economic aid and some military training help to Diem would indeed produce a viable state and result in a stable line at the 17th parallel.

Furthermore, Dulles had constructed SEATO and used it to put an umbrella of international support over South Vietnam as a "protocol state." Along with Dulles, two Senators signed on behalf of the United States. One of them was Mansfield.

U.S. problems elsewhere

The United States had greater problems elsewhere in the final Eisenhower years, notably with Nikita Khrushchev over the U-2 and the Soviet Sputnik and ICBM developments. Few other than those directly concerned paid attention to Vietnam; it all seemed to be going well.

Ho Chi Minh seemed absorbed in rebuilding the North. Despite an abortive coup, Diem seemed well in control in the South and there was talk of a "miracle" of postwar development. And there were no American battle casualties.

Yet the United States was, in fact, sliding into what was to become the second Indochina war. The U.S. understood the Communists' aim but of their plans and strategy it was woefully ignorant.

IV. KENNEDY'S INTERVENTION

The 1954 division of Vietnam was geographic but the regroupment of forces after Geneva was political. Not only did about 900,000 come South but from 90,000 to about 150,000 Communists troops including their families went North, many of them on Polish and Soviet ships.

Most importantly, as Bernard Fall has written, a small group of Ho's elite guerrillas "quietly buried its well-greased weapons, hid its portable radio transmitters and simply returned for the time being to the humdrum tasks of sowing and harvesting rice."

The relative calm in the South was short-lived. By the end of 1958, Vietcong activity had begun to stir in the South and security in the countryside became a serious problem. By 1959, the North was recuperating from the war and it was evident that unification would not come through elections. Diem grew oppressive in the face of opposition and attempted coups. It was time for the Communists to act.

Infiltration in 1959

According to an American appraisal (released in May, 1968) the Lao Dong (Communist) Party in the North decided in May, 1959, or even earlier, that the time had come "to push the armed struggle against the enemy," a sentence U.S. officials found in a captured document. Furthermore, at that time, according to the American appraisal, the "Southern part of the Communist apparatus" had "become restive" and some elements were taking action on their own initiative.

Border crossing teams were created and infiltration began by mid-1959, both across the Demilitarized Zone separating the two Vietnams and by way of Laos. Southerners who had gone North and been formed into units were now sent back. Those who had remained in the South dug up buried weapons and appeared in the form of the Vietcong.

The struggle in the South against Diem was formalized at the end of 1960 and the beginning of 1961. On Sept. 10, 1960, the Lao Dong Party adopted a resolution declaring that one of its tasks was "to liberate South Vietnam from the ruling yoke of the U.S. imperialists and their henchmen . . ." And on Jan. 29, 1961, Hanoi announced the establishment of the National Liberation Front, formed the previous December as the political arm of the insurgent Vietcong in the South.

In Kennedy's hands

All this had occurred in the final phase of the Eisenhower Administration but it was the new President, John F. Kennedy, who had to deal with it. Much that is known about Communist plans and movements, however, was unknown then and the Kennedy-Eisenhower discussion about the world's problems on the days before the Kennedy inauguration did not touch on Vietnam. There was, however, considerable discussion of neighboring Laos, which the outgoing President considered so much the key to Southeast Asia that he said he would favor unilateral American intervention "as a last desperate hope" to deny it to the Communists.

Laos was indeed Kennedy's first critical problem in the area and he came close to intervention. In the end, at the Vienna meeting in 1961 with Nikita Khrushchev and in the subsequent Geneva Conference on Laos in 1962, Kennedy was able to put Laos aside as the adjunct to Vietnam that it clearly has been.

But shunting Laos aside did nothing about Vietnam itself. Kennedy had been struck by a Khrushchev speech about "wars of national liberation" and from this was to come great emphasis on counterinsurgency, including the rise of the Green Berets.

Grievances in south

That there were just grievances in the South against the Diem regime is beyond dispute. Critics of American policy contend, as one book puts it, that the insurrection against Diem was "Southern rooted" and that "it arose at Southern initiative in response to Southern demands." The American Government view is that, despite the grievances, the insurrection was effectively Northern inspired and directed, though using Southerners to carry it out for the first years.

The civil war view was rejected by the Kennedy Administration. By November, 1961, the new Secretary of State, Dean Rusk, was speaking of "the determined and ruthless campaign of propaganda, infiltration and subversion by the Communist regime in North Vietnam to destroy the Republic of Vietnam" in the South.

Kennedy had qualms about further involvement. Still, the weakness he had shown in the Bay of Pigs debacle in Cuba, many now feel, led him to fear another seeming retreat from communism and thus forced him to up the American ante in Vietnam.

In late 1961, two emissaries he had sent to Vietnam, Gen. Maxwell Taylor and Walt W. Rostow, came back with a recommendation for sending an American military task force of perhaps 10,000 men for self-defense and perimeter security and, if the South Vietnamese were hard pressed, to act as an emergency reserve.

That report, as much as anything, led the new President to take the irreversible steps into the second Indochina, or Vietnam, war. But Kennedy stopped short of the Rostow argument for a contingency plan of retaliation against the North graduated to match the intensity of Hanoi's support of the Vietcong, as Arthur Schlesinger Jr. has described it.

Johnson's tour of area

In the Kennedy era, the Americans were in Vietnam as advisers, about 16,000 of them by the time of the President's assassination. The first American soldier was killed on Dec. 22, 1961, and by the time of Kennedy's death about 150 Americans had died in Vietnam from hostile action and other reasons.

Vice President Johnson visited Vietnam in May, 1961, and proclaimed Diem the Winston Churchill of the area, although he had some private criticisms. On his return he told Kennedy that "we must decide whether to help these countries to the best of our ability or throw in the towel in the area and pull back our defenses to San Francisco and 'Fortress America' concept." He recommended "a major effort" to help the area, citing as critical the American word to live up to its treaties and stand by its friends.

The Taylor-Rostow mission backed the Vice Presidential view in large part. Kennedy at the time was trying to find new agreements with the Soviets but Moscow seemed in a truculent mood. The President knew that the Communist world of Stalin's day was finished; still, he worried lest an American retreat in Asia upset the world power balance.

So more military advisers were sent to Vietnam, Diem was fully backed and the United States became inextricably involved in the Second Indochina War.

The Vietcong terror campaign mounted but Defense Secretary Robert S. McNamara declared on his 1962 visit that "every quantitative measurement we have shows that we're winning this war" and Rusk said the

next March that the struggle was "turning an important corner."

How do we get out?

By fall, however, the innocence and self-delusion had been somewhat shattered after Diem's attack on the Buddhists. The President had evidenced his doubts in May, 1963, during a visit to the United States by Canadian Prime Minister Lester Pearson.

As Pearson told it in April, 1968, after leaving office, the President asked his advice about Vietnam. Pearson said the United States should "get out." The President replied, "That's a stupid answer. Everybody knows that. The question is: How do we get out?"

By this time the shape of the Communist world had changed massively from what it had been when Dulles decided in 1954 to pick up the pieces after the Geneva Conference. Ho Chi Minh remained a Communist but by 1963 it was apparent he was no simple tool of Moscow or Peking, or both, but acting largely on his own. Yet Kennedy, who saw the polycentrism of communism, could not escape Vietnam.

His last act was to help push Diem from office, in part by public criticism of his relationship with his notorious brother and sister-in-law, Ngo Dinh Nhu and Mme. Nhu. In October, the generals struck and Diem and Nhu were murdered, setting off a period of political instability in which a dozen governments were to come and go.

It is their war

Kennedy had said a month earlier that "in the final analysis, it is their war. They are the ones who have to win it or lose it . . . All we can do is help, and we are making it very clear. But I don't agree with those who say we should withdraw. That would be a great mistake." Earlier, the President had said that he subscribed to Eisenhower's "domino" theory on the effect of the loss to the Communists of Vietnam.

Kennedy had the tiger by the tail and did not know how to let him go. There has been much speculation on what he might have done had he not been assassinated on Nov. 22, 1963, but much of it has been self-serving and all of it fruitless.

The young President's legacy was 16,000 American troops in Vietnam, some in actual combat though not formally so, a continuing American commitment and no plan of escape. Like Eisenhower, he had underestimated the enemy.

V. JOHNSON'S ESCALATION

When Lyndon Johnson moved into the White House, he remarked, as he told it later, that the United States was involved in only one war and "let's win it." And he had said, Tom Wicker has reported, that "I am not going to be the President who saw Southeast Asia go the way China went."

Like Kennedy, Johnson had accepted Eisenhower's domino theory. He saw the war in Cold War terms, although he was to come to appreciate how much the Communist world had changed since Stalin. Like Kennedy, he saw Vietnam in terms of the world power balance. And like both his predecessors, he underestimated the enemy.

Johnson inherited Kennedy's key men: Rusk, McNamara, McGeorge Bundy, Rostow, Gen. Taylor and the Joint Chiefs of Staff. As Kennedy had accepted advice from the elders that led to the Bay of Pigs, so Jonhson accepted advice from the Kennedy holdovers.

The advisers were full of optimism and plans and they had their way as the new President concentrated on his domestic program and the coming election.

Less than two months before Kennedy's death, McNamara had returned from Vietnam to announce that "the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel." It was announced that 1000 Americans probably could be withdrawn by the end of 1963.

Campaign promises of 1964

In such a euphoric atmosphere, Johnson campaigned that fall against Barry Goldwater, asking voters to judge who should have the "finger on the button" of nuclear weapons. While Goldwater was talking about a "no win" policy in Vietnam, Johnson was saying that "we don't want to get involved" with China "and get tied down to a land war in Asia."

Johnson promised to be "very cautious and very careful." He declared that "I have not thought that we were ready for American boys to do the fighting for Asian boys," a phrase that came to haunt him. There were qualifications in many of these statements but few seemed to note them.

Once elected in a massive triumph, Johnson began to look more closely at the war. It turned out that things were a lot worse, perhaps even as bad as some of the newspaper correspondents in Saigon had been reporting.

Sen. Richard B. Russell (D-Ga.) visited the LBJ Ranch and then commented that "we either have got to get out or take some action to help the Vietnamese. They won't help themselves. We made a great mistake in going in there but I can't figure out any way to get out without scaring the rest of the world."

Gen. Taylor, asked whether the war was being lost, replied that "the main issue is very much in doubt." He advocated strikes at infiltration routes and "the training areas" in North Vietnam.

Why no negotiations?

Many Americans and others have often pondered why the Communists did not in the winter of 1964–65 propose negotiations. The South Vietnamese army was close to breaking and American intervention was still relatively minor, about 25,000 men of all services. The North had not yet been bombed, except for the single Tonkin raid, and Saigon's regimes were in a revolving-door phase.

There are two answers. Remembering their 1954 experience, the North Vietnamese leaders were determined not to accept less than victory this time. Second, they may have thought from the President's campaign remarks that he would liquidate the war after the election. But they discovered that he had no such plan.

United Nations Secretary General U Thant tried to bring the two sides together in 1964–65 in Rangoon, Burma, but the effort aborted. In retrospect, Hanoi was prepared to come only to accept an American surrender, if Johnson would offer it, but the President had no such intention. Washington knew it would be bargaining from weakness at such a meeting and breathed a sigh of relief when it failed to come about. The stage was set for the Johnson escalation.

Plans for striking the North had long been drawn up in case they should be needed. Carriers had been moved into the South China Sea. Johnson later told newsman Charles Roberts that he had decided in October, 1964, to bomb the North. Whatever the pre-planning, the first raid came on Feb. 7, 1965, in what was called retaliation for Vietcong attacks on American installations, especially at Pleiku, where Bundy saw the bloodshed.

At the moment the new Soviet Premier, Alexei Kosygin, was in Hanoi. Khrushchev had opted out the Southeast Asia but the new leadership, probably sensing a Communist victory, wanted to be in on the triumph. The Chinese later charged that Kosygin said in Hanoi that he would help the United States "to find a way out of Vietnam." Subsequent Soviet peacemaking efforts were limited by Hanoi's posture and Chinese allegations of collusion with the United States. Moscow and Peking then stepped up their aid as the major suppliers of vital arms and other material for North Vietnam.

"Retaliatory" strikes quickly became regular policy. Air attacks seemed the easier choice to prevent the collapse of the South Vietnamese. Eisenhower had agonized 11 years earlier over sending ground troops. Kennedy had sent 16,000 but tried to limit their roles. Johnson recalled Gen. Douglas MacArthur's advice to him to avoid a land war in Asia.

Hanoi adapts to strikes

The bombing did, at first, cause "great difficulties and confusion" in the North, as Hanoi's deputy chief of staff stated in a 1966 speech captured by the Americans. But, he added, "after some months we acquired experience and have strengthened our national defense forces."

The Administration denied the bombing was designed to force Hanoi to the conference table. The motives were an amalgam but that was the desirable end. It did not work. Nor did the President alter Hanoi's determination by declaring that the North was engaging in "a deeply dangerous game" by stepping up infiltration.

Because there were no quick results, pressure mounted to extend the bombing to more targets. Chairman Earle G. Wheeler of the Joint Chiefs of Staff commented in 1958 that the military differences with McNamara had been "a question of tempo. The Chiefs would have done things faster. They didn't coincide with McNamara on the conduct of the air war."

This is a view echoed by Richard Nixon in his current presidential campaign. He said last March in New Hampshire that the Johnson Administration had "wasted the Nation's military power by using it so gradually. If it had used at the start the power it is using now, the war would be over."

But Johnson, who made the decisions Wheeler ascribed to McNamara, was constrained by many factors: his recollection of Chinese intervention in Korea when American troops threatened to destroy the Communist regime in the North; advice from experts on Soviet affairs to avoid abrupt action that could force Moscow to react strongly, if only not to be outdone by Peking; the President's own tendency toward compromise between advice from hawks and doves in and out of his Administration.

The bombing failed to halt infiltration from the North or to deter the Vietcong in the South. More ground troops had to be sent.

Combat units land

The President had been granted sweeping authority, psychologically if not legally, in the August, 1964, Tonkin Gulf Resolution passed by near unanimous vote of Congress. Under Secretary of State Nicholas deB. Katzenbach was later to call the resolution "the functional equivalent" of a declaration of war and the President treated it just that way.

The bombing began in February. The Marines came ashore in March. Before sending the Army in large numbers, the President offered "unconditional discussions" in his April speech at Johns Hopkins University. But Hanoi also could read his declaration that "we will not be defeated. We will not grow tired. We will not withdraw, either openly or under the cloak of a meaningless agreement."

Each side, in fact, wanted victory. The war was non-negotiable. By June, American troop levels were on the rise. In the fall of 1965, McNamara moved 100,000 men to Vietnam in less than four months, an action of which he was to say on retiring from the Pentagon: "It was very clear we either had to do that or accept defeat."

The odds were improved but Hanoi sent more men from the North and the Vietcong recruited more in the South. The 37-day

bombing pause of December, 1965, to January, 1966, reflected doubts in Washington about the value of continued escalation as well as the growing dissent over the war. But it was fruitless; both sides still wanted victory.

In his letter to Ho Chi Minh during the pause, the President demanded an end to infiltration if he were to halt the bombing. Ho rejected the idea of reciprocity, declaring then, as his representatives at Paris continue to declare, that Hanoi would pay no price for an end to the American "aggression" against the North.

North's army enters

On the basis of captured documents, prisoner interrogations and other information, the United States this May declared that "the first complete tactical unit of the North Vietnamese Army" had left the North in October, 1964, and arrived in the South in December. By this ex-post facto accounting, three regiments had started moving south prior to the regular bombing of the North.

By the fall of 1965, when McNamara was moving 100,000 men to Vietnam, ten Northern regiments totaling 17,800 men were either in or on their way south. And by the end of the 37-day pause, five more regiments comprising another 10,000 men were moving south, again according to the recent American calculation.

Johnson continued to demand reciprocity for a halt in the bombing. But the formulation was gradually watered down. In private and then in public at San Antonio, Johnson sought some sign of reciprocity. But Hanoi would have none of it. Escalation continued on both sides, and the casualties mounted as well.

High point of optimism

The high point for the optimists came in the fall of 1967 and it was to last until January, 1968.

Gen. Westmoreland came home in November to tell the Nation that "whereas in 1965 the enemy winning, today he is certainly losing." Furthermore, said Westmoreland, with the American in-country forces now approaching half a million, "we have reached an important point where the end begins to come into view." In the final phase ahead, Westmoreland added it would be possible for American units to "begin to phase down as the Vietnamese army is modernized and develops its capacity to the fullest."

While the critics were not silent, for the moment the Administration still had the upper hand. The dissenters found a champion when Sen. Eugene McCarthy in late November announced for the Presidency. But few gave him or his anti-war platform, much of a chance. Other dissenters wished him well, but no more. Sen. Robert F. Kennedy said he was still backing the Johnson-Humphrey ticket for re-election.

VI. FIGHT AND NEGOTIATE

Exactly when Lyndon Johnson began to have the gravest doubts about the direction of the Vietnam war is not yet evident. But events were to solidify those doubts and produced the historic decision Johnson announced in his speech of March 31, 1968.

Military, political and financial problems spiraled during 1967, especially in the latter months. The climax was to come with the Communists' Tet offensive on Jan. 31, 1968.

The war in 1967 consisted of more slogging and more indecision, with heavy casualties. During the year, 11,058 Americans died in Vietnam from all causes compared to the 8,155 who had died in the previous five years of the American military involvement. American forces, with great mobility and massive firepower, could go anywhere they wished but at a cost. Yet the enemy could not be destroyed—and that was Westmoreland's objective.

The spiraling cost of the war had thrown the Federal budget out of kilter, robbed domestic programs of needed funds and created worldwide doubts about the value of the dollar.

At home dissent continued to grow. The President found it close to impossible to appear in public without facing massive demonstrations.

Within the Administration, Rusk and Rostow grimly asserted that the old policy was right and needed no changes. But McNamara was disheartened. In the spring of 1967, he proposed limiting the bombing of the North to the area south of the 20th parallel but he was overruled. He publicly deprecated the effect of the bombing. In public, McNamara remained loyal to the President but by December he was out in a bizarre combined firing-and-resignation.

At the Capitol and across the Nation, dissent reached a new high by year's end. Most importantly, the President began to put new stress on negotiations, especially on the possibility of some form of agreement between the Saigon government and the Vietcong's National Liberation Front. As he did so, the Thieu-Ky government worried that the United States would try to force it into a coalition with the Communists so the Americans could leave.

Johnson went no further in public than to urge that Saigon begin talking with "members" and "representatives" of the NLF. Back in early 1966, Sen. Robert F. Kennedy had called for admitting the Communists to "a share of power and responsibility" in Saigon but Vice President Humphrey had compared that to letting a fox in the chicken coop. The Administration line was that it would not "impose" a coalition government on South Vietnam.

If frustration was rampant in Washington, Hanoi had developed a scenario for the war. A massive "winter-spring offensive" had been decided on back in mid-1967 and there was talk of 1968 as the "decisive" year. Thousands more North Vietnamese troops headed south. The NLF issued a new political platform designed to appeal to dissenters and the war-weary. New "front" organizations were created to make it easier to desert the Thieu-Ky government, which had been elected in September along with a new Assembly.

The blow came in the dark of the night on Jan. 31, 1968. It came to be known as the Tet Offensive.

The self-proclaimed Communist objective of a "general uprising" of the population and Southern army against the Saigon government, if indeed that was the true objective of Hanoi, was a failure. But Tet was not a failure. It brought the war to the cities, put the allies on the defensive and gave Communists control of more of the countryside.

Where Tet succeeded most of all was in the United States and in the mind of the President.

In Vietnam, Gen. Westmoreland's response to Tet was more of the same; he asked for 206,000 more troops for a "maximum effort." At home, the voters of New Hampshire on March 12 showed their discontent when McCarthy came within a few votes of topping the President in the New Hampshire primary.

The President's speech

The outcome of the Administration's post-Tet review was the March 31 speech. It had two key parts.

On the military side, the President rejected Westmoreland's call for still more troops. He began to throw more of the burden on South Vietnamese forces and he halted the bombing of the North above the 20th parallel, as McNamara had recommended a year earlier. In short, he moved to stabilize and begin to de-escalate.

On the political side, Johnson gave great force to these changes by announcing he would not run for re-election, in hopes of ending the national divisiveness rooted in the unpopular war.

The North Vietnamese, who apparently had been planning some peace initiative of their own, within three days accepted the President's call for a conference even though part of their country was still being bombed. This was a considerable switch of position after years of demanding an end to all bombing "and all other acts of war" against the North before any talks.

For the first time it appeared that the war might be negotiable. Both sides had moved into a "fight and negotiate" posture and each side tried to improve its military position as the Paris talks got under way in May.

EPILOGUE

Twenty-five years of American involvement in the Indochinese peninsula during five Administrations began in a mood of political romanticism, because an adjunct of Cold War policies in Europe and turned into the high tide of American involvement around the world. There was no plot of "imperialism," no grand design. There was a consistency of motive: the right of people to run their own lives.

Different Presidents reacted differently but for the most part they reacted rather than planned in advance. There was never a formal declaration of war; much that was done was done in secrecy. America slid into a war it never wanted without adequate public debate about what it was doing and what might be the consequences.

The end is not yet in sight; Act VI is likely to be the finale but even that is not certain today. What is certain is that Vietnam for years to come will have a major effect on American thinking about its relationships with the rest of the world. And the way that is resolved will have an effect, perhaps a major effect, on the future of the world.

HUBERT H. HUMPHREY—FUTURE PRESIDENT OF OUR COUNTRY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an item which appeared in the Charleston, W. Va., Gazette-Mail of Sunday, June 2, 1968, entitled "Happy HUBERT's Politics of Joy." It is an interesting article concerning an outstanding American, the Vice President of the United States—and future President of our country—HUBERT H. HUMPHREY.

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

HAPPY HUBERT'S POLITICS OF JOY

(By Saul Pett)

(NOTE.—HUBERT HUMPHREY, the No. 2 man in the White House, has set his sights on the Top Job. What made him decide to run for the presidency? Where does he fit into the Democratic picture? AP Special Correspondent Saul Pett traveled with Humphrey on the campaign trail for this personal look at a man who seems to be having the best time of his life running for president of the United States.)

EN ROUTE WITH HUBERT HUMPHREY.—Walking down a drab hotel corridor in Omaha, after another strenuous day of campaigning, the Vice President of the United States suddenly clapped his hands and sang out, to no one in particular:

"I feel good! Yes, sir, I feel good! I haven't felt this good in years!"

What he felt good about, Hubert Humphrey explained later, was that he was finally told, after years of being in business with his father, that soon he would be running the firm.

He had given up hope of having a crack at it, but now he does, a real solid shot. And nobody could be happier than Hubert Humphrey, freed from the parental nest, now in full wing and flying like a songbird in the race to become President of the United States.

"My goodness, it's good to see you!" he exclaimed to an airport crowd, large or small, ecstatic or dead. And arms akimbo, high freckled dome gleaming, blue eyes popping with light even on gray days, he invites them to share with him the "politics of joy," to soar with him in what John Adams described as "the spirit of public happiness . . . the joy of American citizenship" involved in discussing and participating in public events.

"It's exciting to be an American: . . . Do I love to come here! . . . It's fun to be a Democrat; on our worst days we have more fun than Republicans! . . . America is not sick! It is growing and changing and groping for answers but it is alive! . . . We can do anything! The impossible dream is always being fulfilled in this country!"

So says this uncommon common man, who feels and lives between exclamation marks, this most upbeat of candidates, this old-fashioned spellbinder with the master's degree, this barefoot boy from South Dakota with the monogrammed shirts, this old-line liberal who helped pass much of the nation's social legislation and is now scorned by many liberals as a "company man," his happy salesman with the compelling, if not always contagious spirit.

"I speak of the politics of hope, of a new democracy for all! . . . You don't have to tear the party apart or the country down to build yourself up! . . . Let's plan ahead and not relive yesterday . . . I am an organization man and proud of it. I run on the record of the Kennedy-Johnson administration and the Johnson-Humphrey administration. But we're going to build on it, not rest on it!

". . . Let's stop talking about black power or white power and talk about people power! . . . Responsibility excludes deliberate divisiveness . . . Let's turn protest into progress! . . . I don't say we shouldn't talk about what's wrong in America. But let's give equal time to what's right in America! . . . You're as old as your fears, as young as your competence, as old as your doubts, as young as your hopes! . . ."

So says Hubert Humphrey, an instinctive politician of 57, ever conscious of Robert Kennedy, who is 42. Hubert Humphrey who senses a public hunger for good news among the bad, who walks the classic tightrope of the heir of the incumbent administration, with one eye on its admirers and the other on its critics.

If, among the Democratic candidates Robert Kennedy reminds you of an intense boy prosecutor and Gene McCarthy of a detached philosophy professor, Hubert Humphrey compels the vision of a happy oldtime drummer, like and well-liked, who sails into town with a shine on his shoes, a smile on his face and a sample case full of notions. Trouble in River City? Sure, there's trouble in River City, folks, but it can all be fixed.

Selling unity or trombones, progress or motherhood, social idealism or the power of positive thinking, Hubert Humphrey remains eternally the happy salesman. Give him an order and he's happy. Don't give him an order and he's still happy. But try to stop him from giving his spiel and you'll surely wipe out that smile and tie him up with a double hernia.

This man, as every schoolboy must know by now, loves to talk, loves the contest, loves to campaign, loves to feel a rapport with his audience. Although he is capable of short eloquent speeches with substance and polish, he generally emerges in this campaign as far less sophisticated than Kennedy and less intellectual than McCarthy. He acknowledges the nation's problems in race, poverty, education, housing and welfare but so far he has deliberatedly avoided specific solutions.

As of now, he apparently doesn't need to. He is the front-runner. Kennedy is getting the frenzied crowds, McCarthy is getting the approving murmurs of the intellectuals and Humphrey is quietly collecting the people who count most before the convention, the delegates.

He can be as folksy as a backyard barbecue.

In Rawling, Wyo.: "I want to thank you good people of Wyoming for sending Gale McGee to the United States Senate. And I want to thank Lorraine for marrying him."

In Denver: "I want you to know that Muriel is fine and getting out of the hospital soon. I know she's better because she's getting sassy again and giving me orders."

And like Kansas in August.

In Rawlins: "I've seen such wonderful children today. Children are God's testament to the future."

In Lansing, Mich.: "We talk about getting a bigger bang out of every dollar we spend for the hardware of defense. It is now time for efficiency and humanity in the heart-ware department."

No single example of his rhetoric typifies Hubert Humphrey in the preconvention campaign of 1968. Perhaps the one that comes closest is the "few informal remarks" he delivered to Nebraska Democrats over breakfast in Omaha. He said he wouldn't talk long because of a sore throat. He talked 40 minutes, all ad lib. Since he wasn't on the Nebraska primary ballot, he said, he wouldn't presume to tell the audience how to vote. Then, suddenly, he was painting a picture of a modern jet liner about to take off.

He talked of the storm warnings and turbulence ahead. He described the vulnerable look of a white-haired old lady boarding the plane. Also the vulnerable look of a young boy alone. And then the captain, a man with "a little gray at the temples," comes through the plane and the apprehensive passengers feel safer because they know that "if this plane has to go through a storm, this pilot and his experienced crew have flown through 1,000 storms. Now, we're going through some storms today . . ."

And, with the plane still warming up Hubert Humphrey talked of the storm of social change and he talked of the ship of state and he talked about changing horses in midstream and just about the time it looked like he would sink in a swamp of mixed metaphors, he saw the light through the forest and rushed forward and saved the day:

"Now the pilot has said he doesn't want to fly any more. Might I say, don't throw out the copilot!"

Away from the platform, away from the shrill, extroverted demands of politics, there is a quieter Hubert Humphrey, a thoughtful man with a refreshing perspective about himself and public life. This emerged during a reflective conversation on his campaign plane.

"Issues aside, why do you want to be president? What is the pull of the job?"

The Vice President answered slowly after a long pause. "I had to ask myself that after the President made his announcement and to be quite honest about it, I didnt' know. I sort of felt I ought to seek the nomination because I was the Vice President and did represent the administration and because there were a number of people who looked to me to do so."

"Surely, you had thought about it before March 31?"

"Oh, yes. Then I thought also, well this may be my one great chance. I'm at a period of my life where I'm vigorous, alive and, I hope, alert, where my experience is, maybe, at its blossom. I felt maybe I was better equipped not to take on the job. But you don't really hunger for it."

"Perhaps not hunger."

"No. no, you don't do that. It is a culmination. There is this built-in momentum in politics. It's like a magnet drawing you, if you're involved at this level of political life. You sort of feel that this is what you are moving toward. This is the ultimate, the climax, the center of the story of your political life.

"To be honest about it, I had often thought before what would happen if anything happened to the President—whether or not I was really up to it, whether I had prepared myself adequately. And I really did try during these three-and-a-half years to go through a training course, if there is such a thing, which I doubt. There is some preparatory work and I went through that.

"I had really, in the past year, more or less resolved that I most likely would not be a candidate for president in '72. I felt that if I were to become president it would be one of two ways. Either the president would not run in '68, which he had indicated to me many times and which I never believed. Secondly that it would come because of disability on the part of the President. And both of these I sort of pushed aside, you know, as unrealistic."

"Why had you canceled out 1972?"

"Several reasons. One is that after you are vice president for eight years, you're sort of worked out, worked over. You're the inheritor of so much of what has gone on before that you would have a very difficult time liberating yourself to be your own independent man. Then, I would have been 61. And I thought that the American people might feel it's all right to have a president of 61 but a candidate of that age, particularly with younger men available, might not seem exactly what they want.

"And I thought, there was no use in breaking your heart. You know, really, this is such a big thing that you've got to be sure of yourself, that you have the stamina to take it. I wasn't at all sure that in 1972, after the self-imposed discipline of eight years in the vice presidency, if that should have been my lot, with all the anonymity you have to have, the subservience that is required, that you'd be either emotionally or physically ready to do it."

"Harry Truman used to describe the presidency as a jail. Do you?"

"No. I think there is great dignity to it, a kind of beauty to it. With all its duties and responsibilities and discipline, I believe that a man can have a life of personal fulfillment. I would hope, if I were elected, to be a president that could move with the people some. I know how difficult it is, I know the dangers to the president's physical well-being in this country.

"But I also believe this is a chance you have to take. For one's own mental, political, emotional health, you have to get around the country. I have to. Really, in politics, what's most important is your spirit."

"I noticed in that Omaha hotel you were saying aloud, but as if to yourself, how good you felt. What prompted that?"

"I was doing what I want to do."

"You feel sort of liberated?"

"Yes. I'm out on my own, so to speak, not repudiating my family but on my own. I'm like the young man that has come of age. It's like being in business with your father, and finally dad says, look, you're going to run the business, and you sort of take on a new personality. I never ever wanted to humiliate my father or hurt him. I don't want to hurt the President. I feel a great genuine affection for him. I don't want to do anything that would cause him embarrassment or undue worry. But by the same token, I now am like the man that has gone off to college. You know, I mean, it's my day."

"You really like campaigning, don't you?"

"Yes, I like campaigning. It's got its burdens and weariness but I like it. It gives me a chance to meet many people and express my ideas and test myself against many imponderables every day. Some days you do well, some you don't. Some days you go back to your room and say, 'Oh, why did I louse that up?' Some days you say, 'I hit the ball out of the park.' You know when you do and you know when you don't and you don't need anyone to tell you. To do well, you have to have great confidence in yourself and your message. As Satchel Paige would say, your juices have to be running."

"Your juices seem to run more often than anybody I know."

"They don't always but . . . I must say, if I have any quality which can commend itself, I do believe in what I say. I just cannot get up before an audience and sell them something I don't believe in. I sometimes believe in it so much it becomes redundant. Maybe I am overly zealous about getting my message across but it isn't because I just want to say it. It's because I want them to believe it. But a fellow has his weaknesses and one of mine is nobody enjoys it more than I do."

"Getting back to the big job, you've seen the presidency and its burdens close up. Do you ever find yourself asking yourself during the night, who am I to seek it?"

"Of course. That's why it took me time to make up my mind. But somebody has to do the job. And you have to evaluate whether or not you think you are as well prepared for it as the other fellow. Plus, you have views, convictions and where better can you fulfill those convictions than in the presidency?

"I think that every public position is essentially a position of an educator as well as action. You're persuading, you're conditioning, you're educating and the greatest educator in America should be the president. It is a tremendous challenge and because it is, it becomes all the more interesting to you. Every part of you is challenged."

"I suppose that's part of the pull of the job."

"I'm sure it is. It's almost like, why would a man want to be an astronaut? Well, why not? If you've flown a plane, why not try space? If you've been in outer space, why not go to the moon? Particularly if you think you can handle it.

"I have seen the President make awesome decisions. That's an awfully difficult thing. It is even somewhat terrifying to watch. But somebody has to do it and I think maybe that I can do it as well as the next fellow and maybe a little better or I wouldn't be seeking the office.

"This isn't a contest between perfection and imperfection. It's a contest between imperfect men. It really is. We're—none of us has all the qualities a great nation ought to have all the time. It's a question of whether we have enough of the qualities that can add up to be a positive force in the life of the nation.

"And I guess, maybe, a man sort of immodestly assesses them and says, 'Well, here's the other man, here's another man, here's another man, here's another, here am I. Now how does it stack up?' Well, you check it out and, of course, you can always come to the decision that you're the one."

"Wouldn't it be horrible to conclude there's another man better than you are?"

"Particularly in midstream."

The Vice President was laughing now. A campaign aide came forward to remind him he was going to take a nap before the next stop.

"I am not going to take a nap," said Hubert Humphrey. "I'm having a good time!"

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If there is no further morning business, morning business is concluded.

AMENDMENT OF THE BANKRUPTCY ACT AND THE CIVIL SERVICE RETIREMENT LAW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The BILL CLERK. A bill (S. 1316) to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

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

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

The yeas and nays were ordered.

Mr. BURDICK. Mr. President, we now have under consideration S. 1316, dealing with the retirement program with respect to the tenure and retirement benefits for referees in bankruptcy.

The bill affects roughly 220 individuals, 179 full-time referees and 40 part-time referees.

The bill does three things, in essence. It lengthens the term of the 179 full-time referees from 6 to 12 years and provides compulsory retirement at age 75. Second, it provides more liberal retirement for referees. The provisions are similar to those for retirement in the legislative branch. And, third, it increases the employee and Government contributions into the retirement fund from 6½ to 7½ percent by both employee and employing Government agency.

It is estimated that after this bill becomes fully operative, it will cost the Government approximately $42,000 a year. It will not become operative until the present terms expire, which are now 6-year terms. After that period the rates of contribution will increase from 6½ to 7½ percent.

That, in essence, is the bill.

Why is the bill necessary? First of all, let me say that the Judicial Conference has been laboring on this question for several years. Because of the growth of bankruptcy and because of the importance of bankruptcy, it is felt that better, more qualified men will be attracted to the bankruptcy area.

Many people regard a referee as an inferior officer, but he is a judicial officer. He has the powers of a judicial officer. As a matter of fact, his qualifications and his oath of office are comparable to those of any Federal judicial officer. He must have learning and training and wide experience in law. So, from many aspects and for many purposes, a referee in bankruptcy is actually a judge in bankruptcy.

Consider the millions of dollars involved in property that are handled by a referee. That money affects the lives of many people and many corporations in their dealings with various sections of the Bankruptcy Act. Some of the issues are more complicated than many of those handled by district judges.

So here is an attempt to try to upgrade the bankruptcy area.

What are we talking about? At the end of World War II—at the end of 1946—there were 10,196 bankruptcy cases pending in the various courts in the land. At the end of last year, 1967, there were 208,329 cases pending. In other words, the bankruptcy load has increased twentyfold. So you can see how this affects the life of a nation and why it is necessary to have men of quality acting as referees or, as some would like to call them, judges in bankruptcy.

One of the problems we face is to induce good men with legal training to enter this branch of service. The practice has shown that only those who have had many years of legal experience and practice, and after they have reached the age of 40 or 45, become referees in bankruptcy. This background and experience is needed.

If we were to apply the retirement rules that exist at present, most of these men, starting at the age of 45 or 40, would have to serve another 41 years and 11 months—almost 42 years—before they could receive maximum retirement benefits, or 80 percent of their salaries. That means a man of 45 would have to serve until he retired at the age of 87. I am sure no one wants that. That is the law as it is today.

We tried to take care of that aspect and made retirement compulsory at age 75 and shortened the period so that, in 32 years, under the new formula, an individual could retire with the maximum amount, 80 percent of his salary.

That is the gist of the argument—that we have to upgrade these people and put them on a better and a comparable footing with that of judges.

To those who say this will cost some money, let me say there is a catchup period until the time when they will pay 7.5 percent. There is a catchup period. But bear in mind that our Federal judges receive $30,000 a year in the district courts and, I believe, $32,000 a year in the circuit courts, as against $22,500 for the referees. Bear in mind that a Federal judge pays nothing toward his retirement benefits. When he retires, after 10 years of service, at age 70, he retires at full pay. He makes no contribution to the retirement system. He may retire after 15 years of service at age 65. So we are dealing with a judicial officer just as we are with a Federal judge. Yet we are giving him none of the comparable benefits.

This bill is endorsed, as I say, by the Judicial Conference. As a matter of fact, they drew the original draft. I am sure I do not have to explain to this body who

the Judicial Conference is. It is supported by the National Bankruptcy Conference, the American Bar Association, and, I believe, the American Judicature Society, many of our State and local bars, and has widespread support throughout the legal community.

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

Mr. BURDICK. I yield.

Mr. CARLSON. Mr. President, I wish to offer an amendment to the pending bill.

The PRESIDING OFFICER (Mr. NELSON in the chair). The committee amendments have not been agreed to yet. They would have to be acted on before an amendment could be offered.

Mr. BURDICK. Mr. President, before we entertain this amendment, I ask that the committee amendments be agreed to and that the bill as thus amended be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? Without objection, the committee amendments are agreed to and the bill is considered as original text for the purpose of amendment.

Mr. CARLSON. Mr. President, I wish this amendment to be pending, and will discuss it later, after the distinguished Senator has completed his statement.

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

The LEGISLATIVE CLERK. It is proposed to strike the language commencing on page 1, line 10, down to and including line 7 on page 2; and to strike the language beginning on page 3, line 3, down to and including line 15 on page 3.

Mr. CARLSON. Mr. President, at the present time I merely wish to state that the amendment strikes out the retirement provisions.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that the amendments be considered en bloc?

Mr. CARLSON. Yes.

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

The Senator from North Dakota may proceed.

Mr. BURDICK. Mr. President, referees in bankruptcy are judges of the bankruptcy courts and are presently under the regular civil service retirement law which requires over 40 years of service to reach maximum retirement benefits. To find persons of necessary experience and judicial temperament appointees are usually 40 to 45 years of age and cannot attain length of service to attain satisfactory retirement under present law. This bill would enable a referee to realize maximum annuity benefit in 32 years instead of 41 years.

To attract top-quality men for these judicial positions and to persuade them to relinquish a good law practice the Government must provide adequate compensation, security of tenure, and better retirement. The present maximum salary of a full-time referee is $22,500 a year and the term of office 6 years. This bill would correct the retirement and tenure situations and enable the course to attract and hold top quality lawyers for these important judicial positions. Referees take the same oath and should have the same qualifications as Federal judges who have lifetime tenure, higher salaries, and retirement on full compensation.

Mr. President, I submit that this bill will, in a large measure, through lengthening the terms and through improving the retirement system, attract better men to this area of law, which is growing every day.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BURDICK. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, until not later than 1:45 p.m. today.

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

Thereupon (at 12 o'clock and 44 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1 o'clock and 42 minutes p.m., when called to order by the Presiding Officer (Mr. GORE in the chair).

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 6 minutes.

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

ECONOMIC INDICATORS SHOW SLOWDOWN IN APRIL

Mr. PROXMIRE. Mr. President, this morning two distinguished economists appeared before our Joint Economic Committee, both of whom made remarks on the outlook for the economy. Economics Prof. Lester C. Thurow of Harvard University pointed out that virtually every econometric model shows—if you program into it the tax increase and the expenditure reduction which are now pending in the House of Representatives and appear almost sure to pass—that we will have a recession in 1969. Dr. Gerhard Colm, chief economist, National Planning Association, one of the most distinguished economists in the Nation, says the proposed increase in taxes and reduction in spending will result in an increase in unemployment, next year, of from 500,000 to 1 million additional persons.

I also point out that the business cycle developments during the past month have changed the situation dramatically from what it was in March. The figures for April, which have just become available, show that of the 21 available series of lending indicators, only six series were pointing up in April, compared to 16 series in March. In other words, whereas in March the indicators indicated we were passing into an expansionary period in our economy, in April, the most recent month for which figures are available, the indications are the economy is already contracting, already moving downhill, even before the Senate passes fiscal legislation, that is, an increase in taxes and a cut in expenditures, which is bound to push the economy down faster and farther.

I ask unanimous consent that a table indicating these changes and a letter of transmittal explaining the changes be printed in the RECORD at this point.

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

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
May 31, 1968.

MEMORANDUM

To: Senator WILLIAM PROXMIRE.
From: John R. Stark.
Subject: Summary of economic indicators.

Attached is a summary table from the May issue of *Business Cycle Developments* containing the data on leading indicators for the month of April.

Of the 21 available series on leading indicators, 6 series were pointing up in April compared to 16 series in March. Among the series which showed declines were the following:

Average work week: 40.4 hours in April compared to 40.7 in March.

Nonagricultural placements—all industries: Down 8 percent from March to April.

New orders, durable goods industries: Down 2.6 percent in April compared to March, which was up 5.2 percent from February.

Contracts and orders, plant and equipment: Down 6.1 percent in April after rising 5.0 percent in March.

New building permits, private housing: Down 5.8 percent in April after rising 1.2 percent in March and 23.5 percent in February.

Industrial materials prices: Down 1.8 percent in April after climbing 0.6 percent in March.

Ratio, price to unit labor cost, manufacturing: Down 0.3 percent in April after rising 0.3 percent in the previous month.

The series which increased were the following:

New orders, machine and equipment industries: Up 4.6 percent in April and 2.7 percent in March.

Private, nonfarm housing starts: Up 8.3 percent in April, down 2.1 percent in March, and up 4.8 percent in February.

Buying policy, production materials, commitments of 60 days or longer: Up 6.2 percent in April and 4.9 percent in March.

Stock prices, 500 common stocks: Up 7.4 percent.

Change in U.S. money supply: Up 2.64 percent.

Among the major coincident and lagging indicators, the following changes occurred for the month of April:

Employees in nonagricultural establishments: Up 0.2 percent.

Unemployment rate: 3.5 percent in April, down slightly from 3.6 percent in March.

Industrial production: Unchanged.

Personal income: Up 0.5 percent in April after rising 1.1 percent in March and 1.3 percent in February.

Sales of retail stores: Down 1.7 percent in April, after rising 2.7 percent in March.

Labor cost per unit of output, manufacturing: Up 0.5 percent in April.

Commercial and industrial loans outstanding: Up 3.1 percent.

The Labor Department's recent release on prices for the month of April shows an increase for the Consumer Price Index of 0.3 percent over March—4.0 percent above the April 1967 level. From March to April, nondurables rose 0.3 percent (food and beverages at home, 0.6 percent; apparel and accessories, 0.6 percent; and household furnishings and supplies, 0.6 percent), durable goods, 0.2 percent and consumer services, 0.3 percent (medical care services prices 0.5 percent).

The Wholesale Price Index rose 0.1 percent in April and another 0.1 percent in May. Prices of industrial commodities were up 0.2 percent in April, but down 0.2 percent in May. Significant price declines occurred in primary copper and copper-based products reflecting the strike settlement. Iron and steel scrap prices also declined. It is interesting to note that the decline in industrial prices from April to May was the first since June 1964.

BASIC DATA—CHANGES OVER 4 LATEST MONTHS

Series	Comparative measures: Average percent change [1 2]: April 1967 to date (with sign) [3]	April 1967 to date (without sign) [4]	1953 to 1967 (without sign) [4 5]	Duration (months): Average [6]	Current direction [7]	Current performance: Basic data [8]: Unit of measure	February 1968	March 1968	April 1968	Percent change [2]: January to February 1968	February to March 1968	March to April 1968
LEADING INDICATORS												
I. Employment and unemployment												
Marginal employment adjustments:												
1. Average workweek, production workers, manufacturing.[9]	0	0.5	0.5	2.2	1	Hours	40.7	40.7	[10] 40.4	+1.2	0	−0.7
30. Nonagricultural placements, all ndustries.[1]	−.3	3.1	2.1	2.0	1	Thousands	479	494	[10] 455	−3.8	+3.1	−7.9
2. Accession rate, manufacturing	−.3	4.5	4.6	2.2	1	Per 100 employees	4.5	[10] 4.0	([11])	0	−11.1	([11])
5. Average weekly initial claims, State unemployment insurance (inverted).[2]	+2.3	6.5	5.3	1.7	1	Thousands	199	188	190	+7.0	+5.5	−1.1
3. Layoff rate, manufacturing (inverted) [2]	+.1	11.0	9.4	2.1	1	Per 100 employees	[12] 1.4	[10] 1.3	([11])	-	+7.1	([11])
III. Fixed capital investment												
Formation of business enterprises:												
38. Index of net business formation [9]	+.8	1.1	.8	2.9	1	1957-59=100	114.5	113.6	([11])	+.9	−.8	([11])
13. New business incorporations	+.7	3.6	2.5	1.8	1	Number	18,014	17,974	([11])	+4.6	−.2	([11])
New investment commitments:												
6. New orders, durable goods industries [9]	+1.2	3.4	3.6	1.8	1	Billion dollars	[12] 24.83	[12] 26.11	[10] 25.42	+.2	+5.2	−2.6
94. Construction contracts, value	+.8	6.7	6.4	1.6	1	1957-59=100	156	176	146	−1.9	+12.8	−17.0
10. Contracts and orders, plant and equipment.[9]	+.4	4.2	4.6	1.8	1	Billion dollars	[12] 5.62	[12] 5.90	[10] 5.54	−4.7	+5.0	−6.1
11. New capital appropriations, manufacturing.[13]	−1.5	3.0	9.3	9.2	6	do	[10] 5.57			−4.1		
24. New orders, machinery and equipment industries.	+.8	3.6	4.1	1.9	2	do	[12] 4.49	[12] 4.61	[10] 4.82	−7.8	+2.7	+4.6
9. Construction contracts, commercial and industrial buildings.	−1.1	8.0	8.5	1.5	1	Million square feet floor space.	61.39	66.61	47.09	−4.8	+8.5	−29.3
7. Private nonfarm housing starts	+3.6	8.0	7.2	1.6	1	Annual rate, thousands	[12] 1,499	[12] 1,468	[10] 1,590	+4.8	−2.1	+8.3
29. New building permits, private housing [9]	+2.4	7.1	3.9	1.9	1	1957-59=100	120.0	[12] 121.4	[10] 114.4	+23.5	+1.2	−5.8
IV. Inventories and inventory investment												
Inventory investment and purchasing:												
21. Change in business inventories, all industries.[13 14]	+.7	5.1	2.6	5.3	3	Annual rate, billion dollars	[12] +2.7			−6.5		
31. Change in book value, manufacturing and trade inventories.[9 14]	−.1	5.7	3.8	1.5	3	do	[12] +3.4	[10] +2.3	([11])	−3.8	−1.1	([11])
37. Purchased materials, percent reporting higher inventories.	+2.9	5.3	6.5	2.4	3	Percent	53	52	51	−3.6	−1.9	−1.9
20. Change in book value, manufacturers' inventories of materials and supplies.[14]	−.2	1.2	1.5	1.6	2	Annual rate, billion dollars	[12] −.2	[10] −0.7	([11])	−.5	−.5	([11])
26. Buying policy, prod. materials, commitments 60 days or longer.[15]	+.3	4.3	5.0	1.8	2	Percent	61	64	68	−4.7	+4.9	+6.2
32. Vendor performance, percent reporting slower deliveries.[17]	+2.6	5.8	7.4	3.1	2	do	55	54	52	+10.0	−1.8	−3.7
25. Change in unfilled orders, durable goods industries.[14]	+.05	.75	.50	1.7	1	Billion dollars	[12] +.18	[12] +.94	[10] +.51	+.64	+.76	−.43
V. Prices, costs, and profits												
Sensitive commodity prices:												
23. Industrial materials prices [9 15]	−0.1	0.7	1.3	2.6	1	1957-59=100	99.5	100.1	98.3	−0.3	+0.6	−1.8
Stock prices:												
19. Stock prices, 500 common stocks [9 15]	+.5	2.3	2.5	2.4	1	1941-43=10	90.75	89.09	95.67	−4.5	−1.8	+7.4
Profits and profit margins:												
16. Corporate profits after taxes [9 13]	+4.0	4.0	5.2	9.2	9	Annual rate, billion dollars	[10] 52.2			+4.2		
22. Ratio, profits to income originating, corporate, all industries [13]	+1.7	2.8	4.1	7.6	6	Percent	[10] 12.5			+2.5		
18. Profits per dollar of sales, manufacturing [13]	+1.2	2.5	5.6	7.9	3	Cents	([11])			([11])		
17. Ratio, price to unit labor cost, manufacturing.[9]	−.1	.5	.6	2.5	1	1957-59=100	[12] 99.2	[12] 99.5	[10] 99.2	−.4	+.3	−.3
VI. Money and credit												
Flows of money and credit:												
98. Change in money supply and time deposits.[1]	−.04	3.00	2.49	1.5	1	Annual rate, percent	+4.20	+8.16	[10] +5.16	+1.20	+3.96	−3.00
85. Change in U.S. money supply [14]	+.94	4.88	2.89	1.4	2	do	0.00	+5.88	[10] +8.52	−6.60	+5.88	+2.64
33. Change in mortgage debt [14]	+.58	2.56	1.34	1.5	1	Annual rate, billion dollars	+19.20	[10] +17.96	([11])	+.71	−1.24	([11])
113. Change in consumer installment debt [9 14]	+.38	.78	.86	1.6	3	do	+6.79	+6.79	([11])	+2.01	0	([11])
112. Change in business loans [14]	+.87	9.27	2.77	1.6	2	do	−2.28	+4.07	[10] +19.64	−14.81	+6.35	+15.57
110. Total private borrowing [13]	+2.8	12.7	11.0	6.7	3	Annual rate, million dollars	[10] 65,564			−14.8		
Credit difficulties:												
14. Liabilities of business failures (inverted [2])	−2.8	22.0	19.6	1.5	4	Million dollars	81.06	80.46	80.43	+30.5	+.7	0
39. Delinquency rate, installment loans, 30 days and over (inverted [2]).	+4.3	6.4	2.7	5.2	2	Percent	1.51		([11])	+13.2		([11])
ROUGHLY COINCIDENT INDICATORS												
I. Employment and unemployment												
Job vacancies:												
301. Nonagricultural job openings unfilled	+.4	2.1	3.1	3.7	4	Thousands	360	368	[10] 370	+1.1	+2.2	+.5
46. Help-wanted advertising	+.4	3.2	3.0	3.0	1	1957-59=100	193	[12] 202	[10] 188	+4.9	+4.7	−6.9

Footnotes at end of table.

BASIC DATA—CHANGES OVER 4 LATEST MONTHS—Continued

Series	Comparative measures: Average percent change [1 2] April 1967 to date (with sign) [3]	Average percent change April 1967 to date (without sign) [4]	Average percent change 1953 to 1967 (without sign) [4 5]	Duration (months) Average [6]	Duration Current direction [7]	Current performance: Basic data [8] Unit of measure	February 1968	March 1968	April 1968	Percent change [2] January to February 1968	February to March 1968	March to April 1968
ROUGHLY COINCIDENT INDICATORS—Con.												
Comprehensive employment:												
511. Man-hours in nonagricultural establishments.	+.2	.6	.4	2.8	2	Annual rate, billion man-hours.	[12] 135.26	[12] 135.00	[10] 134.78	+1.7	−.2	−.2
41. Employees in nonagricultural establishments.[9]	+.3	.3	.3	4.9	7	Thousands	67,712	[12] 67,813	[10] 67,921	+.9	+.1	+.2
42. Total nonagricultural employment	+.2	.3	.4	2.2	1	do	71,604	71,788	71,656	+.6	+.3	−.2
Comprehensive unemployment:												
43 Unemployment rate, total (inverted [2]) [9]	+.3	4.3	3.8	2.7	2	Percent	3.7	3.6	3.5	−5.7	+2.7	+2.8
45. Average weekly insured unemployment rate, State (inverted [2]).	+1.7	4.3	4.2	5.0	2	do	2.3	2.2	2.1	0	+4.3	+4.5
40. Unemployment rate, married males (inverted [2]).	+1.8	4.7	5.9	3.4	1	do	1.7	1.7	1.5	−6.2	0	+11.8
II. Production, income, consumption, and trade												
Comprehensive production:												
49. GNP in current dollars [13]	+2.2	2.2	1.5	19.3	87	Annual rate, billion dollars	[12] 826.7			+2.4		
50. GNP in 1958 dollars [13]	+1.2	1.2	1.2	10.2	12	do	689.7			+1.5		
47. Industrial production [9]	+.3	.6	1.0	3.5	3	1957-59=100	[12] 161.9	[12] 162.7	[10] 162.7	+.4	+.5	0
Comprehensive income:												
52. Personal income [9]	+.7	.7	.5	5.3	30	Annual rate, billion dollars	[12] 659.4	[12] 666.5	[10] 670.1	+1.3	+1.1	+.5
53. Wages, salaries in mining, manufacturing, construction.	+.6	.8	.8	2.9	3	do	173.9	[12] 174.5	[10] 175.2	+2.1	+.3	+.4
Comprehensive consumption and trade:												
816. Manufacturing and trade sales [9]	+.8	1.1	1.0	2.3	5	Million dollars	[12] 92,595	[10] 94,327	([11])	+.1	+1.9	([11])
57. Final sales [13]	+2.1	2.1	1.4	34.8	120	Annual rate, billion dollars	[12] 824.0			+3.2		
54. Sales of retail stores [9]	+.5	1.3	.9	2.2	1	Million dollars	[12] 27,399	[12] 28,129	[10] 27,640	+1.2	+2.7	−1.7
III. Fixed capital investment												
Backlog of investment commitments:												
96. Unfilled orders, durable goods industries	+.7	.8	1.4	5.7	3	Billion dollars	[12] 79.32	[12] 80.26	[10] 80.77	+.2	+1.2	+.6
97. Backlog of capital appropriations, manufacturing.[16]	+.3	.7	5.4	12.4	6	do		[10] 20.53			−.4	
V. Prices, costs, and profits												
Comprehensive wholesale prices:												
55. Wholesale prices, industrial commodities [15]	+.2	.2	.2	4.1	46	1957-59=100	108.3	108.6	108.8	+.5	+.3	+.2
58. Wholesale prices, manufactured goods [15]	+.2	.2	.2	3.3	12	do	108.6	108.9	109.0	+.5	+.3	+.1
VI. Money and credit												
Bank reserves:												
93. Free reserves [14] (inverted [2]) [15]	50	99	93	2.1	3	Million dollars	[12] +38	[12] −315	[10] −420	+106	+353	+105
Money market interest rates:												
114. Treasury bill rate [15]	+3.0	5.1	6.4	2.6	2	Percent	4.97	5.14	5.36	−2.2	+3.4	+4.3
116. Corporate bond yields [15]	+1.7	2.6	1.8	2.7	1	do	6.57	6.80	6.79	0	+3.5	−.1
115. Treasury bond yields [15]	+1.4	2.6	1.7	2.8	1	do	5.16	5.39	5.28	−.4	+4.5	−2.0
117. Municipal bond yields [15]	+1.6	3.0	2.5	2.6	1	do	4.31	4.54	4.34	+.5	+5.3	−4.4
LAGGING INDICATORS												
I. Employment and unemployment												
Long-duration unemployment:												
502. Unemployment rate, persons unemployed 15 weeks and over (inverted [2]) [9]	+1.4	1.4	6.3	4.1	18	Percent	0.6	0.6	0.5	0	0	+16.7
III. Fixed capital investment												
Investment expenditures:												
61. Business expenditures, new plan and equipment [9 13]	+1.8	2.4	3.1	17.4	6	Annual rate, billion dollars	[17] 64.80			+3.3		
505. Machinery and equipment sales and business construction expenditures	+.8	1.6	1.8	1.9	1	do	[12] 72.25	[10] 73.17	([11])	−1.3	+1.3	([11])
IV. Inventories and inventory investment												
Inventories:												
71. Book value, manufacturing and trade inventories [9]	+.3	.4	.5	6.8	9	Billion dollars	[12] 141.62	[10] 141.81	([11])	+.2	+.1	([11])
65. Book value, manufacturers inventories of finished goods	+.4	.7	.6	3.6	5	do	[12] 27.85	[10] 28.06	([11])	+.5	+.8	([11])
V. Prices, costs, and profits												
Unit labor costs:												
68. Labor cost (current dollars) per unit of gross product (1958 dollars), nonfin. corp.[13]	+1.0	1.0	.9	9.2	27	Dollars	[10] 0.734			+1.2		
62. Labor cost per unit of output, manufacturing.[9]	+.4	.5	.6	2.5	1	1957-59=100	[12] 109.5	[12] 109.4	[10] 109.9	+.9	−.1	+.5
VI. Money and credit												
Outstanding debt:												
66. Consumer installment debt	+.5	.5	.8	13.5	82	Million dollars	77,853	78,419	([11])	+.7	+.7	([11])
72. Commercial and industrial loans outstanding.[9]	+.7	1.2	1.0	3.7	2	do	65,450	65,789	[10] 67,844	−.1	+.5	+3.1
Interest rates on business loans and mortgages:												
67. Bank rates on short-term business loans.[9 13 15]	+2.3	2.3	2.2	7.9	6	Percent	6.36			+6.7		
118. Mortgage yields, residential [15]	+.8	.9	.6	10.6	2	do	6.78	6.83	6.94	−.4	+.7	+1.6

Footnotes at end of table.

BASIC DATA—CHANGES OVER 4 LATEST MONTHS—Continued

Series	Comparative measures: Average percent change [1 2]: April 1967 to date (with sign) [3]	April 1967 to date (without sign) [4]	1953 to 1967 (without sign) [4 5]	Duration (months): Average [6]	Current direction [7]	Current performance: Basic data [8]: Unit of measure	February 1968	March 1968	April 1968	Percent change [2]: January to February 1968	February to March 1968	March to April 1968
SERIES UNCLASSIFIED BY CYCLICAL TIMING												
V. Prices, costs, and profits												
Comprehensive retail prices:												
81. Consumer prices [13]	+.3	.3	.2	4.2	32	1957-59=100	119.0	119.5	119.9	+.3	+.4	+.3
VII. Foreign trade and payments												
89. U.S. balance of payments: [13 14]												
a. Liquidity balance basis	−16	846	308	5.1	3	Million dollars	[10] −600			+1,245		
b. Official settlement basis	+104	1,221	573	5.6	3	do	[10] −520			+700		
88. Merchandise trade balance [14]	−15.0	133.1	57.7	1.6	1	do	+171.2	−157.7	+248.0	+1.9	−328.9	+405.7
86. Exports, excluding military aid	+1.0	6.0	3.6	1.8	1	do	2,773.1	2,454.7	2,888.5	−.4	−11.5	+17.7
861. Export orders, durables excluding motor vehicles [15]	+3.0	13.0	12.6	1.4	1	do	[12] 982	[10] 941	([11])	+12.0	−4.2	([11])
862. Export orders, nonelectrical machinery	+2.9	7.6	6.4	1.6	2	1957-59=100	260	[10] 280	([11])	+20.9	+7.7	([11])
87. General imports	+1.5	3.1	2.9	1.8	2	Million dollars	2,601.9	2,612.4	2,640.5	−.5	+.4	+1.1
VIII. Federal Government activities												
95. Federal surplus (+) or deficit (−), national income and product accounts [13 4]	+1.3	1.3	2.6	6.7	9	Annual rate billion dollars	[10] −10.7			0		
951. Federal receipts, national, income and product accounts [13]	+3.7	3.7	2.5	10.4	9	do	[10] 164.9			+4.8		
952. Federal expenditures national. income and product [13]	+2.6	2.6	2.1	11.8	39	do	[12] 175.6			+4.6		
101. National defense purchases, current dollars [13]	+1.9	1.9	2.3	.3	36	do	[12] 76.7			+3.4		
91. Defense Department obligations, total	+.9	11.6	13.6	1.4	1	Million dollars	7,615	6,208	([11])	+8.3	−18.5	([11])
90. Defense Department obligation, procurement	+4.7	24.8	26.2	1.4	1	do	2,865	1,985	([11])	+21.4	−30.7	([11])
99. New orders, defense products industries	+4.5	20.2	21.4	1.6	1	Billion dollars	[12] 3.77	[12] 5.20	[10] 4.28	+13.2	+37.9	−17.7
92. Military contract awards in United States	+1.7	10.6	20.9	1.5	1	Million dollars	3,445	3,124	([11])	+19.3	−9.3	([11])
SERIES UNCLASSIFIED BY CYCLICAL TIMING AND ECONOMIC PROCESS												
850. Ratio, output to capacity, manufacturing [13]	−.3	.6	2.2	8.7	3	Percent	[10] 84.1			−.4		
851. Ratio, inventories to sales, manufacturing, trade.	−.5	.9	1.0	2.8	5	Ratio	[12] 1.53	[10] 1.50	([11])	0	−2.0	([11])
852. Ratio, unfilled orders to shipments, manufacturers' durable goods.	−.2	2.2	2.0	2.0	1	do	3.58	[12] 3.54	[10] 3.61	+1.4	−1.1	+2.0
853. Ratio, production of business equipment to consumer goods.	−.4	1.1	.9	2.8	3	1957-59=100	[12] 119.9	[12] 118.8	[10] 118.6	−1.1	−.9	−.2
854. Ratio, personal saving to disposable personal income [13]	−.1	7.9	8.5	4.7	3	Ratio	[12] 0.066			−12.0		
855. Ratio, nonagricultural job openings unfilled to persons unemployed.	+1.1	4.8	5.5	3.3	2	do	0.122	0.129	[10] 0.137	−5.4	+5.7	+6.2
856. Ratio, average earnings to consumer prices	+.1	.3	.4	2.4	1	1957-59=100	[12] 116.6	117.3	[10] 116.8	−.3	+.6	−.4
857. Vacancy rate, total rental housing [13 16]	−5.5	7.0	3.8	6.3	3	Percent	([11])			([11])		

[1] Average percent changes are based on month-to-month (or quarter-to-quarter) percent changes for the specified periods.
[2] To facilitate interpretations of cyclical movements, those series that usually fall when general business activity rises and rise when business falls are inverted so that rises are shown as declines and declines as rises (see series 3, 5, 14, 39, 40, 43, 45, 93, and 502). Percent changes are computed in the usual way but the signs are reversed. See footnote 10 for other "change" qualifications.
[3] Average computed with regard to sign.
[4] Average computed without regard to sign.
[5] The period varies among the series; however, for most series, the period covered is 1953-67.
[6] Average number of consecutive monthly changes in the same direction (see the explanation for "the average duration of run" in app. C).
[7] Duration of the current direction of change (see the sign of the latest entry in "Current percent change" columns) measured in months. When there is no change between 2 consecutive values the direction is assumed to be the same as that of the preceding period.
[8] Series are seasonally adjusted except for those series, indicated by footnote 15, that appear to contain no seasonal movement. See additional basic data and notes in table 2.
[9] Series included in the 1966 NBER "short list" of indicators.
[10] Preliminary.
[11] Not available.
[12] Revised.
[13] Quarterly series; figures are placed in the middle month of quarter.
[14] Since basic data for this series are expressed in plus or minus amounts, the changes are month-to-month (or quarter-to-quarter) differences expressed in the same unit of measure as the basic data, rather than in percentages.
[15] Not seasonally adjusted.
[16] End-of-quarter series; figures are placed in the last month of quarter.
[17] Anticipated.

COMPREHENSIVE INVESTIGATION OF DEFENSE PROCUREMENT PRACTICES IS LONG OVERDUE

Mr. PROXMIRE. Mr. President, Congress and its investigative units have been turning up cases of waste, inefficiency, mismanagement, and excessive profits in the defense procurement program with greater frequency. The latest example of questionable defense procurement policy and practice concerns a series of contracts awarded by the Navy to the Westinghouse Electric Corp. The profits realized on these contracts were so excessive that, after an investigation by the General Accounting Office, the Government decided to withhold nearly $4 million of the contract price. The GAO found that the profits, which Westinghouse had stated would be about 10 percent of the contract price, actually ran to about 40 percent. Subsequent to the GAO investigation, the Navy auditors concluded that the profits were actually about 60 percent.

Westinghouse, however, has insisted that it is legally entitled to full payment, despite the fact that the profits on these multimillion-dollar contracts amount to around 60 percent. The company has been arguing for payment of the amounts withheld and, apparently, these payments may soon be made.

This latest case, once again, demonstrates the weaknesses in the defense procurement program. Certainly no one could contend that a 60-percent profit on a defense contract is reasonable. Yet, these high profits do not seem to be uncommon. The Subcommittee on Economy in Government of the Joint Economic Committee, of which I am chairman, found similar instances of excessive profits and mismanagement of the defense procurement program in two sets of hearings held last year. The Subcommittee on Economy in Government has already indicated its intent to hold further hearings into the defense procurement this year. I believe a full and comprehensive investigation of defense procurement management practices and policy is long overdue, and I am hopeful that we can make a start toward uncovering the reasons for the frequency of abuses in this important and mammoth program in the hearings which we will formally announce in the near future.

I ask unanimous consent to have printed in the RECORD an article concerning the Westinghouse case entitled "Pentagon Moving To Pay Profit Called Excessive," written by John W. Finney, and published in the New York Times of June 2, 1968.

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

PENTAGON MOVING TO PAY PROFIT CALLED EXCESSIVE—AUDIT UNIT SAYS WESTINGHOUSE IS ENTITLED TO PAYMENT—CALLS THE NAVY AT FAULT

(By John W. Finney)

WASHINGTON, June 1.—The Defense Department is proposing to pay the Westinghouse Electric Corporation nearly $4-million that auditors of the Navy and General Accounting Office contend represents excessive profits on nuclear submarine contracts.

The Defense Contract Audit Agency does not contest that Westinghouse may have made more profit than expected on the contracts. But the agency, the department's "watchdog" on military contracts, argues the Navy was at fault in approving the contracts if they called for undue profits, and that Westinghouse was entitled to the money.

The case, expected to be decided shortly by the Defense Department, was described in general terms in recent Congressional testimony by Vice Adm. Hyman G. Rickover. He called it an example of how defense contractors were able to take advantage of the government.

While the admiral did not identify the contractor, defense officials acknowledged that the case involved Westinghouse contracts entered into 10 years ago for reactor pumps for atomic submarines.

Charles H. Weaver, Westinghouse vice president for government affairs, declined comment on the matter because it was "not appropriate" to discuss a case pending before the contract audit agency.

As described by Admiral Rickover and General Accounting Office reports, this is how the case developed:

Westinghouse was given a general cost-plus-fixed-fee contract to construct reactor power plants for nuclear submarines. It was also given authority to enter into negotiated fixed-price subcontracts for components with the injunction that it was to exercise "due care" that reasonable prices be charged on the subcontracts.

Under this authority, Westinghouse's Plant Apparatus Division awarded two contracts to Westinghouse's Atomic Equipment Division—one of $8,700,360 for 84 pumps, the other for $3,961,000 for 35 pumps.

The Navy consented to the subcontracts but requested cost breakdowns to help establish the reasonableness of these prices. Westinghouse then submitted cost breakdowns indicating that the prices included about a 10 per cent profit.

But on checking the subcontracts in 1962, the General Accounting Office concluded that the profits actually ran to about 40 per cent and that the government had been overcharged about $3-million. Navy auditors concluded that the profits ran to about 60 per cent and that the Government was being overcharged nearly $4-million.

The General Accounting Office recommended that the extra money not be paid on the ground that Westinghouse had not exercised "due care" in determining the reasonableness of the prices on the subcontracts. Navy auditors concurred, and also said that Westinghouse had submitted false and misleading breakdowns.

At one point, the case was referred to the Justice Department, which reportedly agreed that the charges were excessive but contended it would be difficult to prove fraud. As a result, the case was referred back to the Navy with a recommendation that administrative action be taken.

On the basis of these findings and recommendations, the Navy decided in 1964 to withhold payment of nearly $4-million to Westinghouse to recover the excess profits. Westinghouse appealed this decision in 1965, and eventually the appeal was turned over to the Defense Contract Audit Agency, which was established in 1965.

NAVY VIEW UPHELD

Initially, the agency's regional office in Philadelphia, the one responsible for auditing the contracts, issued a preliminary decision upholding the Navy in disallowing the $4-million. In June, 1967, Westinghouse made a further appeal to the agency's headquarters. The agency then conducted a new audit that is leading to a conclusion supporting the Westinghouse claim.

William B. Petty, director of the agency, said in an interview that his office had not made "any final decision." But, according to Admiral Rickover, the agency is favorably considering a recommendation by its Philadelphia office, which has changed management since 1965, that the $4-million be paid Westinghouse.

The argument advanced by Westinghouse and now apparently accepted by the audit agency, according to Admiral Rickover, is that the Navy closely supervised Westinghouse's operations, consented to the use of the fixed-price subcontracts, and was therefore at fault for the high profits. As for the Westinghouse breakdowns showing a 10 per cent profit. Westinghouse and the agency's Philadelphia office argue that the breakdowns "served no real purpose."

WINS 4-YEAR BATTLE

"There is no question in my mind that the Government will ultimately have to pay the $4-million," Admiral Rickover told the House Banking Committee.

"This case," he said, "is a good example that, no matter what the circumstances, if a contractor persists long enough, he usually wins his case. The Government is simply not organized and staffed adequately to take care of the Government's interests."

Admiral Rickover, meanwhile, has apparently won a four-year battle with the Defense Department and Navy over excess profits that he contended the Navy was paying Westinghouse and the General Electric Company to work at two laboratories owned by the Atomic Energy Commission.

In his testimony before the House committee, the admiral renewed his complaint that the Navy was paying the two companies $400,000 more a year than was the commission for equivalent work at the two laboratories.

In a recent letter to Senator Thomas J. McIntyre, Democrat of New Hampshire, who had inquired about reports in the New York Times about the Rickover complaints, J. M. Malloy, Deputy Assistant Secretary of Defense for Procurements, said that the Navy was taking action to bring its fees to the two companies in line with the fees paid by the commission.

HUMAN RIGHTS NEED MORE THAN MERE RECOGNITION

Mr. PROXMIRE. Mr. President, the special meeting of the U.N. General Assembly will be convened later this year to formally commemorate Human Rights Day. On that occasion special United Nations stamps will be issued and special programs highlighting the worldwide battle for human rights will be conducted.

Our country's role should not be limited to perfunctory and well-meaning acknowledgment. We should, instead, make clear our firm and determined approval through Senate ratification of the Human Rights Conventions on Genocide, Political Rights of Women, Forced Labor, and Freedom of Association.

The ratification of these treaties would represent a clear indication on the part of this country that we are stanchly cooperating to advance the course of humanity throughout the world. I feel it is desirable and most necessary during this International Human Rights Year, to take these treaties out of the Foreign Relations Committee and give them our complete endorsement. I again ask the Senate to vote its approval of these treaties and thus give credence to this country's commitment to the fight for the dignity of mankind.

AMENDMENT OF THE BANKRUPTCY ACT AND THE CIVIL SERVICE RETIREMENT LAW

The Senate resumed the consideration of the bill (S. 1316) to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

Mr. CARLSON. Mr. President, I ask for the yeas and nays on my amendment now pending at the desk.

The yeas and nays were ordered.

Mr. CARLSON. Mr. President, I shall speak very briefly. I wish to state first that it is very difficult for me to oppose any bill or any proposal of the distinguished Senator from North Dakota [Mr. BURDICK]. He is not only a good personal friend of mine, but a fellow member of the Civil Service Committee.

The section my amendment would strike from the bill deals with the civil service retirement of referees in bankruptcy.

My first objection, of course, is that the matter has not been considered by the Post Office and Civil Service Committee, which is the committee that deals with civil service retirement. Second, I think Congress should give serious consideration to the position taken by the Civil Service Commission itself, as found in the committee report beginning on page 6. The Commission emphatically opposes this legislation unless there are several changes made.

For example, the Commission points out that sections 2 and 4 of the bill—the sections which my amendment would strike—would amend sections 8334(a) and 8339(c) of title 5 of the United States Code, to provide for referees—keep this in mind, now—higher contributions and a more generous annuity formula than are applicable to employees generally.

One would gather from that statement that referees would contribute a larger amount than regular Civil Service employees. But the facts of the matter are that this would be truly an over-generous addition to the cost to the Government of the Civil Service retirement for referees.

The report to the committee of the chairman of the Civil Service Commission continues as follows:

In addition to the direct increase in the annuity computation formula, the bill indirectly makes available another benefit. The retirement law now provides that when an employee has performed sufficient service to entitle him to the maximum annuity (41 years and 11 months if the salary is $5,000 or more), all deductions withheld during subsequent service, plus 3 percent compound interest, are applied toward any deposit due

for service during which deductions were not currently withheld or for the repayment of a refund of deductions previously received. Any balance not so required is deemed to be voluntary contributions, which may be paid in cash at retirement or used to purchase additional annuity. In effect, the employee ceases to contribute to the cost of his regular annuity when he has served nearly 42 years.

There are several other phases of this that I should read. Mr. President, I ask unanimous consent that an excerpt from the report be printed at this point in the RECORD.

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

AMENDMENTS

1. On page 2, beginning with the comma on line 2, strike out through "7½ per centum" in line 4, and insert in lieu thereof "7½ percent".

2. On page 2, between lines 7 and 8, strike out "From and after the effective date of this amendment." and insert in lieu thereof "After June 30, 1968.".

3. On page 2, strike out lines 11 through 18 and insert in lieu thereof the following:

"(f) A referee in bankruptcy who becomes 75 years of age and completes 5 years of service shall be automatically separated from the service. The separation is effective on the last day of the month in which the referee becomes 75 years of age or completes 5 years if then over that age, and pay ends from that day. Subsections (a), (c), (d), and (e) of this section do not apply to a referee in bankruptcy."

4. On page 3, line 6, strike out "per centum" and insert in lieu thereof "percent".

5. On page 3, strike out lines 11 through 13 and insert in lieu thereof the following:

"SEC. 6. (a) The amendments made by section 2 of this Act shall become effective on the first day of the first pay period beginning on or after July 1, 1968.

"(b) In the case of a referee in bankruptcy who is serving on the date of enactment of this Act, the amendment made by section 2 of this Act shall not apply until such referee has completed the term of office under which he is serving on the date of enactment of this Act."

PURPOSE OF AMENDMENTS

The purpose of the amendments is to make technical changes in the bill to carry out recommendations of the U.S. Civil Service Commission.

PURPOSE

The purpose of the bill as amended is to provide more adequate tenure and retirement benefits for referees in bankruptcy.

STATEMENT

The bill introduced by the Honorable Quentin N. Burdick, was the subject of a subcommittee hearing on April 3, 1967.

In its favorable report on the bill, the Administrative Office of the U.S. Courts said:

"This bill was originally drafted at the direction of the Judicial Conference of the United States in 1959 by a special subcommittee of the Bankruptcy Committee of the Conference. The subcommittee was composed of District Judge Edward Weinfeld of the southern district of New York, Chairman, Chief Judge Bailey Aldrich of the first circuit, and Circuit Judge Albert V. Bryan of the fourth circuit. The subcommittee had the benefit of the recommendations of Messrs. Robert J. Myers and John P. Jones of the Department of Health, Education, and Welfare, Mrs. Charles A. Horsky, then chairman of the National Bankruptcy Conference, Reginald W. McDuffee, referee in bankruptcy at Savannah, Ga., president of the National Conference of Referees in Bankruptcy, Elmore Whitehurst, Dallas, Tex., editor of the Conference Journal, and Ronald L. Walker, referee in bankruptcy at Los Angeles, Calif.

"S. 1316 provides (1) that the term of office of a full-time referee shall be increased from 6 years to 12 years and the term of office of a part-time referee to remain at 6 years as at present. Section 1 of S. 1316 amends section 34a of the Bankruptcy Act to increase the term of office of a full-time referee to 12 years.

"Section 2 provides a more liberal retirement plan for referees, in general comparable to the retirement benefits now provided for Members of Congress based on a contribution of 7½ percent of the base pay to be made by the employee and a matching 7½-percent contribution by the employing agency and providing a benefit rate of 2½ percent per year. This section would amend subsections (a) and (c) of section 8334 of title 5, United States Code. It would also amend subsection (c) of section 8339 of title 5, United States Code, to provide for computation of referees' service by multiplying 2½ percent of the 'high-five' average salary by the years of such service.

"Section 3 imposes a compulsory retirement age of 75 years under certain conditions. This section would amend section 8335 of title 5, United States Code, so as to require compulsory retirement of a referee upon reaching the age of 75 years and completing the term of office under which he is serving upon the effective date of this amendment.

"Section 5 of S. 1316 provides that notwithstanding any other provision of law, retirement benefits resulting from enactment of this act shall be paid from the civil service retirement and disability fund.

"Section 6 of S. 1316 provides that the amendments shall take effect on the first day of the first month which begins more than 60 days after the enactment of the bill.

"Referees in bankruptcy are judicial officers and are paid salaries ranging up to $22,500 a year for full-time service and $11,000 a year for part-time service. They are called upon to decide complex issues of law and fact in cases which may involve millions of dollars and the property rights of many people. In this connection it should be noted that in the fiscal year 1967, the 212 referees in office received a total of 208,329 cases, including corporate arrangements, real estate arrangement, corporate reorganization proceedings, and straight bankruptcy asset cases. We believe that it is most important to attract to these positions the best qualified members of the legal profession.

"Referees by reason of their judicial function must be persons of mature age and judgment, with enough experience in the law to have attained both judicial capacity and judicial temperament. It is obvious that the average lawyer will not have attained these attributes much under the age of 40 to 45 years. At the present time only 7 percent of the referees holding office are under 40 years of age.

"Moreover, nearly two-thirds of the referees in office have no previous Federal Government service which would count toward retirement. Upon accepting appointment, a full-time referee must give up his law practice entirely, and upon retirement is prohibited from reentering the practice of bankruptcy law. The latter restriction is severe but necessary considering the professional ethics involved.

"In contrast to the situation of the referee in bankruptcy, the average career civil servant enters the service at an early age, often directly from high school or college. The average civil service employee has an opportunity to earn a fully adequate retirement while the referee in bankruptcy has little chance to do so because of his insecurity of tenure and the mature age at which he can expect to meet the prerequisites of judicial service. Federal judges, on the other hand, may retire on full pay at age 70 after 10 years of service and they hold office 'during good behavior.' In other words, they have lifetime appointments.

"It is the view of the Judicial Conference that there should be a compulsory retirement for referees at age 75, the point at which most professional people have passed their more productive years. This seems equitable and in the best interests of the service provided referees can at the same time be given a more adequate retirement plan similar to that now provided for Members of Congress.

"This bill has the support of the National Bankruptcy Conference, the American Judicature Society, the National Conference of Referees in Bankruptcy, and many State and local Bar Associations. We earnestly recommend the favorable consideration of S. 1316."

The Department of Justice has advised the committee that whether or not the bill should be enacted involves policy consideration as to which the Department of Justice makes no recommendations.

The U.S. Civil Service Commission does not recommend the bill.

Attached and made a part of this report are (1) a letter dated March 29, 1967, from the Administrative Office of the U.S. Courts, (2) a letter dated December 1, 1967, from the Administrative Office of the U.S. Courts, (3) a letter dated April 17, 1967, from the U.S. Civil Service Commission, and (4) a letter dated June 19, 1967, from the U.S. Department of Justice.

"ADMINISTRATIVE OFFICE
OF THE U.S. COURTS,
"Washington, D.C., March 29, 1967.

"Hon. JAMES O. EASTLAND,
"Chairman, Committee on the Judiciary,
"U.S. Senate, Washington, D.C.

"DEAR MR. CHAIRMAN: This is in response to your letter of March 21, 1967, inquiring about the bill, S. 1316, 90th Congress, to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

"The proposals contained in S. 1316, in substance, are the same as the proposals contained in H.R. 2556, 88th Congress, which the Judicial Conference of the United States approved at its March 1963 meeting and reaffirmed at its September 1963 meeting. Moreover, in general, the proposals are the same as approved by the Conference at its March 1960 meeting, and embodied in H.R. 5341, 87th Congress which was approved by the Conference at its March 1961 meeting, and reaffirmed at its September 1961, March 1962, and September 1962 meetings. Accordingly, I should like to advise you that the Judicial Conference of the United States approves and recommends the proposals contained in S. 1316.

"Sincerely yours,
"WILLIAM E. FOLEY,
"Deputy Director."

"ADMINISTRATIVE OFFICE
OF THE U.S. COURTS,
"Washington, D.C., December 1, 1967.

"Hon. JAMES O. EASTLAND,
"U.S. Senate, Washington, D.C.

"DEAR SENATOR EASTLAND: This letter is in response to a telephone request of Mr. Rosenberger for a concise summary of the objectives of S. 1316, to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

"This bill was originally drafted at the direction of the Judicial Conference of the United States in 1959 by a special subcommittee of the Bankruptcy Committee of the Conference. The subcommittee was composed of District Judge Edward Weinfeld of the southern district of New York, Chairman, Chief Judge Bailey Aldrich of the first circuit, and Circuit Judge Albert V. Bryan of the fourth circuit. The subcommittee had the benefit of the recommendations of

Messrs. Robert J. Myers and John P. Jones of the Department of Health, Education, and Welfare, Mr. Charles A. Horsky, then chairman of the National Bankruptcy Conference, Reginald W. McDuffee, referee in bankruptcy at Savannah, Ga., president of the National Conference of Referees in Bankruptcy, Elmore Whitehurst, Dallas, Tex., editor of the Conference Journal, and Ronald L. Walker, referee in bankruptcy at Los Angeles, Calif.

"S. 1316 provides (1) that the term of office of a full-time referee shall be increased from 6 years to 12 years and the term of office of a part-time referee to remain at 6 years as at present. Section 1 of S. 1316 amends section 34a of the Bankruptcy Act to increase the term of office of a full-time referee to 12 years.

"Section 2 provides a more liberal retirement plan for referees, in general comparable to the retirement benefits now provided for Members of Congress based on a contribution of 7½ percent of the base pay to be made by the employee and a matching 7½ percent contribution by the employing agency and providing a benefit rate of 2½ percent per year. This section would amend subsections (a) and (c) of section 8334 of title 5, United States Code. It would also amend subsection (c) of section 8339 of title 5, United States Code, to provide for computation of referees' service by multiplying 2½ percent of the 'high-five' average salary by the years of such service.

"Section 3 imposes a compulsory retirement age of 75 years under certain conditions. This section would amend section 8335 of title 5, United States Code, so as to require compulsory retirement of a referee upon reaching the age of 75 years and completing the term of office under which he is serving upon the effective date of this amendment.

"Section 4 of S. 1316 provides that notwithstanding any other provision of law, retirement benefits resulting from enactment of this act shall be paid from the civil service retirement and disability fund.

"Section 6 of S. 1316 provides that the amendments shall take effect on the first day of the first month which begins more than 60 days after the enactment of the bill.

"Referees in bankruptcy are judicial officers and are paid salaries ranging up to $22,500 a year for full-time service and $11,000 a year for part-time service. They are called upon to decide complex issues of law and fact in cases which may involve millions of dollars and the property rights of many people. In this connection it should be noted that in the fiscal year 1967, the 212 referees in office received a total of 208,329 cases, including corporate arrangements, real estate arrangements, corporate reorganization proceedings, and straight bankruptcy asset cases. We believe that it is most important to attract to these positions the best qualified members of the legal profession.

"Referees by reason of their judicial function must be persons of mature age and judgment, with enough experience in the law to have attained both judicial capacity and judicial temperament. It is obvious that the average lawyer will not have attained these attributes much under the age of 40 or 45 years. At the present time only 7 percent of the referees holding office are under 40 years of age.

"Moreover, nearly two-thirds of the referees in office have no previous Federal Government service which would count toward retirement. Upon accepting appointment, a fulltime referee must give up his law practice entirely, and upon retirement is prohibited from reentering the practice of bankruptcy law. The latter restriction is severe but necessary considering the professional ethics involved.

"In contrast to the situation of the referee in bankruptcy, the average career civil servant enters the service at an early age, often directly from high school or college. The average civil service employee has an opportunity to earn a fully adequate retirement while the referee in bankruptcy has little chance to do so because of his insecurity of tenure and the mature age at which he can expect to meet the prerequisites of judicial service. Federal judges, on the other hand, may retire on full pay at age 70 after 10 years of service and they hold office 'during good behavior.' In other words, they have lifetime appointments.

"It is the view of the Judicial Conference that there should be a compulsory retirement for referees at age 75, the point at which most professional people have passed their more productive years. This seems equitable and in the best interests of the service provided referees can at the same time be given a more adequate retirement plan similar to that now provided for Members of Congress.

"This bill has the support of the National Bankruptcy Conference, the American Judicature Society, the National Conference of Referees in Bankruptcy, and many State and local Bar associations. We earnestly recommend the favorable consideration of S. 1316.

"Sincerely yours,

"WILLIAM E. FOLEY,
"Deputy Director."

"U.S. CIVIL SERVICE COMMISSION,
"Washington, D.C. April 17, 1968.

"Hon. JAMES O. EASTLAND,
"Chairman, Committee on the Judiciary, U.S. Senate.

"DEAR MR. CHAIRMAN: This refers further to your request for Commission report on S. 1316, a bill to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

"Section 1 of the bill would amend section 34a of the Bankruptcy Act to lengthen the present 6-year terms of office for full-time referees in bankruptcy. Under this amendment, the terms of office for full-time and part-time referees would be fixed at 12 years and 6 years, respectively, under each appointment and reappointment. We would not oppose this change.

"Sections 2 and 4 of the bill would amend sections 8334(a) and 8339(c) of title 5, United States Code to provide for referees higher contributions and a more generous annuity formula than are applicable to employees generally. The deduction rate for referees would be increased prospectively from 6½ to 7½ percent (same rate as for Members of Congress), and correspondingly higher matching amounts would be contributed by the employing agency. In lieu of the present annuity formula which provide 1½ percent of the highest 5-year average salary per year of service for the first 5 years, plus 1¾ percent per year for the second 5 years, plus 2 percent per year for years in excess of 10, each year of referee service (both past and future) would count at 2½ percent. In effect, 2½ percent would replace 1½ percent, 1¾ percent, and 2 percent—in that order—so that if referee service totaled at least 10 years, any other service would be counted at 2 percent. The maximum annuity would remain at 80 percent of average salary.

"In addition to the direct increase in the annuity computation formula, the bill indirectly makes available another benefit. The retirement law now provides that when an employee has performed sufficient service to entitle him to the maximum annuity (41 years and 11 months if the salary is $5,000 or more), all deductions withheld during subsequent service, plus 3 percent compound interest, are applied toward any deposit due for service during which deductions were not currently withheld or for the repayment of a refund of deductions previously received. Any balance not so required is deemed to be voluntary contributions, which may be paid in cash at retirement or used to purchase additional annuity. In effect, the employee ceases to contribute to the cost of his regular annuity when he has served nearly 42 years.

"The 2½-percent annuity formula would reduce to 32 years the time required to reach the 80-percent maximum. For those referees who now have over 32 but less than 42 years of such service, the annuity to which presently entitled would be increased to 80 percent; in addition; 'excess' deductions would be established on past service in excess of 32 years, and would continue on all future service. Such referees would, in effect, contribute nothing to the cost of their liberalized benefits. Those with less than 32 years would reach the maximum 10 years sooner, and thereafter, in effect, no longer contribute. And finally, any referees who now have served over 42 years would not have their annuities increased, but their 'excess' deductions under present law would be increased by deductions withheld during 10 additional years of prior service, and all future deductions at the higher rate would be 'excess'.

"Prospectively raising the deduction and deposit rate for referee service by 1 percent would defray only a fraction of the cost of the increased annuities resulting from the 2½-percent benefit formula. The level annual cost of the benefit liberalization proposed is estimated to be about 5 to 6 percent of the total salaries of all referees. If the matching principle apparently contemplated were to be followed, an increase of 2½ to 3 percent of salary in the contribution rate payable by both referees and the employing agency would be required to finance the higher annuities.

"Section 3 of the bill would amend the civil service retirement law to add a compulsory age retirement provision for referees. The retirement law requires the automatic separation of employees in general at or after age 70 with at least 15 years of service. Certain exceptions to this requirement are incorporated in the law, one of which exceptions covers employees in the judicial branch appointed to hold office for a term of years. Referees fall in this category and are not now subject to any automatic separation requirement. The bill would prospectively provide for the automatic separation of referees at or after age 75 with at least 5 years of service. Referees serving on date of enactment of this provision would be exempt from its operation until completion of their current terms. This change is not objectionable.

"Section 5 of the bill authorizes use of the civil service retirement and disability fund to pay the retirement benefits resulting from its enactment.

"Section 6 specifies the bill's effective date as the first day of the first month which begins more than sixty days after its date of enactment.

"The Commission cannot concur in the creation of this special computation plan for referees. No justification is evident for singling them out to receive a materially higher benefit than allowable under the retirement law to all other officers and employees in the executive and judicial branches of the United States. Discrimination resulting from such enactment would undoubtedly be noted and the precedent so established cited by other officer and employee groups seeking similar treatment. It is therefore urged that the provisions contained in sections 2 and 4 be deleted from the bill.

"The Commission accordingly recommends that favorable consideration not be given S. 1316 in its present form. If amended as suggested, however, by deletion of sections 2 and 4, the Commission would offer no objection to its other provisions which limit appointments of full-time referees and part-time

referees to 12 years and 6 years, respectively, and impose a mandatory retirement age of 75.

"If further consideration is to be given to section 2-5 of the bill, certain technical amendments are necessary to conform the sections to the style of title 5 of the United States Code, enacted into positive law by Public Law 89-554. For example, the style of title 5 does not permit the use, in the text thereof, of such phrases as 'which begins on or after the effective date of this amendment.' Such an effective date provision should appear in a separate section of the bill. The Commission will be happy to furnish such technical assistance in this regard as may be requested.

"The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

"By direction of the Commission:

"Sincerely yours,

"JOHN W. MACY, Jr.,
"Chairman."

"U.S. DEPARTMENT OF JUSTICE,
"Washington, D.C., June 19, 1967.

"Hon. JAMES O. EASTLAND,
"Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.

"DEAR SENATOR: This is in response to your request for the views of the Department of Justice on S. 1316, a bill to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

"The bill would increase the terms of appointments and reappointments of full-time referees in bankruptcy from 6 to 12 years. The terms of part-time referees would continue to be 6 years. Retirement deductions would be increased from 6½ to 7½ percent and annuities would be increased by the use of the 2½-percent formula now applicable to legislative employees instead of the lower rate now used for referees and Government employees generally. A new subsection numbered (f) would be added to section 8335 of title 5, United States Code, to provide for mandatory retirement upon reaching 75 years of age and completion of at least 5 years of service. For those serving on the date of enactment, the completion of their terms would be substituted for the 5-year requirement.

"Whether or not this legislation should be enacted involves policy considerations as to which the Department of Justice makes no recommendation.

"The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

"Sincerely,

"RAMSEY CLARK,
"Attorney General."

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

Mr. CARLSON. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I support the position of the Senator from Kansas. In addition, it should be pointed out that under the existing law it takes 41 years and a fraction of service for a referee to receive the maximum amount of annuity to which he would be entitled. But as a result of the formula under this bill, if he served 40 years not only would he get a substantial increase in his pension rights but he would also collect retroactively a refund on the payments made for the preceding 8 years. Once this formula is adopted he would reach the maximum after 32 years of service. Not only would he get the refund of future payments, but he could collect a retroactive refund on all payments made in the preceding 8 years. This refund would be in addition to the increase in his benefits.

The fund is already $50 billion out of balance. Certainly this is not the time in which to pass a bonus for this small group of employees.

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

Mr. CARLSON. I yield.

Mr. BURDICK. Mr. President, will my able friend, the Senator from Kansas, acknowledge that the section requiring retirement at age 75 is a reasonable requirement?

Mr. CARLSON. The present civil service requirement I believe requires that a person retire at the age of 70. This would give a man an additional 5 years.

Mr. BURDICK. The Senator would consider that age 70 would be reasonable?

Mr. CARLSON. Yes, I would.

Mr. BURDICK. The record shows conclusively that a referee does not have the understanding or the qualifications to be a referee until he is about the age of 40 to 45.

Mr. CARLSON. That is correct.

Mr. BURDICK. In order to get his maximum benefits—80 percent of his salary—under the present system, one who is 45 years of age would have to live and work until the age of 87. If we reduce the retirement age to 75, we would have to increase the annuity. We cannot have it both ways. That is why we have asked for an increase in the annuity.

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

Mr. BURDICK. I will yield in a moment. I want to pursue the second question before I yield.

The Senator says that there is an additional benefit for those who serve the 42 years in that they get their contributions plus 3 percent.

How many people are we talking about? With reference to people who start serving as referees at age 45 and serve for 42 years, how many are still living at age 87? We have a record here showing three people at the ages of 84, 87, and 89. They should not be there in most cases.

When we are talking about extra benefits, we are talking about an infinitesimal sum. Further, we are dealing only with 217 people. And the bankruptcy courts are loaded. Their caseload has increased twentyfold since 1946.

Mr. CARLSON. My distinguished colleague knows how we have battled in the Post Office and Civil Service Committee to protect the civil service retirement fund.

On occasion after occasion, we have opposed the inclusion of many groups. Many people have been brought into civil service retirement who have some connection with the Government. We have opposed it.

We propose here to open up the field to a new group.

Mr. BURDICK. We have to do something to attract people from the legal profession. This position requires men of experience and skill. We will not get highly qualified people who are willing to leave their law practices if the position is not made more attractive than at present. We cannot require them to retire at age 75 when they start later in life. We either have to retire them later or increase the annuity, one or the other.

Mr. CARLSON. Or increase the salaries.

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

Mr. BURDICK. I yield.

Mr. WILLIAMS of Delaware. I am surprised at the statement that a man is not qualified for the position until he reaches the age of 45—and I do not know how many referees are between the ages of 40 and 45, but I point out that 7 percent of them are below the age of 40.

Are we being told that 7 percent of the referees are unqualified and not fit to hold office. If so, why were they appointed?

Mr. BURDICK. I did not say they were not qualified. I said that is the age limit.

Mr. WILLIAMS of Delaware. Perhaps we should change the practice. I agree fully that those who are over 80 should be retired. Reappointments near that age are wholly unjustified and should not have been made.

Mr. BURDICK. To require retirement at age 75, we would have to increase the annuity. Otherwise, a man would have to work to age 80 before he would qualify for 80 percent of his salary.

Mr. WILLIAMS of Delaware. Since when do we have to retire every public servant at 80 percent of his salary to get rid of him? If a man has been working in private practice until he reaches the age of 50 he should have been able to set something aside. Otherwise, I would say that the man may not be qualified for the job.

Certainly, we should not be required to put everybody on the pension roll at 80 percent of his salary just because he holds public office—not even if he is a Member of Congress.

Mr. BURDICK. We are talking about select people that have a great reponsibility in this country. Millions of dollars are being handled in the bankruptcy courts.

Last year the bankruptcy courts handled over 208,000 cases. In 1946, they handled about 10,000 cases.

This is an important position. Many of our people are affected by what happens in these courts and by the amount of money handled by these referees. These are not ordinary men. Some of them have as much judicial experience as judges, and we give judges retirement at full pay for life at age 70 after 10 years of service.

Mr. WILLIAMS of Delaware. The Senator is not trying to say that these referees all have judicial experience, is he? In fact, some of them have had very little experience in court practice.

I do not want to get personal and name any of them, but I could name some who have not had much experience.

Mr. BURDICK. The men are experienced men.

Mr. WILLIAMS of Delaware. But they are not such a select bunch.

Mr. BURDICK. We are only dealing with 217 people, and the impact on the fund will be only minimal.

Mr. CARLSON. Mr. President, I have no quarrel with the referees in bank-

ruptcy. I contend that they are a very qualified group who are serving our constituency and people very well. However, I do contend that it is poor policy to come in and attempt to put a new group on civil service retirement without having the matter come before the committee for hearings. It might be that we would want to do this after hearings have been held. We have on many other occasions held hearings when people tried to get included in the civil service retirement program. We have opposed it.

I think this is a very inopportune time, with all of the disturbances that we have in the schools and colleges, to begin to expand the civil service retirement program.

The first thing we know, we will have a bill over here—as has been reported in the newspapers—to increase our own civil service retirement. I will oppose it. I have consistently done so.

I think that now is the wrong time to do it. I sincerely hope that this provision will be stricken from the bill.

I would be pleased to have the Civil Service Committee meet and consider this matter if our chairman concurs.

I hope the provision is stricken from the bill.

Mr. BURDICK. Mr. President, this is not only my bill. This measure was proposed by the Judicial Conference. It has the support of the American Bar Association, the National Bankruptcy Conference, the American Judicature Society, the National Conference of Referees in Bankruptcy, and many State and local bar associations.

We have to do something to attract better men to this portion of the judiciary.

If we agree to the pending amendment, we will not be doing this, because we will be requiring a man to take office and serve under the present retirement system and retire at age 75 and get 50 to 60 percent of the benefits. If the amendment is agreed to, it will kill the bill.

We should make some start in upgrading these referees, who have increasing responsibilities. Over the last 20 years their workload has increased twentyfold. This is important to our country.

Second, the impact upon the fund would be minimal. We are dealing only with 220 people, 40 of whom are on a part-time basis.

I ask that the amendment be defeated.

The PRESIDING OFFICER (Mr. HART in the chair). The question is on agreeing to the amendment of the Senator from Kansas. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. YOUNG of Ohio (after having voted in the affirmative). On this vote I have a pair with the distinguished Senator from Utah [Mr. Moss]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. GRUENING], the Senator from Alabama [Mr. HILL], and the Senator from Hawaii [Mr. INOUYE] are absent on official business.

I also announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Alabama [Mr. SPARKMAN], 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 Washington [Mr. MAGNUSON] would vote "nay."

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

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Massachusetts [Mr. BROOKE], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. MURPHY] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 42, nays 27, as follows:

[No. 173 Leg.]

YEAS—42

Aiken	Fannin	Monroney
Allott	Fong	Mundt
Baker	Gore	Pearson
Bennett	Griffin	Percy
Bible	Hansen	Prouty
Boggs	Hatfield	Russell
Byrd, Va.	Hickenlooper	Smathers
Cannon	Hruska	Smith
Carlson	Jordan, Idaho	Stennis
Case	Lausche	Symington
Cotton	Mansfield	Thurmond
Curtis	McClellan	Tower
Dirksen	Metcalf	Williams, Del.
Dominick	Miller	Young, N. Dak.

NAYS—27

Bartlett	Eastland	Mondale
Bayh	Ellender	Muskie
Brewster	Hart	Nelson
Burdick	Holland	Proxmire
Byrd, W. Va.	Hollings	Randolph
Church	Jackson	Spong
Clark	Long, La.	Talmadge
Cooper	McGee	Tydings
Dodd	McIntyre	Williams, N.J.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Young of Ohio, for.

NOT VOTING—30

Anderson	Javits	Morse
Brooke	Jordan, N.C.	Morton
Ervin	Kennedy, Mass.	Moss
Fulbright	Kennedy, N.Y.	Murphy
Gruening	Kuchel	Pastore
Harris	Long, Mo.	Pell
Hartke	Magnuson	Ribicoff
Hayden	McCarthy	Scott
Hill	McGovern	Sparkman
Inouye	Montoya	Yarborough

So Mr. CARLSON'S amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If no amendment is to be proposed, the question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. BURDICK. Mr. President, is a motion to recommit in order?

The PRESIDING OFFICER. Such a motion is in order.

Mr. BURDICK. Mr. President, I move that the bill be committed to the Committee on Post Office and Civil Service with instructions to report back in 10 days.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota. [Putting the question.]

Mr. DIRKSEN and Mr. ALLOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, is this a motion to send this bill to the Committee on Post Office and Civil Service?

The PRESIDING OFFICER. Yes.

Mr. DIRKSEN. The bill was reported by the Committee on the Judiciary. There ought to be an assignment of a reason here. A motion to recommit is debatable. The Senator from North Dakota should undertake to tell the Senate why the designation is to be changed and the bill sent to the Committee on Post Office and Civil Service.

Mr. BURDICK. Because Senators on the side of the aisle of the Senator from Illinois indicated it should be done.

Mr. DIRKSEN. That does not make any difference. The Administrative Office of the Courts insisted the referees are judicial officers. If that is true this matter properly belongs in the Committee on the Judiciary. An effort was made to place a statement on the desk of each Senator this morning. The Committee on Post Office and Civil Service, on the other hand, takes the position that these are administrative officers.

Now, if they are judicial officers this matter should go back to the Committee on the Judiciary, if anybody wants to commit it; otherwise it can go to the Committee on Post Office and Civil Service.

Mr. BURDICK. It makes no difference.

Mr. DIRKSEN. I shall vote against a motion to send the bill to the Committee on Post Office and Civil Service in view of the fact that the Administrative Office of the Courts has taken that position. They sought to affirm their position and it was set forth in a memorandum given to me in connection with the bill.

I do not want to see a misreference of this bill under a motion to recommit.

Mr. MONRONEY. Mr. President, as chairman of the Committee on Post Office and Civil Service, we have had the matter of preferential treatment of all Government employees in the various classes of Government service before us many times for discussion. We have tried to treat Government employees, because they are generally long-term employees, under civil service, and with a guaranteed tenure, with long periods of credit for retirement. For that reason, we have consistently refused to increase any particular or specific class of Government employee at higher rates of credit for retirement than is given the general category of employees.

Efforts have been made constantly to increase it from 2 to 2½ percent of their attained salary for special groups of employees, for various and sundry reasons, but we have held to the fact that the 2½ percent which is in the congressional retirement program and has been since the Monroney Act of 1946 is a consideration because of the average short tenure of congressional service of the fixed pay status of congressional service, and because the lack of accredited time that goes with many.

I do not wish to say that we are on uncertain service, because we all hope our service will be of long tenure, but once we break this line of 2½ percent per year of our salary, we will then have it asked for by every category in Government. Thus, I do not believe that we can limit this to a few referees of bankruptcy if we give it to them.

The next step will be that all the vast numbers, and some of them run into the hundreds of thousands in their unions, will aggressively seek this.

I need not remind the Senate of the deficit we now have in the funds reserved and put aside in the trust funds for the Federal retirement program.

I invite the attention of the Senate to the fact that when this becomes a question of keeping it on a cash-flow basis on congressional retirement programs, we will find it has always operated in the black.

One reason is that Members of Congress do not like to retire unless they have to, so that we do not have early retirement problems, or desire to retire when we are over 65. I happen to be over 65 years of age, and I have no desire to retire. I do not think many other Senators do, either.

For that reason, we are in a different category. But our books balance. There is no deficit on our books. For that reason, we will make the mistake of a lifetime to reopen this. The Senate has spoken with decision in regard to the Carlson amendment. Many Senators who would have voted with the Senator did not receive the explanation that a "yea" vote was to strike the provision that was in the bill that begins, for the first time, to expand this into other categories of government. For that reason, I doubt the wisdom of recommitting the bill to the Committee on Post Office and Civil Service, because that is the only thing in the bill that pertains to our jurisdiction.

The Senate at large has spoken. We might as well go ahead and pass the legislation.

Mr. CARLSON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to state that I appreciate very much the remarks of the distinguished chairman of the Committee on Post Office and Civil Service. I knew that would be his position. I had no desire to offer any amendment to the bill affecting referees in bankruptcy but I felt this did affect the committee. Its positions have been generally agreed upon in committee on the inclusion of people not, as I would say, other than administrative people. I think it would have been a tragic error for us to start opening up such a fund for this group already $50 billion in the red.

Mr. MONRONEY. I thank my distinguished colleague. He is the ranking minority member on the committee and has consistently maintained that position, and has done so through the years.

Mr. BURDICK. Mr. President, I ask unanimous consent to withdraw the motion to recommit to the Committee on Post Office and Civil Service.

The PRESIDING OFFICER. The Senator has that privilege as a matter of right. Does the Senator withdraw the motion?

Mr. BURDICK. Yes. I withdraw it.

I move to recommit the bill to the Committee on the Judiciary.

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

The motion was agreed to.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota to recommit the bill to the Committee on the Judiciary.

On this question 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 New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. GRUENING], the Senator from Alabama [Mr. HILL], and the Senator from Hawaii [Mr. INOUYE] are absent on official business.

I also announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Alabama [Mr. SPARKMAN], 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], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Washington [Mr. MAGNUSON] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Massachusetts [Mr. BROOKE], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. MURPHY] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 62, nays 9, as follows:

[No. 174 Leg.]

YEAS—62

Aiken	Ellender	Mundt
Allott	Fannin	Muskie
Baker	Fong	Nelson
Bartlett	Gore	Pearson
Bayh	Hansen	Percy
Bennett	Hart	Prouty
Bible	Hatfield	Proxmire
Boggs	Hickenlooper	Randolph
Burdick	Holland	Smathers
Byrd, Va.	Hollings	Smith
Byrd, W. Va.	Hruska	Spong
Cannon	Jackson	Symington
Carlson	Jordan, Idaho	Talmadge
Case	Long, La.	Thurmond
Church	Mansfield	Tower
Clark	McClellan	Tydings
Curtis	McGee	Williams, N.J.
Dirksen	McGovern	Williams, Del.
Dodd	Metcalf	Young, N. Dak.
Dominick	Miller	Young, Ohio
Eastland	Mondale	

NAYS—9

Brewster	Griffin	Monroney
Cooper	Lausche	Russell
Cotton	McIntyre	Stennis

NOT VOTING—29

Anderson	Javits	Morton
Brooke	Jordan, N.C.	Moss
Ervin	Kennedy, Mass.	Murphy
Fulbright	Kennedy, N.Y.	Pastore
Gruening	Kuchel	Pell
Harris	Long, Mo.	Ribicoff
Hartke	Magnuson	Scott
Hayden	McCarthy	Sparkman
Hill	Montoya	Yarborough
Inouye	Morse	

So the motion to recommit the bill to the Committee on the Judiciary was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no further votes today. I am trying to work out with the distinguished Sena-

tor the possibility of voting on treaties in the next day or so, but for today there will be no further voting.

PROPOSED AUTHORIZATION FOR EXPORT-IMPORT BANK TO USE ITS LENDING AUTHORITY FOR CERTAIN LOANS, GUARANTEES, AND INSURANCE

Mr. BYRD of Virginia. Mr. President, I note from the CONGRESSIONAL RECORD this morning that S. 3218 will be before the Senate this week. I would like to comment on S. 3218 today.

Mr. President, S. 3218 would authorize the Export-Import Bank to use $500 million of its lending authority for loans, guarantees and insurance of export transactions which, in the judgment of the Directors of the Bank, "do not meet the test of reasonable assurance of repayment."

This requirement—reasonable assurance of repayment—has been a basic part of the Bank's charter since 1945.

The setting aside of this requirement is sought in an effort to improve our Nation's balance of payments.

While S. 3218 limits the amount of commitments under the new program to $500 million, it nevertheless makes it possible for as much as $2 billion in gross commitments to be outstanding without meeting the tests of "reasonable assurance of repayment."

The bill provides further that any losses under the program would be borne by the Bank up to an aggregate amount of $100 million.

But losses which exceed that amount would be borne by the Treasury. The bill authorizes to be appropriated such amounts as may be required to cover any losses incurred by the Bank exceeding the $100 million figure.

The bill also provides that all guarantees and insurance issued by the Bank should be considered contingent obligations backed by the full faith and credit of the U.S. Government.

S. 3218 is a sharp—and I believe radical—departure from the statutory charter of the Bank which provides that the Bank's export assistance be limited to those export transactions which offer "reasonable assurance of repayment."

It seems to me, Mr. President, that this legislation is unwise.

The United States is facing a financial crisis. The Chairman of the Federal Reserve Board has so stated and so has the Chairman of the President's Council of Economic Advisers.

The President himself, his Secretary of the Treasury, his Budget Director, and virtually all other administration officials have been demanding a 10-percent increase in taxes. They feel the Government should dip deeper into the pockets of the American wage earner and extract 10 percent more money to operate the Government.

Even if this is done, we will end the current fiscal year on June 30 with a deficit of $20 billion; even if the 10-percent tax increase is enacted, we face a deficit of $15 billion next year.

Yet, S. 3218 seeks to drastically liberalize the Export-Import Bank regulations so that American tax dollars can be used to the extent of $2 billion to guarantee or insure transactions even though there is no "reasonable assurance" of repayment.

Another aspect of this concerns me. If loans can be made without "reasonable assurance of repayment" does not this open up the possibility of such loans being made on a political basis?

The proposed drastic liberalization of the Export-Import Bank Act is done in the name of improving the balance-of-payments position of our Government. That is a worthy objective. But the best way to tackle the balance-of-payments problem is by controlling inflation in this country, in which Government spending is the major factor.

I think it is important that this country make every reasonable effort to increase its export trade. The loans and guarantees authorized by this legislation, however, would adversely affect our balance of payments if they are not repaid. And, of course, the chances of their not being repaid are much greater than the normal loans made by the Bank.

Last August, the Senate expanded the Bank's lending authority by $4.5 billion, to a new ceiling of $13.5 billion, because of the significant increases in new trade opportunities which were becoming available in Common Market countries and elsewhere as a result of the Kennedy round negotiations. Presumably, these transactions qualify under existing lending rules.

I quote from the 1967 report of the Banking and Currency Committee:

> During the past year, the Bank has experienced a very substantial increase in its business, and its annual authorizations are believed likely to continue at a relatively high level . . . in view of the Kennedy round results, the proposed new ceiling of $13.5 billion might be reached well before the time originally anticipated by the Bank in preparing its request.

It would appear, therefore, that there is likely to be more applications which qualify under the Bank's traditional lending criteria than can be accommodated under the ceiling of $13.5 billion.

Why, with all the sound transactions, should up to $2 billion of the Bank's money be diverted to marginal transactions which carry with them a high risk of default?

There is nothing in the bill which requires the Bank to give priority to low-risk transactions and neither is there a requirement that the Bank establish priorities among the high-risk transactions it finances so that those which offer the best assurances of repayment are considered first.

As a businessman and as one who through the years has been an exporter, I strongly favor trade between the nations of the world.

I support the Export-Import Bank. Through the years, it has been well managed, and I commend its management.

But I feel it is a mistake to change the basic requirement of the Export-Import Bank Act; namely, that the Bank's export assistance should be limited to those transactions which offer "reasonable assurance of repayment." It is already the bank of last resort for many exporters.

The Bank derives its funds from the American taxpayer.

To authorize it to make loans where there is no reasonable assurance of repayment seems to me to be unwise. Hundreds of businesses could spring up overnight to take advantage of this bonanza. And how would the bank draw the line—unless it drew it along the lines of political pressure?

This is a matter of policy involving vast sums of U.S. tax dollars.

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the will of the Senate?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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 that the Senate go into executive session to consider Executive J, 90th Congress, first session; Executive N, 90th Congress, first session; and Executive D, 89th Congress, first session.

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

TAX CONVENTIONS WITH BRAZIL, EXECUTIVE J, 90TH CONGRESS, FIRST SESSION; FRANCE, EXECUTIVE N, 90TH CONGRESS, FIRST SESSION; AND THE REPUBLIC OF THE PHILIPPINES, EXECUTIVE D, 89TH CONGRESS, FIRST SESSION

The Senate, as in Committee of the Whole, proceeded to consider the following conventions and protocols, which were read the second time, as follows:

CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED STATES OF BRAZIL FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES ON INCOME

The Government of the United States of America and the Government of the United States of Brazil desiring to conclude a convention for the avoidance of double taxation with respect to taxes on income,

Have agreed as follows:

ARTICLE 1

Taxes covered

(1) The taxes which are the subject of the present Convention are:

(a) In the case of the United States of Brazil, all taxes covered by the Federal Income Tax Law applicable to individual taxpayers and legal persons which may result from the application of Brazilian Income Tax regulations, except for the tax imposed under Article 295 (tax on activities of minor importance) and Article 299 (excess remittance tax) of the Brazilian Income Tax Regulations consolidated by Decree No. 58,400 of May 10th, 1966 (hereinafter called "Brazilian tax").

(b) In the case of the United States of America, the Federal income tax, including

surtax, but not including the taxes imposed under section 531 (improperly accumulated earnings tax) and section 541 (personal holding company tax) of the Internal Revenue Code (hereinafter called "United States tax").

(2) The present Convention shall also apply to taxes substantially similar to those covered by paragraph (1) of this Article which are subsequently imposed in addition to, or in place of, existing taxes.

(3) For the purpose of Article 6, this Convention shall also apply to taxes of every kind, and those imposed at the national, state, or local level.

ARTICLE 2

General definitions

(1) In the present Convention, unless the context otherwise requires:

(a) The term "Brazil" means the United States of Brazil;

(b) The term "United States" means the United States of America, and when used in a geographical sense means the States thereof and the District of Columbia;

(c) The terms "one of the Contracting States" and "the other Contracting State" mean Brazil or the United States as the context requires;

(d) The term "tax" means Brazilian tax or United States tax as the context requires;

(e) The term "person" comprises an individual, a corporation and any other body of individuals or persons;

(f) The term "corporation" or "company" means any body corporate, association or joint stock company or other entity which is treated as a body corporate for tax purposes;

(g) The term "United States corporation" or "corporation of the United States" means a corporation which is created or organized under the laws of the United States or any State thereof or the District of Columbia;

(h) The term "Brazilian corporation" or "corporation of Brazil" means a company, as defined in subparagraph (1)(f) of this Article, created or organized under the laws of Brazil and maintaining its administrative headquarters in Brazil;

(i) The term "resident of one of the Contracting States" means an individual who is a resident of that Contracting State for purposes of the tax of that Contracting State and includes an individual acting as a partner or fiduciary to the extent that the income derived by such individual in that capacity is taxed as the income of a resident;

(j) The terms "resident or corporation of one of the Contracting States" and "resident or corporation of the other Contracting State" mean a resident or corporation of Brazil or a resident or corporation of the United States, as the context requires;

(k) The term "competent authority" means:

(i) in Brazil, the Minister of Finance or his authorized representatives;

(ii) in the United States, the Secretary of the Treasury or his delegate.

(l) The term "State" means any national State, whether or not one of the Contracting States.

(2) As regards the application of the present Convention by a Contracting State, any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of the present Convention.

ARTICLE 3

General rules of taxation

(1) A resident or corporation of one of the Contracting States shall be taxable by the other Contracting State only on income derived from sources within that other Contracting State. For this purpose, the rules set forth in Article 5 shall be applied to determine the source of income.

(2) A resident or corporation of one of the Contracting States may be taxed by the other Contracting State on income taxable under paragraph (1) only in accordance with the limitations set forth in the present Convention. Any income to which the provisions of the present Convention are not expressly applicable shall be taxable by each of the Contracting States in accordance with its own law. The provisions of the present Convention shall not be construed to restrict in any manner any exclusion, exemption, deduction, credit or other allowance now or hereafter accorded (a) by the laws of one of the Contracting States in the determination of the tax imposed by that State or (b) by any other agreement between the Contracting States.

(3) Except as provided in paragraph (4) of this Article, a Contracting State may tax an individual who is a citizen or resident of that Contracting State (whether or not such person is also a resident of the other Contracting State) or a corporation of that Contracting State as if the present Convention had not come into effect.

(4) The provisions of paragraph (3) shall not affect—

(a) the benefits conferred by a Contracting State under Articles 4 (Relief from Double Taxation) and 6 (Nondiscrimination);

(b) the benefits conferred by the United States under Articles 7 (Investment Credit) and 22 (Deduction for Charitable Contributions); and

(c) the benefits conferred by a Contracting State under Articles 18 (Teachers), 19 (Students and Trainees), 20 (Governmental Salaries), and 21 (Rules Applicable to Personal Income Articles) upon individuals, other than citizens of, or individuals having immigrant status, in that Contracting State.

ARTICLE 4

Relief from double taxation

Double taxation shall be avoided in the following manner:

(1) The United States shall allow to a citizen, resident or corporation of the United States as a credit against its tax specified in subparagraph (1)(b) of Article 1 the appropriate amount of taxes paid to Brazil and, in the case of a United States corporation owning at least 10 percent of the voting power of a corporation resident in Brazil, shall allow credit for the appropriate amount of taxes paid to Brazil by the corporation paying such dividends with respect to the profits out of which such dividends are paid. Such appropriate amount shall be based upon the amount of tax paid to Brazil but shall not exceed that proportion of the United States tax which net income from sources within Brazil bears to the entire net income. For the purpose of applying the United States credit in relation to taxes paid to Brazil, the rules set forth in Article 5 shall be applied to determine the source of income.

(2) Brazil shall allow to a resident or corporation of Brazil as a credit against its tax specified in subparagraph (1)(a) of Article 1 the appropriate amount of taxes paid to the United States and, in the case of a corporation of Brazil owning at least 10 percent of the voting power of a United States corporation, shall allow credit for the appropriate amount of taxes paid to the United States by the corporation paying the dividends with respect to the profits out of which such dividends are paid. Such appropriate amount shall be based on the amount of tax paid to the United States but shall not exceed that proportion of Brazilian tax which net income from sources within the United States bears to the entire net income subject to Brazilian tax. For the purpose of applying the Brazilian credit in relation to taxes paid to the United States, the rules set forth in Article 5 shall be applied to determine the source of income.

ARTICLE 5

Source of income

For purposes of Articles 3 and 4:

(1)(a) Except as provided in subparagraph (b)—

(i) dividends paid by a corporation of one of the Contracting States shall be treated as income from sources within that Contracting State; and

(ii) dividends paid by any other corporation shall be treated as income from sources outside that Contracting State.

(b) Dividends paid by any corporation shall be treated as income from sources within a State if such corporation—

(i) had a permanent establishment in that State, and

(ii) derived more than 85 percent of its gross income from sources within that State for a three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such portion of that period as the corporation has been in existence).

(2)(a) Except, as provided in subparagraph (b), interest paid by a Contracting State, including any local government thereof, or by a resident or corporation of that Contracting State shall be treated as income from sources within that Contracting State; and interest paid by any other person shall be treated as income from sources outside that Contracting State.

(b) Interest paid by a resident or corporation of any State with a permanent establishment in another State directly out of the funds of such permanent establishment on indebtedness incurred for the sole use of, or on banking deposits made with, such permanent establishment shall be treated as income from sources within the State in which such permanent establishment is located.

(3) Royalties paid by a president or corporation of one of the Contracting States for the use of, or the right to use, property described in paragraph (2) of Article 14 in such State shall be treated as income from sources within such State.

(4) Income from real property (including gains derived from the sale of such property, but not including interest from mortgages or bonds secured by real property) and royalties from the operation of mines, quarries, or other natural resources shall be treated as income from sources within the State in which such property is located.

(5) Income from the rental of tangible personal (movable) property shall be treated as income from sources within the country in which such property is located.

(6) Income received by an individual for his performance of personal services (either as an employee or in an independent capacity) or for furnishing the personal services of another person and income received by a corporation for furnishing the personal services of its employees or others shall be treated as income from sources within the State in which such services are performed. If services are performed partly within and partly outside a State, income from the performance or furnishing of such services shall be treated as income from sources partly within and partly outside that State. Compensation for personal services (including private pensions and annuities paid in respect of such services) performed aboard ships or aircraft operated by a resident or corporation of a Contracting State and registered in that Contracting State shall be treated as income from sources within that Contracting State, if rendered by a member of the regular complement of the ship or aircraft.

(7) Income from the purchase and sale of personal (movable) property shall be treated as income from sources within the State in which such property is sold.

(8) In the case of income earned by a person from the sale of personal property produced in whole or in part by such person in one State and sold in another State, that portion of the income attributable to production shall be treated as income from sources in the State in which such property was produced while that portion attributable to the act of sale shall be treated as income

from sources in the State in which such property was sold.

(9) Industrial and commercial profits which are attributable to a permanent establishment situated in one of the Contracting States, including income dealt with in Articles 12, 13, 14 or 15 which is effectively connected with such permanent establishment, shall be treated as income from sources within such Contracting State. For the purposes of this Convention, to determine whether income is effectively connected with a permanent establishment, the factors taken into account shall include whether the income is derived from assets used in or held for use in the conduct of such trade or business, or the activities of such trade or business were a material factor in the realization of the income. In determining whether an asset is used in or held for use in the conduct of such trade or business or whether the activities of such trade or business were a material factor in realizing an item of income, due regard shall be given to whether or not such asset or such income was accounted for through such trade or business.

(10) The source of any item of income to which the provisions of this Article are not expressly applicable shall be determined by each of the Contracting States in accordance with its own law.

ARTICLE 6

Nondiscrimination

(1) A national of one of the Contracting States who is a resident of the other Contracting State shall not be subjected in that other Contracting State to more burdensome taxes than is a national of that other Contracting State who is resident therein.

(2) A permanent establishment which a national or corporation of one of the Contracting States has in the other Contracting State shall not be subject in that other Contracting State to more burdensome taxes than is a national or corporation of that other Contracting State carrying on the same activities. This paragraph shall not be construed as obliging either Contracting State to grant to nationals of the other Contracting State who are not residents of the former Contracting State any personal allowances or deductions which are by its law available only to residents of that former Contracting State.

(3) A corporation of one of the Contracting States, the capital of which is wholly or partly owned by one or more nationals or corporations of the other Contracting State, shall not be subjected in the former Contracting State to more burdensome taxes than is a corporation of the former Contracting State, the capitol of which is wholly owned by one or more nationals or corporations of that former Contracting State.

ARTICLE 7

Investment credit

(1) The United States shall allow to an eligible investor in an eligible corporation against the taxes specified in subparagraph (1)(b) of Article 1, a credit for investment in Brazil. The credit allowed to an eligible investor shall be based on 7 percent of the appropriate amount of the qualified property placed in service by the eligible corporation during such corporation's taxable year, for use exclusively in Brazil in a qualified trade or business. The purpose of this provision is to extend to investment in Brazil the investment credit allowable for investment in the United States. Qualified property shall include, in general, tangible depreciable property which is either personal property or is used as an integral part of industrial, transportation, communication or other such similar processes, or as a research or storage facility therefor (but not including a building and its structural components). However, in no event shall the amount of the credit exceed the lesser of—

(a) 7 percent of the eligible investor's net new investment in the eligible corporation; or

(b) the amount of United States property acquired by the eligible corporation, during its taxable year in which it placed in service the property for which a credit is allowed, or during the preceding taxable year, and attributed to the eligible investor.

(2) In determining an eligible investor's net new investment in an eligible corporation, there shall be taken into account—

(a) any property transferred by the eligible investor to the eligible corporation as a contribution to capital or in exchange for stock or indebtedness of the eligible corporation, but only to the extent that such property does not represent, directly or indirectly, funds borrowed within Brazil;

(b) the eligible investor's allocable share of creditable reinvested earnings of the eligible corporation;

(c) an appropriate amount with respect to the exhaustion of property placed in service by the eligible corporation for which a credit had previously been allowed under this Article;

(d) the amount of property withdrawn by the eligible investor from the eligible corporation in the taxable year, the preceding taxable year, and the three subsequent taxable years.

(3) For purposes of this Article—

(a) the term "eligible investor" means a resident of the United States or a United States corporation which owns, or is a member of a group of United States residents or corporations which owns, at least 25 percent of the total combined voting power of the stock of an eligible corporation.

(b) the term "eligible corporation" means a United States corporation or a Brazilian corporation if, for its taxable year, it derives at least 80 percent of its gross income, if any, from, and at least 80 percent of its assets (including assets located outside Brazil) are used or held for use in connection with, one or more of the qualified trades or businesses described in subparagraph (c).

(c) the term "qualified trade or business" means, unless otherwise agreed by the competent authorities of the Contracting States, any trade or business conducted within Brazil, and consisting of:

(i) the manufacture or production of personal property (not including the extraction of any mineral, ore, oil or gas, or any processing which does not involve a substantial transformation thereof, but not excluding smelting or refining) or the processing of agricultural or horticultural products or commodities (including but not limited to livestock, poultry, fur-bearing animals or any kind of fish);

(ii) the catching or taking of any kind of fish;

(iii) the marketing of agricultural or horticultural products or commodities (including but not limited to livestock, poultry, fur-bearing animals or any kind of fish);

(iv) the marketing of goods and merchandise to the general public through one or more retail establishments, unless the business consists primarily of the distribution of goods or merchandise manufactured or produced outside Brazil by a person who is a related person with respect to the eligible corporation;

(v) the operation of hotels and related facilities;

(vi) the transportation within Brazil of passengers and/or freight;

(vii) the performance of services rendered as an incident of a trade or business described in (i) through (vi); or

(viii) the performance within Brazil of services utilized either within Brazil or within a less developed country if the services are industrial, financial, technical, scientific, engineering or architectural in nature. The preceding sentence shall not apply if the services are performed for any person who is a related person with respect to the eligible corporation and if the payments made in consideration of such services are not reasonable in amount or are contingent either in whole or in part on the sales, productivity, or profits of the person for whom these services are performed; and

(ix) any other trade or business agreed upon by the competent authorities of both Contracting States.

(d) the term "creditable reinvested earnings" means an amount equal to one-half of the earnings and profits of the eligible corporation for its taxable year, reduced by the amount of any dividends it distributed during such year.

(e) the term "withdrawal" means—

(i) a distribution made by an eligible corporation (or by another corporation conducting in Brazil a trade or business similar or related to a trade or business conducted by the eligible corporation) to the eligible investor (or to a related person) which either—

(A) is not out of earnings and profits;

(B) is in excess of 50 percent of the earnings and profits for the year of distribution; or

(C) is in cancellation or redemption of the stock of the eligible corporation;

(ii) the payment by an eligible corporation of an indebtedness to the eligible investors; and

(iii) the sale or other disposition by the eligible investor of stock or indebtedness of the eligible corporation.

(f) the term "United States property" means any tangible property which has been manufactured, constructed, produced, grown, extracted or created in the United States and thereafter continuously used, if at all, only in the United States.

(4)(a) If the credit allowed for investment in the United States is modified, amended, suspended or terminated, the comparable provisions of this Article shall accordingly be modified, amended, suspended or terminated to the extent necessary to keep this Article consistent with the credit allowed for investment in the United States. The United States shall notify Brazil through diplomatic channels of any such modification, amendment, suspension or termination.

(b) If Brazil considers that any modification or amendment of the credit, as a result of subparagraph (a), materially and adversely affects the credit allowed under this Article, it may, by giving notice to the United States through diplomatic channels, treat such modification or amendment as a suspension of the credit for purposes of subparagraph (6)(b) of Article 30. In such case the Contracting States shall consult together. At any time prior to such consultation, and until such time as a supplementary agreement is reached by the Contracting States, the United States may, by notice given to Brazil through diplomatic channels, suspend the application of Article 7.

(5) The credit provided in paragraph (1) shall be subject to such regulations as are prescribed by the Secretary of the Treasury of the United States or his delegate, after consultation with the competent authority of Brazil, to effectuate the provisions of this Article and to further define and determine the terms, conditions and amounts referred to herein.

ARTICLE 8

Business profits

(1) A resident or corporation of one of the Contracting States shall be exempt from tax in the other Contracting State with respect to its industrial or commercial profits if that resident or corporation has no permanent establishment in that other Contracting State. If a resident or corporation of one of the Contracting States has a permanent establishment in the other Contracting State, tax may be imposed by such other Contracting State on all industrial or commercial profits

of that resident or corporation which are (a) attributable to the permanent establishment or (b) derived from sources within such other State from sales of goods or merchandise of the same kind as those sold, or from other business transactions of the same kind as those effected, through the permanent establishment.

(2) For purposes of paragraph (1)(a) of this Article, there shall in each Contracting State be attributed to a permanent establishment the industrial or commercial profits which would be attributable to such permanent establishment if such permanent establishment were an independent entity engaged in the same or similar activities under the same or similar conditions and dealing wholly independently with the resident of which it is a permanent establishment.

(3) In determining the industrial or commercial profits of an enterprise of one of the Contracting States which are taxable in the territory of the other Contracting State in accordance with paragraphs (1) and (2), there shall be allowed as deductions all expenses (including executive and general administrative expenses) which would be deductible if the permanent establishment were an independent enterprise and which are reasonably connected with the profits so taxable.

(4) No profits shall be deemed to be derived merely by reason of the purchase of goods or merchandise by that permanent establishment, or by the resident or corporation of which it is a permanent establishment, for the account of that resident or corporation.

(5) The term "industrial or commercial profits" means income derived from the active conduct of a trade or business. It includes profits from manufacturing, mercantile, agricultural, fishing, from transportation, communication or extractive activities, from the rental of tangible personal (movable) property, from the furnishing by an individual of the personal services of another person and from the furnishing by a corporation of the personal services of its employees, or others. It also includes income dealt with in Article 12 (dividends and profits), Article 13 (interest), Article 14 (royalties), or Article 15 (real property and natural resource income), but only if the right or property giving rise to such income is effectively connected with a permanent establishment which the recipient, being a resident or corporation of one Contracting State, has in the other Contracting State. It does not include income received by an individual for his performance of personal services (either as an employee or in an independent capacity).

ARTICLE 9

Definition of permanent establishment

(1) The term "permanent establishment" means a fixed place of business through which a resident or corporation of one of the Contracting States engages in trade or business.

(2) The term "a fixed place of business" includes, but is not limited to, an office; a store or other sales outlet; a workshop; a factory; a warehouse; a mine, quarry or other place of extraction of natural resources; a building, construction or installation site.

(3) Notwithstanding paragraph (1) of this Article, a permanent establishment shall not include a fixed place of business used only for one or more of the following activities:

(a) for the processing by another person, whether related or unrelated under arrangements or condition which are or would be made between independent persons, of goods or merchandise belonging to the resident or corporation;

(b) for the purchase, under arrangements or conditions which are or would be made between independent persons, of goods or merchandise for the account of the resident or corporation;

(c) for the storage and/or the delivery of goods belonging to the resident or corporation, other than goods or merchandise;

(i) held for sale by such resident or corporation in a store or other sales outlet; or

(ii) purchased and resold in that Contracting State by the resident or corporation, or by an independent agent or agents for or on behalf of the resident or corporation;

(d) for the collection of information for the resident or corporation;

(e) for advertising, the conduct of scientific research, the display of goods or merchandise, or the supply of information if such activities have a preparatory and auxiliary character in the trade or business of the resident or corporation;

(f) for construction, assembly, or installation projects if the site or facilities are used for such purpose for less than six months.

(4) Even if a resident or corporation of one of the Contracting States does not have a permanent establishment in the other Contracting State under paragraphs (1)-(3) of this Article, nevertheless he shall be deemed to have a permanent establishment in the latter State if he engages in trade or business in that State through an agent who—

(a) has an authority to conclude contracts in the name of that resident or corporation and regularly exercises that authority in the latter State unless the exercise of his authority is limited to the purchase of goods or merchandise; or

(b) maintains in the latter State a stock of goods or merchandise belonging to that resident or corporation from which he regularly makes deliveries.

(5) Notwithstanding paragraph (4) of this Article, a resident or corporation of a Contracting State shall not be deemed to have a permanent establishment in the other Contracting State merely because it uses the services in that State of a bona fide broker, general commission agent, forwarding agent, custodian or other agent of independent status acting in the ordinary course of his business.

(6) The fact that a corporation of one of the Contracting States controls or is controlled by or is under common control with (a) a corporation of the other Contracting State or (b) a corporation which engages in trade or business in that Contracting State (whether through a permanent establishment or otherwise), shall not be taken into account in determining whether the activities or fixed place of business of either corporation constitutes a permanent establishment of the other corporation.

(7) A resident or corporation of one of the Contracting States shall be deemed to have a permanent establishment in the other Contracting State if that resident or corporation provides the services in the latter State of public entertainers referred to in paragraph (4), Article 17.

(8) If a resident or corporation of one of the Contracting States has a permanent establishment in the other Contracting State at any time during the taxable year, it shall be considered to have a permanent establishment in that other Contracting State for the entire taxable year.

ARTICLE 10

Ships and aircraft

(1) Notwithstanding paragraph (2) of Article 8, income which a resident or corporation of the United States derives from the operation in international traffic of ships or aircraft registered in the United States shall be exempt from tax by Brazil.

(2) Notwithstanding paragraph (2) of Article 8, income which a resident or corporation of Brazil derives from the operation in international traffic of ships or aircraft registered in Brazil shall be exempt from tax by the United States.

ARTICLE 11

Related persons

(1) Where a resident or corporation of a State deriving industrial or commercial profits in one of the Contracting States and any other person are related and where such realted persons make arrangements or impose conditions between themselves which are different from those which would be made between independent persons, then any income which would, but for those arrangements or conditions, have accrued to such resident or corporation but, by reason of those arrangements or conditions, has not so accrued, may be included in the income of such resident or corporation for purposes of the present Convention and taxed by that Contracting State accordingly.

(2)(a) A person other than a corporation is related to a corporation if such person participates directly or indirectly, in the management, control or capital of the corporation.

(b) A corporation is related to another corporation if either participates directly or indirectly in the management, control or capital of the other, or if any person or persons participate directly or indirectly in the management, control or capital of both corporations.

ARTICLE 12

Dividends and branch profits

(1) Dividends paid by a company resident in one of the Contracting States to a resident or corporation of the other Contracting State may be taxed by both Contracting States.

(2) For purposes of this Article:

(a) In the case of Brazil, the term "dividends" means income from shares, jouissance" shares or "jouissance" rights, mining shares, founders' shares or other rights, not being debt-claims, participating in profits, as well as income from other corporate rights assimilated to income from shares, including all other forms of distribution of profits made by any type of company or individual enterprise situated in Brazil.

(b) The term "dividends" in the case of the United States includes any item which under the law of the United States is treated as a distribution out of earnings and profits.

(3) The rate of the withholding tax imposed by Brazil on dividends paid by a corporation of Brazil to a corporation of the United States shall not exceed 20 percent, if—

(a) During the part of the paying corporation's taxable year which precedes the date of payment of the dividend and during the whole of its prior taxable year (if any), at least 10 percent of the outstanding shares of the voting stock of the paying corporation was owned by the recipient corporation, and

(b) Not more than 25 percent of the gross income of the paying corporation for such prior taxable year (if any) consisted of interest and dividends (other than interest derived in the conduct of a banking, insurance or financing business and dividends or interest received from subsidiary corporations, 50 percent or more of the outstanding shares of the voting stock of which was owned by the paying corporation at the time such dividends or interest were received).

(4) The rate of the withholding tax imposed by Brazil on profits of a Brazilian branch of a United States corporation shall not exceed the rate described in paragraph (3).

(5) Notwithstanding the provisions of paragraphs (3) and (4) of this Article, the rate of withholding tax on dividends and on branch profits may be increased to the same extent as any reduction below 28 percent in the rate of tax on business profits normally

applicable to all industrial or commercial profits of corporations in Brazil.

(6) Dividends paid by a corporation of one of the Contracting States to a person other than a resident or corporation of the other Contracting State (and in the case of a dividend paid by a Brazilian corporation, to a person other than a citizen of the United States) shall be exempt from tax by the other Contracting State. This paragraph shall not apply if—

(a) Such dividends are treated as income from sources within that other Contracting State under subparagraph (1)(b) of Article 5, or

(b) The recipient of the dividends has a permanent establishment in the other Contracting State and such dividends are effectively connected with such permanent establishment.

ARTICLE 13

Interest

(1) Interest derived from sources within one of the Contracting States by a resident or corporation of the other Contracting State may be taxed by both Contracting States.

(2) Interest received by the Government of one of the Contracting States or any agency or instrumentality wholly owned by that Government shall be exempt from tax by the other Contracting State.

(3) The tax imposed by Brazil on interest received from sources within Brazil by a resident or corporation of the United States which is a bank or other financial institution shall not exceed 15 percent of the amount paid. This paragraph shall not apply if the recipient of such interest has a permanent establishment in Brazil. In such case, such interest shall be treated as industrial or commercial profits attributable to such permanent establishment and the provisions of Article 8 shall apply thereto.

(4) The term "interest" as used in this Article means income from Government securities, bonds or debentures, whether or not secured by mortgage and whether or not carrying a right to participate in profits, and debt-claims of every kind as well as all other income assimilated to income from money lent by the taxation law of the State in which the income arises.

(5) Where, owing to a special relationship between the payer and the recipient or between both of them and some other person, the amount of the interest paid, having regard to the debt claim for which it is paid, exceeds the amount which would have been agreed upon by the payer and the recipient in the absence of such relationship, the provisions of paragraph (3) of this Article shall apply only to the last-mentioned amount. In that case, the excess part of the payments shall remain taxable according to the law of each Contracting State, due regard being had to the other provisions of this Convention.

(6) Interest paid by a corporation of one of the Contracting States to a person other than a resident or corporation of the other Contracting State (and, in the case of interest paid by a Brazilian corporation, other than a citizen of the United States) shall be exempt from tax by the other Contracting State. This paragraph shall not apply if—

(a) such interest is treated as income from sources within that other Contracting State under subparagraph (2)(b) of Article 5, or

(b) the recipient of the interest has a permanent establishment in the other Contracting State and such interest is effectively connected with such permanent establishment.

ARTICLE 14

Royalties

(1) The tax imposed by one of the Contracting States on royalties derived from sources within that Contracting State by a resident or corporation of the other Contracting State shall not exceed 15 percent of the gross amount thereof. This paragraph shall not apply if the recipient of such royalties has a permanent establishment in the other Contracting State. In such case, such royalties shall be treated as industrial or commercial profits attributable to such permanent establishment and the provisions of Article 8 shall apply thereto.

(2) For the purpose of paragraph (1) of this Article, the term "royalties" means any royalties, rentals or other amounts paid as consideration for the use of, or the right to use—

(a) copyrights, artistic or scientific works, patents, designs, plans, secret processes or formulae, or other like property or rights;

(b) information concerning industrial or scientific knowledge, experience, or skill; or

(c) trademarks related to any of the items specified in subparagraph (a) or (b).

(3) The provisions of paragraphs (1) and (2) of this Article shall not apply to any royalties, rentals or other amounts paid:

(a) in respect of the operation of mines, quarries or other natural resources; and

(b) as consideration for the use of, or the right to use, motion picture films, films or tapes for radio, television broadcasting, or other like property or rights.

(4) Where any royalty exceeds a fair and reasonable consideration in respect of the rights for which it is paid, the provisions of the present Article shall apply only to so much of the royalty as represents such fair and reasonable consideration in accordance with the provisions of the tax legislation of the Contracting State from which the royalty is derived. Where, owing to a special relationship between the payer and the recipient or between both of them and some other person, the amount of the royalties paid, having regard to the use, right or information for which they are paid, exceeds the amount which would have been agreed upon by the payer and the recipient in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In both cases, the excess part of the payments shall remain taxable according to the law of each Contracting State, due regard being had to the other provisions of this Convention.

ARTICLE 15

Income from real property

A resident or corporation of one of the Contracting States subject to tax in the other Contracting State on income from real property, including gains derived from the sale or exchange of such property, or on royalties in respect of the operation of mines, quarries, or other natural resources may elect for any taxable year to compute that tax on such income on a net basis as if such resident or corporation were engaged in trade or business in that other Contracting State.

ARTICLE 16

Investment or holding companies

A corporation of one of the Contracting States deriving dividends, interest or royalties from sources within the other Contracting State shall not be entitled to the benefits of Article 12, Article 13, or Article 14 if (a) by reason of special measures granting tax benefits to investment or holding companies the tax imposed on such corporation by the former Contracting State with respect to such dividends, interest or royalties is substantially less than the tax generally imposed by such Contracting State on corporate profits, and (b) 25 percent or more of the capital of such corporation is held of record or is otherwise determined, after consultation between the competent authorities of the Contracting States, to be owned, directly or indirectly, by one or more persons who are not individual residents of the former Contracting States (or, if residents of Brazil, are citizens of the United States).

ARTICLE 17

Income from personal services

(1) An individual who is a resident of one of the Contracting States shall be exempt from tax by the other Contracting State with respect to income from personal services if—

(a) he is present within the latter Contracting State for a period or periods not exceeding in the aggregate 183 days during the taxable year; and either

(b) in the case of employment income—

(i) such individual is an employee of a resident or corporation of a State other than the latter Contracting State (or of a permanent establishment of a resident or corporation of the latter Contracting State located outside the latter Contracting State); and

(ii) such income is not deducted as such in computing the profits of a permanent establishment in the latter Contracting State which are subject to tax in that State; or

(c) such income does not exceed $4,000 or its equivalent in Brazilian cruzeiros.

(2) Compensation received by any individual for personal services performed aboard ships or aircraft operated by a resident or corporation of a Contracting State and registered in such Contracting State shall, subject to paragraph (3) of Article 3, be exempt from tax by the other Contracting State, if the services are rendered by a member of the regular complement of the ship or aircraft.

(3) For purposes of paragraph (1), the term "income from personal services" includes employment and income earned by an individual from the performance of personal services in an independent capacity. The term "employment income" includes income from services performed by officers and directors of corporations, but does not include income from personal services performed by partners, which shall be treated as income from the performance of services in an independent capacity.

(4) Income derived by a public entertainer, theatre, motion picture or television artist, musician or athlete from his personal activities as such, even though otherwise exempt under paragraph (1) of this Article, shall not be exempt if such income exceeds $100 or its equivalent in Brazilian cruzeiros, for each day such person is present in the other Contracting State.

ARTICLE 18

Teachers

(1) An individual who is a resident of one of the Contracting States at the beginning of his visit to the other Contracting State and who, at the invitation of the Government of the other Contracting State or of a university or other accredited educational institution situated in the other Contracting State, visits the latter Contracting State for the primary purpose of teaching or engaging in research, or both, at a university or other accredited educational institution shall be exempt from tax by the latter Contracting State on his income from personal services for teaching or research at such educational institution, or at other such institutions, for a period not exceeding two years from the date of his arrival in the latter Contracting State.

(2) This Article shall not apply to income from research if such research is undertaken not in the public interest but primarily for the private benefit of a specific person or persons.

ARTICLE 19

Students and trainees

(1) (a) An individual who is a resident of one of the Contracting States at the beginning of his visit to the other Contracting State and who is temporarily present in the other Contracting State for the primary purpose of—

(i) studying at a university or other accredited educational institution in that other Contracting State;

(ii) securing training required to qualify him to practice a profession or a professional specialty; or

(iii) studying or doing research as a recipient of a grant, allowance, or award from a governmental, religious, charitable, scientific, literary or educational organization,

shall be exempt from tax by that other Contracting State with respect to—

(A) gifts from abroad for the purposes of his maintenance, education, study, research or training;

(B) the grant, allowance, award; and

(C) income from personal services performed in the other Contracting State in an amount not in excess of $2,000 or its equivalent in Brazilian cruzeiros for any taxable year; or, if such individual is securing training required to qualify him to practice a profession or a professional specialty, not in excess of $5,000 or its equivalent in Brazilian cruzeiros for any taxable year.

(b) The benefits under this paragraph shall only extend for such period of time as may be reasonably or customarily required to effectuate the purpose of the visit, but in no event shall any individual have the benefits of this paragraph for more than five taxable years.

(2) A resident of one of the Contracting States who is present in the other Contracting State for a period not exceeding one year, as an employee of, or under contract with, a resident or corporation of the former State, for the primary purpose of—

(i) acquiring technical, professional, or business experience from a person other than that resident or corporation of the former State or a corporation 50 percent or more of the voting stock of which is owned by that corporation of the former State; or

(ii) studying at a university or other accredited educational institution in that other Contracting State;

shall be exempt from tax by that other Contracting State with respect to his income from personal services performed in the other Contracting State for that period in an amount not in excess of $5,000 or its equivalent in Brazilian cruzeiros.

(3) A resident of one of the Contracting States who is present in the other Contracting State for a period not exceeding one year, as a participant in a program sponsored by the Government of the other Contracting State, for the primary purpose of training, research or study, shall be exempt from tax by that other State with respect to his income from personal services performed in that other Contracting State and received in respect of such training, research, or study in an amount not in excess of $10,000 or its equivalent in Brazilian cruzeiros.

ARTICLE 20

Governmental salaries

Wages, salaries, and similar compensation, and pensions, annuities, or similar benefits paid by, or from public funds of, one of the Contracting States or the political subdivisions thereof to an individual who is a national of that Contracting State for services rendered to that Contracting State or to any of its political subdivisions in the discharge of governmental functions shall be exempt from tax by the other Contracting State.

ARTICLE 21

Rules applicable to personal income articles

(1) Articles 17, 18, 19 and 20 shall apply to reimbursed travel expenses, but such expenses shall not be taken into account in computing the maximum amount of exemptions specified in Articles 17 and 19.

(2) An individual who qualifies for benefits under more than one of the provisions of Articles 17, 18, 19 and 20 may apply that provision most favorable to him, but he shall not be entitled to the benefits of more than one provision in any taxable year.

ARTICLE 22

Deduction for charitable contributions

In the computation of taxable income under the United States income tax, a deduction shall be allowed to citizens and residents of the United States and to United States corporations for contributions to any organization created or organized under the laws of Brazil which constitutes a nonprofit organization exempt from tax for purposes of the income tax laws of Brazil if—

(a) such contributions are used entirely within Brazil and

(b) the recipient organization has qualified as an exempt organization under subsection 501(c)(3) of the United States Internal Revenue Code.

Such deduction shall not exceed an amount which would be allowable under the United States Internal Revenue Code if such organization were created or organized under the laws of the United States and if such contributions were used within the United States.

ARTICLE 23

Pensions and annuities

(1) Private pensions and private life annuities paid to individuals who are residents of one of the Contracting States shall be exempt from tax by the other Contracting State.

(2) The term "life annuities", as used in this Article, means a stated sum paid periodically at stated times during life, or during a specified number of years, under an obligation to make the payments in return for adequate and full consideration.

(3) The term "pension", as used in this Article, means periodic payments made after retirement or death in consideration for, or by way of compensation for injuries received in connection with, past employment.

ARTICLE 24

Consultation

(1) The competent authorities of the Contracting States may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention. Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to conventions between one of the Contracting States and any other State, the competent authorities shall endeavour to settle the question as quickly as possible by mutual agreement.

(2) In particular, the competent authorities of the Contracting States may consult together to endeavour to agree—

(a) to the same application of the source rules set forth in Article 5 to particular items of income;

(b) to the same attribution of industrial or commercial profits to a resident or corporation of one of the Contracting States and to its permanent establishment situated in the other Contracting State; or

(c) to the same allocation of income between a resident or corporation of one of the Contracting States and any related person, provided for in Article 11.

In the event that the competent authorities reach such an agreement, taxes shall be imposed on such income and refund or credit of taxes shall be allowed by the Contracting States in accordance with such agreement.

ARTICLE 25

Exchange of information

(1) The competent authority of one of the Contracting States shall exchange such information with the competent authority of the other Contracting State as is pertinent to carrying out the provisions of the present Convention or preventing fraud or fiscal evasion in relation to the taxes which are the subject of the present Convention.

(2) The competent authority of the Contracting State to which a request for information is made shall not exchange information unless that information would be available under the taxation laws and administrative procedures of that State if the tax of the other State, to which the request for information relates, were the tax of the former State and were being imposed by that State.

(3) Any information exchanged shall be treated as secret but may be disclosed to persons (including a court or administrative body) concerned with assessment, collection, enforcement or prosecution with respect to the taxes which are the subject of the present Convention.

(4) No information shall be exchanged which would disclose any trade, business, industrial, or professional secret.

ARTICLE 26

Assistance in collection

(1) Each of the Contracting States shall endeavour to collect such taxes imposed by the other Contracting State as will ensure that any exemption or reduced rate of tax granted under the present Convention by the other State shall not be enjoyed by persons not entitled to such benefits. The Contracting State making such collections shall be responsible to the other Contracting State for the sums thus collected. The competent authority of each of the Contracting States shall consult with the competent authority of the other Contracting State for the purpose of cooperating with and advising that other Contracting State in respect of any action taken by it within the former Contracting State to collect its tax.

(2) In no case shall the provisions of this Article be construed so as to impose upon either of the Contracting States the obligation to carry out administrative measures at variance with the regulations and practices of the Contracting State endeavouring to collect the tax or which would be contrary to that State's sovereignty, security or public policy.

ARTICLE 27

Taxpayer claims

A taxpayer shall be entitled to present his case to the Contracting State of which he is a citizen or resident, or, if the taxpayer is a corporation of one of the Contracting States, to that State, if he considers that the action of the other Contracting State has resulted, or will result for him in taxation contrary to the provisions of this Convention. Should the taxpayer's claim be considered to have merit by the competent authority of the Contracting State to which the claim is made, it shall endeavour to come to an agreement with the competent authority of the other Contracting State with a view to the avoidance of taxation contrary to the provisions of the Convention.

ARTICLE 28

Exchange of legal information

(1) The competent authorities of the Contracting States shall notify each other of any amendments of the tax laws referred to in Article 1(1) and of the adoption of any taxes referred to in Article 1(2) by transmitting the texts of any amendments or new statutes at least once a year.

(2) The competent authorities of the Contracting States shall exchange the texts of all published material interpreting the present Convention under the laws of the respective States, whether in the form of regulations, rulings or judicial decisions.

(3) For the purpose of mutual assistance in the development and maintenance of sound fiscal policies and tax administration, the competent authorities of the Contracting States may, on the initiative of either, consult together and make such arrangements as may be mutually acceptable, including exchanges of personnel and of technical memoranda and studies.

(4) The texts transmitted under this Article shall be in the language of the transmitting State.

ARTICLE 29

Diplomatic and consular officers

The provisions of the Convention shall not prejudice the tax privileges enjoyed by diplomatic or consular officers by virtue of general rules of international law or the provisions of special agreements.

ARTICLE 30

Effective dates and ratification

(1) The present Convention shall be ratified and the instruments of ratification exchanged at Washington as soon as possible.

(2) After the exchange of instruments of ratification, the present Convention shall have effect for taxable years beginning on or after the first day of January of the year following the exchange of instruments of ratification.

(3) Notwithstanding the provisions of paragraph (2) of this Article—

(a) Paragraph (8) of Article 5 shall have effect only after the competent authorities of both Contracting States have established mutually acceptable rules for implementation of such paragraph.

(b) Article 7 shall have effect with respect to property placed in service and net new investments made on or after January 1, 1968.

(c) Articles 12, 13 and 14 shall have effect with respect to amounts paid on or after January 1, 1969.

(4) The present Convention shall continue in effect indefinitely, but it may be terminated by either of the Contracting States at any time after three years from the first day of January referred to in paragraph (2) of this Article, provided that at least six months' prior notice of termination has been given through diplomatic channels. In such event, the present Convention shall cease to be effective for taxable years beginning on or after the first day of January next following the expiration of the six-month period.

(5) Notwithstanding the provisions of paragraph (4) of this Article and upon six months' prior notice to be given through diplomatic channels—

(a) paragraph (8) of Article 5, and any rules established for the implementation of such paragraph by agreement of the competent authorities of both Contracting States, may be terminated by either Contracting State at any time.

(b) the benefits provided under Articles 7 or 22 may be terminated by the United States at any time after three years from the date specified in paragraph (2) of this Article.

(c) the provisions of paragraphs (3) and (4) of Article 12, paragraph (3) of Article 13, and paragraph (1) of Article 14 may be terminated by Brazil at any time after three years from the date specified in paragraph (2) of this Article.

(6) Notwithstanding the provisions of paragraphs (4) and (5) of this Article, the provisions of paragraphs (3) and (4) of Article 12, paragraph (3) of Article 13, and paragraph (1) of Article 14 may, by notice given by Brazil to the United States through diplomatic channels, be—

(a) terminated by Brazil at any time after the date on which the credit provided by Article 7 is terminated pursuant to paragraph (4) thereof; or

(b) suspended by Brazil at any time after the date, and for the period, of any suspension of the credit provided by Article 7 pursuant to paragraph (4) thereof.

(7) Any termination or suspension under paragraphs (5) or (6) shall not prejudice benefits available with respect to transactions entered into prior to such termination.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed the present Convention.

DONE at Rio de Janeiro, in duplicate, in the English and Portuguese languages, both texts equally authentic, this 13th day of March one thousand nine hundred and sixty seven.

For the Government of the United States of America:

[SEAL]

JOHN TUTHILL

For the Government of the United States of BRAZIL:

[SEAL]

JURACY MAGALHESÃES

OCTAVIO BULHÕES

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC WITH RESPECT TO TAXES ON INCOME AND PROPERTY

The President of the United States of America and the President of the French Republic, desiring to conclude a Convention for the avoidance of double taxation of income and the prevention of fiscal evasion, have appointed for that purpose as their respective Plenipotentiaries:

The President of the United States of America: The Honorable Charles E. Bohlen, Ambassador of the United States of America in Paris, and

The President of the French Republic: Mr. Hervé Alphand, Ambassador of France, Secretary General of the Ministry of Foreign Affairs, who, having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE 1

Taxes covered

(1) The taxes which are the subject of the present Convention are:

(a) In the case of the United States, the Federal income tax, including surtax, imposed by the Internal Revenue Code and

(b) In the case of France:

(i) the income tax on the income of physical persons, the complementary tax, the corporation tax, including any withholding tax, prepayment (precompte) or advance payment with respect to the aforesaid taxes, and

(ii) the tax on Stock Exchange transactions.

(2) The Convention shall also apply to any documentary taxes on sales or transfers of shares or certificates of stock or bonds which are subsequently imposed.

(3) The Convention shall also apply to any identical or substantially similar taxes which are subsequently imposed in addition to, or in place of, the existing taxes.

(4) For the purpose of Article 24 (Nondiscrimination), this Convention shall also apply to taxes of every kind and to those imposed at the national, State and local level.

ARTICLE 2

General definitions

(1) In this Convention, unless the context otherwise requires:

(a) The term "United States of America" means the United States of America and when used in the geographical sense means the States thereof and the District of Columbia. The term "France" when used in a geographical sense means Metropolitan France and the Overseas departments (Guadeloupe, Guyane, Martinique, and Reunion).

(b) The terms "a Contracting State" and "the other Contracting State" means the United States or France, as the context requires.

(c) The term "person" comprises an individual or a corporation, or any other body of individuals or persons.

(d) (i) The term "United States corporation" or "corporation of the United States" means a corporation, or any entity treated as a corporation for United States tax purposes, which is created or organized under the laws of the United States or any State thereof or the District of Columbia; and

(ii) The term "French corporation" or "corporation of France" means any body corporate or any entity which is treated as a body corporate under French tax law, which is resident within France for French tax purposes.

(e) The term "competent authority" means:

(i) In the case of the United States, the Secretary of the Treasury or his delegate, and

(ii) In the case of France, the Minister of Economy and Finance or his delegate.

(2) As regards the application of the Convention by a Contracting State any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of the Convention.

ARTICLE 3

Fiscal domicile

(1) The term "resident of France" means:

(a) A French corporation, and

(b) Any person (other than a body corporate or any entity which under French law is treated as a body corporate) who is resident in France for purposes of its tax.

(2) The term "resident of the United States" means:

(a) A United States corporation, and

(b) Any person (other than a corporation or an entity treated under United States law as a corporation) who is resident in the United States for purposes of its tax, but in the case of a person acting as a partner or fiduciary only to the extent that the income derived by such person in that capacity is taxed as the income of a resident.

(3) An individual who is a resident in both Contracting States shall be deemed a resident of that Contracting State in which he maintains his permanent home. If he has a permanent home in both Contracting States or in neither of the Contracting States, he shall be deemed a resident of that Contracting State with which his personal and economic relations are closest (center of vital interests). If the Contracting State in which he has his center of vital interests cannot be determined, he shall be deemed a resident of that Contracting State in which he has an habitual abode. If he has an habitual abode in both Contracting States or in neither of the Contracting States, the competent authorities of the Contracting States shall settle the question by mutual agreement. For purposes of this Article, a permanent home is the place in which an individual dwells with his family. An individual who is deemed to be a resident of one Contracting State and not a resident of the other Contracting State by reason of the provisions of this paragraph shall be deemed a resident only of the former State for all purposes of this Convention (including Article 22).

ARTICLE 4

Permanent establishment

(1) For the purposes of this Convention, the term "permanent establishment" means a fixed place of business through which a resident of one of the Contracting States engages in industrial or commercial activity.

(2) The term "permanent establishment" shall include especially:

(a) A seat of management;

(b) A branch;

(c) An office;

(d) A factory;

(e) A workshop;

(f) A warehouse;

(g) A mine, quarry, or other place of extraction of natural resources;

(h) A building site or construction or assembly project which exists for more than twelve months.

(3) Notwithstanding paragraph (1) of this Article, a permanent establishment shall not include a fixed place of business used only for one or more of the following activities:

(a) The use of facilities for the purpose of storage, display, or delivery of goods or merchandise belonging to the resident;

(b) The maintenance of a stock of goods or merchandise belonging to the resident for the purpose of storage, display, or delivery;

(c) The maintenance of a stock of goods or merchandise belonging to the residence for the purpose of processing by another person;

(d) The maintenance of a fixed place of business for the purpose of purchasing goods or merchandise, or for collecting information, for the resident;

(e) The maintenance of a fixed place of business for the purpose of advertising, for the supply of information, for scientific research, or for similar activities which have a preparatory or auxiliary character, for the resident.

(4) A person acting in a Contracting State on behalf of a resident of the other Contracting States—other than an agent of an independent status to whom paragraph (5) applies—shall be deemed to be a permanent establishment in the first-mentioned State if such person:

(a) Has, and habitually exercises in that State, an authority to conclude contracts in the name of that resident, unless the exercise of such authority is limited to the purchase of goods or merchandise for that resident, or

(b) Maintains substantial equipment or machinery within the first-mentioned State for a period of twelve months or more.

(5) A resident of a Contracting State shall not be deemed to have a permanent establishment in the other Contracting State merely because such resident carries on business in that other State through a broker, general commission agent, or any other agent of an independent status, where such persons are acting in the ordinary course of their business.

(6) The fact that a resident of one of the Contracting States is a related person, as defined in Article 8 of this Convention, with respect to a resident of the other Contracting State or with respect to a person which engages in industrial or commercial activity in that other Contracting State (whether through a permanent establishment or otherwise) shall not be taken into account in determining whether that resident of the first Contracting State has a permanent establishment in the other Contracting State.

(7) An insurance company of one of the Contracting States shall be considered as having a permanent establishment in the other Contracting State if, through a representative other than one described in paragraph (5), such company receives premiums from or insures risks in the territory of that other Contracting State.

ARTICLE 5

Income from real property

(1) Income from real property and royalties in respect of the operations of mines, quarries, or other natural resources (not including interest on debts secured by mortgages or other encumbrances on such real property or royalty interests but including gains derived from the sale or exchange of such property or the right giving rise to such royalties) shall be taxable by the Contracting State in which such property, mines, quarries, or other natural resources are situated.

(2) The provisions of paragraph (1) shall apply to income derived from the usufruct, direct use, letting, or use in any other form of real property.

(3) A resident of one of the Contracting States subject to tax in the other Contracting State on income from real property or on royalties referred to in this Article may elect for any taxable year to be subject to such other State's tax on such income as if such resident were engaged in business in the other Contracting State.

ARTICLE 6

Business profits

(1) Industrial or commercial profits of a resident of one of the Contracting States shall be taxable only in that State unless such resident is engaged in industrial or commercial activity in the other Contracting State through a permanent establishment situated therein. If such resident is so engaged, tax may be imposed by such other State on the industrial or commercial profits of such residents but only on so much of them as are attributable to the permanent establishment.

(2) Where a resident of a Contracting State carries on business in the other Contracting State through a permanent establishment situated therein, there shall in each Contracting State be attributed to that permanent establishment the industrial or commercial profits which would be attributable to such permanent establishment if such permanent establishment were an independent entity engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the resident of which it is a permanent establishment.

(3) In the determination of the profits of a permanent establishment, there shall be allowed as deductions expenses which are reasonably connected with such profits including executive and general administrative expenses, whether incurred in the State in which the permanent establishment is situated or elsewhere.

(4) No profits shall be attributed to a permanent establishment merely by reason of the purchase of goods or merchandise by that permanent establishment, or by the resident of which it is a permanent establishment, for the account of that resident.

(5) The term "industrial or commercial profits of a resident" includes income derived from manufacturing, mercantile, agricultural, fishing, or mining activities, from the operation of ships or aircraft, from the furnishing of personal services, from the rental of tangible personal property, and from insurance activities and rents or royalties derived from motion picture films, films or tapes of radio or television broadcasting. It also includes income derived from real property and natural resources and dividends, interest, royalties (as defined in paragraphs (3) and (4) of Article 11), and capital gains but only if the right or property giving rise to such income, dividends, interest, royalties, or capital gains is effectively connected with a permanent establishment which the recipient, being a resident of one Contracting State, has in the other Contracting State. It does not include income received by an individual as compensation for personal services either as an employee or in an independent capacity.

ARTICLE 7

Shipping and air transport

Notwithstanding Article 6, income which a resident of one of the Contracting States derives from the operation in international traffic of ships or aircraft registered in that Contracting State shall be taxable only in that Contracting State.

ARTICLE 8

Related persons

(1) Where a resident of a Contracting State and a resident of the other Contracting State are related and where such related persons make arrangements or impose conditions between themselves which are different from those which would be made between independent persons, then any income which would, but for those arrangements or conditions, have accrued to the resident of the first Contracting State but, by reason of those arrangements or conditions, has not so accrued, may be included in the income of the resident of the first Contracting State for purposes of the present Convention and taxed accordingly.

(2) (a) A person other than a corporation is related to a corporation if such person participates directly or indirectly in the management, control, or capital of the corporation.

(b) A corporation is related to another corporation if either participates directly or indirectly in the management, control, or capital of the other, or if any person or persons participate directly or indirectly in the management, control, or capital of both corporations.

ARTICLE 9

Dividends

(1) Dividends derived from sources within a Contracting State by a resident of the other Contracting State may be taxed in that other State.

(2) Dividends derived from sources within a Contracting State by a resident of the other Contracting State may also be taxed by the former Contracting State but the tax imposed on such dividends shall not exceed—

(a) 15 percent of the amount actually distributed; or

(b) When the recipient is a corporation, 5 percent of the amount actually distributed if—

(i) During the part of the paying corporation's taxable year which precedes the date of payment of the dividend and during the whole of its prior taxable year (if any), at least ten percent of the outstanding shares of the voting stock of the paying corporation was owned by the recipient corporation, and

(ii) Not more than 25 percent of the gross income of the paying corporation for such prior taxable year (if any) consisted of interest and dividends (other than interest derived in the conduct of a banking, insurance, or financing business and dividends or interest received from subsidiary corporations, 50 percent or more of the outstanding shares of the voting stock of which was owned by the paying corporation at the time such dividends or interest were received).

(3) Paragraph (2) of this Article and, in the case of dividends derived by a resident of France, paragraph (1) of this Article, shall not apply if the recipient of the dividends has a permanent establishment in the other Contracting State and the shares with respect to which the dividends are paid are effectively connected with the permanent establishment. In such a case, the provisions of Article 6 shall apply.

(4) (a) Except as provided in subparagraph (b) dividends paid by a corporation of one of the Contracting States shall be treated as income from sources within that Contracting State, and dividends paid by any other corporation shall be treated as income from sources outside that Contracting State.

(b) Dividends paid by a corporation other than a United States corporation shall be treated as dividends from sources within the United States if such corporation had a permanent establishment in the United States and more than 80 percent of its gross income was taxable to such permanent establishment for a three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such portion of that period as the corporation has been in existence).

(5) When the prepayment (precompte) is levied on dividends paid by a French corporation to a resident of the United States, such resident shall be entitled to the refund of that prepayment, subject to deduction of the withholding tax with respect to the refunded amount in accordance with paragraph (2) of this Article.

ARTICLE 10

Interest

(1) Interest derived from sources within one Contracting State by a resident of the other Contracting State may be taxed in that other State.

(2) Interest on bonds, notes, debentures, or any other form of indebtedness from sources within the United States and paid to a resident of France may also be taxed by the United States at a rate not in excess of 10 percent of the amount paid.

(3) Interest on bonds, notes, debentures, or any other form of indebtedness from sources within France and paid to a resident of the United States may also be taxed by France at a rate not in excess of 10 percent of the amount paid except that interest on bonds issued before January 1, 1965, may be taxed at a rate not in excess of 12 percent of the amount paid.

(4) Paragraphs (2) and (3) of this Article and, in the case of interest derived by a resident of France, paragraph (1) of this Article, shall not apply if the recipient of the interest, being a resident of one of the Contracting States, has a permanent establishment in the other Contracting State and the indebtedness giving rise to the interest is effectively connected to such permanent establishment. In such a case, the provisions of Article 6 shall apply.

(5) The term "interest" as used in this Article means income from Government securities, bonds, or debentures, whether or not secured by mortgage and whether or not carrying a right to participate in profits, and debt-claims of every kind as well as all other income assimilated to income from money lent by the taxation law of the State in which the income has its source.

(6) Interest shall be deemed to be from sources within a Contracting State when the payer is that State itself, a political subdivision, a local authority, or a resident of that State. Where, however, the person paying the interest, whether he is a resident of a Contracting State or not, has in a Contracting State a permanent establishment in connection with which the indebtedness on which the interest is paid was incurred, and such interest is borne by such permanent establishment, then such interest shall be deemed to be from sources within the Contracting State in which the permanent establishment is situated.

(7) Where, owing to a special relationship between the payer and the recipient or between both of them and some other person, the amount of the interest paid, having regard to the debt claim for which it is paid, exceeds the amount which would have been agreed upon by the payer and the recipient in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In that case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Convention.

(8) Interest received by one of the Contracting States, or by an instrumentality of that State not subject to income tax by such State, shall be exempt in the State in which such interest has its source.

ARTICLE 11

Royalties

(1) Royalties derived from sources within one Contracting State by a resident of the other Contracting State may be taxed in that other State.

(2) Except as provided in paragraph (3), royalties derived from sources within a Contracting State by a resident of the other Contracting State may also be taxed by the former Contracting State but the tax imposed on such royalties shall not exceed 5 percent of the gross amount paid.

(3) Royalties derived from copyrights of literary, artistic, or scientific works (including gain from the sale or exchange of property giving rise to such royalties) by a resident of one Contracting State shall be taxable only in that Contracting State.

(4) The term "royalties" as used in paragraph (1) of this Article means—

(a) Any royalties, rentals, or other amounts paid as consideration for the use of, or the right to use, patents, designs or models, plans, secret processes or formulae, trademarks, or other like property or rights, or for knowledge, experience, or skill (know-how), and

(b) Gains derived from the sale or exchange of any such right or property, if payment of the amounts realized on such sale or exchange is contingent, in whole or in part, on the productivity, use or disposition of such right or property. If the amounts derived from the sale or exchange of any such right or property are not so contingent, the provisions of Article 12 shall apply.

(5) Paragraphs (2) and (3) of this Article, and, in the case of royalties derived by a resident of France, paragraph (1) of this Article, shall not apply if the recipient of the royalty being a resident of one of the Contracting States, has in the other Contracting State a permanent establishment and the right or property giving rise to the royalties is effectively connected with such permanent establishment. In such a case, the provisions of Article 6 shall apply.

(6) Royalties paid for the use of, or the right to use, property described in paragraph (4) in a State shall be treated as income from sources within that State.

(7) Where, owing to a special relationship between the prayer and the recipient, or between both of them and some other person, the amount of the royalties paid exceeds the amount which would have been agreed upon by the payer and the recipient in the absence of such relationship, the provisions of this Article shall only apply to the last-mentioned amount. In that case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Convention.

ARTICLE 12

Capital gains

(1) A resident of one of the Contracting States shall be taxable only in that State on gains from the sale or exchange of capital assets.

(2) Paragraph (1) of this Article shall not apply if—

(a) The gain is received by a resident of one of the Contracting States and arises out of the sale or exchange of property described in Article 5 (income from real property) located within the other Contracting State or of the sale or exchange of shares or comparable interests in a real property cooperative or of a corporation whose assets consist principally of such property.

(b) The recipient of the gain, being a resident of one of the Contracting States, has a permanent establishment in the other Contracting State and the property giving rise to the gain is effectively connected with such permanent establishment, or

(c) The recipient of the gain, being an individual resident of one of the Contracting States—

(i) Maintains a fixed base in the other Contracting State and the property giving rise to such gain is effectively connected to such fixed base, or

(ii) Is present in the other Contracting State for a period or periods exceeding in the aggregate 183 days during the taxable year.

(3) In the case of gains described in paragraph (2)(b), the provisions of Article 6 shall apply.

ARTICLE 13

Branch profits

(1)(a) Dividends paid by a French corporation to a person other than a citizen, resident, or corporation of the United States shall be exempt from tax by the United States unless such French corporation had a permanent establishment in the United States and more than 80 percent of its gross income was taxable to such permanent establishment for a 3-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such portion of that period as the corporation has been in existence).

(b) The United States may impose its personal holding company tax and accumulated earnings tax as if this Convention had not come into effect. However:

(i) A French corporation shall be exempt from the United States personal holding company tax in any taxable year if all of its stock is owned by one or more individual residents of France in their individual capacities for that entire year.

(ii) A French corporation shall be exempt from the United States accumulated earnings tax in any taxable year unless such corporation is engaged in trade or business in the United States through a permanent establishment at any time during such year.

(2)(a) A United States corporation which maintains a permanent establishment in France shall remain subject therein to the withholding tax in accordance with provisions of French internal law but—

(i) The base on which such tax shall be levied will be reduced by ⅓ and

(ii) The rate of such tax shall not exceed 15 percent.

(b) Profits realized by a French permanent establishment of a United States corporation and incorporated in its capital shall not be subject in France to the "droit d'apport majoré".

ARTICLE 14

Independent personal services

(1) Income derived by a resident of a Contracting State in respect of independent activities shall be taxable only in that State unless such activities were performed in the other Contracting State. Income in respect of independent activities performed within such other State may be taxed by such other State.

(2) Notwithstanding the provisions of paragraph (1), income derived by a resident of a Contracting State in respect of independent activities performed in the other Contracting State shall not be taxable in such other State if:

(a) The recipient is present in the other State for a period or periods not exceeding in the aggregate 183 days in the fiscal year concerned, and

(b) The recipient does not maintain a fixed base in the other State for a period or periods exceeding in the aggregate 183 days in such year.

(3) The term "independent activities" means all the activities—other than commercial, industrial, or agricultural activities—carried on on his own account independently by a person who receives the proceeds or bears the losses arising from these activities.

ARTICLE 15

Dependent personal services

(1) Salaries, wages, and other similar remuneration paid to a resident of a Contracting State for labor or personal services shall be taxable only in that State unless such labor or personal services were performed in the other Contracting State. Remuneration received for labor or personal services performed within such other State may be taxed by such other State.

(2) Notwithstanding the provisions of paragraph (1), remuneration derived by a resident of a Contracting State in respect of an employment exercised in the other Contracting State shall not be taxable in such other State if:

(a) The recipient is present in the other State for a period or periods not exceeding in the aggregate 183 days in the fiscal year concerned,

(b) The remuneration is paid by, or on behalf of, an employer who is not a resident of the other State, and

(c) The remuneration is not borne by a permanent establishment which the employer has in the other State.

(3) Remuneration received by an individual for personal services performed aboard ships or aircraft registered in one of the Con-

tracting States and operated by a resident of that Contracting State shall be exempt from tax by the other Contracting State, if such individual is a member of the regular complement of the ship or aircraft.

ARTICLE 16

Government functions

(1) Remuneration, including pensions, paid by, or out of funds created by, a Contracting State or a political subdivision or a local authority thereof to any individual who is national of that State in respect of services rendered to that State or a subdivision or local authority thereof in the discharge of functions of a governmental nature shall be taxable only in that Contracting State.

(2) The provisions of Articles 15, 19, and 20 shall apply to remuneration or pensions in respect of services rendered in connection with any industrial or commercial activity carried on by one of the Contracting States or a political subdivision or a local authority thereof.

(3) In the case of an individual who is a national of both Contracting States, the provisions of Article 22, paragraph (4), shall apply to remuneration described in paragraph (1) but such remuneration shall be treated as income from sources within the Contracting State from which such individual receives such remuneration.

ARTICLE 17

Teachers

(1) An individual who is a resident of one of the Contracting States at the beginning of his visit to the other Contracting State and who, at the invitation of the Government of the other Contracting State or of a university or other accredited educational institution situated in the other Contracting State visits the latter Contracting State for the primary purpose of teaching or engaging in research, or both at a university or other accredited institution shall be exempt from tax by the latter Contracting State on his income from personal services for teaching or research at such educational institution, or at other such institutions, for a period not exceeding 2 years from the date of his arrival in the latter Contracting State.

(2) This Article shall not apply to income from research if such research is undertaken not in the public interest but primarily for the private benefit of a specific person or persons.

ARTICLE 18

Students and Trainees

(1) (a) An individual who is a resident of one of the Contracting States at the beginning of his visit to the other Contracting State and who is temporarily present in the other Contracting State for the primary purpose of—

(i) Studying at a university or other accredited educational institution in that other Contracting State, or

(ii) Securing training required to qualify him to practice a profession or professional speciality, or

(iii) Studying or doing research as a recipient of a grant, allowance, or award from a governmental, religious, charitable, scientific, literary, or educational organization,

shall be exempt from tax by that other Contracting State with respect to amounts described in subparagraph (b).

(b) The amounts referred to in subparagraph (a) include—

(i) Gifts from abroad for the purposes of his maintenance, education, study, research, or training;

(ii) The grant, allowance, or award; and

(iii) Income from personal services performed in the other Contracting State in an amount not in excess of $2,000 or its equivalent in francs for any taxable year.

(c) The benefits under this paragraph shall only extend for such period of time as may be reasonably or customarily required to effectuate the purpose of the visit, but in no event shall any individual have the benefits of this Article and Article 17 for more than a total of five taxable years.

(2) A resident of one of the Contracting States who is present in the other Contracting State as an employee of, or under contract with, a resident of the former State, for the primary purpose of—

(a) Acquiring technical, professional, or business experience from a person other than that resident of the former State or a corporation 50 percent or more of the voting stock of which is owned by that resident of the former State, or

(b) Studying at a university or other accredited educational institution in that other Contracting State,

shall be exempt from tax by that other Contracting State for one taxable year with respect to his income from personal services in an amount not in excess of $5,000 or its equivalent in francs.

ARTICLE 19

Private pensions and annuities

(1) Except as provided in Article 16, pensions and other similar remuneration paid to a resident of a Contracting State in consideration of past employment shall be taxable only in that Contracting State.

(2) Alimony and annuities paid to a resident of a Contracting State shall be taxable only in that Contracting State.

(3) The term "annuities," as used in this Article, means a stated sum paid periodically at stated times during life, or during a specified number of years, under an obligation to make the payments in return for adequate and full consideration (other than services rendered).

(4) The term "pensions," as used in this Article, means periodic payments made after retirement in consideration for, or by way of compensation for injuries received in connection with, past employment.

ARTICLE 20

Social security payments

Social security payments (whether representing employee or employer contributions or accretions thereto) paid by one of the Contracting States to an individual who is a resident of the other Contracting State shall be taxable only in the former Contracting State.

ARTICLE 21

Rules applicable to personal income articles

(1) Articles 14 through 18 shall apply to reimbursed travel expenses, but such expenses shall not be taken into account in computing the maximum amount of exemptions specified in Article 18.

(2) An individual who qualifies for benefits under more than one of the provisions of Articles 14 through 18 may apply that provision most favorable to him, but shall not be entitled to the benefits of more than one provision in any taxable year.

ARTICLE 22

General rules of taxation

(1) Any income from sources within a Contracting State to which the provisions of the present Convention are not expressly applicable shall be taxable by such Contracting State in accordance with its own law.

(2) A resident of one of the Contracting States shall be taxed by the other Contracting State only on—

(a) Commercial or industrial profits attributable to a permanent establishment located in that other Contracting State, and

(b) Income from sources within that other Contracting State,

in accordance with the limitations set forth in the present Convention.

(3) The provisions of the present Convention shall not be construed to restrict in any manner any exclusion, exemption, deduction, credit, or other allowance now or hereafter accorded—

(a) By the laws of one of the Contracting States in the determination of the tax imposed by the State, or

(b) By any other agreement between the Contracting States.

(4) (a) The United States may tax its citizens and residents as if the present Convention had not come into effect.

(i) This provision shall not affect the rules laid down in Article 20 (Social Security Payments), Article 23 (Relief from Double Taxation), and Article 24 (Nondiscrimination).

(ii) This provision shall not affect the rules laid down in Articles 17, 18, and 21 (Students, Teachers, Rules applicable thereto) when applicable to individuals who are not citizens of the United States and who do not have immigrant status in the United States.

(iii) This provision shall not affect the rules laid down in Articles 16 and 21 (Government Functions, Rules applicable thereto) when they apply to:

an individual who is not a citizen of the United States and who does not have immigrant status in the United States;

an individual who, having immigrant status in the United States, has elected to claim the benefits of these articles; in that case, such person must agree that any calendar year or portion of a calendar year for which Articles 16 and 21 apply shall not be counted as a period during which he has resided or has been physically present in the United States in the calculation of periods of residence or presence in the United States required for naturalization pursuant to the immigration and nationality laws of the United States.

(b) Subject to the provisions of Article 23, France may tax its residents who are public entertainers, such as theatre, motion picture, radio or television artists, musicians and athletes, on income described in Articles 14 and 15 (Personal Service Income) which is derived from activities, or services performed, in the United States.

(5) Any transaction in which an order for the purchase, sale or exchange of stocks, securities or commodities originates in one of the Contracting States and is executed through a stock or commodities exchange in the other State shall be exempt by the former State from stamp or like tax otherwise arising with respect to such transaction.

ARTICLE 23

Relief from double taxation

Double taxation of income shall be avoided in the following manner:

(1) The United States shall allow to a citizen, resident, or corporation of the United States as a credit against its tax specified in paragraph (1) of Article 1 the appropriate amount of income taxes paid to France. Such appropriate amount shall be based upon the amount of French tax paid but shall not exceed that portion of the United States tax which net income from sources within France bears to the entire net income.

(2) In the case of France:

(a) Income other than that mentioned in paragraph (b) below shall be exempt from the French taxes mentioned in paragraph (1) of Article 1 while the income is, by reason of the Convention, taxable in the United States.

(b) As regards income taxable in both Contracting States in accordance with the provisions of this Convention, France shall allow to a resident of France receiving such income from United States sources a tax credit corresponding to the amount of tax levied in the United States. Such tax credit, not exceeding the amount of French tax levied on such income, shall be allowed against taxes mentioned in paragraph (1) (b) (i) of Article 1 of this Convention, in the bases of which such income is included.

(c) Notwithstanding the provisions of paragraphs (a) and (b), French tax may be computed on income chargeable in France by virtue of this Convention at the rate appropriate to the total of the income chargeable in accordance with French law.

(3) A resident of a Contracting State who maintains one or several abodes in the territory of the other Contracting State shall not be subject in that other State to an income tax according to an "imputed" income based on the rental value of that or those abodes.

ARTICLE 24

Nondiscrimination

(1) A citizen of one of the Contracting States who is a resident of the other Contracting State shall not be subjected in that other Contracting State to more burdensome taxes than is a citizen of that other Contracting State who is a resident thereof.

(2) The taxation on a permanent establishment which a resident of a Contracting State has in the other Contracting State shall not be less favorably levied in that other State than the taxation levied on a resident of that other State carrying on the same activities. This provision shall not be construed as obliging a Contracting State to grant to residents of the other Contracting State any personal allowances, reliefs, and reductions for taxation purposes on account of civil status or family responsibilities which it grants to its own residents. The provisions of this paragragh shall not be construed to prevent the application of the provisions of Article 13 (Branch Profits) of the Convention nor to prevent the United States from imposing a comparable tax burden on the income of a permanent establishment maintained by a resident of France in the United States.

(3) A corporation of a Contracting State, the capital of which is wholly or partially owned or controlled, directly or indirectly, by one or more residents of the other Contracting State, shall not be subjected in the first-mentioned Contracting State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which a corporation of that first-mentioned Contracting State carrying on the same activities, the capital of which is wholly owned by one or more residents of that first-mentioned State, is or may be subjected.

ARTICLE 25

Mutual agreement procedure

(1) Where a resident of a Contracting State considers that the actions of one or both of the Contracting States result or will result for him in taxation not in accordance with this Convention, he may, notwithstanding the remedies provided by the national laws of those States, present his case to the competent authority of the Contracting State of which he is a resident.

(2) The competent authorities of the Contracting States shall endeavor to resolve by mutual agreement any difficulties or doubts arising as to the application of the Convention. In particular, the competent authorities of the Contracting States may consult together to endeavor to agree:

(a) To the same attribution of industrial or commercial profits to a resident of one of the Contracting States and its permanent establishment situated in the other Contracting State;

(b) To the same allocation of income between a resident of one of the Contracting States and any related person, provided for in Article 8; or

(c) To the same determination of the source of particular items of income.

(3) The competent authorities of the Contracting States may communicate with each other directly for the purpose of reaching an agreement in the sense of the preceding paragraphs. When it seems advisable for the purpose of reaching agreement, the competent authorities may meet together for an oral exchange of opinions.

(4) In the event that the competent authorities reach such an agreement, taxes shall be imposed on such income, and refund or credit of taxes shall be allowed, by the Contracting States in accordance with such agreement.

ARTICLE 26

Exchange of information

(1) The competent authorities of the Contracting States shall exchange such information as is pertinent to carrying out the provisions of this Convention or preventing fraud or fiscal evasion in relation to the taxes which are the subject of this Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those (including a court or administrative body) concerned with assessment, collection, enforcement, or prosecution in respect of the taxes which are the subject of the Convention.

(2) In no case shall the provisions of paragraph (1) be construed so as to impose on one of the Contracting States the obligation:

(a) To carry out administrative measures at variance with the laws or the administrative practice of that or the other Contracting State;

(b) To supply particulars which are not obtainable under the laws or in the normal course of the administration of that or of the other Contracting State;

(c) To supply information which would disclose any trade, business, industrial, commercial, or professional secret or trade process, or information, the disclosure of which would be contrary to public policy (ordre public).

(3) The exchange of information shall be either on a routine basis or on request with reference to particular cases. The competent authorities of the Contracting States shall agree on the list of information which shall be furnished on a routine basis.

ARTICLE 27

Assistance in collection

(1) The two Contracting States undertake to lend assistance and support to each other in the collection of the taxes to which the present Convention relates, together with interest, costs, and additions to the taxes and fines not being of a penal character according to the laws of the State requested, in the cases where the taxes are definitively due according to the laws of the State making the application.

(2) In the case of an application for enforcement of taxes, revenue claims of each of the Contracting States which have been finally determined will be accepted for enforcement by the State to which application is made and collected in that State in accordance with the laws applicable to the enforcement and collection of its own taxes.

(3) The application will be accompanied by such documents as are required by the laws of the State making the application to establish that the taxes have been finally determined.

(4) If the revenue claim has not been finally determined, the State to which application is made will take such measures of conservancy (including measures with respect to transfer of property of nonresident aliens) as are authorized by its laws for the enforcement of its own taxes.

(5) The assistance provided for in this Article shall not be accorded with respect to citizens, corporations, or other entities of the State to which application is made.

ARTICLE 28

Diplomatic and consular officers

Nothing in the present Convention shall affect the fiscal privileges of diplomatic or consular officials under the general rules of international law or under the provisions of special agreements.

ARTICLE 29

Territorial extension

(1) This Convention may be extended, either in its entirety or with any necessary modifications, to the Overseas Territories of the French Republic which impose taxes substantially similar in character to those to which the Convention applies. Any such extension shall take effect from such date and subject to such modifications and conditions, as may be specified and agreed between the Contracting States in notes to be exchanged through diplomatic channels or in any other manner in accordance with their constitutional procedure.

(2) At any time after the expiration of a period of 1 year from the effective date of an extension made by virtue of paragraph (1) either of the Contracting States may by a written notice of termination given to the other Contracting State through diplomatic channels, terminate the application of the provisions in respect to any territory to which such application has been extended, in which case the provisions shall cease to be applicable to such territory on and after the first day of January following the date of such notice; provided, however, that this shall not affect the continued application of such provisions to the United States, to France, or to any other territory to which such provisions apply and which is not named in the notice of termination.

(3) Unless otherwise agreed by both Contracting States, the termination of the Convention by one of the Contracting States under Article 32 shall also terminate the application of the Convention to any territory to which it has been extended under this Article.

ARTICLE 30

Exchange of official information

(1) The competent authorities of the Contracting States shall notify each other of any amendments of the tax laws referred to in Article 1(1) and of the adoption of any taxes referred to in Article 1(2) by transmitting the texts of any amendments or new statutes at least once a year.

(2) The competent authorities of the Contracting States shall exchange the texts of all published material interpreting the present Convention under their respective laws, whether in the form of regulations, rulings, or judicial decisions.

(3) Where, by reason of any change made in the taxation laws of one of the Contracting States, it seems advisable to adjust some provisions of this Convention without affecting its general principles, the necessary adjustments may be agreed between the Contracting States by notes to be exchanged through diplomatic channels or in any other manner in accordance with their respective constitutional procedure.

ARTICLE 31

Entry into force

(1) This Convention shall be ratified and instruments of ratification shall be exchanged at Washington. It shall enter into force one month after the date of exchange of the instruments of ratification. Its provisions shall for the first time have effect:

(a) In the case of France:

(i) As respects withholding taxes, to any proceeds payable and transactions completed on or after the date on which this Convention enters into force;

(ii) As respects other income taxes, to taxes which are levied for the assessment year 1967; and

(iii) As respects the tax on stock exchange transactions, the date on which this Convention enters into force.

(b) In the case of the United States:

(i) As respects the rate of withholding tax, to amounts received on or after the

date on which this Convention enters into force;

(ii) As respects other income taxes, to taxable years beginning on or after January 1, 1967.

(2) Upon the coming into effect of this Convention, there shall terminate:

(a) The Convention of July 25, 1939, relating to income and other taxes

(b) The Convention of October 18, 1946, the supplementary Protocol of May 17, 1948, and the Convention of June 22, 1956, insofar as they concern taxes on income, on capital and tax on stock exchange transactions.

The provisions of those Conventions and of that Protocol will cease to have effect from the date on which the corresponding provisions of the present Convention shall for the first time have effect according to the subparagraph (1) above-mentioned.

ARTICLE 32

Termination

This Convention shall remain in force until denounced by one of the Contracting States. Either Contracting State may denounce the Convention, through diplomatic channels, by giving notice of termination at least 6 months before the end of any calendar year after the year 1969. In such event, the Convention shall cease to have effect:

(1) In the case of France:

(a) As respects withholding taxes, on January 1 of the year following the year in which notice is given.

(b) As respects other income taxes, for any year of assessment beginning on or after January 1 of the year next following the year in which notice is given; and

(c) As respects the tax on stock exchange transactions, for any transactions occurring on or after January 1 of the year following the year in which notice is given.

(2) In the case of the United States:

(a) As respects withholding taxes, on January 1 of the year following the year in which notice is given;

(b) As respects other income taxes, for any taxable year beginning on or after January 1 of the year following the year in which notice is given; and

(c) As respects taxes referred to in paragraph (2) of Article 1, for any transactions occurring on or after January 1 of the year following the year in which notice is given.

In witness whereof, the respective plenipotentiaries have signed the present Convention.

Done at Paris in duplicate, in the English and French languages, each text being equally authentic, this 28th day of July, 1967.

For the President of the United States of America:

[SEAL] CHARLES E. BOHLEN

For the President of the French Republic:

[SEAL] HERVÉ ALPHAND

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

The Government of the United States of America and the Government of the Republic of the Philippines, desiring to conclude a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, have appointed for that purpose their respective Plenipotentiaries:

The Government of the United States of America:

Dean Rusk, Secretary of State of the United State of America,

The Government of the Republic of the Philippines:

Mauro Mendez, Secretary of Foreign Affairs of the Republic of the Philippines, and

Rufino G. Hechanova, Secretary of Finance of the Republic of the Philippines,

who, having communicated to each other their respective powers, found in good and due form, have agreed upon the following Articles:

ARTICLE 1

Taxes covered

(1) The taxes which are the subject of the present Convention are:

(a) In the case of the United States, the Federal income tax, including surtax, imposed by Subtitle A of the Internal Revenue Code (but not including the tax on improperly accumulated earnings or the personal holding company tax).

(b) In the case of the Philippines, the income tax imposed by Title II of the National Internal Revenue Code (but not including the tax on improperly accumulated earnings or the personal holding company tax).

(2) The present Convention shall also apply to taxes substantially similar to those covered by paragraph (1) of this Article which are subsequently imposed in addition to, or in place of, existing taxes.

(3) For the purpose of Article 6, this Convention shall also apply to taxes of every kind, and to those imposed at the national, state, or local level.

ARTICLE 2

General definitions

(1) In the present Convention, unless the context otherwise requires:

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States thereof, the District of Columbia, and Wake Island;

(b) The term "Philippines" means the Republic of the Philippines, and when used in a geographical sense means the territories comprising the Philippines;

(c) The terms "one of the Contracting States" and "the other Contracting State" mean the United States or the Philippines, as the context requires;

(d) The term "person" comprises an individual, a corporation and any other body of individuals or persons;

(e) The term "corporation" means any body corporate, association or joint stock company or other entity which is treated as a body corporate for tax purposes;

(f) The term "United States corporation" means a corporation created or organized under the laws of the United States or of any State thereof or the District of Columbia;

(g) The term "Philippine corporation" means a corporation created or organized under the laws of the Philippines;

(h) The terms "resident or corporation of one of the Contracting States" and "resident or corporation of the other Contracting State" means a resident or corporation of the United States or a resident or corporation of the Philippines, as the context requires;

(i) The term "competent authority" means:

(1) in the United States, the Secretary of the Treasury or his delegate;

(2) in the Philippines, the Secretary of Finance or his delegate.

(2) As regards the application of the present Convention by a Contracting State, any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of the present Convention.

ARTICLE 3

General rules of taxation

(1) A resident or corporation of one of the Contracting States shall be taxable by the other Contracting State only on income derived from sources within that other Contracting State.

(2) A resident or corporation of one of the Contracting States shall be taxed by the other Contracting State on income taxable under paragraph (1) in accordance with the limitations set forth in the present Convention. Any income to which the provisions of the present Convention are not expressly applicable shall be taxable by each of the Contracting States in accordance with its own law. The provisions of the present Convention shall not be construed to restrict in any manner any exclusion, exemption, deduction, credit or other allowance now or hereafter accorded (a) by the laws of one of the Contracting States in the determintaion of the tax imposed by that State or (b) by any other agreement between the Contracting States.

(3) Except as provided in paragraph (4), a Contracting State may tax an individual who is a citizen or resident of that Contracting State (whether or not such person is also a resident of the other Contracting State) or a corporation of that Contracting State (whether or not also a corporaion of the other Contracting State) as if the present Convention had not come into effect.

(4) The provisions of paragraph (3) shall not affect—

(a) the benefits conferred by a Contracting State under Articles 4 and 6;

(b) the benefits conferred by the Untied States under Article 18; and

(c) the benefits conferred by a Contracting State under Articles 14, 15, 16 and 17 upon individuals other than citizens of, or individuals having immigrant status in, that Contracting State.

ARTICLE 4

Relief from double taxation

Double taxation of income shall be avoided in the following manner:

(1) The United States shall allow as a credit against its tax specified in subparagraph (1)(a) of Article 1 the appropriate amount of taxes paid to the Philippines. Such appropriate amount shall be based upon the full amount of tax paid to the Philippines, and such credit shall, in other respects, be allowed in accordance with the applicable revenue laws of the United States. It is agreed for this purpose that the Philippine tax specified in subparagraph (1)(b) of Article 1 shall be considered to be an income tax, and that by virtue of the provisions of paragraph (2) of this Article the Philippines satisfies the similar credit requirement prescribed by section 901(b)(3), Internal Revenue Code of 1954, with respect to taxes paid to the Philippines.

(2) The Philippines shall allow to a resident or corporation of the Philippines as a credit against its tax specified in subparagraph (1)(b) of Article 1 the appropriate amount of taxes paid to the United States. Such appropriate amount shall be based upon the full amount of tax paid to the United States, and such credit shall, in other respects, be allowed in accordance with the revenue laws of the Philippines. It is agreed for this purpose that the United States tax specified in subparagraph (1)(a) of Article 1 shall be considered to be an income tax and that by virtue of the provisions of paragraph (1) of this Article the United States satisfies the similar credit requirement prescribed by section 30(c)(3)(B), National Internal Revenue Code, with respect to taxes paid to the United States.

ARTICLE 5

Source of income

For purposes of Article 3 and 4:

(1) Income from the performance of personal services (including private pensions and annuities paid in respect of such services) or the furnishing of personal services shall be treated as income from sources within the State in which such services are performed. Compensation for personal services performed aboard ships or aircraft operated by a resident or corporation of a Contracting State and, in the case of the United States, registered in the United States (including private pensions and annuities paid in respect of such services) shall be treated as

income from sources within that Contracting State, if rendered by a member of the regular complement of the ship or aircraft.

(2) The source of any item of income to which the provisions of this Article are not expressly applicable shall be determined by each of the Contracting States in accordance with its own law.

ARTICLE 6

Nondiscrimination

(1) A citizen of one of the Contracting States who is a resident of the other Contracting State shall not be subjected in that other Contracting State to more burdensome taxes than is a citizen of that other Contracting State who is resident therein.

(2) A permanent establishment which a citizen or corporation of one of the Contracting States has in the other Contracting State shall not be subject in that other Contracting State to more burdensome taxes than is a citizen or corporation of that other Contracting State carrying on the same activities. This paragraph shall not be construed as obliging either Contracting State to grant to citizens of the other Contracting State who are not residents of the former Contracting State any personal allowances or deductions which are by its law available only to residents of that former Contracting State.

(3) A corporation of one of the Contracting States, the capital of which is wholly or partly owned by one or more citizens or corporations of the other Contracting State, shall not be subjected in the former Contracting State to more burdensome taxes than is a corporation of the former Contracting State, the capital of which is wholly-owned by one or more citizens or corporations of that former Contracting State.

ARTICLE 7

Business profits

(1) A resident or corporation of one of the Contracting States shall be subject to tax in the other Contracting State with respect to its industrial or commercial profits only if that resident or corporation has a permanent establishment in that other Contracting State.

(2) In the imposition of such tax—

(a) there shall be allowed as deductions ordinary and necessary expenses, wherever incurred, which are allocable, to the reasonable satisfaction of the competent authority of that Contracting State, to income from sources within that Contracting State; and

(b) no profits shall be deemed to be derived from sources within that Contracting State merely by reason of the purchase of goods or merchandise.

(3) For purposes of paragraph (1) the term "industrial or commercial profits" means income derived from the active conduct of a trade or business. It includes profits from manufacturing, mercantile, agricultural, fishing and mining activities, and from the furnishing of personal services. It does not include income from the performance of personal services, dividends, interest, royalties, income from the rental of personal property, income from real property, insurance premiums, or gains derived from the sale or exchange of capital assets.

ARTICLE 8

Definition of permanent establishment

(1) The term "permanent establishment" means a fixed place of business through which a resident or corporation of one of the Contracting States engages in trade or business.

(2) The term "a fixed place of business" includes, but is not limited to, a branch; an office; a store or other sales outlet; a workshop; a factory; a warehouse; a mine, quarry or other place of extraction of natural resources; a building site, or construction or installation site, which exists for more than three months.

(3) The term "permanent establishment" shall not be deemed to include any one or more of the following:

(a) facilities used for the purpose of storage, display or delivery of goods or merchandise belonging to the resident or corporation;

(b) the maintenance of a stock of goods or merchandise belonging to the resident or corporation for the purpose of storage, display and/or delivery;

(c) the maintenance of a stock of goods or merchandise belonging to the resident or corporation for processing by another person;

(d) a fixed place of business maintained for the purpose of purchasing goods or merchandise, and/or for the collection of information, for the resident or corporation;

(e) a fixed place of business maintained for the purpose of advertising, for the supply of information, for scientific research, or for similar activities which have a preparatory or auxliary character, for the resident or corporation.

(4) Even if a resident or corporation of one of the Contracting States does not have a permanent establishment in the other Contracting State under paragraphs (1)-(3) of this Article, nevertheless he shall be deemed to have a permanent establishment in the latter State if he engages in trade or business in that State through an agent who—

(a) has a authority to conclude contracts in the name of that resident or corporation and regularly exercises that authority in the latter State unless the exercise of the authority is limited to the purchase of goods or merchandise;

(b) regularly secures orders in the latter State for that resident or corporation; or

(c) maintains in the latter State a stock of goods or merchandise belonging to that resident or corporation from which he regularly makes deliveries or fills orders.

(5) Notwithstanding paragraph (4) of this Article, a resident or corporation of a Contracting State shall not be deemed to have a permanent establishment in the other Contracting State merely because it uses the services in that State of a bona fide broker, general commission agent, forwarding agent, indentor or other agent of independent status acting in the ordinary course of its business. For this purpose, an agent shall not be considered to be an agent of independent status if it acts as an agent exclusive or almost exclusively for the resident or corporation (or for that resident or corporation and any other person controlling, controlled by, or under common control with that resident or corporation) and carries on any of the activities described in paragraph (4) of this Article.

(6) The fact that a corporation of one of the Contracting States controls or is controlled by or is under common control with (a) a corporation of the other Contracting State or (b) a corporation which engages in trade or business in that other Contracting State (whether through a permanent establishment or otherwise) shall not be taken into account in determining whether the activities or fixed place of business of either corporation constitutes a permanent establishment of the other corporation.

(7) A resident or corporation of one of the Contracting States shall be deemed to have a permanent establishment in the other Contracting State if that resident or corporation provides the services in the latter State of public entertainers referred to in Article 13, paragraph (3).

(8) If a resident or corporation of one of the Contracting States has a permanent establishment in the other Contracting State at any time during the taxable year, it shall be considered to have a permanent establishment in that other Contracting State for the entire taxable year.

ARTICLE 9

Related persons

(1) Where a resident or corporation of a State deriving commercial and industrial profits in one of the Contracting States and any other person are related and where such related persons make arrangements or impose conditions between themselves which are different from those which would be made between independent persons, then any income which would, but for those arrangements or conditions, have accrued to such resident or corporation but, by reason of those arrangements or conditions, has not so accrued, may be included in the income of such resident or corporation for purposes of the present Convention and taxed by that Contracting State accordingly.

(2) (a) A person other than a corporation is related to a corporation if such person participates directly or indirectly in the management, control or capital of the corporation.

(b) A corporation is related to another corporation if either participates directly or indirectly in the management, control, or capital of the other, or if any person or persons participate directly or indirectly in the management, control or capital of both corporations.

ARTICLE 10

Interest

Interest received by the Government of one of the Contracting States or any agency or instrumentality wholly owned by that Government shall be exempt from tax by the other Contracting State.

ARTICLE 11

Income from real property

A resident or corporation of one of the Contracting States subject to tax in the other Contracting State on income from the rental of buildings or from real property which is improved with buildings, including gains derived from the sale or exchange of such property, or on royalties in respect of the operation of mines, quarries, or other natural resources may elect for any taxable year to compute that tax on such income on a net basis.

ARTICLE 12

Gains upon transfers to controlled corporations

A resident or corporation of one of the Contracting States shall be exempt from tax in the other Contracting State with respect to gain realized upon the transfer of property to a corporation in exchange for stock in such corporation—

(1) If immediately thereafter such resident or corporation, or such person together with any other persons making similar transfers as part of the same transaction, owns stock of such corporation possessing at least 80 percent of the total combined voting power of all classes of stock entitled to vote and at least 80 percent of the total number of shares of all other classes of stock of the corporation; and

(2) Where the transferee corporation is a Philippine corporation, if the property is transferred and recorded on the books of account of the corporation at a value not exceeding the value at which such property was recorded on the books of account of the transferor.

ARTICLE 13

Income from personal services

(1) An individual who is a resident of one of the Contracting States shall be exempt from tax by the other Contracting State with respect to income from personal services if—

(a) he is present within the latter Conracting State for a period or periods not exceeding in the aggregate 90 days during the taxable year, and

(b) such income is not deducted in computing the profits of a permanent establishment of a resident or corporation of the former Contracting State subject to tax in latter Contracting State, and

(c) in the case of employment income, the services are performed as an employee of a resident or corporation of the former Contracting State, and

(d) the aggregate amount of such income does not exceed $3,000 (or its equivalent in Pesos).

(2) For purposes of paragraph (1) of this Article, the term "income from personal services" includes employment income and income earned by an individual from the performance of personal services in an independent capacity. The term "employment income" includes income from services performed by officers and directors of corporations. Income from personal services performed by partners shall generally be treated as income from the performance of services in an independent capacity, but a salary or other fixed amount paid by a partnership to an active partner shall be considered income from employment by the partnership, if similar payments are not made to inactive partners.

(3) Notwithstanding paragraph (1) of this Article, the income from personal services of public entertainers, such as athletes, musicians and actors, from their activities as such, may be taxed in the Contracting State in which the services are performed if such income exceeds either $100 (or its equivalent in Pesos) for each day the individual is present in the latter Contracting State or an aggregate amount of $3,000 (or its equivalent in Pesos).

(4) Compensation received by any individual for personal services performed aboard ships or aircraft operated by a resident or corporation of a Contracting State (and, in the case of the United States, registered in the United States) shall, subject to paragraph (3) of Article 3 be exempt from tax by the other Contracting State, if the services are rendered by a member of the regular complement of the ship or aircraft.

ARTICLE 14

Teachers

An individual who is a resident of one of the Contracting States at the beginning of his visit to the other Contracting State and who, at the invitation of the Government of the other Contracting State or of a university or other accredited educational institution situated in the other Contracting State, visits the latter Contracting State for the purpose of teaching or engaging in research, or both, at a university or other accredited educational institution shall be exempt from tax by the latter Contracting State on his income from personal services for teaching or research at such educational institution, or at other such institutions, for a period not exceeding two years from the date of his arrival in the latter Contracting State.

ARTICLE 15

Students and trainees

(1) (a) An individual who is a resident of one of the Contracting States at the beginning of his visit to the other Contracting State and who is temporarily present in the other Contracting State for the primary purpose of—

(i) studying at a university or other accredited educational institution in that other Contracting State,

(ii) securing training required to qualify him to practice a profession or professional specialty, or

(iii) studying or doing research as a recipient of a grant, allowance, or award from a governmental, religious, charitable, scientific, literary or educational organization,

shall be exempt from tax by that other Contracting State with respect to—

(A) gifts from abroad for the purposes of his maintenance, education, study, research or training;

(B) the grant, allowance, or award; and

(C) income from personal services performed in the other Contracting State in an amount not in excess of $2,000 or its equivalent in Pesos for any taxable year; or, if such individual is securing training necessary for qualification in a medical profession or medical specialty, including any physician, medical technologist, nurse, pharmacist or other person under the Exchange Visitors Program, not in excess of $5,000 or its equivalent in Pesos for any taxable year.

(b) The benefits under this paragraph shall only extend for such period of time as may be reasonably or customarily required to effectuate the purpose of the visit, but in no event shall any individual have the benefits of this paragraph for more than five taxable years.

(2) A resident of one of the Contracting States who is present in the other Contracting State for a period not exceeding one year, as an employee of, or under contract with, a resident or corporation of the former States, for the primary purpose of—

(i) acquiring technical, professional, or business experience from a person other than that resident or corporation of the former Contracting State, or

(ii) studying at a university or other accredited educational institution in that other Contracting State,

shall be exempt from tax by that other Contracting State with respect to his income from personal services performed in the other Contracting State for that period in an amount not in excess of $5,000 or its equivalent in Pesos.

(3) A resident of one of the Contracting States who is present in the other Contracting State for a period not exceeding one year, as a participant in a program sponsored by the Government of the other Contracting State, for the primary purpose of training, research, or study shall be exempt from tax by that other State with respect to his income from personal services performed in that other Contracting State and received in respect of such training, research, or study in an amount not in excess of $10,000 or its equivalent in Pesos.

ARTICLE 16

Governmental salaries

Wages, salaries, and similar compensation, and pensions, annuities, or similar benefits paid by, or directly out of public funds of, one of the Contracting States or the political subdivisions thereof to an individual who is a national of that Contracting State for services rendered to that Contracting State or to any of its political subdivisions in the discharge of governmental functions shall be exempt from tax by the other Contracting State.

ARTICLE 17

Rules applicable to personal service articles

(1) For purposes of Articles 13, 14, 15 and 16, reimbursed travel expenses shall be considered to be income from personal services or compensation, but shall not be taken into account in computing the maximum amount of exemptions specified in Articles 13 and 15.

(2) An individual who qualifies for benefits under more than one of the provisions of Articles 13, 14 and 15 may select the application of that provision most favorable to him, but he shall not be entitled to the benefits of more than one provision in any taxable year.

ARTICLE 18

Deduction for charitable contributions

In the computation of taxable income under the United States income tax, a deduction shall be allowed to citizens and residents of the United States and United States corporations for contributions to any organization created or organized under the laws of the Philippines which constitute a nonprofit organization under section 27(e) of the National Internal Revenue Code of the Philippines if—

(a) such contributions are used entirely within the Philippines and

(b) the recipient organization has qualified as a tax-exempt organization under subsection 501(c)(3) of the United States Internal Revenue Code.

Such deductions shall not, however, exceed an amount which would have been allowable under the United States Internal Revenue Code if such organization had been created or organized under the laws of the United States and if such contributions were used within the United States.

ARTICLE 19

Consultation and taxpayer claims

(1) The competent authorities of the Contracting States may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention. Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to conventions between one of the Contracting States and any other State, the competent authorities shall endeavor to settle the question as quickly as possible by mutual agreement.

(2) The competent authorities may consult together for the purpose of considering the amendment of this Convention to add provisions dealing with such matters affecting income taxation and not covered in this Convention as may be deemed appropriate.

(3) In particular, the competent authorities of the Contracting States may consult together to endeavor to agree—

(a) to the same apportionment of industrial or commercial profits between a resident or corporation of one of the Contracting States and its permanent establishment situated in the other Contracting State; or

(b) to the same allocation of income between a resident or corporation and a related person, dealt with in Article 9,

and to appropriate procedures for effectuating such apportionment or allocation.

(4) A taxpayer shall be entitled to present his case to the Contracting State of which he is a citizen or resident, or, if the taxpayer is a corporation of one of the Contracting States, to that State, if he considers that the action of the other Contracting State has resulted, or will result for him in taxation contrary to the provisions of the Convention. Should the taxpayer's claim be considered to have merit by the competent authority of the Contracting State to which the claim is made, it shall endeavor to come to an agreement with the competent authority of the other Contracting State with a view to the avoidance of taxation contrary to the provisions of the Convention.

ARTICLE 20

Exchange of information

(1) The competent authorities of the Contracting States shall exchange such information as is necessary for the carrying out of this Convention and of the domestic laws of the Contracting States concerning taxes covered by this Convention insofar as the taxation thereunder is in accordance with this Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons or authorities other than those concerned with the assessment, collection or enforcement of the taxes which are the subject of this Convention (including a court or administrative body).

(2) In no case shall the provisions of paragraph (1) be construed so as to impose on one of the Contracting States the obligation:

(a) to carry out administrative measures at variance with the laws or administrative practices of that Contracting State or the other Contracting State;

(b) to supply particulars which are not obtainable under the laws of, or in the normal course of administration in, that Contracting State or the other Contracting State; or

(c) to supply information which would disclose any trade, business, industrial, commercial or professional secret or trade process, or information, the disclosure of which would be contrary to its public policy.

ARTICLE 21

Assistance in collection

(1) Each of the Contracting States shall endeavor to collect such taxes imposed by the other Contracting State as will ensure that any exemption granted under the present Convention by the other State shall not be enjoyed by persons not entitled to such benefits. The Contracting State making such collections shall be responsible to the other Contracting State for the sums thus collected.

(2) In no case shall the provisions of this Article be construed so as to impose upon either of the Contracting State the obligation to carry out administrative measures at variance with the regulations and practices of the Contracting State endeavoring to collect the tax or which would be contrary to that State's sovereignty, security or public policy.

ARTICLE 22

Exchange of legal information

(1) The competent authorities of the Contracting States shall notify each other of any amendments of the tax laws referred to in Article 1, paragraph (1), and of the adoption of any taxes referred to in Article 1, paragraph (2), by transmitting the texts of any amendments or new statutes at least once a year.

(2) The competent authorities of the Contracting States shall exchange the texts of all published material interpreting the present Convention under the laws of the respective States, whether in the form of regulations, rulings or judicial decisions.

ARTICLE 23

Effective dates and ratification

(1) The present Convention shall be ratified and the instruments of ratification exchanged at Manila as soon as possible.

(2) After the exchange of instruments of ratification, the present Convention shall have effect with respect to taxable years beginning on or after the first day of January of the year following that in which such exchange takes place.

(3) The present Convention shall continue in effect indefinitely, but it may be terminated by either of the Contracting States, on the initiative of the competent authority of that State, at any time after five years from the date specified in paragraph (2) of this Article, provided that at least six months' prior notice of termination has been given. In such event, the present Convention shall cease to be effective with respect to taxable years beginning on or after the first day of January next following the expiration of the six-month period.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed the present Convention.

DONE at Washington, in duplicate, this fifth day of October, 1964.

For the Government of the United States of America:

DEAN RUSK

For the Government of the Republic of the Philippines:

M MENDEZ

RUFINO G. HECHANOVA

Mr. MANSFIELD. Mr. President, the tax conventions with Brazil, France, and the Philippines are designed to eliminate double taxation, and to establish procedures for mutual assistance in the administration of income taxes. Public hearings were held on each of these conventions: In the case of Brazil, on October 5, 1967; and in the case of France and the Philippines, on April 30, 1968. They were considered by the Committee on Foreign Relations in executive session on several occasions, and last week they were ordered reported, with reservations.

The Tax Convention with Brazil was signed on March 13, 1967, and transmitted to the Senate on April 21, 1967. It is the first income tax convention with a South American country. As is the case in other such conventions to which the United States is a party, its primary purpose is to eliminate double taxation resulting from the taxation of the same item or items of income by both countries, and to establish procedures for mutual assistance in the administration of income taxes.

The Committee on Foreign Relations approved the treaty with Brazil subject to two reservations. One reservation deals with article 7, relating to a 7-percent tax credit for American investments in Brazil, and the other deals with article 22, relating to tax deductions for charitable contributions to qualifying organizations located in Brazil.

As submitted by the administration, the Tax Convention with Brazil contains certain provisions—article 7—not contained in any other U.S. tax treaty now in force.

Pursuant to these provisions, an American resident or corporation—as defined in article 7—would be allowed to claim a 7-percent tax credit for investments made in Brazil on or after January 1, 1968, under conditions similar to those under which a taxpayer can receive a 7-percent domestic tax credit for investments in the United States. These provisions are unilateral in that they apply only to investments in Brazil by American residents or corporations. They do not apply to investments by Brazilian citizens in the United States. In exchange for the investment credit provisions, however, Brazil agreed to certain reductions in its taxes on Brazilian investment income. These reductions may be suspended by Brazil during the period the investment credit is not in effect.

According to its report, the Committee on Foreign Relations is of the opinion that, at the present time, it would not be in the best interests of the United States to encourage investments abroad by this device. Accordingly, it recommends that the following reservation be approved by the Senate:

Notwithstanding the provisions of paragraph (3)(b) of article 30 of the convention, article 7 of the convention, which relates to investment credit, shall become effective for the United States only after an exchange of notes between the Contracting States, establishing the effective date of such article, has been approved by the Senate in accordance with the procedure set forth in article II, section 2, of the Constitution of the United States. Until such effective date, a suspension of the investment credit shall be deemed to be in effect within the meaning of paragraph (4) of article 7 and paragraph 6(b) of article 30.

The effect of this reservation is to defer Senate approval of the investment tax credit provision of the Brazil convention—article 7. In this connection, if in the future the executive branch wishes to propose that a tax credit be allowed for investments by Americans in Brazil, it may do so by entering into an exchange of notes with the Government of Brazil and submitting such exchange of notes to the Senate for advice and consent to ratification. In other words, the reservation does not preclude the Committee on Foreign Relations and the Senate from giving further consideration to the concept of extending a tax credit for American investments in Brazil.

Article 22 of the proposed Brazilian convention would allow an American citizen, resident, or corporation to receive a tax deduction for contributions to Brazilian charities if: First, the contributions are used entirely within Brazil; and, second, the recipient Brazilian organization has qualified as a charitable organization under section 501(c)(3) of the Internal Revenue Code.

The only other U.S. tax treaty now in force which contains a similar provision is the treaty with Canada, and the Committee on Foreign Relations states that it does not believe that the practice of allowing tax deductions to Americans for contributions to organizations in foreign countries should be expanded by the tax treaty process. It recommends, therefore, that the Senate approve the following reservation:

The Government of the United States of America does not accept Article 22 of the convention relating to deductions for charitable contributions.

I should add, the convention with Brazil contains a number of provisions found in many other income tax treaties presently in force in areas other than Latin America. These deal with such matters as the definition of a permanent establishment for tax purposes, taxes on dividends and branch profits, as well as taxes on interest and royalties, and income from real property and from personal services. In addition, the convention covers the tax treatment of teachers, students and trainees, governmental salaries, and pensions and annuities. It also contains several administrative provisions which are designed to assist both countries in carrying out the provisions of the convention.

The Tax Convention with France was signed at Paris on July 28, 1967, and transmitted to the Senate on October 3, 1967. Upon entry into force, it will replace the existing income tax convention of July 25, 1939, and—insofar as they concern taxes on income, capital and stock exchange transactions—the double taxation convention of October 18, 1946, the supplementary protocol of May 17, 1948, and the supplementary convention of June 22, 1956.

It is my understanding that the convention was made necessary by fundamental changes in 1965 in the French income tax structure, and it reflects changes made in U.S. law by the Foreign Investors Tax Act of 1966. It also reflects developments in recent years in standardizing international tax relationships as a result of the work of the Fiscal Committee of the Organization for Economic Cooperation and Development—OECD.

The Committee on Foreign Relations has recommended that the Senate approve a reservation dealing with articles 29(1) and 30(3) of the French convention. Article 29(1), which relates to territorial extension, provides that the convention may be extended, either in its entirety or with any necessary modifications, to the overseas territories of France. This extension may be accomplished through an exchange of notes or in any other manner in accordance with the constitutional procedure of France and the United States.

Article 30(3), relating to an exchange of information, states that if any changes are made in the tax laws of either France or the United States and it seems advisable to make adjustments in the provisions of the convention, such adjustments may be agreed upon through an exchange of notes or in accordance with the constitutional procedure of the respective countries.

In the committee's view, neither an extension of the provisions of the convention to the overseas territories of France nor the adjustment of certain provisions of the convention to changes in the tax laws of this country should be done without the advice and consent of the Senate. Accordingly, the committee recommends that the convention with France be approved with the following reservation:

The extension of this convention to the Overseas Territories of the French Republic, referred to in Article 29(1), and the adjustments in the provisions of this convention, referred to in Article 30(3), shall become effective for the United States only in accordance with the procedure set forth in Article II, Section 2, of the Constitution of the United States.

The Tax Convention with the Philippines, which is the third convention under consideration, was signed at Washington on October 15, 1964, and transmitted to the Senate on July 29, 1965.

It differs in a number of substantive respects from existing income tax conventions with industrialized countries in that it contains some provisions not found in other conventions and omits some that are in other U.S. treaties. It does not apply to State and local taxes except to provide—in article 6—that neither the United States nor the Philippines will discriminate in imposing such taxes on the citizens or corporations of the other country.

The convention contains a provision—in article 8—which represents a departure from the definition of "permanent establishment" found in other tax treaties.

Generally, a resident or corporation of one country is deemed to have a permanent establishment in the other country if it engages in trade or business in that country through an agent who first, has and regularly exercises an authority in that country to conclude contracts in its name; or, second, maintains a stock of goods or merchandise from which it regularly makes deliveries or fills orders. Article 8 of the convention adds another situation which will give rise to a permanent establishment; namely, an agent who regularly secures orders for the resident or corporation. In addition, article 8 modifies the general rule that the use of an independent agent does not give rise to a permanent establishment by providing that an agent who acts exclusively or almost exclusively for a resident or corporation will not be considered to be of independent status.

It is the inclusion of these two provisions which constitutes a departure from the permanent establishment definition in other treaties now in effect.

The Committee on Foreign Relations has recommended that the Senate approve a reservation dealing with article 18 of the convention, which would permit U.S. residents to receive a deduction for contributions to nonprofit organizations in the Philippines if those contributions are used within the Philippines and if the organization is one that has qualified under the internal revenue code as a tax-exempt organization. The reservation to this article is identical to the reservation to the Brazil treaty dealing with the same subject. It reads as follows:

The Government of the United States of America does not accept Article 18 of the convention relating to deductions for charitable contributions.

Mr. President, the Committee on Foreign Relations recommends that the Senate give its advice and consent to the conventions with Brazil, France, and the Philippines, subject to the reservations which I have discussed.

The PRESIDING OFFICER. Without objection, the conventions will be considered as having passed through all of their various parliamentary stages up to and including the point of consideration of the resolutions of ratification, which will be read for the information of the Senate.

The bill clerk read as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the convention between the United States of America and the United States of Brazil for the avoidance of double taxation with respect to taxes on income, signed at Rio de Janeiro on March 13, 1967, subject to the following reservations:

1. "Notwithstanding the provisions of paragraph (3)(b) of article 30 of the convention, article 7 of the convention, which relates to investment credit, shall become effective for the United States only after an exchange of notes between the Contracting States, establishing the effective date of such article, has been approved by the Senate in accordance with the procedure set forth in article II, section 2, of the Constitution of the United States. Until such effective date, a suspension of the investment credit shall be deemed to be in effect within the meaning of paragraph (4) of article 7 and paragraph 6(b) of article 30."

2. "The Government of the United States of America does not accept article 22 of the convention relating to deductions for charitable contributions."

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the convention between the United States of America and the French Republic with respect to taxes on income, signed at Paris on July 28, 1967, subject to the following reservation:

"The extension of this convention to the Overseas Territories of the French Republic, referred to in article 29, and the adjustments in the provisions of this convention, referred to in article 30(3), shall become effective for the United States only in accordance with the procedure set forth in article II, section 2, of the Constitution of the United States."

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to ratification of the convention between the United States of America and the Republic of the Philippines for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on October 5, 1964, subject to the following reservation:

"The Government of the United States of America does not accept article 18 of the convention relating to deductions for charitable contributions."

Mr. MANSFIELD. Mr. President, for the information of the Senate, these conventions have been approved not only by the Committee on Foreign Relations, but have also been considered and approved by the staff of the Joint Committee on Internal Revenue Taxation.

The PRESIDING OFFICER. The question is on agreeing en bloc to the reservations to the resolutions of ratification.

The reservations were agreed to en bloc.

Mr. MANSFIELD. Mr. President, lest anyone get any idea that this is a matter that we are just bringing up on the spur of the moment, if need be, we will vote on the reservations at our next meeting. I am sure that will meet with the approval of the Senate because of the protective safeguards provided therein.

UNANIMOUS-CONSENT AGREEMENT

Mr. President, I ask unanimous consent that the votes on the treaties—and there will be three votes—take place beginning at 12 o'clock noon Thursday next.

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

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

Ordered, That at 12 noon on Thursday, June 6, 1968, the Senate proceed to vote on the resolution of ratification to the Tax Convention with Brazil (Ex. J, 90th Cong., first sess.); to be followed by a vote on the resolution of ratification to the Tax Convention with France (Ex. N, 90th Cong., first sess.), and then by a vote on the resolution of ratification to the Tax Convention with the Philippines (Ex. D, 89th Cong., first sess.).

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

ORDER FOR ADJOURNMENT TO THURSDAY NEXT AT 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock Thursday morning next.

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

PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, following disposition of the conventions, it is the intention of the leadership to bring up H.R. 16911, the so-called special drawing rights, which measure was reported unanimously from the Committee on Foreign Relations.

ADJOURNMENT TO THURSDAY AT 11 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate today, I move under the order previously entered, that the Senate stand in adjournment until 11 o'clock Thursday morning next.

Before any action is taken on my motion, I urge that the committees make use of the extra time.

The motion was agreed to; and (at 2 o'clock and 57 minutes p.m.) the Senate adjourned until Thursday, June 6, 1968, at 11 a.m.

NOMINATION

Executive nomination received by the Senate June 4, 1968:

FEDERAL TRADE COMMISSION

A. Everette MacIntyre, of Virginia, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1968 (reappointment).

EXTENSIONS OF REMARKS

THE 15TH UNIVERSAL COTTON STANDARDS CONFERENCE

HON. ROBERT A. EVERETT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. EVERETT. Mr. Speaker, I would like to commend the U.S. Department of Agriculture for a job well done in successfully conducting the recent 15th Universal Cotton Standards Conference in Memphis, Tenn.

As many of you probably know, the purpose of the conference, which is held every 3 years by USDA's Consumer and Marketing Service, is to approve key sets of the universal cotton standards for American upland cotton. The conference is held under terms of the Universal Cotton Standards Agreement, which was put into effect in 1923, and now includes 13 signatory cotton associations located in Belgium, France, Germany, India, Italy, Japan, the Netherlands, Poland, Spain, and the United Kingdom. Delegates from these associations, as well as representatives from the U.S. cotton industry—including ginners, producers, shippers, and manufacturers—were at the meeting.

Mr. Speaker, I submit that these conferences—this is the 15th—are outstanding examples of international cooperation and teamwork to be observed anywhere.

Moreover, the universal cotton standards for American upland cotton are the first international standards to be adopted and put into use in trading between nations.

The Codex Alimentarius, sponsored by the World Health Organization and the Food and Agriculture Organization of the United Nations, is now working toward world standards for food, but I must say that the cotton people are about 45 years ahead of them.

The 1968 conference went very smoothly and 100 key sets of standards—each set made up of 15 boxes of samples representing the physical grades of American upland cotton—were approved in only 2 days. This was possible, of course, only because of the many months of hard work performed by the C. & M.S. Cotton Division in advance of the conference.

Preparation for the conference began last fall, when the Cotton Division purchased bales of cotton suitable for preparing the 100 key sets of the standards. Then, in January, special classing experts were brought into Memphis from all across the Cotton Belt to make special adjustments in the key copies so they would match the previous set of standards, approved at the 1965 conference, as closely as possible.

By using the universal standards, cotton merchants and manufacturers in Japan, India, England, Germany, or any other country can state exactly what quality of cotton they want to buy and know that the seller understands their specifications. Middling white cotton means the same thing to each of them, because each understands and uses this previously agreed upon standard to describe this particular quality of cotton.

Much of the success of this standards program has been due to the meticulous care exercised by the Consumer and Marketing Service in reproducing the thousands of standards that are distributed throughout the world each year.

I would like to add my congratulations to the many others received at the recently concluded conference for a job well done.

"JOB FAIR" IN HOUSTON—POSITIVE ACTION BY BUSINESSMEN AND YOUTH

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. TOWER. Mr. President, the businessmen and municipal employers of Houston, Tex., are to be congratulated for the farsighted arrangements to employ city youths during the upcoming summer months. Billed as the second annual Job Fair, recruiters and agents for over 300 companies met at the Houston Coliseum and interviewed ghetto kids for summer jobs. The companies represented offered the city youth over 3,200 jobs. In 2 days of interviews, 2,300 Houston youths landed jobs. An estimated three-quarters of the applicants were Negroes and a vast majority were poor children from the ghetto.

Such endeavors as these are positive examples of what businessmen and concerned citizens in large urban centers can do to utilize the productive talents of our Nation's youth. We all benefit from such constructive alliances between business leaders and young people to help alleviate some of the economic problems in our Nation. I ask unanimous consent that the article entitled "The Job Fair," published in Newsweek for May 27, 1968, be printed in the RECORD.

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

EMPLOYMENT: THE JOB FAIR

Armstrong Ulysses, a 19-year-old high-school senior in Houston, tore into a big lunch last week—club sandwich, peach cobbler, milk shake and a sundae. He was celebrating, and with reason. He had just snagged a $3.76-an-hour summer job as night warehouseman for Red Ball Motor Freight. "I figured it would pay something like $1.60 to $2," he bubbled. "But when he said $3.76, my eyes like to pop out of my head."

"He" was a Red Ball recruiter, who with agents for 346 other employers was interviewing ghetto kids for summer jobs at Houston's Coliseum. It was the city's second "job fair," an attempt to head off trouble of the kind that shook predominantly Negro Texas Southern University last spring and awakened the city to the fact that many of its 350,000 Negroes were without jobs.

At the first fair last year, nearly 1,000 youths got jobs with 216 companies, despite a late midsummer start. But this year, everything was different. Planning began months ago when a committee of municipal employees and businessmen made bold and repeated contacts with almost all the city's business firms, urging them to set aside summer jobs for ghetto kids or create jobs if necessary, at the minimum ratio of one for every 100 employees. If jobs weren't available, companies were pressed into donating up to $768—average pay for a summer—so a kid could work in a hospital or other organization that couldn't afford the salary.

PUBLICITY

Ghetto schools were canvassed for job-seekers, who completed applications listing

the skills and financial conditions of their families. (Officials stipulated that an applicant's family must not have an annual income exceeding $3,200, the Federal government's official poverty figure.) A publicity campaign was launched, including a television promotion the night before the fair opened. Off the Coliseum floor (where pro basketball and hockey teams play) a room was stuffed with twenty rows of picnic tables for interviewing.

The effort paid off—with the kind of bigness Texas likes. Scrubbed and shining, a total of 7,994 kids showed up at the two-day fair. Employers were there with a whopping 3,250 jobs—most in $1.40- to $1.80-an-hour service categories. Applicants milled around the interviewing tables, sipping free Cokes, hopping between employers, chatting, laughing. They were shrewd enough to duck 85-cent-an-hour kitchen helper jobs until the very last. But there were wistful sighs over the $3.76 Red Ball jobs (the company handed out twenty such positions). A girl beamed about the salesclerk job she just landed with Montgomery Ward: "I'm really going to like it. I only wish there were more jobs so that everyone could be as happy as I am."

SNAGS

Along the way, there were snags. About 1,500 applicants were turned away either because they were too young, too old or had dropped out of school. The fair wasn't intended for dropouts—one way, officials reasoned, of encouraging kids to stay in school. About 450 jobs went unfilled. They required youths 18 to 22, who, because they were draft prospects or were already working, turned out in small numbers.

But when it was all over, weary officials pronounced the fair a success. They estimated that 75 per cent of the applicants were Negroes and that the vast majority of those were poor kids from ghettos. Businesses that couldn't supply jobs coughed up $70,000—enough for about 90 jobs in hospitals or recreation areas. And everyone was pleased with the fair's most important statistic: in a scant 48 hours, 2,319 kids had landed jobs that they probably wouldn't have gotten otherwise. The total is expected to hit 3,000 by early summer, when several hundred post-fair jobs crop up.

CAMPING PERMIT ON THE MALL

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BURLESON. Mr. Speaker, Members of the House may be interested in the following letter I received from Mrs. Jeanette Duncan of Brownwood, Tex., in which she inquires about a camping permit on the Mall here in Washington, the place now occupied by the so-called Resurrection City.

The letter follows:

BROWNWOOD, TEX.,
May 15, 1968.

Attention: Permit Department.
Re request for camping permit.

DIRECTOR,
National Park Service
Washington, D.C.

DEAR SIR: For two summers now my children have wanted to visit in our national capital, but due to expensive accommodations it has always been beyond our finances. I was delighted to learn that you are now issuing camping permits for the area near the Lincoln and Washington Memorials bordering the Reflecting Pools. This will enable us to finally make our long awaited and hoped for trip to Washington, D.C. We enjoy camping out, and I believe we can borrow a tent from the Boy Scout troop at our church now that campsites are available and so convenient to downtown Washington.

I feel sure that you will want to be fair and impartial about this matter and will not discriminate against me because of my race (white). My party will be much smaller than the one that is currently arriving, and I can promise you that we will cause no trouble or disturbances whatsoever, as I am a strict believer in non-violence. Therefore, no troops will be needed for official duty; however, if you've got a single captain or major around who is not doing anything, it sure would be nice to have a guide.

Actually, I feel that my financial situation would justify my participation in the Poor People's March, but since many of us must work in order to pay the ever increasing social security and income taxes to provide the welfare programs demanded by these people who will not work, it will be impossible for me to get there in time to see Washington and be fed and housed at someone else's expense. I am a schoolteacher (with less than five year's experience), divorced, and the sole support of two children and myself. If you will check the pay for beginning teachers in Texas, you will see that it is not much above the $3,000 poverty level. Therefore, I am sure that you can understand that the only way I could possibly afford a trip like this would be for us to be able to camp out.

I understand that the permit you have recently issued expires at 8:00 P.M. on June 16th, and I will not be able to come till the first week in August, so there should be no conflict in regard to timing. I would like to have a permit for the period of August 3–10, 1968. Anything in the area currently designated as "Resurrection City" will be just fine, and I know we will enjoy being so convenient to all the sights, especially the Capitol.

I would appreciate your arranging this and letting me hear from you at your earliest convenience so that I can make further plans. I feel it is high time some consideration is given to the wishes of the average, hard-working, law-abiding, tax-paying citizen for a change. I am sending copies of this letter to our two Texas senators and some of our congressmen, asking their help in seeing this matter through. I'm sure they would be anxious to see that none of their constituents are discriminated against because of race, color, or creed.

Thank you very much.

Yours truly,

MRS. JEANETTE DUNCAN.

CONSUMER FEDERATION OF AMERICA—VOICE FOR THE CONSUMER

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. METCALF. Mr. President, I commend the Consumer Federation of America on the resolutions adopted at its first annual meeting last month and congratulate the federation on the opening of its Washington office at 1012 14th Street, NW. Mrs. Erma Angevine is the executive director of this young organization, about which I am convinced we will hear a great deal from now on.

Consumer Federation of America—CFA—was proposed at the meeting of Consumer Assembly, sponsored by the National Consumers League, AFL–CIO, and about 30 other organizations, in Washington last November. Consumer Assembly brought together representatives from the many local, State, and national consumer interest groups.

CFA now coordinates the work of about 56 of these consumer groups and will act as legal and research arm for the consumer movement, to represent before Congress and Federal agencies matters of consumer importance. It will also serve as a clearinghouse for consumer information.

The federation promises, I believe, to be the needed unifying force in the growing consumer movement.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the resolutions adopted by Consumer Federation of America at its first annual meeting last month. The preamble outlines its purpose and enumerates the many areas in which more effective consumer protection is required.

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

THE 1968 CONSUMER FEDERATION OF AMERICA—RESOLUTIONS PREAMBLE

Mindful that as we organize the Consumer Federation of America we are creating a force unique in our country's history, we resolve that the energy we mobilize through this new instrument shall be directed to achieve intelligent solutions for the consumer problems of all people.

Everyone is a consumer and the people's business is all-inclusive. But the particular problems which are the concern of the Consumer Federation of America, being specific, provide focus for our efforts. In order to include everyone our approach is necessarily non-partisan, and membership is open to all bona fide consumer organizations willing to associate with our program and work for the objectives we set for ourselves now and hereafter.

We pledge the efforts of Consumer Federation of America to assist local and state consumer organizations in building membership wherever possible, in providing information on state and local issues, and in assisting in consumer education.

Since correction of consumer complaints must sometimes take place through legislation to be secured in the political arena, the Federation will neither blunt its efforts nor dilute its effectiveness through a slavish refusal to use its strength where it will count.

The stakes go beyond protection from the quick buck artist unconcerned with consumer welfare, and has to do with a careful balancing of the right in a free economy to make money, against an ordering of priorities for all consumers that affect decisively the quality of life for everyone. Since the latter concern, important as it is, has been without an effective spokesman, it is to fill this need in the continuing debates of our democracy that the Consumer Federation of America addresses itself.

It is the purpose of the Consumer Federation of America to encourage development of such consumer-owned institutions, to secure the passage of such state and federal legislation and to work in all other practical ways for conditions in our country which will enable all people to meet their needs for all kinds of goods and services—especially those people whose needs are at present least adequately met.

Among such needs are:

Credit at reasonable fully-known, interest rates, and opportunity to save in and borrow from institutions of their own.

Good homes in good neighborhoods at costs middle and lower income families can afford.

High quality medical care, preventive as well as curative.

Good quality food at fair prices in full, understandable measure.

Adequate, fairly-priced insurance.

Electricity and other utility services at lowest practicable cost and in full reliable supply in both rural and urban areas.

Fertilizer feed, petroleum products and other agricultural in-puts of known quality and fair cost.

Full and useful education for all young people, taught by well-paid and adequate teaching staffs.

Employment at socially significant work for all family bread-winners.

This will be the ongoing business of the Consumer Federation of America until these needs have been met for all our people.

Therefore, be it resolved that the Consumer Federation of America reaffirms its support of the principles embodied in the following legislation to provide—

Full Consumer Credit Protection.

Electric Power Reliability.

Natural Gas Pipeline Safety.

Radiation Control for Health and Safety.

Fish and Poultry Inspection.

Auto Insurance Study and Investigation.

Deceptive Sales Regulation.

Effective Federal regulation of garnishment.

Establishment of a Federal Drug Compendium.

Door-to-Door Sales Regulation.

Effective Guarantees and Warranties.

Inter-governmental Utility Consumers Counsel.

National Info-Tag.

Investigation of Cost of Medical Care.

Investigation of Cost of Drugs.

Effective Consumer Representation at all Levels of Government.

Strengthened Air and Water Pollution Controls.

Protection of the Interest of the American people in their own natural resources with specific reference to oil shale deposits, and sites for development of hydroelectric power; and in the results of publicly financed research, development and construction with special reference to nuclear power.

Ways to strengthen and make more effective the anti-trust and anti-monopoly actions of all pertinent agencies of the federal and state governments.

CONSUMERS AND ELECTRICITY

Whereas, the cost of electricity is a significant factor in the budget of all consumers, and availability of an abundant and reliable supply of inexpensive electric power helps improve the standard of living of all

Whereas, electricity is a necessity in modern industrial society and is supplied under monopoly conditions, and both these facts make necessary full opportunity for public scrutiny of the charges and actions of utilities in supplying this service because most consumers cannot "shop around" in making power purchases, and

Whereas, the flow-through to consumers of cost reductions made possible by new technology and techniques can result in substantial benefits to electric users, e.g., a drop of 1/10 of a cent per kilowatt-hour would represent an annual savings for consumers of about $1.3 billion in 1968;

Now, therefore, be it resolved: That the Consumer Federation of America supports legislation which will insure that all consumers will have a chance to realize the benefits of nuclear power, urges creation of consumers' counsels at the Federal and State level to protect the interest of consumers in electric utility matters, endorses publicly-owned power projects as a means of creating a "yardstick of competition" to measure the cost of electricity, and backs efforts of the Federal Power Commission and others to insure increased reliability of our power supply and urges the Congress to effectuate the "Recapture Clause" of the 50 year licenses on Federal Hydro sites.

ELECTRIC POWER RELIABILITY

Whereas, the electric consumer of the United States is entitled to reliable and continuous electric service at fair rates, and

Whereas, legislation is pending (in S. 1934 and others) to provide federal standards to insure reliability and prevent massive power blackouts such as those which darkened the New England states in 1965 and parts of the Missouri Basin in 1966, and

Whereas, the Investor-Owned Utility companies have opposed this legislation, and through a device which they purport to be a "National Electric Reliability Council" are attempting to subvert the purposes of S. 1934 and

Whereas, significant segments of the public and consumer owned electric systems have been excluded from this so-called "reliability council" of the power companies, and

Whereas, the consumers who are owners and members of their own electric systems are entitled to share in any reliability planning,

Now, therefore, be it resolved that the Consumer Federation of America oppose the subterfuge and the affront by the Investor-owned Utilities against true electric reliability in the total national interest, and

Be it further resolved, that CFA support legislation which would accomplish the purposes sought by S. 1934 and protect the interest of utility consumers everywhere.

UNIFORM CONSUMER CREDIT CODE

Whereas, the National Conference of Commissioners on Uniform State Laws, has drafted a Uniform Consumer Credit Code, which purports to regulate nearly all consumer credit transactions and establish rates of charge; and

Whereas, the Commissioners on Uniform State Laws, will be meeting in session in August 1968 for the purpose of finally adopting this credit code and there is great likelihood that the proposed draft will be adopted and promptly recommended to the legislatures of the several states for enactment, and

Whereas, the proposed code will in most instances establish credit charges far in excess of rates prevailing throughout the United States and also bestow the dignity of the law upon many credit practices which currently are repugnant to the consumer and should have been banned long ago from the market place, and

Whereas, the total outstanding consumer debt is constantly rising in every state and such higher rates and unconscionable practices proposed by the Uniform Consumer Credit Code will adversely affect virtually every citizen-consumer and unjustly burden many families already forced to rely upon credit to survive from day to day; and

Whereas, we view with alarm the possible deleterious effect upon consumers of some of the provisions in the proposed code; now therefore be it.

Resolved, that the delegates of the Consumer Federation of America, assembled in first annual session, on the 28th day of April in the year 1968, call upon the Commissioners on Uniform State Laws to postpone adoption of the draft proposal known as the Uniform Consumer Credit Code until Consumer Groups have had ample opportunity to present their recommendations; and be it further

Resolved, that the Consumer Federation of America transmit a copy of this resolution to all member organizations to alert them as to the threat of this proposed code in its present form to all consumer debtors and installment purchasers in their respective states and urge such organizations to contact the Commissioners representing their states for the purpose of making the consumer interest known.

RESULTS OF QUESTIONNAIRE SENT TO THE FIRST CONGRESSIONAL DISTRICT OF MASSACHUSETTS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. CONTE. Mr. Speaker, in February of this year I mailed questionnaires to my constituents in the First District of Massachusetts which I am proud to represent in the Congress of the United States.

My questionnaire covered a wide range of subjects from Vietnam to taxes and crime in the streets. I was able to reach households in one-third of the State, and the results have been extremely helpful to me.

The returns which I have received indicated not only an active interest in the topics covered, but also approval of my method of sampling public opinion. I was pleased and grateful that more than 8,000 persons took the time to reply, and in a great many cases my constituents expanded their views in letters dealing in detail with specific problems facing my congressional district and our country.

The results of my questionnaire have now been tabulated and analyzed, and I now insert the results in the RECORD.

I am taking this action so my colleagues in the House and the general public can also be informed on how my constituents feel about the issues I have covered in my questionnaire.

It is my intention to send these results to my district in a forthcoming newsletter so that my constituents, State and local legislators, educators, historians, students, and others, can know the opinions and feelings of their fellow citizens on the urgent and pressing affairs of the world.

Mr. Speaker, I have found widespread approval of this method of direct contact with my constituents. And only through such contact can I know their feelings and thus represent them more effectively.

My questionnaire has afforded the people of my district the opportunity to express themselves at a particularly crucial time in our history. I would like to publicly congratulate them and to encourage them to continue the interest they have evidenced thus far.

Mr. Speaker, a presentation of the results of my questionnaire follows:

1. Which of the following explanations for our involvement in the war in Vietnam do you approve:

To prevent the spread of communism	3,775
To protect the security of the United States	2,628
There is no valid reason for our presence	2,523
To protect the people of South Vietnam from alien rule	1,778
To contain China	1,103

It is American aggression	555
None of the above	370
Total responses	8,145

2. Which of the following courses of action in Vietnam would you recommend?

Step up military pressures	2,784
Gradually reduce military activities and withdraw troops	2,426
Stop the bombing of North Vietnam	1,278
Immediately withdraw U.S. troops	1,029
None of the above	529
Hold military activities at present level	527
Total responses	8,144

3. Do you favor enactment of the administration's tax proposals which would mean a 10-percent increase on the amount now paid in income taxes by individuals and corporations?

Yes	2,551
No	3,751
Undecided	1,817
Total responses	8,146

4. Do you believe that a tax increase must be accompanied by a further reduction in government spending in order to be effective?

Yes	5,261
No	950
Undecided	1,946
Total responses	8,144

5. Would you support increased Government expenditures for domestic programs while paying for the war in Asia?

Yes	1,567
No	4,611
Undecided	1,946
Total responses	8,145

6. Regardless of your answer to the above questions, given today's circumstances, in which areas (if any), of Government spending would you impose reductions?

Space programs	3,857
Public works	2,298
Poverty program	2,070
Urban rebuilding programs	1,919
Defense	1,522
Aid to education	861
Foreign aid	650
Water and air pollution	591
No reduction	344
Total responses	8,145

7. Which of the following policies do you favor with respect to our relations with Russia and the countries of Eastern Europe?

Increased nonmilitary trade and other reciprocal steps toward closer relations	5,670
A policy of minimum contact and relations with these countries	1,639
Neither of the above	309
Total responses	8,142

8. Legislation passed by the House of Representatives proposes to fight the rising rate of crime in this country by providing Federal grants to State and local governments for the development of programs to improve police, court, and correctional systems. Do you feel this is an effective way for the Federal Government to fight crime?

Yes	3,434
No	840
Undecided	3,809
Total responses	8,145

9. What is your opinion regarding laws pertaining to privately owned arms, such as rifles, shotguns, pistols, and revolvers?

Present laws are not adequate for protection of the public	5,206
Present laws are adequate for protection of the public	2,318
Total responses	8,145

10. If your answer to 9 above was that present laws are not adequate, please indicate any of the following additions to the law which you favor.

Prohibit purchase of such weapons through the mails	4,747
Require that all persons owning such weapons be required to register them with State or local authorities	4,468
Other	211
Total responses	8,144

PRESIDENT LYNDON B. JOHNSON PROVES HIMSELF AS CREATIVE AND CONSTRUCTIVE LEADER DURING PERIOD OF MANY PROBLEMS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. RANDOLPH. Mr. President, there are constructive achievements to be credited to the administration of President Lyndon Baines Johnson.

Editorial comment is not always complimentary to our Chief Executive, but increasingly President Johnson has been given credit for worthwhile contributions in the public interest.

An assessment of President Johnson's record has recently been lauded by the Christian Science Monitor. The editorial of April 20, 1968, states:

L. B. J. set a record of social innovation that equals, if it does not surpass, that of Franklin D. Roosevelt.

Mr. President, I ask unanimous consent to include in the Extensions of Remarks the editorial in full, "L. B. J. in History."

There being no objection, the editorial was ordered to be printed in the RECORD at this point.

L. B. J. IN HISTORY

It must be soothing to President Johnson to see his prestige polls on the rise once again, and to discover at long last that he is commended by President de Gaulle, by the British press, and even by public opinion in draft-haven Sweden.

Thus quickly has opinion veered, as the President renounced a further term of office and launched the prospect of Vietnam peace by restricting American bombing of the North. With the mental blocks of partisan politics and a nagging war partially removed, Americans, and indeed people in far-off lands, are remembering that the Johnson years in the White House have been times of big accomplishment as well as sharp controversy.

President Johnson might also recall that not everyone, everywhere, opposed American policy in Vietnam. Certainly the Conservatives in Britain did not (nor did Prime Minister Harold Wilson). The West Germans were not generally hostile. And a whole string of countries in Asia either openly approved (Indonesia, Thailand, Malaysia, Formosa, Singapore) or gave guarded assent (Burma, India, Japan). Those glib phrases about the "whole world" being opposed to American policy in Vietnam were never accurate.

But it is on the domestic front that the Johnson record is strongest. To begin with, these were the years that were free of economic recession. The tax cut proposed by President Kennedy was pushed through Congress under President Johnson. After the tax slash of $23.8 billion, there came a rise in total national output from $605.8 billion annually to the current $826 billion, though a portion of this reflects inflationary price trends.

President Johnson did more than any other president to bring about passage of strong civil-rights legislation. He further launched a Great Society program that was intended to boost living standards, rehabilitate cities, ensure equality among all citizens. The $30-billion-a-year drain of Vietnam, with the President's attention focused on the war, allowed the drive to seep out of the "Great Society" effort.

Still, a great deal in the way of social legislating came to pass. Billions in federal aid went to schools and colleges. Medicare for persons over 65 and medicaid for the "medically indigent" were launched. The Office of Economic Opportunity was set up as command post for the "war on poverty." Urban renewal money was quadrupled. Attacks on air and river pollution were begun. Two new Cabinet departments—Housing and Urban Development—and Transportation—were established.

On the other side, there are numerous liabilities on the Johnson ledger: unbalanced budgets, credibility gaps, sprawling bureaucracies, inflation. And the President has had much less influence with Congress since the Democratic election reverses of 1966. But LBJ set a record of social innovation that equals, if it does not surpass, that of Franklin D. Roosevelt.

A TRIBUTE IN THE NEWS TO A DOCTOR OF MEDICINE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. EDMONDSON. Mr. Speaker, Dr. Henry G. Hadley is 74 years old. During the recent disturbances in the District of Columbia, Dr. Hadley ministered to injured riot victims, at the same time continuing his practice of making night calls to patients in their homes. Tuesday night last week, Dr. Hadley was attacked, robbed, and severely beaten while making such a call.

The account of this in last Thursday's Washington Post is a testimony to this man's courage and devotion to the oath of his profession. The Post reports that Dr. Hadley—within minutes after the brutal attack and robbery—insisted on returning to his patient with needed medicine.

The American people rarely have a problem obtaining the worst news about most anyone or anything, but the story of Dr. Hadley's courageous actions during the unfortunate crime committed is an inspiring reminder of a nobler heritage.

My family and I have been privileged, for more than a score of years, to have

the care of two physicians with similar ideals and character—Dr. A. Magruder MacDonald here in Washington, and Dr. Carson L. Oglesbee, in Muskogee, Okla. It is a wonderful feeling to know the dedication of such men who willingly forgo their own comfort and safety for the care of their patients.

Dr. Albert Schweitzer once wrote:

If men can be found who revolt against the spirit of thoughtlessness, and who are personalities sound enough and profound enough to let the ideals of ethical progress radiate from them as a force, there will start an activity of the spirit which will be strong enough to evoke a new mental and spiritual disposition in mankind.

Dr. Henry G. Hadley is such a man.

The article from the Washington Post follows:

STREET THUGS FELL DOCTOR ON SICK CALL

(By Alfred E. Lewis)

Dr. Henry G. Hadley, 74-year-old founder of the Southwest Washington hospital that bears his name, was robbed of $200 Tuesday night and severely beaten by a gang of young street thugs.

The street attack felled the physician in the 1400 block of Fairmount st. nw., about 10:30 p.m. in the midst of one of the frequent night sick calls he has made without incident for nearly half a century here.

The physician's wife said her husband had gone across town from his home at 4631 Nichols ave. sw., to the edge of the riot-wrecked Northwest Washington area to minister to a patient who had been in an auto accident.

He parked his car about 50 yards from the patient's home, but at the patient's bedside discovered he had left some medicine he needed in the car. Leaving his medical bag with the patient, Dr. Hadley was returning to his car when one teen-aged youth confronted him and another grabbed him from behind throwing him to the sidewalk.

"I was yelling for help all the time," Mrs. Hadley said her husband told her, "and when I saw three or four big youngsters running toward us, I thought we had them licked."

The new arrivals, however, turned out to be reinforcements for the thieves and began kicking him in the head and tearing his clothes as they emptied his pockets. In a few moments he was left lying bleeding from a head cut and semiconscious on the street. Someone called police and when they arrived, Dr. Hadley insisted on returning to his patient with the medicine he had gone to get.

Mrs. Hadley, who accompanied her husband to Hadley Memorial Hospital for first aid and then to their home nearby, said police recovered her husband's glasses but could not find his hearing aid. Both were dislodged in the struggle.

"I have tried to get him to cut down on these house calls," Mrs. Hadley said, "especially at night. I have also tried to get him to carry less money around with him. But he keeps saying he's so well known among the poorer people in this town, that nobody would want to hurt him."

Dr. Hadley himself dismissed his experience, saying "These youngsters would have beaten their own mothers, if they thought she was carrying something of value. All they wanted was the money. They had nothing against me."

Dr. Hadley, police recalled, was one of the city's few private physicians who ventured forth during the civil disturbances last month to minister where he could to the injured. In fair times and foul, he's been where's needed and Tuesday night's experience probably won't interrupt his schedule, one policeman predicted.

CONCURRENT RESOLUTION OF SOUTH CAROLINA GENERAL ASSEMBLY FAVORING IMPORT QUOTAS ON EVAPORATED AND CONDENSED MILK

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. THURMOND. Mr. President, many persons in this country are concerned with the situation in the domestic evaporated and condensed milk industry as a result of competition from imported products. In South Carolina many jobs are provided for our citizens in evaporated and condensed milk processing plants. These jobs are threatened by the refusal of the administration to impose quotas on foreign imports which compete unfairly because of the cheap labor and lower standards in production facilities that are often found in other nations.

The South Carolina General Assembly has passed a concurrent resolution urging the Secretary of Agriculture to declare an emergency situation to exist in order to impose reasonable import quotas upon foreign evaporated and condensed milk.

Mr. President, on behalf of the junior Senator from South Carolina [Mr. HOLLINGS] and myself, I ask unanimous consent that the resolution be printed in the Extensions of Remarks.

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

CONCURRENT RESOLUTION

A concurrent resolution to urge the Secretary of Agriculture to declare an emergency situation to exist with regard to evaporated and condensed milk and take action to establish import quotas

Whereas, substantially all milk products are protected from unfair competition from foreign imports by Federal import quotas; and

Whereas, evaporated and condensed milk processing plants in this State provide an industry saving market for excess fluid milk and provide jobs for many of our citizens; and

Whereas, recent Federal action eliminating import quotas on evaporated and condensed milk has exposed this segment of the milk industry to massive and possibly destructive competition from foreign imports because of cheap labor and lower standards in production facilities; and

Whereas, any substantial reduction in the market for domestic producers resulting from a flood of cheap imported products would require increased Federal purchases to maintain milk prices. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the General Assembly by this resolution directed to the Secretary of Agriculture does urge the Secretary of Agriculture, the Honorable Orville Freeman, to declare an emergency situation to exist which requires the immediate imposition of reasonable import quotas upon foreign evaporated and condensed milk.

Be it further resolved that copies of this resolution be forwarded to each member of the South Carolina Congressional Delegation, to Secretary Freeman, and to the President of the United States.

Attest:

INEZ WATSON,
Clerk of the House.

POSSIBLE STRIKE AT THE GOVERNMENT PRINTING OFFICE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, earlier today I advised the Members of this House of the possibility of a wildcat strike by employees of the Government Printing Office, not being urged by union leadership but being dictated by fear on the part of the employees of their safety in traveling to and from work.

At this point in the RECORD I include the full text of a statement made by Mr. Donald Taylor, of the Columbia Typographical Union, concerning the situation at GPO, as well as a statement of a victim of kidnaping and robbery this past Saturday, Mr. Virgil West, a linotype machinist at GPO.

The statements read as follows:

COLUMBIA TYPOGRAPHICAL
UNION No. 101,
Washington, D.C., June 1, 1968.

At the request of President Johnson, Mayor Walter Washington along with other City officials including Public Safety Director Patrick Murphy and Police Chief John Layton met with Vice President Donald C. Taylor of the Typographical Union for a two hour session in the Mayor's office yesterday afternoon concerning the safety of the GPO employees while going to and from work.

According to Mr. Taylor, who is Acting President of the Printer's Union, the 5,000 craftsmen of the 13 crafts employed at the Government Printing Office have united in an effort to obtain safe streets to enable their members to travel to and from work without fear from assault, robbery, etc. The Union has petitioned Members of Congress as well as the White House for assistance as they feel that a wildcat strike is a real possibility if crime committed against their members is not brought to a halt. This would, in effect, stop publication of the Congressional Record and other printing for the Congress.

It was brought out in the meeting that the GPO is losing printers faster than the Public Printer can recruit them, even though he is advertising Nation-wide for additional printers. In a questionnaire sent to former employees of the GPO, 50% listed that conditions in Washington, D.C. (and not the GPO itself) was their reason for resigning.

In answer to a question from the Mayor, it was brought out by Mr. Taylor that it was definitely not a racial problem as approximately one-third of the victims were Negroes. He also brought out that Public Printer James L. Harrison failed in his bid to have a new GPO built at Bolling Field due to City pressure for low-cost housing, then failed again for a proposed site at the National Training School site for the same reason. Both sites would have provided "protected" parking for GPO's employees. Only the top officials have parking furnished to them by the GPO now. Presently, the Public Printer is fighting to have the GPO moved to nearby Prince Georges County. However, Mayor Washington has come out against moving the GPO from the District, stating that he felt that employees who did not own cars would have difficulty in reaching the new plant which would be located at the intersection of the Beltway and Annapolis Freeway, which is approximately 4 miles from the District. However, Mr. Taylor pointed out that it would take 5 years to build and move into a

new plant and by that time the proposed subway system could have their proposed station built at that point. There are already tracks running out there on PRR's line. The fact that parking conditions as well as crime are bad in their present location and the fact that it seems we are unable to move leaves the future for the GPO employees pretty dark.

However, it appears that some progress was made in the Mayor's office as all concerned felt the meeting was productive and that there were many areas of agreement, such as an urgent need for a 2,000 car parking lot adjacent the GPO, and that steps would be taken to try and solve this problem immediately. There were other areas of agreement, but the Union Officer declined to elaborate as it involved police matters which he felt should not be publicized. However, within a few hours after this meeting yesterday, another GPO employee Mr. Joseph Urban of Bethesda, Md., was assaulted and robbed of his billfold containing $5 while going to work on the night shift.

Ironically, while Vice President Taylor of the Printer's Union was assisting Mr. Urban, Mr. Taylor's wife received a phone call threatening "that her husband would get it next, if he continued with the problems that others should handle." The Union Officer discounted it as a prank, however, it upset his wife to the point of her calling Officials involved.

DONALD TAYLOR,
Acting President.

STATEMENT OF VIRGIL WEST, LINOTYPE MACHINIST

On Saturday morning, June 1, 1968, at 3:35 a.m., after leaving from work, I got in my car which was parked on H Street between North Capitol and 1st Street, NW. I got the car started and started to drive home. When a voice in the back seat said, "Keep straight ahead. I have a gun in your back." I did exactly as he told me. We went over the Memorial Bridge and that is about the only place I remember as I was instructed to take various turns and back roads that I was not familiar with or had ever been over before, when he ordered me to stop he told me to hand over my wallet. I asked him to take the money but please give me my wallet back with all my cards, license, registration card, etc., which he did.

I never at any time saw the man or pistol but felt the cold metal on the back of my neck continuously (and still feel it). By side glance only did I recognize him to be a negro with a brown hat and tan jacket. I could not identify him if he were to come and speak to me now.

I was tired and exhausted after a full nights work and the excitement of the ordeal of the past 45 minutes or so and did not report it thinking from past experience "what's the use anyway". They won't or can't do anything about it. Thinking if they do catch him it would be more trouble to me and cost me more time in lost work, and money than it would him even if he were prosecuted before the court. After seriously thinking this over, I decided to make the above statement in hopes that it might encourage my co-workers to be more alert when approaching their autos.

VIRGIL WEST.

CIVIL ENGINEERING IN THE FUTURE

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. TALMADGE. Mr. President, there has recently come to my attention an address by Thomas M. Lowe, Jr., vice president of a consulting engineers firm in Atlanta, that was delivered recently to a group of students and engineers at West Virginia Polytechnic Institute in Montgomery, W. Va.

Mr. Lowe entitled his address "Civil Engineering in the Future," but it might well have been entitled "The Future of America." He discussed in eloquent and forceful terms some of the drastic social and economic changes that are taking place in the United States today, as well as the role of civil engineering in the resolution of the critical problems that confront our country today and those that are to come in the years ahead. Mr. Lowe is to be commended for his insight and understanding. I commend his address to the attention of the Senate, and ask that it be printed in the Extensions of Remarks.

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

CIVIL ENGINEERING IN THE FUTURE

One of the most fascinating things about the future is its uncertainty. Predictions regarding these uncertainities are especially hazardous in the face of present day unrest, dissatisfaction, discontent, mistrust, violence, crime and a revulsive contempt for almost everything from the accepted to the sacred. Hopefully this tirade applies to a relatively small segment of our population, nevertheless it brings up the question—how many bad apples does it take to make a bad barrel? The answer depends on how the apple barrel is handled. The resolution of this question may determine the status of "Civil Engineering in the Future".

All prior civilizations have risen and fallen, most of them through violence. Nothing in recorded history justifies us in believing that our present civilization is indestructible. I am prepared to believe that history may not only repeat itself, but that it may do so at jet or orbital speed. Unless we can shift the emphasis from the common man to the uncommon man, I predict a dreary future for the human race. The great benefactors of mankind, while too numerous and controversial to mention here, constitute an insignificant figure when expressed as a percentage of the total. When measured in terms of their impact on human progress, they probably have made for us the difference between the Stone Age and the Space Age.

We are now on the verge of creating a world so complex and involved as to confuse, confound, and frustrate the average individual. If present trends persist this condition will engulf an ever increasing percentage of our people. Unless we stem the tide of moral decay and re-establish the dignity and self reliance of the individual, chaos is inevitable. Some seem to think that in numbers there is safety and immunity. Present trends indicate if enough people are involved in a crime or an outrage, all sense of individual responsibility approaches the vanishing point. This is a dangerous philosophy for an individual, much less a nation.

The engineers definitely are not in control. Don't quote me but there may be a big civil engineering job coming up—that of rebuilding civilization. Bobo may be getting ready to play with matches again, or Nero may be tuning his fiddle for another concert, or history may be preparing to repeat.

A comparison of the great depression of the 30's with the unprecedented prosperity of the 60's is a sad reflection indeed. We reacted magnificently in the face of adversity and deprivation, but have put on a rather poor show in the midst of plenty. Democracy is on trial. Have we given it a fair chance? What will the judgment of history be? Can it survive the onslaughts of the growing ranks of the selfish, the arrogant and the unintelligent? What is the politician doing in this hour of decision? What are we doing?

I hope you will forgive me for this digression but let's hope that it will at least remind the engineers that not all the answers are to be found on the slide rule or by substitution in a formula.

In the preparation for the following remarks I concluded that a brief review of the history of Civil Engineering might help to point the way to the future.

The art of engineering originated with the Military. Its success was so significant that applications to civil works soon sprang up. Hence the name "civil" engineer. They were instrumental in promoting most of the early civilizations and there is abundant evidence of their valuable contributions to the welfare of the people. After many centuries of ups and downs, the civil engineers with notable assists from mathematicians, astronomers, and scientists laid the foundation for the application of these sciences to the orderly development of useful construction. This story is well told in the "Ancient Engineers" by L. Sprague DeCamp. It is a fascinating, factual account of engineers from the dawn of history to about the seventeenth century. I commend this book to you. In addition to its historical value, it contains delightful sidelights on the foibles and frailty of humanity, plus some enjoyable wit. The 18th and 19th centuries witnessed the accelerated emergence of the engineer as a leader in the march of civilization.

In 1852, the American Society of Civil Engineers was founded by a small group of engineers in New York City. In 1953, I attended the first Centennial Celebration of this important event in the history of civil engineering. About one hundred notable society members contributed articles to the 1953 Centennial Volume of the Transactions. This volume is one of my most prized books and I recommend it to you as a splendid history of civil engineering during the last half of the 19th and first half of the 20th Century. The period from 1952 to date eloquently speaks for itself. The civil engineer has at last firmly established his position in modern society.

Numbered among the outstanding civil engineering achievements since 1952 are: The Interstate Highway System, Urban Freeway Systems, The St. Lawrence Seaway, numerous monumental Skyscrapers, Sports Arenas, Coliseums, Airports, Bridges, Tunnels, Subways, Water Supply and Recreational Facilities, Sea Terminals and a host of other projects.

Now for a guess at what the future holds for the civil engineer. At this point my crystal ball gets a little fuzzy. We need to pause and take stock of who we are, where we are going, what we have, what can be done with it, and whom we can get to help us.

By far the most important and valuable item in our heritage chest is the Base of Scientific Knowledge which can either enhance or destroy our civilization. John King, the lowliest manual laborer in our midst today, is far more of a king than King John of a few centuries ago. He has more going for him and more potential back of him.

As a people we have shown tremendous dynamic power. We still have great latent power but its direction is wavering. What we need is an outbreak of common sense of epidemic proportions. This should clear the air and pave the way for a resumption of our march to a greater tomorrow. In this march the civil engineers will have to come to grips with the growing problems of environmental engineering, pollution of air and water, sewage and waste treatment plants, smog and solid wastes disposal, as well as a host of other highly complex and involved problems.

Transportation, especially in the urban areas, is critical and getting worse. The intelligent solution of decentralization has

been widely rejected. Other solutions in the field of civil engineering should provide civil engineers with a challenge for several decades.

Water has always been a problem and bids fair to becoming critical in many areas. California is now in the midst of a mammoth program to store and transport to the south some of the surplus water of the northern part of the state. This is a long range multi-billion dollar project. Presently tagged with a 100 billion dollar estimated cost is a scheme to store and export the vast surplus of water in southern Alaska and western Canada, all the way to the southwestern part of the United States, Texas, and northern Mexico and even to the Great Lakes Region. There is little danger of running out of work on this job.

The oceans are the last great frontiers on this planet. If properly managed they may produce food for the teeming millions predicted in the not too distant future. Superficial explorations indicate that they contain vast sources of valuable petroleum and minerals. Their depths are viewed as a refuge when thermo-nuclear war breaks out. Whole submerged cities are envisioned as survival areas. Science fiction is being converted into stark reality before our very eyes. Anything the imagination can conceive, the mind of a man may eventually contrive. The world is becoming so complicated and involved that the traditional consultant will give way to the highly sophisticated, computerized efforts of design teams. I am now making a careful study of the Duck Bill Platypus and the Dodo Bird with the view of joining their ranks. Obsolescence is a way of life—no one is immune. The fundamental law of nature is adapt or die. There is no reprieve. The engineers will have a lot of adapting to do, especially the older group.

NEGOTIATIONS: HOPES VERSUS REALITIES

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, I believe that most of our colleagues are familiar with the good work being done by the Citizens Committee for Peace with Freedom in Vietnam. This is a nonprofit, nonpartisan group of concerned citizens who seek peace with freedom in Vietnam. It was founded in October 1967 by private citizens, including former Presidents Truman and Eisenhower and former Senator Paul H. Douglas.

All three of these statesmen and others on the committee have contributed a great deal to a clearer understanding of our objectives in Vietnam. For the benefit of my colleagues, I am inserting a copy of their latest policy statement, "Negotiations: Hopes Versus Realities." This was prepared by a special committee of 14 members including General Eisenhower, who participated in the drafting up to just before his recent illness. I think that it gives a clear and concise picture of the present Paris negotiations, and should be read by all of our colleagues.

NEGOTIATIONS: HOPES VERSUS REALITIES

(Statement of the Special Committee on Negotiations of the Citizens Committee for Peace with Freedom in Vietnam)

The United States welcomes negotiations which offer a hope of peace with freedom and honor in Vietnam—a responsible and durable settlement of this long, bloody and costly war. But negotiations are merely a beginning to an end. And the end is not yet in sight.

The road to a negotiated settlement of the war in Vietnam is likely to be long and hard. It is likely to twist and turn and take agonizing detours. And we face the unhappy prospect of continued bloodshed. A cease-fire is more likely to come at the end than at the beginning of a negotiating process.

We should not be discouraged or deceived by rhetoric. It is not how Hanoi says something; it is what it says . . . and, more importantly, does.

Negotiations will be desirable if they lead to a mutual de-escalation of the conflict, and if they advance the prospect of achieving our minimum objectives. They will be dangerous and undesirable if they develop into a long drawn-out sequence of meaningless round-table discussions while our fighting men continue to pay, under conditions made more difficult by our restraint, a high daily toll of death and disability.

Negotiations will be insupportable if Hanoi escalates its military effort in the face of the reduction in ours. We must bear in mind that once negotiations begin, the pressure to continue them will be infinitely more insistent on us than on them. We are highly responsive to domestic and to world opinion; Hanoi is far less responsive to both.

OUR OBJECTIVES

Our minimum objectives in Vietnam must be kept clear and we must state them repeatedly and with precision. We seek the independence of South Vietnam and its freedom from attack. Nothing could be simpler or clearer than that.

The South Vietnamese either freely choose their own government or they do not.

The aggression from the North either ends or it does not.

The North either takes over the South or it does not.

With this series of alternatives, it will not be difficult to know whether, and to what extent, we have succeeded or failed.

NEGOTIATIONS AND PEACE

There is no necessary equation between negotiations and peace. Negotiations are not an end in themselves—they are only a possible means to an end.

Regretfully, our Committee feels obliged to express its fear that many American citizens have been misled both by supporters and opponents of our commitment in Vietnam to place too high a value on negotiations or on "talks" in themselves—and to expect too much, too soon.

Americans think of negotiations as the road to peace but there is unmistakable evidence that Ho Chi Minh thinks of negotiations as another way to fight a war—in effect, as another weapons system. Too many Americans think the question is fight or negotiate. The enemy, on the other hand, has developed a consistent policy of fight and negotiate.

Hanoi's Deputy Chief of Staff, General Vinh, starkly enunciated this policy in a speech to the Fourth Congress of the Viet Cong: "We will take advantage of the opportunity offered by the negotiations to step up further our military attacks . . . the decisive factor lies on the battlefield. In fighting while negotiating, the side which fights more strongly will compel the adversary to accept its conditions."

PANMUNJOM EXPERIENCE

Our experience at Panmunjom is eloquent testimony to the enemy strategy and a clear warning to us. While Korean negotiations dragged on for two years [1]—with an enemy record of duplicity, deceit and deliberately abrogated agreements—we suffered 62,000 additional casualties with almost 13,000 dead. And there is yet no true peace in Korea.

We must adopt a realistic attitude toward negotiations, not allowing our hopes and our expectations to outrun harsh realities. Negotiations will be neither valuable nor productive unless both sides feel that it is in their interest to end the conflict and negotiate a settlement of the issues. Even though our military progress has been considerable, we cannot expect to win at the conference table what we have not won on the battlefield. Equally, we must avoid losing at the conference table what we have fought so hard, and given so much, to protect.

AMERICAN RESOLUTION

The pattern of negotiations will reflect the military, economic and political strength of the opposing forces in Vietnam. One of the greatest of these strengths is resolution—the determination to see the struggle through—and the communication of that determination to the enemy. We would be foolish to expect Hanoi to negotiate a mutually satisfactory settlement of the war if their leaders believe that the resolution of the United States and South Vietnam is failing. Thus, one of the greatest threats to successful negotiations is that Hanoi may under-estimate America's resolve.

We must unceasingly make it clear to Hanoi that we do not seek nor will we accept a camouflaged surrender which would inevitably result in the United States "writing off" Southeast Asia for the foreseeable future. We could survive such a catastrophe—but our citizenry should be clear that the whole security system, which has maintained peace and freedom for the past generation, would be eroded—if not destroyed—by an American retreat from our commitments in Southeast Asia. We would become a relatively isolated and less influential nation. Further, our withdrawal would be followed by the massacre of hundreds of thousands of South Vietnamese who have stood by our side. On moral grounds alone, this cannot be permitted.

TIME AND COST

Our opponents view the conflict as being fought in two principal areas—time and cost. They appear convinced that both factors are now working in their favor.

Time

America appears impatient to end the war. We think in terms of weeks and months. Hanoi thinks in terms of years and decades.[2]

Cost

We appear unwilling to pay the continuing costs of the conflict. They appear resigned to their proportionately far heavier costs, particularly in human casualties. To

[1] The opening session of the truce negotiations was held on July 10, 1951. The Armistice was reached on July 27, 1953. The delegates held 159 plenary sessions, 26 at Kaesong and 133 at Panmunjom. The three subdelegations held 179 additional meetings. The Staff and Liaison officers met 427 times. In all, there were 765 meetings. The various sessions and meeting were recessed 20 times, once for 199 days. 966 hours were spent in face-to-face negotiations with the Communists. The transcript of the Armistice Conference comprises 3 bound volumes, each an inch and one-half thick. The records pertaining to the negotiations occupy 52 library boxes totaling 17 cubic feet.

[2] Mao Tse-tung long ago gave us, in his own words, a capsule definition of our opponents' consistent strategy:

"Enemies advance, we retreat
"Enemies halt, we harass
"Enemies tire, we attack
"Enemies retreat, we pursue."

The tactics vary; the strategy remains the same.

John K. Fairbank, America's noted Asian scholar, has said: "Ho Chi Minh and his colleagues are committed to permanent revolutionary struggle rather than to an interlude of war terminated by formal peace."

us an American life is above price; the enemy spends lives as we spend dollars.

In both areas—time and cost—impatience may indeed be our deadliest enemy.

If this is a reasonable analysis, the chances for productive negotiations would not appear to be substantial at this time. Hanoi's willingness to engage in genuine negotiations is, in our judgment, inversely related to their estimate of their military-political progress.

Nevertheless, America and its allies should painstakingly explore, for a reasonable time, every possible avenue of securing an honorable resolution of the conflict.

PEACE WITH FREEDOM

One cannot over-emphasize what we do not seek in Vietnam; we do not seek the surrender of North Vietnam or to destroy it or its people. Rather, we seek freedom for South Vietnam and an end of the aggression directed from the North. We fight for peace with freedom and honor.

We hope to see a South Vietnam which is free, united, independent, politically stable and economically expanding. To the degree that these longer range goals are attained, we will have achieved our "victory."

"Instant" victory is, unfortunately, not available to us on the battlefield or at the negotiating table. In both arenas, we must beware of impatience, dissillusionment, and extremist and simplistic answers to complex problems. Particularly, if negotiations should break down, we must re-survey our position and weigh carefully the danger of over-reacting and of sharply escalating our military effort in search of a quick victory." Winning in Vietnam at the expense of losing our position in the world would be a Pyrrhic triumph.

America has, by its unilateral de-escalation of the conflict, demonstrated to the world our devotion to peace. It would now seem both prudent and warranted for us not to make further concessions without reciprocal, although not necessarily simultaneous, acts from the other side.

Mutual de-escalation is by definition a two-way street. Hanoi cannot always take and never give; always demand everything and never concede anything. A sequence of unilateral concessions by us, not reciprocated by Hanoi, would be the road to surrender.

COALITION GOVERNMENT

We believe there is one thing that the United States should not do. We should not exert pressure on South Vietnam to accept a coalition government.

Any representation of the National Liberation Front in the political structure of South Vietnam should occur as a result of a free political choice expressed by the South Vietnamese themselves. All citizens of South Vietnam can fully participate in the democratic process—on a one man-one vote basis—without the foreign imposition of a coalition government. History is replete with examples of Communist takeovers of governments by obtaining control of key ministries such as defense, justice, police and propaganda. Indeed, Czechoslovakia is only now emerging from twenty years of totalitarianism following a "coalition government."

A WORLD IN CONFLICT

Finally, America must not expect too much to flow from a resolution of the conflict in Vietnam. We live in a world of great antipathetic historical forces. There is no early prospect for world peace in the traditional sense. There is conflict in today's world and conflict—political, economic or even military—will unquestionably continue at various levels and in various places for the foreseeable future.

Our basic continuing objective is to hold such conflict within the bounds that permit the survival of mankind. That is why we adhere to our generous and farsighted policy—the willingness to fight a limited conflict, with limited means, at limited risk for limited objectives.

The success or failure of that policy may well be decisive in shaping not only the destiny of South Vietnam and of Southeast Asia but of the entire world.

Omar N. Bradley, Lucius D. Clay, James B. Conant, Paul H. Douglas, Roscoe Drummond, Dwight D. Eisenhower, John W. Hanes, Jr., Mary P. Lord, Archbishop Lucey, Franz Michael, Ithiel de Sola Pool, Leverett Saltonstall, Henry P. Van Dusen, Eugene P. Wigner.

ESSAY CONTEST CONDUCTED BY ROTARY CLUB OF WICHITA FALLS, TEX.

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. TOWER. Mr. President, the Rotary Club of Wichita Falls, my hometown, recently conducted its "Americanism" essay contest among seniors in our city's high schools. Five young Texans were selected as winners from their respective schools.

I believe that the words of these young people will be of interest and inspiration to other Members of the Senate and to all patriotic Americans. I therefore ask unanimous consent that they be printed in the Extensions of Remarks.

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

WHAT AMERICANISM MEANS TO ME

(By Joe Vinson, Hirschi High School)

I am a young man just over eighteen years of age. Like all young men of this age, I think a great deal about our country and its commitments, especially military commitments. After a great deal of thought I came to the conclusion that I would indeed fight whenever and wherever I was needed in the service of my country. Many people would describe this decision as one of patriotism or nationalism or even refer to it sarcastically as heroism. I much prefer to describe it as an act of Americanism. This is what Americanism means to me; a combination of pride, love, devotion, and the willingness to serve one's country in any capacity of which one is capable. (The Armed Forces, although important, do not represent the only battlefield upon which a person can fight for their country.)

Pride is a feeling that is useless unless it is coupled with sincerity. A person who is sincere is indeed a proud person. Our country and its heritage is something for which every true American can feel a deep and sincere pride. To be able to stand up and proclaim to all the world that you are an American is a privilege far too great to be taken lightly. Whenever an individual is at a sporting event and the National Anthem is played and the Stars and Stripes are run up to the top of the flag pole and he feels a slight swell of the breast and a lump in his throat, then that individual is experiencing one of the most enjoyable emotions in life: pride in his country.

Love is an emotion similar to pride but different in the fact that it goes much deeper. Love for one's country is one of the deepest emotions that a person is capable of feeling. Little more can be said about this emotion; (either you have it or you do not), there is no in between. If indeed one loves their country, there will be little doubt of this in his own mind.

Devotion is the most difficult characteristic of Americanism. This is predominately due to the fact that to be devoted to one's country, one must be prepared to stand beside her under any and all conditions. What is best for the nation as a whole must be the interest nearest the heart of the individual at all times. There must be a willingness to work for the conditions which will better the country to which one is devoted. Continual complaining, not constructive criticism, with no action to right the conditions is of no value whatsoever. A truly devoted person will do his best to better conditions within his country while at the same time proclaiming to the world at large that he stands behind her in whatever action she takes.

The last characteristic of Americanism is a direct result of the three previous characteristics; pride, love, and devotion. To be willing to serve one's country one must be proud, devoted, and feel a deep and sincere love for that country. The willingness to serve is one of the things that made this country the greatest nation in this universe. The willingness to fight and to die for one's country is one of the most important characteristics of Americanism.

At the very beginning of this paper I said that Americanism to me was a combination of pride, love, devotion, and willingness to serve. There is little doubt that other people will have different opinions. However, this is what Americanism means to me.

WHAT AMERICANISM MEANS TO ME

(By John A. Grenspun, Notre Dame High School)

In the middle of nothing, a distant shore marks the boundary. Within, a great, massive, moving body of azure water stretches, flexes. A million grasping waves reach out, lapping sandy beaches. No driftwood is left alone in aimless oblivion. The water is drink for the thirsty, food for the hungry. This is the grand oasis, America. I have been here, have indulged; now, I am satisfied. This is America. This is mine.

What is America? What does being an American mean to me? I have found that being an American involves the ability to receive an honored way of life; then, simply, to live it. America is what I have and how I respond to what I have been given.

I have love and hate. My neighbor and I speak harsh words. Misguided fears and twisted prejudices cast a shadow of malice between us. But this is America, land of brotherhood and understanding. Across the barrier our hands clasp again; hate turns to love.

I have hope and despair. American dreams are shattered in seconds time. I am tempted to lash out at the motherland that bore me. But the overbearing hope, which is America to me, rebuilds those dreams and makes them real again.

I have faith and distrust. Often times I am confused and misled by false prophets who herald Americanism while actually hindering the very growth of that proud heritage. In such cases I can refer only to the principles upon which this nation was founded. Here the faith of our nation truly lies. This faith I will never lose.

I have war and peace. The conscience of my nation is troubled and shaken when it sends its sons to fight and die in far off battlefields. But the conscience of a nation is justified in fighting wars to liberate justice from tyranny and freedom from enslavement. So we have the peace of mind and spirit that comes to a nation that kills to stop the killing and dies to stop the dying. This also America has given to me.

America has given me other things, too. I have a sense of dedicated responsibility, the righteous duty imparted to every citizen who bears the most honorable of all titles—American. This, the responsibility to live by and for the heritage inherited by every American citizen. This, the duty to spread our heritage to peoples of other lands where freedom and

justice for all exists only in visions, not in reality.

I have two very wonderful parents who have raised three children the best way they know possible—the American way. For this I am proud and thankful. For a nation is just as strong and unified as the families that populate it. As the family goes, so goes the nation. In America, it goes well.

The sun shines. The waves are gentle, the water is calm. America, you have made me what I am. I am, now and forever, yours.

WHAT AMERICANISM MEANS TO ME

(By Ladonna Hainline, S. H. Rider High School)

"The Star Spangled Banner" rings out from the shiny instruments of a brass band marching smartly down the main street of a small town while the cheering, flag-waving crowd welcomes home a long awaited boy-soldier-hero. Joy pervades the atmosphere and a mother's heart is filled with pride and a secure peace. Elsewhere, a melancholy bugle mourning the Taps melody is punctuated by five guns firing in rapid succession. The American flag is reverently folded and received by a silent, proud mother. Grief is shown in the eyes of downcast mourners as the precious coffin lowers into the waiting earth.

Americanism is a heartfelt sensation experienced by all Americans—to some it is more personal than others. Sometimes it is taken for granted as an inherent right. It is easy to watch a flag being raised and allow a lump to occupy the throat with fierce pride when no sacrifice is required, but that is not Americanism, only security.

Americanism is patriotism and strength to stand behind our forefathers' democratic convictions at all times, not just when it is convenient. It is the determination to preserve our heritage. Our way of life is often thought to be an established fact written in history books that will stand forever true. This is a fallacy; our heritage was left to us to protect and nurture.

Americanism is a sense of pride, but not just pride. Sacrifice, awareness, and temperance are coupled with it. Since the Revolutionary War, Americans have sacrificed their most precious possessions—their sons, husbands, brothers, and lovers. This was shown in the first and second World Wars, the Korean conflict, and now Vietnam. When the cause was just, America could be counted on for support. Our country was aware of the need to remain united under one indivisible front. This has never been an easy task. There have been times when it would have been more convenient to follow a policy of noninvolvement in the face of another country's aggression. Instead, regardless of the displeasure an act might entail, the justice and determination so much a part of Americanism has overcome the temptation to rest on our laurels and let the world follow a disastrous course.

Where Americanism is concerned, no generation gap exists. Americanism is not encumbered by age or sex barriers. The younger generation falls in step with the older generation to insure their future. All have the opportunity to make history come alive and steer it toward the common goal of freedom; both generations share the burdens and pleasures of the American dream.

Americanism means many things. It is strength, pride, courage, determination, sacrifice, justice, and patriotism; but above all it is reality. Intangible and abstract, but within reach of those who seek it and appreciate it, Americanism is manifested in various ways—at celebrations or funerals, in peace or during war. It is not reserved only for times when America is favored by world opinion, but throughout troubled and trying times. Americanism is the end result of our ancestors' struggle for a cherished way of life.

WHAT AMERICANISM MEANS TO ME

(By Paulette Williams, Booker T. Washington High School)

To me, Americanism means the continued flow of good character, devotion of free men to the ideas of the United States of America, and consideration for the welfare of others. There are men so brave who die day after day only because their hearts and souls are instilled with strong support for this nation's traditions, customs, and beliefs. Men and women who remain at home reveal their devotion to America as they exercise those rights granted them in the Constitution of the United States of America; such that the same rights of their fellow citizens are not infringed upon. While Americanism includes respect for the rights of others, it also includes such things as respect for the laws of the United States of America, respect for its flag, and devotion to its ideas.

The historical background of America marks the foundation of what Americanism means to me. Several centuries after Christopher Columbus discovered America, the Puritans settled here in colonies seeking religious, economic, and political freedom and opportunity. Despite the many hardships, toils, and dangers of the colonists, they grew to be the united people of the United States of America. Years later great American men drew up the Supreme Law of the Land, which was the Constitution of the United States of America. This law states the justified rights and responsibilities of each American citizen. Other American documents such as the Declaration of Independence and the Bill of Rights were formulated. Through the historical years of America, I see Americanism as freedom and opportunity determined by responsible men.

One of the most wonderful ways in which Americanism has been revealed to me is by the young American soldiers in Vietnam. These young men, who fight our enemy day after day, are thinking of their homeland. The fighting men in Vietnam are fighting for this country because they cherish its customs and ideas. In order that we maintain our great methods of living, such patriotic men are in combat with those who present threats to this land. It is therefore visual to me that Americanism is being exercised by our brave men who are fighting in Vietnam.

Americanism is also characterized by being concerned with the welfare of others. America has shown its good character by helping other countries. For years, since World War II, the United States has so generously supplied goods in grants and loans to underdeveloped nations. Most of these nations lacked education, good health, food, and military strength. With economic and military aid from the United States, many of these nations have improved tremendously. Today, India and the Republic of China have improved their living conditions. The people of Africa are doing much better in their development of their natural resources. These are just a few international relations which suggest to me that Americanism means being concerned with the welfare of others.

Americanism, to me, includes such things as showing good character, respect and devotion to the ideas of America, and consideration for the welfare of others. What Americanism means to me is best described in these words taken from the American Creed:

"I therefore believe it is my duty to my country, to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies."

This is what Americanism means to me.

WHAT AMERICANISM MEANS TO ME

(By Nancey Carol Kohutek, Wichita Falls High School)

To be an American is the greatest experience possible. Every door of opportunity and every potentiality of life is open to each American from his birth throughout his entire life. Regretfully, Americans have begun to lose the vitality and enthusiasm of their heritage as their Americanism wanes. Americanism—what a magical word! It exceeds the realm of most words in that it encompasses emotions, dreams, and challenges.

Emotions are felt by everyone. Many actions are direct results of emotions alone. An over-dose of emotionalism can be ineffective and unrealistic, but emotionalism in the right proportion is an absolute necessity to a well-rounded, dedicated American. Pride, of course, is the first mark of Americanism in an individual. Only through a proud heritage has America become the leading country of the world, and only through strong, proud Americans will it remain a pillar of freedom and a symbol of justice. Pride, though, is superficial unless it is reinforced by an unfaltering, unequivocal love for America. Such a love overcomes injustice and criticism. It is true yet flexible. This emotion coupled with pride is the essence of Americanism, the foundation for a safe, growing country.

Americanism is much more than emotional, however. It is idealistic. Dreams emerge from the knowledge of a country where people rise from the lowest plane in life to ascend the throne of success and independence. Dreams for a better life for everyone are soon to develop in the minds of Americans. Eventually, youthful dreams become mature dreams for a better world and a happier life. These hopes, for they represent more than dreams, only continue because they are plausible and substantial in the realm of Americanism. These dreams can only be realized, though, if the challenges they create are met and successfully resolved.

Life for an American is full of challenges, but the idealism of loyal Americans increases the challenges for the present and the future. As always, there are world and political challenges but more pressing than those problems are domestic and personal challenges. Many people are involved in programs such as Head Start, Youth Corps, and various other training programs. They are meeting the challenges on the domestic field today. This is a sign of Americanism in action. Perhaps the greatest need today, though, is personal commitment. Every American must decide for himself that America is his country, a land of challenges and a land that needs the work of strong, capable people. This is realistic Americanism.

Thus, emotions, dreams, and challenges are involved in the mystical world of Americanism. It is a patient, thoughtful, exciting world that holds life and all its beauty within the reach of all Americans who will but take advantage of his birthright and background. Americanism is quite a word and quite an obligation!

OIL IMPORT CONTROL PROGRAM COSTS LESS THAN SUPPOSED

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BURLESON. Mr. Speaker, the following article by Mr. Clyde LaMotte, editor of the Oil and Gas Journal, run as a feature article in the Dallas Morning News, set the record straight on a recent editorial in the Washington Post regarding foreign oil imports:

OIL IMPORT CONTROL PROGRAM COSTS LESS THAN SUPPOSED

(By Clyde LaMotte)

WASHINGTON.—What does the oil import control program cost the public?

The Washington Post, one of the nation's most influential newspapers, claimed in a recent editorial that the cost to the U.S. public is "several billions of dollars a year" in higher prices for petroleum products.

To anyone at all familiar with the program, the Post statement is patently inaccurate and misleading.

The Post did not explain how it arrived at such a total. But it is obvious that it could be done only by eliminating all or most of the current domestic production and replacing it with lower cost Middle East crude oil.

The figure generally used as the difference between the cost of domestic crude and of Middle East crude delivered here is $1.25 a barrel (3 cents a gallon). Thus, if all domestic production—amounting to about 3.2 billion barrels annually—were shut down to increase imports, the maximum "saving" in cost to the public would be about $4 billion a year.

However, and the Post did not bother to mention this, there are many offsetting factors which change the "cost" picture greatly.

For example, Interior announced recently it had received high bids amounting to $602 million in the May 21 offshore Texas lease sale. This, the agency reported, brought to $1.7 billion the amount the Federal government has received on three offshore lease sales during the past 12 months.

Obviously, if domestic production were not allowed, there would be no offshore lease sales. So the $4 billion "cost" figure is automatically reduced by $1.7 billion, leaving $2.3 billion.

In addition to the bonus money for leases, the Federal government receives rentals and one sixth of all the productions from an offshore lease. This is already amounting to many millions of dollars annually.

The Federal government also gets additional millions from leases and rentals of onshore public lands. This, too, would be lost if domestic production were halted.

State governments would lose several hundreds of millions of dollars annually which they now collect in oil and gas severance taxes.

State and federal governments would lose taxes on the income of producers, royalty owners and the 300,000 persons now employed in the exploration and production end of the industry.

Many inland refiners, having no access to foreign oil, would go out of business because, even if they were allowed to use domestic crude they could not compete with the importing companies using cheaper crude oil.

Also, because about 40 per cent of the nation's natural gas supply is produced in conjunction with oil, the shutting down of oil production would mean a loss of that much natural gas from the market. This would tend to force the price of natural gas upward to the public if, indeed, enough gas were available to meet consumer needs.

The balance of payments problem would be worsened by the purchase of an additional 3.2 billion barrels of oil abroad, and companies would step up their investments overseas in order to meet the increased demand.

The Gross National Product total would be reduced by almost $10 billion by the loss of sales of domestic crude oil and natural gas.

All in all, then, it is obvious that the cost of "many billions of dollars" is far too high. At best, the direct and immediate net cost could hardly be more than $1 billion and might well be considerably less.

A figure of $1 billion a year, when applied to 3.2 billion barrels of oil would amount to a little over 31¢ a barrel—less than 1 cent a gallon. If the average motorist uses 700 gallons of gasoline a year, his "saving" by using foreign oil would be a little over $5 a year.

Even this saving would quickly disappear if foreign producing nations hiked their price of crude oil to serve a captive U.S. market, a very likely development.

Nevertheless, government oil officials take the view that there is at least an immediate, short-range cost resulting from the import program, although they do not put a price tag on it.

They justify the extra cost on the grounds of national security, pointing out that a strong, healthy domestic petroleum industry is essential. Congress and three different administrations have approved this approach.

But even though this has been explained time and again during the 9-year life of the program, the Washington Post specifically and the eastern press generally still haven't gotten the message.

The Post, in its editorial, said that "if the object of the policy is to enlarge domestic petroleum reserves in the event of an emergency, why not import much more of the low priced crude from the Persian Gulf?

Evidently the Post has already forgotten about the Middle East crisis of last year which stopped the flow of 10 million barrels daily of oil from that region. This resulted in price increases of about 3 cents a gallon in Europe, which gets more than half of its oil from that source. But there was no increase of that sort in this country which, because of the import control program, receives only about 3 per cent of its oil from the Middle East. Nor was this nation's war effort adversely affected.

THE CHRISTIAN'S RELATIONSHIP TO THE STATE—SERMON BY REV. WINFIELD D. SMITH

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. THURMOND. Mr. President, the relationship of the individual to the state and its laws has long been a question of great concern to religious leaders. On May 5, in the Episcopal Church of the Incarnation, Gaffney, S.C., the Reverend Winfield D. Smith delivered a fine sermon entitled "The Christian's Relationship to the State."

The Reverend Mr. Smith points out four reasons why Christians feel a moral obligation to obey the law. First, God has provided civilized government for our own good. Second, the state exists to maintain what is right and to put down what is wrong. Third, the state represents the authority of God on earth. Fourth, without obedience the state will cease to function. The Reverend Smith concludes by stating:

Take your place beside your local police and your elected representatives to secure and promote peace, temperance and morality, honesty and truthfulness, and justice.

Mr. President, I ask unanimous consent that the sermon be printed in the Extensions of Remarks.

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

THE CHRISTIAN'S RELATIONSHIP TO THE STATE

(I Peter 2: 11, Romans 13: 1–6)

(Sermon by Rev. Winfield D. Smith, in the Episcopal Church of the Incarnation, Gaffney, S.C., May 5, 1968)

A portion of the Epistle for the Day reads:

"Submit yourselves to every human institution for the sake of the Lord, whether to the Sovereign as supreme, or to the governor as his deputy for the punishment of criminals and the commendation of those who do right. For it is the will of God that by your good conduct you should put ignorance and stupidity to silence."

The Apostle Peter wrote these words to small scattered groups of Christians living in the alien lands of Asia Minor. His letter is entitled: "The Calling of a Christian" in the New English Bible from which this translation is taken.

Shortly after Peter wrote this letter, Nero became ruler of Rome. It was Nero, you recall, who tried to wipe out Christianity, who subjected the first Christians to terrible persecution. Christians were an unlicensed cult, in the eyes of the State they were considered to be an off-shoot of Judaism. Then, too, Nero may have used Christians as a scapegoat for his own madness. They were, nonetheless, persecuted because they preferred to worship Jesus Christ as God, rather than Caesar. Some of them were bathed in oil, crucified, and set afire on posts to light the dark streets at night; some were wrapped in nets and thrown to wild animals to be clawed and pummeled to death. Yet, in spite of this fearful and oppressive state under which they would soon have to live, they were encouraged by Peter and instructed by Paul to submit to every human institution for the sake of the Lord. And, as a result, there isn't a shred of evidence anywhere that Christians were at anytime defiant toward civil authority, or rebellious, or lawless in their conduct toward the state, even Nero's. Instead, there are letters remaining written between provincial governors and Roman authorities which comment on the good conduct of the Christians brought to trial before them. They could find them guilty of no wrongdoing whatever except their unswerving commitment to worship Jesus Christ rather than Caesar. And, the Christians having chosen not to worship Caesar, and this being a capital crime, they were led off willingly and uncomplainingly to death.

Now, this relationship of a Christian to the State is an age old problem. The first Christians of the Apostle Peter's day had to wrestle with it. People down through the centuries have had to face it. And, today, you and I have to answer it.

For there is resistance, rebellion, and defiance abroad in our land. You and I have to explore this age old problem and arrive at some solution that we can live with. Being Christian, we have to begin with the teaching of Jesus and its application made by the New Testament saints, Peter and Paul. They had a larger knowledge of the One God and Father of us all; they had a clearer insight to Jesus' revelation of God's will than any or all Christians who have followed them. They would have been replaced during the past twenty critical centuries, if they had not understood the will of God for us in this important area.

These two great apostles believed that the "powers that be are ordained of God" (Romans 13); and that human institutions function most effectively when the people submit to them. It is a singular truth in the Judeo-Christian religions that God is in control of history, rather than men. "For there is no power but of God", Paul said to the Romans. And, this is one of the reasons that we should be careful to submit to every human institution; it is for the Lord's sake.

This morning, I want to zero in on one of these human institutions: the civil government.

I want to tell you four reasons why you and I must be obedient to the state

And, the *first* reason is this: God has provided civil government for our own good.

Now, this *is not to say* that dictators are provided by God. He permits them. Dictators are men who may have been called originally by God; but, of their own free will,

they have misused their power and have used their office for evil rather for good. Many a warped personality in our time has claimed power by force and set himself up as a kind of god.

But, it *is to say that* government is the law of God. That is, "order is heaven's first law," as someone has said. Consider the first chapter of Genesis, for example.

God created this orderly, perfectly governed universe, which we take so much for granted, out of utter chaos. This universe can be understood by the simplest child in terms of the regular and dependable seasons of the year. The sun never fails to rise in the morning and set in the evening. We can calculate the time of sunrise and sunset in seconds for years ahead because we can depend on the universe to be orderly and regular. Spring follows winter; then comes summer and fall, with unchanging regularity which we can count on to survive.

Similarly, a society must have government. Without civil government, there would be chaos and anarchy. And, where there is no government in society, there is no security, no certainty of progress toward better things.

Therefore, God has provided in His Creation that there be human institutions with authority and leaders to rule with authority, so that there will not be chaos among men. Paul wrote: "the existing authorities are instituted by God."

The *second* reason why you and I must be obedient to the state is that the state exists to maintain what is right and to put down what is wrong. Or, as the Epistle says it: "for the punishment of criminals and the commendation of those who do right."

Civil government is necessary for the protection of life and property and for the keeping down of crime. And, how you and I feel toward the government will be determined by how effectively those in authority use their power for this purpose.

So, the rioter and the looter who disrespects authority and disregards property, and all others who wilfully defy the law, are actually being disobedient to God. The Law says: "Thou shalt not steal."

It is the responsibility, then, of those in authority to punish criminals as well as to commend those who do right. If the state upholds the right and puts down the wrong, it is being an obedient agent of God. If it does not do this, then, it is being disobedient to the Divine order, and the result is chaos, and a new government.

The *third* reason why you and I should be obedient to the state is that its leaders represent the authority of God on earth. Holy Scripture calls them the "ministers of God." That is, they fulfill a Divine vocation. And, like the priests in the Temple of old, they must be supported as servants of God. So, we gladly pay our taxes for good government. We submit to their authority because we recognize that all of them, whether they be presidents, cabinet officers, senators, representatives, judges, magistrates, jurymen, police,—they all serve by the authority of God.

It remains for the rest of us to accept the role of servant to this authority, not only because it is the prudent thing to do for the benefit of the common good, but because it is a matter of conscience placed on our hearts by God.

In a free society, such as ours, more than any other form of government, it seems to me, elected officials are called, cultivated, and groomed for office by God Himself for the special purpose of working out God's will for the world.

You remember the story of Joseph in the Old Testament. He was a spoiled child with a coat of many colors given him by an indulgent father; but, God led Joseph through one trial after another in Egypt and finally elevated him to be the savior of His starving people back in Canaan. It's a familiar story duplicated many times over in the history of man.

God calls leaders to positions of authority and requires us to be His obedient subjects. He expects us to honor and respect those in authority not because they are men in high office but because God's work can be discerned in their human efforts.

Our Church asks that every child learn the Ten Commandments by heart before he is confirmed. We rehearsed them today as we are instructed to do at least once monthly. The Fifth Commandment, the only Commandment with a promise, states: "Honor thy father and thy mother that thy days may be long in the land which the Lord thy God giveth thee."

The Church explains this Commandment, on page 288, of The Book of Common Prayer, to mean: "To love, honor, and help my father and mother: To honor and obey the civil authority: To submit myself to all my governors, teachers, spiritual pastors and masters: And to order myself in that lowliness and reverence which becometh a servant of God."

And, the Church's teaching hasn't gone out of date, either. It's been neglected.

The *fourth* reason why you and I should be obedient to the state is that without our obedience it could not function. Government would give place to anarchy just as Universities must close, unless authority placed in them is exercised as well as recognized.

God has appointed the law. Therefore, every Christian must uphold the law with an obedient and submissive spirit.

Now, this does not in any way mean to deny the right of conscience to protest against unjust actions of human institutions, nor to replace leaders in positions of authority when they abuse their powers. Yet, on the other hand, this does not permit the perverse and irresponsible defiance of authority so rampant in our nation today.

No law has the right to force any man's conscience. If any authority tries to enforce a law that sins against morality—that is, requires you to do what you know to be immoral—then, resistance to such a law is permissible at all costs. Nowhere does the Bible teach passive acceptance and non-resistance to immoral laws.

However, this is most important. Resistance to lawful authority must always be the last resort. Anyone who wishes to resist the authority of any human institution must be very careful that he is absolutely right. Otherwise, if he is not right, he will be setting up his own individual and personal judgment as the law of God.

We must continue to regard, and teach our children to have this regard, that subordination, rule, subjection, and loyalty are all part of the Divine order imposed upon all of us by the Lord God for the common good of us all.

Therefore, the Christian will always cooperate with the governing authorities. Take your place beside your local police and your elected representatives to secure and promote peace, temperance and morality, honesty and truthfulness, and justice.

For all of these things are necessary to our local and national well being. Government would be easy if every person serving there were a Christian; and, it would be good, if every Christian would realize his duties with respect to human institutions.

A good Christian can never be a bad subject; and, with piety in office, there can never be bad authority. Amen.

NEW YORK TIMES EDITORIAL SUPPORTS PERU AID CUTOFF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. CONTE. Mr. Speaker, as everyone in this Chamber knows, I have been deeply concerned about the sale of sophisticated weapons to less-developed countries who do not need them and cannot afford to waste their precious limited resources on these weapons of war. Recently the State Department put into effect for the first time, amendments which I sponsored, and cut off $37.5 million in development loans which had been programed for Peru during fiscal 1968. This action was taken in response to Peru's purchase of over $20 million worth of supersonic jet fighters from France.

An editorial in today's New York Times supports this action. In stating that "it is unreasonable to expect U.S. taxpayers to underwrite, directly or indirectly, Peru's military whims," the Times repeats one of the major reasons why I sponsored and fought for the adoption of these amendments.

Under unanimous consent I insert the full editorial at this point in the RECORD:

Direct arms aid is not the only vehicle through which the United States may become involved in undesirable weapons buildup. Sometimes nations receiving American economic assistance take advantage of this windfall to divert scarce domestic resources to military purchases.

To discourage this practice, Congress last year amended the foreign-aid appropriations bill to require a cut in economic assistance equal to the amount a developing nation spent on advanced weapons. This provision has led recently to the withholding of $37.5-million in development loans from Peru, which has ordered more than $20-million worth of supersonic jet fighter planes from France.

The Peruvians, as might be expected, are momentarily irate. Speaking caustically in an interview the other day, Premier Raul Ferrero Rebagliati said the United States would never be able to dictate policy to Peru.

Fair enough. But after passions have cooled, thoughtful Peruvians may come to realize that it is unreasonable to expect United States taxpayers to underwrite, directly or indirectly, Peru's military whims. This is especially true as long as Peru remains unwilling to tax adequately those of her own people who can afford it.

COOPERATIVE SUCCESS IN INDIA

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. METCALF. Mr. President, several years of joint effort by cooperatives in India and the United States and the Governments of the two countries are resulting in a great new fertilizer in India. This is a success story upon which other enterprises can be based.

I ask unanimous consent to have printed in the RECORD an article about this project prepared by the Cooperative League of the U.S.A., which is located at 1012 14th Street NW., Washington, D.C.

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

COOPERATIVE FERTILIZER PLANT IN INDIA IS "ALL SYSTEMS GO"

Indian and U.S. cooperatives—assisted by private capital and a government guarantee—are working together to build a $119 million nitrogen fertilizer plant in India.

The project is believed to be the world's largest international business transaction by cooperatives.

It has been in development for more than two years, but because of the complex and many-sided negotiations involved, only fragments of its story have heretofore been made public.

Parties to the project are: in India, the National Cooperative Union of India, the Indian government, Indian AID (U.S. Agency for International Development) Mission, Indian Farmers Fertilizer Cooperative, and other cooperatives; and in the United States, U.S. AID in Washington, the Bank of America, and some two dozen cooperative organizations.

For one of the principal participants, the Cooperative League of the USA, Chicago, the project marks a major fruition of 13 years of joint effort with the Indians to develop and strengthen cooperatives in their country. The League has maintained an office in New Delhi since 1955.

The Indian Farmers Fertilizer Cooperative, formed to own and operate the new plant and distribute its products, was inaugurated at a ceremony in New Delhi, April 11. Donald H. Thomas, president of Cooperative Fertilizers International of Chicago, new U.S. organization brought into being because of this project, was one of the speakers.

Following this inauguration, at which Jagjivan Ram, India's prime minister for food and agriculture, was the principal speaker, Thomas and Allie C. Felder, Jr., head of the Cooperative League India office, said that the project could be described as "all systems go."

The proposed plant will produce 1,000 tons of anhydrous ammonia (83% nitrogen) per day—an estimated (depending somewhat on formulas) 800,000 tons of finished fertilizer products a year.

One pound of nitrogen is computed to produce up to 10 pounds of additional wheat or rice. Thus, on the basis of 300 days' operation, this single plant could account for more than 80 million bushels of additional wheat or rice in a year.

This would mean a 3% to 5% increase in India's total annual grain production. It also is equivalent to nearly one-third of the wheat and feed grain the United States sent to India in 1967, peak year of its shipments under the "Food for Freedom" program.

The homemade fertilizer also will represent a saving of foreign exchange for India, which imports about $400 million worth of fertilizer a year.

Of the estimated plant cost of $119 million, 10% ($12 million) is to come from the Indian cooperatives, 20% ($24 million) from the Indian government in the form of redeemable stock, 23% ($27 million) from the Indian government as a loan, and 47% ($55 million) from a loan to be obtained in the United States.

The investment is projected to pay off in 12 years. In that time the plant will, according to computations, pay $128 million in principal and interest; redeem the Indian government's $24 million in shares and pay it $12 million in dividends; save farmers $165 million in cost of fertilizers; save the country $350 million in foreign exchange, and represent a net worth of $49 million. All of this is apart from the increased value of crop production resulting from the fertilizer.

Ram said in his April 11 speech that the plant is expected to reduce fertilizer prices from current levels by 10%, 20%, and 30% in its fourth, sixth, and eighth years of operation.

The plant will be built at Kandla, a port city on the Gulf of Kutch in northeast India. Construction is expected to begin in 1969, with completion targeted in 1971.

Development of this "India fertilizer project" is a many-stranded story.

In 1953 the American International Association for Economic and Social Development (AIA)—founded by Nelson Rockefeller and active principally in Latin America—established a supervised agricultural credit project in India. The man in charge, Thomas B. Keehn, found himself working primarily with the Indian cooperatives.

In 1955 Jerry Voorhis, executive director of the Cooperative League from 1947 to 1967, made the League a partner with the AIA in the India project. Felder went to India for the League in 1956 as an agricultural credit specialist. In 1961 both Keehn and AIA left India and Felder took charge of the League's India office.

In 1961 Nationwide Insurance companies of Columbus, Ohio, a League member, sent a five-man team to India to study the possibilities of further assistance to cooperatives. This group recommended fertilizer production as part of an overall cooperative development plan.

In 1964 Howard A. Cowden, president of the 1-year-old International Cooperative Development Association, visited India and, as the result of talks with Indian co-op leaders, strongly recommended a fertilizer program.

Felder, working closely with the Indian co-op leaders, Indian government, and AID Mission, developed a comprehensive plan of cooperative development. The Indian government asked the Cooperative League to send a team to study the feasibility of the cooperative part of this plan.

On September 5, 1966, this team left for India, where it worked three months, returning in December.

The team members were Howard H. Gordon, retired general manager of Southern States Cooperative, Richmond, Va.; William Mitchell, manager of the plant food department of Tennessee Farmers Cooperative at LaVergne, Tenn.; and Albert J. Soday, process engineer of Mississippi Chemical Corporation, Yazoo City, Miss. Ferris S. Owen, administrator of AID projects for the Cooperative League, recruited the men; their trip was financed by the League's overseas-assistance contract with AID.

The team found the fertilizer project feasible and recommended a go-ahead.

At that point the Cooperative League referred the project to the International Cooperative Development Association, Washington, D.C., which had been formed by U.S. cooperatives in 1963 for the express purpose of promoting international cooperative business operations. Herbert C. Fledderjohn, who had succeeded Cowden as president of the ICDA, then took the lead in developing the plan, which ICDA's board approved in January, 1967.

A dramatic and perhaps decisive moment in development of the project came on January 19 at a meeting in the Jung hotel in New Orleans. ICDA called the meeting on short notice because representatives of most U.S. cooperatives in the fertilizer business were there for the annual meeting of the National Council of Farmer Cooperatives.

Fledderjohn presided. Kenneth F. Lundberg, president of the Central Farmers Fertilizer Company, Chicago, and Owen Cooper, president of Mississippi Chemical Corporation, both ICDA member organizations, presented the plan for a cooperative fertilizer plant in India.

One after another, on a rising wave of enthusiasm, the men present expressed themselves in favor of helping Indian farmers get a fertilizer plant. They left the meeting having pledged themselves to seek from their organizations $1 million—not as invested capital expected to bring any return, but as a contribution to the costs of getting the plant going; travel to India, economic studies, and such.

In April Fledderjohn, Owen (who also had been on the 1961 Nationwide team), Lundberg, Cooper, and Gordon went to India to present the plan to the Indian cooperative and government. Felder and the India AID Mission were party to the talks.

The Indians liked what they heard, and on May 26 the government asked the ICDA, also a contractor with U.S. AID, to send a team of experts to get down to the brass tacks of plant location, type, size, and such. This team—Thomas, then an economic analyst for Central Farmers Fertilizer Company (which is owned by 22 fertilizer-producing co-ops in the United States and Canada); John Wiley, marketing specialist for Central Farmers; and Soday—worked in India six weeks in June and July.

On October 19 the Indian government formally accepted the plan, the cooperatives already having done so.

Meanwhile, on September 25 at a meeting in Washington the interested organizations had formed Cooperative Fertilizers International (CFI) to handle the U.S. side of the operation. CFI elected Thomas president and Lundberg chairman of the board. And during the summer the U.S. cooperatives had formally committed the $1 million, to be paid in four equal parts over four years.

The Agency for International Development in Washington found that, because of cutbacks in funds, it could not lend the $55 million needed to build the plant. It could, however, guarantee the loan; and on that basis a private lender was found: the Bank of America.

In April, 1968, CFI arranged for Ernest C. Davis, manager of the fertilizer plant of Central Nitrogen, Inc., at Terre Haute, Ind., to go "on loan" to India as its representative during the detailed planning and construction of the plant. He will work with Shri Paul Pothen, managing director of the plant.

Thomas, accompanied to India by O. Roy Wiebe, secretary-treasurer of Central Farmers, told his inauguration-day audience that the cooperative fertilizer plant will create "healthy competition" among plants in the private and public sectors of the industry, thereby benefiting all farmers.

In Chicago, Stanley Dreyer, president of the Cooperative League, described the India project as a wonderful example of cooperation among cooperatives—both within this country and between the two countries.

He said the League staff is proud of the part it has been able to play and is genuinely appreciative of the support of its own board and members as well as the cooperation of other organizations.

ZANZIBAR—AFRICA'S FIRST CUBA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. RARICK. Mr. Speaker, the oppressed and captive black peoples of Communist-overrun Zanzibar can get no relief or action for their human rights from the people at the U.N.—a typical U.N. double standard.

It seems the Red-black bloc is only interested in attacking white people and not in aiding black people. Human rights at the United Nations must only mean "hate the whites."

Or perhaps the Communist bases for Russia, Cuba, and China in Zanzibar enslaving the black inhabitants are tolerated by the U.N. because they are part of a U.N. military invasion scheme—the Cuba of Africa.

I include several chapters from the book, "Zanzibar, Africa's First Cuba," and a letter from Ahmed Seif Kharusi, leader of the Zanzibar Organization, 68

Hudson Road, Southsea, Hampshire, England, as follows:

LIFE UNDER THE NEW COLONIALISTS

Since the appeal of the revolutionary regime was blatantly anti-Arab, recruitment into the present civil service depends on colour and not merit. Former Arab or Indian state employees have been thrown out of work; had their pensions cancelled and property seized. Some have been exiled. All these were Zanzibaris either by birth of naturalisation. The authorities have announced that they will allocate places in schools in proportion to the numbers of the various races in Zanzibar. In other words racial origin, rather than ability, has become the new criteria in education.

Land confiscated by the new regime has been handed over to the collective farms. These under Chinese administration have proved to be failures and the standard of living and amount of food available has declined steadily since "liberation."

The government itself consists of the Revolutionary Council which is unelected. It meets in secret and, therefore, its deliberations are not known. The only party allowed is the ASP as the UMMA party dissolved itself. Commenting on how this Commonwealth "government" conducts itself, Richard Beeston of the *Daily Telegraph* [1] noted:

"This Council is the biggest stumbling block to establishing law and order on the island. The Central Government (on the mainland) has tried unsuccessfully to buy out the Council with a lump sum payment to each of its members. But many of them are reluctant to give up their positions of power and are afraid that once they lose their status they may be punished for crimes they have committed against civil population.

"Some of the members of the Council are moderate men but Zanzibar appears at present to be dominated by an extremist wing—the hard-core drunken thugs and gunmen who overthrew the Sultan's regime. These men were responsible for the recent waves of arrests, beatings-up and executions and the establishment of an illegal 'People's Liberation Army Court' which last week passed out five death sentences.

"Crimes continue to be perpetrated by members of the Revolutionary Council. These include floggings, rape, robbery and seizure of houses and private cars. Mr. Karume, who is himself a moderate is proving powerless to control his Revolutionary Council and although he enjoys considerable personal popularity, there have lately been signs that his grip is slipping."

The *Guardian* of 29 October 1966 carried a report from its correspondent in Dar-es-Salaam which revealed that:

"Under a decree published in Zanzibar today (28 October), the island authorities have set up a secret court to try political offenders—those detained in preventive detention and persons accused of theft or damage to Government property.

"No accused person will be allowed an advocate in the special court which is limited to 14 members under a decree signed by Mr. Karume, President of Zanzibar and Vice-President of Tanzania. The Court will lay down its own practice and procedure and will not be bound by the criminal procedure decree under which trials are normally heard on the island or by any other law.

"It will have power to pass death sentences and appeals against its decisions will go only to Mr. Karume. The Court has been legalised retroactively to 1 May, apparently to cover sentences imposed by the island's ruling Revolutionary Council."

Commenting on the rule of law in Zanzibar, the International Commission of Jurists observed:

"In April of the same year (1964) Tanganyika and Zanzibar united to form the United Republic of Tanzania with Julius Nyerere as President and Sheikh Karume as First Vice-President of the United Republic and President of Zanzibar. Little has in practice been done on the Zanzibar side to implement the Union as yet. Tanganyikans still do not, for example, have a free access to Zanzibar, and entry permits issued by the Minister of Home Affairs in Dar-es-Salaam are not necessarily accepted by the immigration authorities in Zanzibar. The Union, therefore, has apparently done little to modify developments in Zanzibar, or to open it up for outside visitors.

"In May 1965 a new constitution for the ASP was adopted with the approval of the Revolutionary Council. Under this constitution the Party is the supreme authority in the country, over and above the Revolutionary Council, and Ministers are responsible not to the Government but to the Party whose servants they are.

"The results of these innovations is to place the ASP in a position of supremacy unrivalled by that of any other single party. The whole governmental machine is built on and around the Party, and there appears to be no organ through which the voice of the citizen can be heard other than the Party institutions. The Party has not only been made the sole party: it has been consecrated as the organ of government, with power to dictate to the Revolutionary Council.

"Preventive detention was introduced by a decree published on 2 March 1964 by provisions which do not provide the safeguards considered necessary, even in a state of emergency, to ensure that the power of preventive detention is not abused. A detention order may be made by the President, for example, where it is deemed necessary to prevent any person from acting in a manner prejudicial to the defense and security of public order. The making of an order is entirely at the President's discretion, for his opinion that it is necessary is not open to any form of challenge: no order made under the decree can be questioned by any court, and orders can be made for an indefinite period of time.

"These sweeping powers were not taken merely for the period of unrest following the revolution, but appear to have been retained as part of the permanent legislation of Zanzibar . . . nine ministers in the former government are still in detention. Periodic efforts to secure their release have been in vain . . . The present number of detainees cannot be ascertained with certainty, though further arrests are reported to have been made for the last three years.

"On two occasions in November 1964 and May 1966, reports reached the outside world of waves of arrests following the discovery of plots to organise a counter-revolution. In each case allegations of wholesale arrests, interrogation and ill-treatment were made, allegations which it is impossible to substantiate or disprove in view of the Government's continued rigid censorship and refusal of entry to foreign correspondents. After the November 1964 arrests five men were sentenced to death and others to terms of five or ten years' imprisonment on charges of subversion arising out of an alleged ZNP plot . . . After the May 1966 arrests, five people were said to have been shot by government forces in Zanzibar and another five to have been buried alive on Pemba, but no confirmation of these reports has been possible.

"The almost complete silence which has been drawn over the events in Zanzibar since the revolution makes any valid assessment of the true situation there impossible. Certain conclusions can nevertheless be drawn from the meagre information available. In the first place it is indefensible that, over three years after the revolution, there should be no means by which the population can participate in the affairs of their country. Not even lip-service is paid to the principle of representative government. Legislative power vested in the Revolutionary Council as an interim measure by a decree of March 1964, the legislative powers law, continues to be exercised by presidential decree. Representation of Zanzibar in the parliament of the United Republic continues to be by appointed members. It is time that the government of Zanzibar gave urgent attention to the re-introduction of representative institutions which will permit the people as a whole to have a voice in the running of their country and to express their views on what is done in their name and on their behalf.

"A second measure which the government of Zanzibar would be well advised to undertake would be the re-opening of its territory to foreign visitors and in particular to representatives of the press. The absence of reliable information about developments on the island for so long has inevitably given rise to rumours, some of which are probably more harmful to Zanzibar than the truth. Constructive criticism, the exposure of injustice and abuses, and comparison with other countries, as well as a true appreciation of achievements, can, and if accepted in the right spirit, often do have a beneficial effect upon a government anxious to promote the welfare of its people within the social structure it has chosen, and it is to be hoped that there are no reasons why the government of Zanzibar should continue to shield itself from such influences." [2]

A spy mania still prevails in both Zanzibar and Pemba. Those who are known not to approve of the regime's policies are put into forced labour camps, and sometimes tortured. The number of political prisoners is estimated to be 2,000.

Such drastic policies have created chronic economic dislocation as has occurred in Cuba. Nationalised factories are producing less than before 1964; foreign currency is not available; even civil servants are not being paid and domestic consumer needs cannot be met. In the spring of 1966 food riots were reported to have taken place in both Zanzibar and Pemba. Today food is both expensive and scarce. The large number of citizens unemployed are starving.

On 22 April 1964, without the consent of the people, a "union" between Tanganyika and Zanzibar was announced and Tanzania was created. While it was hailed as an example of African unity and the constitution of Tanganyika was said to apply to Zanzibar as well, in fact, President Nyerere's rule is not implemented on the island. The Union is proving unworkable because the revolutionary regime on the island insist on behaving like a fully fledged sovereign state and are committed to a revolutionary foreign policy. The Zanzibar authorities have been known to conclude commercial treaties with Soviet bloc states without even notifying Dar-es-Salaam. At one stage Tanganyika recognised West Germany and Zanzibar East Germany. In 1965 elections were held in Tanganyika for the National Assembly but none were held in Zanzibar. All the ministries in Dar are duplicated in Zanzibar.

The *Economist* of 22 April 1967 commenting on this "union" stated:

"Customs Barriers between the mainland and the island are to be removed before the next financial year begins in July. Immigration is not yet controlled by the union government (Tanganyika), nor is there any sign that it will be in the foreseeable future: Zanzibar's 32-man Revolutionary Council, which acts as executive and legislature, still fears a counter-coup, and many people who are welcome on the mainland are *persona non grata* in the islands.

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[1] The Daily Telegraph. London. 23 November 1964.

[2] Bulletin. The International Commission of Jurists. June 1967. pp 39–44.

"As the two countries become more and more integrated, the Revolutionary Council, in turn, becomes more superfluous. Its members are fully aware that the final threat to their position lies in a democratically run election. Most islanders would like a general election to coincide with that of the mainland in 1970. The Revolutionary Council would not. Mr. Nyerere will not force them to hold a general election in 1970 unless he feels that the island's security demands it. Even if he does, it is a question whether he could prevent rigging. A merger of the two ruling parties is another necessary step towards integration, but it is not being given priority yet."

Some authorities in the West felt that this "union" would result in President Nyerere establishing control over the island and hence Communist influence would be curtailed. In his *Communism in Africa*[3], Fritz Schatten noted such optimism when he reported:

"Colin Legum commented on this sensational development in the London *Observer*, 26 April 1964, and with particular reference to Babu's position wrote as follows:

" 'The decision by President Nyerere and President Karume to merge Tanganyika and Zanzibar into a new union is as revolutionary an act as last January's *coup* which brought the Zanzibar Revolutionary Council to power.

" 'Everything now depends on the ability of these two leaders to hold their disparate countries together against the challenge of extreme leftists.

" 'The struggle is not between moderates and militants, but between two sets of militants—the one committed to genuine non-alignment, and the other using non-alignment as a facade to orientate Zanzibar in a Communist direction.

" 'The conflict has been at the heart of the power struggle inside Zanzibar from the start of the revolution'.

"And pointing to Babu's position, Legum wrote:

" 'Babu's strength came in large measure from his own superb abilities as an effective revolutionary leader. This gave him a clear advantage over the slow, unsure, defensive Karume.

" 'But his natural capacity for leadership was heavily reinforced by two other circumstances. The first was the financial and moral support given to the revolution after its success by the Communist countries: by the Russians no less than the Chinese. Chinese finance went not only to the Government but to Babu's group in a separate account. This gave him both prestige and financial resources.

" 'The second circumstance was the equivocal attitudes shown by the western countries to the revolution. Babu exploited this fully to represent the British and the Americans as the enemies of the revolution.'

"Only the future can tell how this fusion of the two countries will evolve and whether Western fears that it will open up new opportunities on the mainland for the Communist element in Zanzibar will materialise."

Today the worst fears of the West have indeed materialised and the island is in the hands of the Communist extremists.

The official weekly news sheet *Kweupe* of 22 April 1967 recorded an interview with Karume in which he said to *Pravda's* correspondent on the occasion of the 50th anniversary year of the Bolshevik coup in Russia of 1917 that the people of Zanzibar shared in the glory of the October Revolution. "We Tanzanians" he continued "of Zanzibar origin greatly value Lenin's struggles and will strive to keep them alive in these countries of ours. . . . We the people of Zanzibar are moulding our government on the pattern of the Russian Government." Karume ended the interview by expressing the hope that the relations between the two countries would become even more friendly.

The extent of Communist control over the island is complete. The Council of Ministers consists of 10 people of whom 6 are pro-Chinese, 3 pro-Soviet and one non-Communist. The Revolutionary Council consists of 22 people of whom 15 are pro-Chinese, 4 pro-Russian, and 3 are non-Communists. The majority of the members of these two governing bodies are barely literate and terror rather than reason is their chosen instrument of government.

Many wishful-thinkers in the West have put their trust in President Nyerere's allegedly pro-Western sentiments. In February 1967 he nationalised the banks and the *Sunday Times* of 19 February 1967 observed:

"Some observers see the events of the last two weeks as a triumph for the Chinese-inspired Zanzibar Communist, Commerce Minister Mohamed Babu. There have been several Chinese overtones in the whole affair.

"It is significant that the ruling TANU Party's 500,000-strong Youth League which embraces most active males aged six to 40, has been renamed the 'Green Guards'. And there are plenty of books on Mao's thoughts on bookstalls".

While the Old Colonialists never had more than 200 administrators on the island in the past, today the New Colonialists have installed 600 Chinese, 190 East Germans, 100 Russians and some Bulgarians.

Chinese

A 150 strong Chinese military mission trains the People's Liberation Army and their camps are situated at Migombani and Chukwani. Apart from training Zanzibaris in military matters, revolutionaries from other African states receive instruction in guerrilla warfare and subversion and trainees are compelled to study Communist ideology and the writing of Mao Tse-tung.

In an article entitled "Peking's Military Infiltration of Africa" in *Chinese Communist Affairs*,[4] the author reports that:

"According to a Central News Agency dispatch from Hongkong on 24 April 1965, Peking has recently signed with Tanzania a secret ammunition accord with the provision that the Chinese Reds would supply the Tanzanians with light weapons and equipment for training military and guerrilla personnel.

"According to an article 'Peking's Plots in Tanzania' appearing in *Study of Chinese Affairs* of 30 April 1965 (Vol. 8 No. 4) published by the Intelligence Bureau of the Ministry of National Defense of the Republic of China, Peking's military assistance to Tanzania included the following:

"1. The dispatch of a military mission and 300 training personnel to Tanzania, to take up the planning, organisation, and training of Tanzania's national defence army and militiamen, and also the training of guerilla forces from other African areas.

"2. The establishment of a training base on Pemba Island. This base is also called the 'liberation bureau'.

"3. The supply of light weapons, which are mostly shipped to Tanzania by boat. Once the Chinese Communists planned to use Ceylon as a mid-way station for this sea transportation.

"4. The establishment of a directing organisation in the Red Chinese 'embassy' in Dar-es-Salaam, capital of Tanzania."

The remainder of the Chinese advisers on the island are concerned with agriculture on the collective farms, state trading organisations and an import-export monopoly, *Bizanje*, which went bankrupt in May 1966. They also carry out extensive political propaganda in the rural areas. A very large number of the Chinese speak Swahili and they are, therefore, more easily understood by the ordinary people.

In a letter to the *Daily Telegraph* of 4 August 1967 Mr. Muhamed bin Abdulla reported that:

"A large number of Chinese women have been transported to Zanzibar for the sole purpose of marrying them to the local people. This export of human beings is to demonstrate Chinese goodwill and to foster blood relationships between China and Africa."

East Germans

Germans from the Soviet Zone run Zanzibar's radio station, the ministries of finance, education and health. They also administer state trading concerns which were confiscated from the Indian shopkeepers. The result of a two-year slum clearance programme begun in 1964 has been the raising of a large part of Zanzibar town and the erection of 150 badly built flats designed for European and not African weather. East Germany cannot afford to supply more building materials and what is available is allotted to building permanent homes for their own advisers. Their attempts to teach Zanzibar engineers and technicians have floundered on the fact that neither they speak German nor the Germans English or Swahili. Naturally all religious programmes on the radio have been banned and propaganda on Communist ideology has been substituted in its place. The following letter was received from Zanzibar on 30 July 1967.

"Ever since the 'revolution' we, the people of Zanzibar, have been plunged into poverty, starvation and misery. The natives of Zanzibar are being most harshly treated. We are daily abused and forced to work in labour gangs. We are told we are engaged in nation building programmes, but Zanzibar has been ruined in every respect. We are both economically and educationally poorer than we have ever been. We have lost most of our young and able qualified men since the so called 'revolution'.

"We are ruled by foreign atheists (Communists) who abuse our religion as well as ourselves. They ask us, Where is your God? Why doesn't He help you now in your suffering?

"We are tired of this slavery but we are helpless and there is nothing we can do about it. All you believers and brother Muslims come to our aid and rid us of this evil doctrine. We Islamic believers of Zanzibar are heartbroken to see a death blow being struck at the very foundations of ethics and morality. These alien atheists are dedicated to undermining the beliefs of Zanzibaris as well as those of the people of neighbouring countries.

"Are there no international organisations which concern themselves with the well-being of other humans? If there are then it is high time that they should look into the situation in Zanzibar and help us. It would be of no avail if the representatives of any organisation should come to Zanzibar without being able to assess the misery of the people freely.

"The Western tourists and reporters are not allowed to see how the masses really suffer. We die of starvation and we are compelled to work long days without food or pay at the end of it.

"All you believers in Islam ought to know that our religion is at stake. It is your duty to help your brother Muslims. All you believers in God must realise that this evil canker eats at the very soul of human beings. It is not directed against a particular religion but against all religions in general."

The East Germans have introduced a system of informers in every government department to check on the political reliability of employees, and they provide officers for the secret police.

[3] Fritz Schatten. Communism in Africa. G. Allen and Unwin, 1966 pp. 214–215.

[4] Ting Kuang Hua. "Peking's Military Infiltration of Africa", Chinese Communist Affairs. April 1966. Vol. 3. No. 2. p. 32.

Increasing evidence is becoming available of a clash between the Chinese on the one hand and the East Germans and Russians on the other. The Chinese live by themselves without African servants; do their own washing and ironing and spend all their time working in the country whereas the European Communists tend to work in the cities; dress well; have servants and patronise the bars and hotels. The *Standard* of 6 May 1967 of Dar-es-Salaam reported that President Nyerere stated when touring a Chinese agricultural project that he "admired the simple conditions in which the 37 Chinese experts lived. Especially when one considers what other experts would have demanded before taking on such a project."

Sino-East German relationships started to go sour in July 1966 when the East Germans founded the People's Bank of Zanzibar with £800,000 provided by the Chinese for other purposes. This was strongly resented by the Chinese. Because 97 per cent of the population is Muslim, the East Germans carry favour with Zanzibaris by propagating information on the persecution of Muslims in China's north western territories. This kind of inter-Communist squabbling is reported to be having an adverse effect on such economic development as there is on the island.

Russians

The Soviets have overall control of the defence of the island, and they have their own training camp for the People's Liberation Army at Mtoni. They also control the harbour and scrutinise all imports and exports. The Russians are quite prepared to stay in the background and let the East Germans advance their cause. While Babu is the protege of the Chinese, Abdulla Hanga, former Vice-President of the island, is the most pro-Russian of the present members of the National Assembly, besides which one of his wives is Russian.

The size of the army at 5,000 men is quite disproportionate to the total population of 300,000. Its main role seems to be internal security, but undoubtedly some of its members operate on the mainland in various guerrilla warfare roles. Its uniforms are Cuban-style, and its weapons a mixture of Soviet, Chinese and Czechoslovak. It is anybody's guess why such a tiny island needs field guns and anti-aircraft guns as well as armoured personnel carriers (a picture of one is shown on the cover) especially when one remembers that the Old Colonialists did not have any army at all! While the men and NCOs are trained locally, officers go for higher military training to Cuba, the Soviet Union, China and Eastern Europe. Many of the instructors are Cuban. This People's Liberation Army is quite separate from the army of Tanganyika on the mainland which is Sandhurst-trained, British equipped and with some Canadian signal officers and so Western-orientated that a Chinese military mission to that country left after a short period. A large number of weapons from Zanzibar crossed over to equip the rebel forces of Antoine Gizenga in the Congo and some were intercepted in Kenya, Tanganyika and Uganda. Many have appeared in Mozambique.

Commenting on the Trojan Horse nature of the People's Liberation Army, Ian Colvin who visited the island reported in the *Sunday Telegraph* of 30 January 1966:

"It is an army within an army. For its Chinese, Russian and East German weapons are more modern and more plentiful than those of Nyerere's Tanzanian units on the mainland. Russian and East German training officers live a segregated life in Zanzibar.

"Why so many armoured cars and field guns should be concentrated in Zanzibar for an army of 1,200 is a riddle. Nominally these troops come under the Defence Ministry in Dar-es-Salaam. Actually they are controlled by Sheik Abeid Karume, Vice-President of Tanzania and virtual ruler of Zanzibar.

The first aim of these New Colonialists from the Communist bloc was to destroy the fabric of a free society. A free press and any form of organised opposition was suppressed. All non-Communist books have been burnt and propaganda publications put in their place. Cinemas no longer show Western films. Chinese and Eastern bloc propaganda films have been substituted. All radios have been confiscated and one-channel loudspeakers have been installed in public places. A strict censorship is imposed on all incoming mail and all outgoing documents are carefully examined. Citizens of the town of Zanzibar are not allowed to move outside the three mile radius without a permit. No one can come into or leave the island without a permit—even to Dar-es-Salaam, the capital of Tanzania! Westerners, and particularly journalists, are discouraged from paying visits. Formerly free Zanzibar is now a closed society. The only welcome strangers are members of the African "liberation" movements who plan to subvert or overthrow the government in their homelands.

The general situation in the island in the summer of 1967 is that the few remaining freedoms have been taken away from the citizens. After normal hours of work, they are forced to do 'voluntary service' till late at night for no additional pay. This includes both sexes, young and old. Girls called up for paramilitary service have to live in camps with men which results in immorality. No parent is allowed to complain or object. The *Sunday Telegraph* of 19 March 1967 reported that three young nuns in Tanzania had been called up for a two-year period. "During national service they will be expected to live in camps with men, abandon their starched black and white habits for near mini khaki skirts and do bayonet and arms training."

As is customary in totalitarian states, power corrupts. Recently news has been received of a wave of raping in the island of girls between the ages of 6 and 7 which started at the beginning of May. Many of those concerned had to be taken to hospital. Karume has merely announced that anybody found talking about this matter will be severely punished.

In accordance with the custom in other Communist countries, the citizens are compelled to attend mass rallies organised by the regime. The *Reporter* of 4 November 1966 of Nairobi carried an eye witness report of such an event :

"I took up a position near the Law Courts (in Zanzibar) to watch the demonstration. It came headed by a group of people in white kanzus jumping and chanting. Every house and shop was locked. The leaders were followed by a couple of Youth Wingers, dressed in green shirts with blue berets. They carried a huge banner in English 'Let Our Glorious Revolution Go Forward'. Then came goose-stepping girls, dressed in green and blue. Then a platoon of infantry. Then a banner carrying 'Drive the Whites from Rhodesia'—this in Swahili.

"Then came the unfortunate populace being driven from behind by youth-wingers. When a gap was formed, because some of the people were too old to keep up with the leaders, they were made to break into a run. An old woman stood watching. I had seen her arrive. She was very, very old and very, very lame. A youth-winger, knee high to a half-pint pot, wearing sergeant's stripes, went up to the old lady. He spoke to her and pointed to the throng of shambling people. She pointed to her leg. She pleaded. It was of no avail, she was smartly cuffed and then dragged and made to march.

"Some youngsters, varying in age from 8–12 were playing a game of football on the green at the road junction. They were not even interested in the marchers. They were enjoying their game. A gang of youth-wingers set about them. Some escaped and cocked a snook, but others were forced to march.

"At this stage I was spotted by one of the youth-wingers. He came to me and ordered me to march. I told him I was English, and that I had no intention of marching. 'March', he roared, and brandished his stick. 'Make me' I invited—and he courageously set off in chase of a boy of six, and caught him. The police flanked the procession. A policeman stood at the junction of the road. They did nothing to prevent the youth-wingers activities."

Needless-to-say no private property is respected. *The Times* of January 18, 1967 carried a Reuter report from Zanzibar which stated that:

"The Zanzibar Government today announced confiscation of three more plantations—two belonging to Arabs and one to an Indian in the north of the island. More than 500 coconut, fruit, clove, and other plantations have been taken over in the past two years under a Government land reform scheme. Many of them have been split into small plots, which become the property of peasant families.

"A Zanzibar decree passed in 1964 allows confiscation of property without compensation where it is considered in the national interest."

The following letter was written on 28 May 1967 and smuggled out of Zanzibar. The name of the writer cannot be revealed because of the possibility of reprisals against members of his family who are still on the island:

"Conditions are getting worse everyday. Every fortnight in our island of Tumbatu 90 people are taken across to the main island of Zanzibar and are forced to do a hard day's labour, without being given food and they are not paid for their labour. When they are returned to their homes they have no food to feed their families.

"The people of Zanzibar are no longer masters of their destiny. They are deprived of all the amenities of the state. Zanzibar today is ruled by foreigners. All government offices are manned by Communists from the mainland of Tanganyika and other foreigners. Unemployment has risen sharply. Recently a delegation of Zanzibaris went to President Karume to complain about this state of affairs. They begged to be employed even in the most menial jobs so that they could earn a living, but the President told them that it was these foreigners who organized and carried out the coup of 1964 and therefore, they must now rule the country. They were told that they could go and till the land or go fishing. However when they pointed out that they were not even given the facilities to do either; they were forcibly ejected from the President's office. They were beaten up with rifle butts. They were then warned that any further complaints of this nature from them could lead to their imprisonment.

"Innocent people are still being arbitrarily arrested. These arrests take place at night. The arrests are organised and led by the East Germans. The victims are awakened at night and are not even given the opportunity to change from their night garments. They are blind-folded so that they may not recognise their captors nor can they know where they are being taken to. The relatives of such victims must not complain nor can they ask of their whereabout or the reason for their arrest. Attempts to find what has befallen such victims could lead one into jail also. Rumours abound that some of them have since died of torture. Among those suspected of having died from torture are Mohammed Amour Mohamed Barwani, Saleh Ali Master, Saleh Saadallah (ex-Minister of the current regime) etc. No one seems to know their whereabouts and the authorities would not let their relatives know.

"We are fed up with this terrorist regime. No one seems to care what happens to us. We are treated far worse than animals in our own homeland. How long must we endure this inhuman treatment? Will no one help?"

Almost all imports of manufactured goods now come from the Sino-Soviet bloc and persons seeking higher education, either technical or university, are obliged to study in the bloc. Graduates from Western universities are distrusted. Party and government personnel receive higher instruction in political, administrative, police and intelligence matters in institutions in the various countries of the bloc including Cuba.

Soviet merchant ships and trawlers engaged in surveillance and espionage throughout the Indian Ocean use the harbour at Zanzibar as their base.

For external purposes the Communists skillfully use Karume, the nominal head of the government, as a patriotic facade. In fact, Babu is probably the most useful indigenous politician as an agent of the New Colonialists.

Appendices I and II on pages 30 and 38 contain two statements by Zanzibaris who have escaped from their homeland on conditions in the island.

THE LESSONS FOR FREE AFRICA

How does all this affect the rest of Africa?

To the tragic example of Ghana, on the West coast, can now be added Zanzibar, on the East, as an example of a nation taken over by the New Colonialists. The only difference being that in the former the army was able to stop the rot before it was too late.

Apportioning blame seldom achieves much, but with the wisdom of hindsight, it would appear that the freely elected Zanzibar Government which attained independence from the British was overconfident. It saw the Old Colonialists as its main enemy and underestimated the power, ruthlessness and effectiveness of the New Colonialists from the East.

The newly elected government through over-cautiousness lest it be accused of neo-colonialist tendencies did not sign a defense treaty with Britain. It relied wholly on the police force which was largely dominated by mainland Africans. They have paid dearly for such unwise notions for if the members of the cabinet are still alive, they are languishing in prison today.

With the example of the Congo for all to see, the Zanzibar leaders should have been more alert; more certain who were their friends and who their real enemies and more alive to the need for effective internal security against Communist-backed rebels. A number of well-meaning but ignorant people in certain African states hailed the Zanzibar "revolution" as a victory in the struggle against "neo-colonialism." But Zanzibar today, is itself a threat to their own security. The imperialist nature of the regime in Zanzibar is made quite clear in the following publication which is produced in Communist Albania called, *Revolution in Africa*[5] which stated:

"Zanzibar stands out as a shinning example of how quickly and satisfactorily the revolution can develop and mature when well-trained Communists control the undisciplined united-front rabble.

"A small cadre of Chinese-trained activists led by Muhamed Babu was able to organise and control a popular nationalist movement and to lead the united-front to a glorious victory over the Arab forces of imperialism and reaction.

"Babu and the enlightened cadres are now poised to capture control of the united front in Tanzania just as they did in Zanzibar. Then the revolution will spread to Kenya and Uganda. Nationalist reactionaries such as Nyerere, Kenyatta and Obote who tried to speak out of both sides of their mouths at the same time will suffer the fate of Jamshid, the former Sultan of Zanzibar, and his stooge Shamte/Muhsin government. It is imperative that if Marxist-Leninists are to achieve victory in all East Africa that they must first gain control of the united front as Mao has taught. We are too few alone. Then we have the upper hand, and we know how to deal with the deceivers of the people, the imperialists' tools, Nyerere, Kenyatta and Obote. Their personal aggrandisement will not be forgotten. The oppression of the people will be avenged."

The terrible struggle between a world half-free and half-Communist is not a white man's problem. It is not a distant affair in Europe. It is not restricted to the United States and the Soviet Union but it is a desperately serious threat to the freedom and independence of the nations of Africa, Asia, and South America. As the Indians found out to their cost, all talk of neutralism is laughable. One is either Communist or anti-Communist. No one can contract out of the Cold War. Such a view is childish. Tibet tried to and she is a tragic victim of rape by the New Colonialists. Africa has not rid itself of the Old Colonialists merely to substitute in their place the new tyranny of the New Colonialists.

Africans of all races would do well to heed the advice offered in a letter written by an exiled Zanzibari, Haroun Bin Ishaka, which was published in the *Reporter* of Nairobi of 7 October 1966 which read in part:

"The chauvinistic clique which has amassed enormous power for itself (in Zanzibar) vacillates in policy between outright fascism and left wing Communism, which Lenin aptly dubbed 'an infantile disorder'.

"It is a shame that Russia, China and the German Democratic Republic have allowed their names to be associated with such banality . . . .

"Tyranny is bad, whoever practices it. It is high time that all enlightened Africans and others joined in a mighty crusade for freedom of the individual and human rights. How right was Dr. Azikiwe when he said: 'If independence means the substitution of indigenous tyranny for alien rule then those who struggle for independence have not only desecrated the cause of freedom but have betrayed their people.' "

WHAT OF THE FUTURE?

As in Cuba, one thing is certain about Zanzibar and that is that the New Colonialists will use it as a base from which to try and subvert neighbouring territories. They will train revolutionaries to overthrow their elected governments. Evidence of this has already been found in Kenya, Tanganyika and Uganda. Were the army mutinies in those countries in 1964 just mutinies?

If lasting peace is to return to East Africa it will only occur when Zanzibar regains her freedom and that Communist base for subversion there is eliminated as has happened in Ghana. What makes it all the more difficult is that while Nkrumah's army was trained in Britain and loyal to the cause of freedom, in Zanzibar there is no potentially counter-revolutionary military force which could overthrow the revolutionary regime. It would be irresponsible to incite unarmed civilians to rise against the Chinese and Soviet equipped People's Liberation Army for they would just get massacred. There seems, therefore, to be little hope of the internal revolt. What is needed is for all true freedom-loving nations, and especially the neighbouring African States, to give full moral and material support to the people of Zanzibar and rid them of their oppressors. There must not be any repetition of a Bay of Pigs type episode, and there must be an absolute determination to go through to complete victory in overthrowing the present terrorist regime. Its Communist backers must be sent packing.

If this is not done, there will be no peace in East Africa and the influence of the New Colonialists will spread.

When this has been achieved, a report similar to *Nkrumah's Subversion in Africa* (Ministry of Information, Accra, 1966) must be published and circulated throughout the other states of Africa showing how the New Colonialists operate, and it must recommend steps that should be taken to ensure that precious independence so recently gained from the Old Colonialists does not fall into the hands of the New Colonialists.

APPEAL TO HUMANITY: ZANZIBAR IS STILL UNDER A REIGN OF TERROR

ZANZIBAR ORGANIZATION,
Hampshire, England.

We, Zanzibaris of all races and creed, are extremely perturbed at the conspiracy of silence, regarding the deplorable conditions still existing in the police state of Zanzibar. We therefore, appeal to each and every one of you once again for your active support in condemning openly the violations of our Fundamental Human Rights, and Freedoms (embodied in Article 1 Paragraph 3 of the United Nations Charter and Universal Declaration of Human Rights).

We appeal to you in the name of Justice and Human Dignity to help us individually and collectively to bring pressure to bear upon the United Nations to intervene on behalf of Zanzibar immediately to:

1. Stop the continued reign of terror.
2. Release political and other detainees, or insist on their being given a fair trial.
3. Stop forced labour on the pretext of voluntary labour (Kujitolea).
4. Stop immediately continuing arbitrary floggings, arrests and detention of innocent and law-abiding citizens.
5. Stop racial discrimination especially in education, employment and participation in the government.
6. End violation of our basic human rights and freedoms in particular, to restore freedom of peaceful assembly, freedom of speech, the right of free elections, the right to a fair trial and the freedom of the press.
7. Stop certain powers sending arms to Zanzibar, making it a centre of subversion against friendly neighbouring countries and violating our country's sovereignty and independence and interfering directly in the internal affairs of African states contrary to the spirit and the letter of the United Nations Charter.

In particular, we appeal to all freedom loving nations to help us in our struggle to restore the rule of law, civil liberties and multi-party democracy in our country.

We demand that the popular will of our people should be the basis of the authority of our government and that it should be expressed by free elections in accordance with Paragraph 3 of Article 21 of the Universal Declaration of Human Rights.

AHMED SEIF KHARUSI.

[5] Revolution in Africa "The Application of Mao's Precepts on Popular Revolution" Tirana, Albania, March, 1965.

IDEAS OF CONVERTING COAL INTO GASOLINE AND OTHER PETROLEUMLIKE DERIVATIVES START TO LOOK PRACTICAL AFTER 7-YEAR SPURT OF RESEARCH AIDED BY GOVERNMENT—PROSPECTS LURE OILMEN INTO COAL BUSINESS, MAGAZINE REPORTS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 4, 1968

Mr. RANDOLPH. Mr. President, I was the sponsor during World War II years of coal-to-synthetic liquid fuels research and development legislation when a Member of the House of Representatives. Senator Joseph O'Mahoney, of Wyoming,

was the chief sponsor in this body. I was gratified to read an article in the June 1, 1968, issue of Business Week magazine under the heading, "Putting a Coal Tiger in Your Tank."

It has always been a matter of regret to me that the Randolph-O'Mahoney Synthetic Liquid Fuels Act of 1944—Public Law 78-290—was not reauthorized and further funded during the Eisenhower administration and that there was a research and development gap until the Coal Research Act of 1960—Public Law 86-599—provided ways and means for renewal of research and development in the field of coal to gasoline and other petroleumlike derivatives.

The article in Business Week is an encouraging summary of developments and forecasts that indicate clearly how valid and vital was the action by the 86th Congress in authorizing the establishment of the Office of Coal Research in the Department of the Interior. It has been a source of much gratification that the present Senators from West Virginia were among the vigorous supporters and original cosponsors of the progressive legislation which spawned the successful coal research program of the 1960's. If that program had been more adequately funded during the past half dozen years, I truly believe that some of the important research and development projects described or referred to in the recent article as being on the horizon, might be productive realities today, rather than hopes for the future.

Coal does indeed have a real and vital part to perform in the future of this country. This great industry must not be stifled. It should be encouraged to advance to meet its potentials and its responsibilities in the interest of fulfilling future missions of broader scope in the fuels and energy field when other sources may be less plentiful in an industrial society with a growing fuels and energy requirement. Meanwhile, an even stronger and more accelerated effort should be made in air pollution control research to develop new pollution abatement technology in the burning and processing of coal and other forms of fuel and energy.

Coal mining, it must be remembered, is not an industrial procedure that can be controlled by the manipulation of values and other control devices. A still-productive coal mine closed is a coal mine destroyed forever, with huge investments wasted and much of the coal therein unreachable for both technical and safety reasons.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from Business Week magazine to which I have referred.

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

PUTTING A COAL TIGER IN YOUR TANK—IDEAS FOR CONVERTING COAL INTO GASOLINE AND OTHER PETROLEUMLIKE DERIVATIVES START TO LOOK PRACTICAL AFTER A 7-YEAR SPURT OF GOVERNMENT-AIDED RESEARCH AND DEVELOPMENT—PROSPECT LURES OILMEN INTO COAL BUSINESS

Since the late 1920s, when the Germans built the first commercial plant to turn Ruhr coal into oil and gasoline, coal conversion has been technically feasible. The big stumbling block has been the cost.

Gasoline produced from coal in the U.S. would have cost two to three times as much as that produced from crude oil.

In the last four years, however, U.S. companies have been quietly intensifying their research on coal conversion. R&D has reached the point where conversion now begins to look practical. And nearly every major oil company has acquired coal lands or a coal-producing subsidiary.

Coal deals

In just the past month, for example, Standard Oil Co. (Ohio) acquired Old Ben Coal Corp. of Illinois, Shell Oil Co. won exploratory rights to Crow Indian lands in Montana, and Atlantic Richfield Co. took a one-year option to buy Little Bear Coal Co. of Colorado.

Why the rising interest in coal conversion? The most important reason is that the U.S. is rapidly running out of oil reserves. At the present depletion rate, known oil reserves will only last until the 1980s, according to the Bureau of Mines. Known coal reserves, by contrast, could last until 2280 or so.

Other reasons for the growing interest in coal as a source of gasoline and oil include:

Coal's new status as a profitable fuel for electric utilities.

Improved technology in areas of chemistry similar to coal conversion.

The attempt of some oil companies to get into all forms of energy production, and the fear of others of staying out.

For many years, investing in coal was simply "a question of how long you could keep your capital tied up," says Gulf Oil Corp. President B. R. Dorsey. Today, most estimates give new gasoline-from-coal techniques eight to 10 years to reach the market.

Federal fuel

The speedup in coal research has been powered largely by the Interior Dept.'s Office of Coal Research. OCR was formed in 1961 to do for coal what George Washington Carver did for the peanut.

"OCR has played a damned important role" in stimulating coal conversion research, says Dr. C. W. Montgomery, chief scientist at Gulf Research & Development Co.

"It's been a great factor in accelerating the trend," adds Edwin T. Layng, executive vice-president of Hydrocarbon Research, Inc.

OCR-sponsored R&D projects have slashed the production cost of gasoline-from-coal to within a penny or two of the 10¢-to-12¢-per-gallon range needed to compete with gasoline from pumped oil. What's more, OCR has also spurred research to convert coal to a number of other salable products such as natural gas, sulfur, fly ash, diesel oil, and basic materials for making plastics.

Research projects on all this work—totaling about $40-million in the last seven years—have been farmed out by OCR to such companies as Westinghouse Electric Corp., the Consolidation Coal Co. subsidiary of Continental Oil Co., Melpar, Inc., FMC Corp., and Skeist Laboratories, Inc.

Spark plug

The instigator of most OCR coal-conversion research projects has been Neal Cochran, director of utilization at OCR.

Cochran, 51, envisions giant coal-to-gasoline refineries (such as the one diagramed above) rising next to coal mines in Wyoming, Montana, West Virginia, and Kentucky. The giant plants would produce gasoline, crude oil, fuel oil, natural gas, sulfur, and a special type of low-pollutant coal.

The cost of building such an integrated plant—combining many of the ideas now being checked out—would be about $300-million, Cochran estimates, only slightly more than a simple coal-to-gasoline refinery.

Powerful attraction

Cochran believes that integrated plants would have the additional economic advantage of being able to turn out more than enough cheap electric power to satisfy their own needs. Revenues could be boosted by selling surplus power to other manufacturers, such as chemical producers and metal processors, attracted to set up shop nearby.

There are doubters, however, especially when it comes to the idea of generating cheap, salable electric power from coal conversion. Moreover, natural gas from coal might be marketable only in the East, where the cost of pipeline gas is relatively high.

On the other hand, the sales potential of synthetic fuel oil and low-ash coal is affirmed by a growing number of researchers. Such coal conversion by-products, they agree, would not be dependent for success on the local cost of electric power and natural gas, or sales of building products.

FATTENING UP THE FUEL

All coal-to-gasoline conversion processes developed so far are basically similar. Coal is high in carbon molecules, low in hydrogen molecules, crude oil is the opposite. Thus, hydrogen has to be added to the coal, at high temperatures and pressures.

OCR's contributions to the technology have been to find new ways to reduce heat requirements, pressure demands (by some 80%), and the amount of hydrogen needed.

Dual process

In Cochran's giant refinery, the coal would first be prepared for hydrogenation—either by crushing and gasification or by dissolving and heating. This dual arrangement, he claims, would make refinery design flexible enough to fit both Eastern bituminous coal, which gasifies fairly easily, or Western lignite coal, which dissolves better.

In one part of the refinery, dissolved coal would be put into solution with an oily coal extract, and filtered through a rotating drum to remove sulfur and other inorganic materials. The purified coal solution then would be put through a flash evaporation step, and the residue would be hydrogenated or sold as low-ash coal.

Meanwhile, in the other part of the refinery, crushed and gasified coal would go through a multiple-stage distillation. (Such a process has been developed and tested on bench-scale by FMC Corp.)

Adding hydrogen

Gradual heating would be required to prevent hydrogen atoms in the coal slurry from breaking away; additional hydrogen might have to be added in this step. But Cochran thinks the distillation process is eminently practical.

By-products of the char obtained from the distillation process—carbon monoxide and hydrogen—could be combined in a gas plant with derivatives of the condensation phase—carbon dioxide, methane, and hydrogen sulfide. These would yield salable sulfur and natural gas, plus hydrogen.

The Institute of Gas Technology has been concentrating on this part of the operation.

On way to gas pump

Hydrogen produced in this manner would be piped to a hydro-treating plant, where it would be swirled around in a reactor called an ebullating bed (developed by Hydrocarbon Research) with primitive crude from the distillation unit. A zinc chloride catalyst, developed by Consolidation Coal, might be used at this point to ease the conversion of primitive crude to gasoline, thereby reducing the hydrogen requirement.

Power for the entire operation would be provided either by burning carbon monoxide from the gasifier operation or char, the residue of distillation.

A TIME OF TESTING

How soon such an integrated coal-to-gasoline plant may go into operation is a matter of debate. So far, only one OCR research project—Consolidation Coal's operation at Cresap, W. Va.—has reached the operating pilot-plant stage. Most other OCR-sponsored research has only been verified in the laboratory.

Furthermore, coal conversion has had quite a few false starts in the U.S. Standard Oil Co. (New Jersey) brought a coal-to-gas process to this country from Germany, only to drop it after the East Texas oil strike of 1930.

Union Carbide Corp. and Koppers Co., Inc., undertook coal hydrogenation to produce petrochemicals after World War II, when another oil drought was predicted. When the oil shortage did not materialize, support for both projects evaporated.

Most oil companies have gone through periods of great excitement about coal-conversion ideas. Gulf at one time even had a project to turn petroleum into coal.

Rival products

Another cloud is the threat of competition from oil shale and tar sands. Shale is in roughly the same research position as coal, but tar sand refineries—owned by Sun Oil Co. and by a consortium of Gulf, Cities Service Co., Jersey Standard, and Richfield—are already pumping oil to the U.S. from Canada.

Still, estimated reserves of oil shale and tar sands are "not even close" to those of coal, according to Robert F. Mansfield, section supervisor of Gulf's R&D Petroleum Economics Section. Coal reserves exceed those of tar sands by 10 to 1, says Mansfield; Hydrocarbon Research's Laying puts the ratio at 9 to 1. But both men agree that a major discovery of tar sands in the U.S.—though unlikely—would set back coal-conversion work.

Oilmen undaunted

Such worries apparently are not hindering the coal-oriented plans of oil companies. Humble Oil & Refining Co. is now operating its own coal-conversion pilot plant at Baytown, Tex., and has bought out most of the coal lands in southern Illinois, Atlantic Richfield and Hydrocarbon Research have agreed to build a pilot plant jointly, if OCR funds come through. And Gulf is looking into treatment of coal prior to the refinery operation for possible economies.

Thus, the Office of Coal Research has really done just about all it set out to do. When it began investigating coal conversion in 1961, most coal companies were small, family-owned operations. Only a few, such as Consolidation and Pittsburg & Midway Coal Mining Co. now a Gulf subsidiary, were doing any research to lift coal out of the doldrums. Even for these companies, the cost of a full-scale commercial coal-to-gasoline research program would have been out of the question.

Confidence

Today, however, many coal companies are owned by big oil companies that can afford substantial R&D budgets. If the economics of coal conversion looks attractive enough to them, there is every reason to believe they will move ahead and build production facilities. Thus, even if Congress cuts OCR's research budget, most observers feel that coal conversion work won't be halted again.

A good example of how coal companies are beginning to think in terms of a future pegged to oil and gas sales was seen recently when the National Coal Assn. came out against increased oil imports for chemical companies. And the day may not be far off when a senator from West Virginia or Wyoming rises on the Senate floor to defend the oil-depletion allowance.

Says one Washington coal lobbyist: "When an oilman calls now, we write down his name."

REPORT TO CONSTITUENTS

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. KEITH. Mr. Speaker, the following is a report to the people of the 12th District of Massachusetts:

WASHINGTON REPORT, JUNE 1968

(By Congressman HASTINGS KEITH, 12th District of Massachusetts)

LOAVES AND FISHES

Americans were shocked by the news that hunger and malnutrition exist in our own country—to the extent that some babies suffer mental damage and shortened lives from their meager diets. The child below is one of the many which a CBS report says may suffer life-long injury from malnutrition.

This tragedy is world-wide. Of the 3.4 billion people in the world, 2.2 billion are underfed; 600 million are physically ill from hunger. In our own city of New Bedford, however, a start has been made in tapping the incredibly abundant but virtually unexploited food resources of the sea to aid the underfed here and abroad.

Alpine Marine Protein Industries has gone into full production of "fish flour" for human consumption—a tasteless, high protein powder made from whole fish. Scientists and governments the world over have recognized its potential for bringing life-saving nutrition to millions of people.

Real credit for the success of this program belongs to former Sens. Saltonstall and Douglas and to the news media who recognized the potential in FPC. I am proud of course of the role which our office played too.

RESURRECTION CITY

Less than a mile from the Capitol sprawl hundreds of wooden tent-like structures—Resurrection City, home of the Poor People's Campaign.

The Reverend Ralph Abernathy, Dr. King's successor as leader of the march, explained to me and some of my colleagues the goals of the 3000 poor people. Jobs, decent housing, and education are the legitimate aims of the Campaign—and every participant is committed to peacefully petitioning Congress and the Administration for help in achieving those aims.

Bigger and costlier government programs are not the answer—as even the liberals are admitting today, our country cannot be run from Washington. State and local governments, as well as private industry, must be encouraged and stimulated to provide jobs, better education, and decent low-cost housing.

As long as the poor people uphold their commitment to non-violence, they are welcome in Washington. Legislation to meet their needs is even now pending before Congress.

DOUBLE BARRELED CRISIS—A PROPOSED SOLUTION

Interest rates are at their highest level since the civil war—and the taxpayer is paying $15 billion annually in interest alone on the public debt. Inflation is eating up the buying power of the dollar, and continues to soar. Since 1960, the Federal government has spent $57 billion more than it has taken in. We must put our fiscal house in order.

On the other hand, millions of Americans live in abject poverty—our cities are powder-kegs of unrest and discontent—jobs, education, and decent housing are essential to any efforts to help the poor. Such programs cost money—even if, as I believe it must be, private industry is mobilized to provide the capital and know how.

To reconcile these outwardly conflicting crises, I've joined more than 70 Republican colleagues in calling for a program of human renewal—and drastic cuts in non-essentials such as highway beautification, civilian space programs, and the SST. Through such deferrals of non-essentials, we would pare the budget $6.6 billion—and immediately redirect $2.5 billion of that savings toward meeting urgent human needs. The graph below illustrates our proposed allocation of additional Human Renewal Funds.

[In millions]

Urban reserve fund (to be allocated)	$1,000
Vocational education	250
Housing	250
Pollution control	250
Crime	100
Rural revitalization	100
District of Columbia	50
Jobs	500

GOOD NEWS FOR THE CONSUMER

The Consumer Credit Protection Act has been signed into law—and now American consumers will know exactly how much it costs to purchase credit and borrow money. The truth-in-lending measure marks another milestone in the government's effort to protect the consumer in the complex arena of buying, selling, and advertising.

ON A RELATED SUBJECT

Massachusetts' difficulties with auto insurance are shared by drivers nationwide—cancelled policies, soaring rates, and delays in processing claims are all too prevalent. A comprehensive study of the auto insurance industry has just been authorized—and we hope to find out what's wrong and how to correct it.

CONCERNED CONSTITUENTS

During my first office hours at Weymouth Town Hall (to be held every Monday but the third of each month from 7–9 p.m.) Nick Santacroce and four Weymouth High students dropped by to discuss urgent social problems. Next to me is Brian McGroarty, and seated are Ellen Rennie, Betsy Abdy, and Bill Murphy.

MERCHANT MARINE—SINKING FAST

America's merchant fleet and her shipbuilding industries have a long and proud fighting tradition. Now, however, they are battling for their life against the strangest enemy of all: their own government.

The Johnson Administration has proposed drastic cuts in the number of ships to be added to our dwindling merchant fleet. A massive building program is needed to keep up with the drop-out rate of over-age ships in our fleet. The President's decision could thus scuttle what is left of our merchant marine, at a time when the Soviets are building their own fleet at a feverish pace.

The Administration proposal to allow building of US ships in foreign yards also endangers our shipbuilding industry—and the jobs of hundreds of employees at the Fore River yard in Quincy. The loss of business to our own industry would mean millions of dollars flowing overseas, and could deprive our country of the essential shipbuilding capacity needed in wartime.

The Congress is solidly opposed to such a policy of retreat. America's worldwide posture in commerce and defense is at stake, and we must not allow the seas around us to be dominated by other nations.

GUSHER IN THE WRONG PLACE

This spring tourists on San Juan's resort beaches were forced to scramble ashore as millions of gallons of oil flooded in from an Esso tanker. The ship struck a reef in San Juan harbor, and US authorities were faced with their first major oil pollution disaster.

I visited the scene of the wreck to see how the Coast Guard's cleanup plans worked, and to see if new laws were needed to ensure fast action against the pollution. I reported to the House Public Works Committee that

every shore town in Massachusetts was vulnerable to similar accidents, and recommended new anti-pollution legislation.

Action is now nearly complete on a program to make pollutors strictly liable for oil damage, and to provide fast cleanup action. This protection is vital to all towns whose beaches are in danger from tanker-caused pollution.

AND THE RETURNS CAME

For a time we thought the deluge of poll returns would never end; the mountain was growing, not shrinking! We finally slit the last envelope, and sent the questionnaires to be tabulated. The results, and my comments as I revealed them to my House colleagues, are at the bottom of the page.

Hardly had the questionnaire left the press when the President announced his decision not to seek re-election and his new efforts toward a negotiated peace. As if that didn't complicate interpretation of the returns enough, before a week had passed we witnessed the tragic assassination of Dr. King and the ensuing outbreak of violence in our nation's cities. As a result, over 500 letters of further clarification accompanied the polls—adding to my understanding of how 12th District residents feel about the major issues.

[From the CONGRESSIONAL RECORD, May 27, 1968]

"QUESTIONNAIRE RESULTS

"Mr. KEITH. Mr. Speaker the people of the 12th District of Massachusetts have given an enthusiastic response to a poll on the vital issues we are currently facing at home and abroad. We have just completed tabulating the answers to my questionnaire from some 10,000 citizens of the communities I have the privilege to represent.

"This response is to me a reminder of the fact that we do indeed have government by the people. While in the final analysis, we all recognize that as elected Representatives of the people we must make the final decisions on how to vote on the various measures brought before us, questionnaires are undoubtedly one of the most valuable channels of direct communication between the Representative and the people.

"The opinions of my constituents on all 12 issues are contained in the complete report attached below.

"I urge other Members of Congress to adopt this practice in order to better communicate with the people they serve.

"RESULTS OF QUESTIONNAIRE TO CITIZENS OF THE 12TH DISTRICT OF MASSACHUSETTS

	Yes	No	Unknown
1. Do you approve of the President's conduct of the Vietnam war?	29.1	54.5	8.7
2. In North Vietnam, do you favor (a) intensified U.S. air attacks; (b) a bombing halt; or (c) maintaining air attacks at the present level? (a) 37.1 (b) 35.8 (c) 17.1			
3. Should the United States continue to trade with nations that are aiding North Vietnam?	17.3	68.4	6.8
4. Do you believe the American people are receiving sufficient information from the Government on vital foreign and domestic issues to allow them to vote intelligently?	21.1	64.0	7.4
5. Do you support the administration's proposed increase in taxes?	35.6	50.2	6.8
6. Do you believe that Federal spending on domestic programs should be reduced?	48.9	38.6	4.8
7. Should industries which install equipment to reduce air and water pollution be granted tax credits by the Federal Government to offset part of the expense involved?	59.8	26.7	5.7
8. Do you favor returning a percentage of the tax money collected by the Federal Government to State and local governments to be used as they see fit?	49.9	32.5	9.7
9. Do you favor Federal legislation to celebrate Memorial Day, George Washington's Birthday, and Veteran's Day on Monday each year?	50.0	39.6	3.5
10. Do you favor my Marine Sanctuaries Act, which would prohibit drilling or exploring for oil in certain fishing and recreation zones of our seas?	80.3	7.0	5.5
11. Do you approve making Plymouth Rock (and 10 or 15 adjacent acres) into a national memorial park?	64.4	19.4	8.7
12. Do you support the administration's proposal to tax travel overseas?	38.1	50.2	4.5"

EXTENSION OF THE REED ACT

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. POLLOCK. Mr. Speaker, H.R. 272 would extend for an additional period of 5 years the time which States may obligate, for administrative purposes, certain funds transferred from excess Federal unemployment tax collections.

These transferred funds have been used by the States primarily to buy necessary land and construct buildings for use in the employment security program under prior authority provided in the so-called Reed Act.

Alaska is one of 17 States which has not yet built buildings under the Reed Act. However, during the recently concluded session of the Alaska State Legislature, the legislature appropriated $45,000 to enable the Alaska State Department of Labor to erect buildings in the more remote areas of the State where the employment service would be able to reach a larger segment of the Alaskan population needing employment service.

It is anticipated that the extension of the existing authority, as proposed by the provisions of H.R. 272, would permit the State of Alaska to build two badly needed employment service buildings. One will be built at Bethel—a center of native population—and another at Glennallen.

The State has advised me that in connection with the Bethel building, approval already has been secured from the Federal Government for payment of rent for the period of time required to amortize the cost of construction. This rental money will revert back to the unemployment trust fund if H.R. 272 is not passed. In the event that H.R. 272 is enacted, the rental money received from the Bethel facility would revert to a revolving fund, whereby additional buildings may be built.

Another factor which should be considered in the event H.R. 272 is enacted would be the availability of additional funds during the next 5 years for similar construction in Alaska.

I have been informed that in the spring of 1967 all State employment security administrators were polled by the Interstate Conference of Employment Security Agencies to determine whether or not they favored H.R. 272. Of the jurisdictions eligible to vote, 51 voted to support H.R. 272. Puerto Rico disqualified itself from voting, because it has no Reed Act funds.

Since this legislation is extremely beneficial to assist Alaska in serving more effectively the rural areas of the State, I strongly support H.R. 272. No appropriation of any additional Federal funds is required.

I AM AMERICA

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MATHIAS of California. Mr. Speaker, I would like to insert in the RECORD three outstanding essays by students of Compton Junior High School in Bakersfield, Calif. Two of these essays have already won awards, and the third is certainly as meritorious. I am sure that you will find them interesting, both because of what they have to say and because of the excellent way they are written.

The essays follow:

I AM AMERICA

(By Carol Smith)

(NOTE.—This essay won first place in the American Legion Auxiliary Essay Contest this year.)

I am America. My arms embrace 3,615,211 square miles of freedom and equality. My plains produce scores of provisions and necessities for my people. My mountains encompass vast and beauteous areas, rich with forests, housing an abundance of natural resources. Is this reason enough to stand with head high and chest swelled, because one is an American?

In my past are events which shook the world, events which long will remain first and foremost in the minds of not only Americans, but of people all over the world. Is this a heritage to be proud of?

Yes! On distant continents, in past ages, unrest dwelt in the hearts of men. Because of this, they explored uncharted regions, searching for a foundation upon which to build a country which all the world would come to place upon a pedestal. It would serve as an example of the coveted freedoms of which so many are deprived.

When my infant shores were settled by colonists, the settlers believed they would then be free to govern themselves. But, when they found that this was not true, they revolted, determined to make theirs the symbol of equality, such as the world had never known.

I am renowned throughout the world as a nation which guarantees equal rights to all men. For this reason, hundreds of thousands of people come to me each year, with hopes of a new and better life. I pray that I have been, and always will be, able to fulfill their hopes and dreams.

Thus, it is a union of these people that seek my shores, and these who have been born here, that they have made, and are still making me a symbol of all that men strive to achieve. During persecutions, during wars with alien forces, and during civil war these men have stood by me, fighting to keep what our forefathers died to obtain—the right of every man to have a say in how his life is to be run, and the chance, given to all, to become whatever they may.

From my soil have come these men and courage and valor, the like of which no country has ever borne. It was these men who lived, fought, and died to make me what I am today. To quote a phrase from Frances

Scott Key, "the land of the free, and the home of the brave." I am America!

TAMMI

(By Leah Ogden)

(NOTE.—This story won a Certificate of Merit for National Achievement in Creative Writing, by Scholastic Magazines.)

There is one main corral at the Dale-Mar Ranch. Standing at the top of the hill that overlooks the stable, you can see the dozen or so horses that are patiently standing behind its bars.

All but one: Tammi. Her glossy white coat gleams with health as it stands out against the nondescript browns and blacks of the other horses. "Tammi's Banner," as the stable hands have nicknamed her glorious tail, fans out in the brisk breeze that blows westerly. Her forelock blows in her eyes, and, she gives her head a defiant little toss, you catch your breath. You know this is beauty unequalled by any other.

She struts out in front of the other mares as if to say, "Look at me!!" Her youthfulness makes her playful and she snakes out her long neck to teasingly nip Dusty, the yearling sorrel colt.

You must get to her. Racing down the hill you feel the sharp sting of cold air as it hits your face. Slowing down, you take a deep breath, and the sweet smell of hay fills your nostrils.

You know exactly where her tack is. Reaching a long arm, you give the bridle a practiced glance and find it perfect. Again you run. You know you shouldn't; you'll startle the other horses, especially Mick. The temperamental old mare has never liked you anyway, and, as you pass her stall, she snorts. But you have no time for her now. Tammi is waiting.

Reaching the corral, your eyes immediately pick out Tammi. She has seen you, and her small delicate ears are raised in anticipation. Her impish brown eyes meet yours for a second, and, with a nicker of greeting, she trots forward. Her small Arabian head is stretched over the bars, and she waits for the treat she knows you have for her. Laughing, you stretch out your palm that holds the surprise. Soft lips reach delicately out to nibble the carrot, and your hand brushes her velvet nose.

Suddenly, Victory, the black gelding, flashes his nose over the gate. He nudges your hand, and Tammi squeals with rage. Reeling, she gives him a sharp kick that infuriates him. You stand outside frozen, and then move in to steady the mare. At your touch she quiets, and you lead her to the mounting block. Her dancing hooves tap out a stuccato on the blacktop, as you swing up on her bareback. She crabsteps to the left, and gives you a little rear. You know she just wants to go, so you set off at a brisk trot that soon becomes a canter as you reach the trail. It is still early; you know you won't be back till noon. Tammi's rocking motion is soothing, and the beat on the turf is rhythmical. She's your horse now, and forever to come.

STRENGTH OF CHARACTER

(By Kate Steiner)

"I would rather die having spoken after my manner, than to speak in your manner and live."

I interpret this phrase quoted from Socrates to mean that each individual should have enough strength of character to be courageous enough to stand up for what he believes. Socrates stated that he would rather die than to go along with others who believe in something that is wrong.

Nearly 2,000 years ago, people known as martyrs died rather than to deny that they were followers of Christ. These people had strength of character enough to stand up for what is right, even if doing so meant death to them.

In today's society, I think there is even more of a responsibility to do what is right and not what would be "just for kicks." Young people today need to show more character. If more teenagers would stand up to wrong and then have the guts to say, "No," to what they deep down feel is wrong, then there would be fewer dope addicts, car accidents, motorcycle accidents and the like.

When teen-agers realize that speeding is wrong and smoking and drinking will only harm them, when they can say, "No," then maybe they can get the freedom they "holler" for so much. For then they will have grown up, and the older generation will be able to trust them.

MEMORIAL DAY MESSAGE, 1968, BAY VILLAGE, OHIO, BY THE REVEREND JOHN W. OERTER

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MINSHALL. Mr. Speaker, it was my honor to share the platform at Memorial Day ceremonies in Bay Village, Ohio, which I represent, with the distinguished pastor of the Bay Presbyterian Church, the Reverend John W. Oerter.

His message was so timely, and so beautifully expressed, that I would like to share it with my colleagues in the Congress. The Reverend Mr. Oerter's words have deep significance for all Americans, and I am pleased to make them a part of the CONGRESSIONAL RECORD, as follows:

MEMORIAL DAY MESSAGE, 1968, BAY VILLAGE, OHIO

(By the Reverend John W. Oerter, Bay Presbyterian Church)

Two questions are appropriate for us to ask ourselves on this occasion: Why do we go through this annual ceremony, and what will come of it?

Does a little marching, do a few speeches, make us feel we have somehow done a patriotic duty? Are we trying to express our thanks to those who can no longer hear us? Are we trying to reduce our guilt that we are alive when some our age are gone because they gave themselves for our freedom? Perhaps a few cling to the futile hope that the day's oratory will somehow generate significant momentum toward peace. It is possible that we are here to gain some new dedication to those high and elusive ideals to which this nation is theoretically committed. That's what a great President tried to do when he stood in a cemetery at Gettysburg. We need to do this because we can so easily become submerged in our private plans, partly because we feel there is so little we can do that will be felt in the great movements of the world community.

One-hundred and ninety-two years ago the shots were fired which announced with staccatto authority that the colonies intended to be a nation. Since that year our nation has been tested by seven wars and is now slogging through an undeclared war which has divided our people as no other ever has. Our nation has been tested by depression and fantastic prosperity, by tensions between labor and management, and political parties which have often accused each other of treason. It has continued to grow until it is the wonder of the modern world, admired, envied and feared by other nations.

Now we face tests as crucial as any we have ever faced. It is still necessary for us to prove that we are dedicated to the proposition that all men are created equal. We are groping for a guideline for a mission. We are powerful, but partly paralyzed by indecision concerning our role in the life of the world.

These times are something like those in which our nation was born, according to the description of Charles Dickens in introducing *The Tale of Two Cities*. "It was the best of times; it was the worst of times. It was the age of wisdom; it was the age of foolishness. It was the epoch of belief; it was the epoch of incredulity. It was the season of light; it was the season of darkness. It was the spring of hope; it was the winter of despair. We had everything before us; we had nothing before us."

Today we are threatened, not only by an atomic holocaust, but by worldwide restlessness which breaks out in protests that always are in danger of moving to anarchy. All of this without the strength which used to come from commonly held beliefs.

At the same time never has greater hope for a good life seemed more plausible. If modern technology and the power of the atom could be used for desalinization of sea water, for example, the ancient dream of the prophet could come true. "The desert shall blossom with the rose . . ." Not only the rose, but corn and cabbage, beets and broccoli, beans and bananas to feed the starving of the world.

Why aren't we doing this at a faster and more dramatic pace? We haven't found out how to live at peace and in the spirit of mutual generosity. The problem is not with the atom, but with the Adam. Man needs to be redeemed. This is a day for each of us to examine our basic commitments. Let each of us ask himself, "Do I have a religion or philosophy by which I can live creatively and for which I would die if necessary?

There are enough confused people in the world, enough doubters, enough cynics who indulge in the fantasy that they can live a selfish life of comfort while the rest of the world goes down the drain. We need believers, passionate believers. If you have such a religion or philosophy then live it out in all areas of life. If you don't have such a religion or philosophy, waste no time in looking for one.

This rededication of ourselves to the cause of peace and freedom with justice is—it seems to me—a worthy tribute to those whom we salute today.

THEY SERVED AND WERE SERVED

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PUCINSKI. Mr. Speaker, in launching a program last year to provide our returning veterans with maximum employment assistance, President Johnson said:

These veterans have served their country well. It is only right that their country serve them as well.

In communities across the country, those men and women who have served America so ably in the Armed Forces are getting a wide range of assistance from veterans employment representatives.

Through the aid of their Government, these returning veterans are being placed in jobs, receiving counseling, and being referred to training or educational programs.

There have been many success stories—like the disabled logger who became a logging supply salesman or the amputee catskinner who became a leatherworker. And there are many others.

To illustrate the invaluable employment assistance being rendered to these valiant Americans, I include an article from the Employment Service Review, "They Served and Were Served," into the RECORD, as follows:

THEY SERVED AND WERE SERVED

(By Stanley N. Foged)

"I guess I broke my pick."

That was the comment of a convalescing disabled veteran in the Portland, Oreg., Veterans Administration Hospital to a local office Veterans Employment Representative during one of the VER's regular hospital visits.

This veteran was talking about not being able to go back to his job of many years as a logger. The spinal fusion he had undergone just about disqualified him for any job in a logging camp.

The VER, Frank Walley, Jr., of the Portland Adult Opportunity Center, talked further with this patient, who soon showed he had a few good ideas on jobs he knew he could do and of some he wasn't so sure he could handle.

Out of this experience grew an idea, then a plan—the convalescence period, just before discharge from the hospital, would be an excellent time for disabled patients to think about and make plans for their future jobs.

And so, with the cooperation of the Social Service, Volunteer Service, and Psychological Service units and with the approval of the hospital administration, the first "Job Finding Techniques Training Session" was organized.

Each session is attended by six or eight patients under the guidance of Mr. Waller. Appropriate experts from the hospital and the Employment Service are called in as required. The patients are encouraged to express themselves and to converse on their mutual experiences and problems so that all can benefit. The main purpose of the group leader is to answer questions, help, guide, and stimulate discussion.

This program is now in full swing at the Portland VA Hospital. Popularity of the sessions has been responsible for increasing their frequency from once to twice a month, and plans are being made to add more sessions. Followup inquiries to the more than 100 veteran participants brought unanimous agreement that the sessions were helpful in preparing the patients for their subsequent job hunts. And there are success stories, too: The logger who became a logging supply salesman, the disabled truckdriver who took a job as a truck dispatcher, the amputee catskinner who became a leatherworker, and many more.

Not all veterans who need assistance are disabled. Howard W. West, State VER for Illinois, tells of a 27-year-old American Indian veteran who came to a Chicago Day Labor Office for a job so he could buy the tools he needed to take a better, skilled job. He was referred to the local VER, who learned that the young man could not purchase the needed tools on time, because he had no established credit. The VER contacted the Uptown Indian Center of the U.S. Bureau of Indian Affairs, and the Cook County Department of Public Aid, all without results. A call to the credit manager of Sears, Roebuck & Co. was successful. The young man was sent there for an interview and was granted $200 credit to buy the tools and equipment, and the company gave him several articles free of charge. With his tools, the young Indian was then placed with the Mack Truck Co., where he is now employed.

Women veterans, although not in such vast numbers as the men, are given equal treatment by the Veterans Employment Service. State VER Robert E. Fecteau of Maine relates this case: A young female veteran was contacted by the local office during the veteran's followup program. When she came into the local office, she was quite dejected because she had failed to find a job as a telephone operator. She felt she was well qualified because of her 3 years' experience in this work in the Army. She had, on her own, made quite a few applications and visits throughout the community in an effort to get a job, but with no success. The area had but a limited number of opportunities in this field of work, but the local VER decided to try some job development for the young lady. He called the local hospital, and the personnel director agreed to interview the girl—a week later she went to work there as a switchboard operator.

Also in Maine, a small upholstery shop is being successfully operated by a 50-year-old handicapped veteran, largely through efforts of the Employment Service and cooperation of other Government agencies. Seemingly, this man had just about everything going against him. He had received a medical discharge from the service in 1942, and is certified 30 percent disabled on the basis of neurosis by the Veterans Administration. He was a rehabilitated alcoholic who had been under psychiatric treatment for 2 years, with medical treatment for 2 years prior to that. So it was with great doubt that he was enrolled in an MDTA course for upholstering. But he completed the 24 weeks of training, and before long had set himself up in business with a $500 loan from a credit union. But, since the business was on the second floor, in a poor building in a poor part of town, underfinanced and understocked, and lacked a truck for pickup and delivery, by the end of 6 months it was nearly on the rocks. Several contacts were made with other agencies, with no results, and finally the local bank was approached for a loan to finance the new business. The bank said no, and this refusal opened the way for a request for assistance from the Small Business Administration. In less than 2 months a loan of $2,500 was delivered in person by an SBA representative. The business was saved, is now in a ground floor shop in a better location, and is flourishing.

In Pennsylvania, Joseph F. Welsh, State VER, reports this case among others: After 24 years with the same company, a World War II Purple Heart veteran found himself out of a job when the company transferred the entire activity to a distant city. This veteran had considerable self-confidence. He had been a senior insurance clerk and felt capable of stepping into a similar job without difficulty. However, he was just under the magic age of 45, when many companies hesitate to hire; his arm, while not disabled, did have restricted movement because of the shell fragment wounds he had received in service. So, with these problems, the placement people in the Clerical and Professional Office had much difficulty in locating a job for him.

Finally, it was decided that the veteran should take an MDTA course as a data processing technician, lasting a year. He finished this training in the upper 10 percent of his class and was eventually placed with Allis-Chalmers Manufacturing Co., subject to passing a physical examination. The examination turned up a heretofore unsuspected hernia. Inasmuch as the position would require much walking and standing, such a defect would be disqualifying. The company proposed that, if the veteran had the hernia corrected by surgery, he could start to work after being released from the hospital. The veteran did this and was eventually put to work as a computer program trainee, opening up an entire new field of work for him.

HE CAME TO SAY "THANKS"

A veteran in North Dakota has returned to the local VER twice, not to get a job, but to say "Thanks." W. M. Williamson, North Dakota State VER, tells the story of this grateful young veteran: He finished the eighth grade in a one-room rural school when nearly 16, and the only job he could get was as a farm laborer. He was a steady and conscientious worker who wanted to do better, but he was never able to break out, still earning only $200 a month. When he turned 21, he was married and still struggling at $1.26 an hour. Then he was drafted into the Army, where he became a lineman, climbing poles and stringing wire in Vietnam. Three days after his discharge from service he came into the local office. He needed a job, but he knew his limited education was a handicap. However, he wanted something better for his family. He wanted to be a lineman again, but he thought that here, too, they wanted only high school graduates. The local VER arranged for an interview at the local power company for a possible job as apprentice lineman, and the young veteran was hired—in a job with a future and a living wage.

Two North Dakota boys were started on their training to become journeyman carpenters through the efforts of the local office VER in the Grand Forks office of the Employment Service. Randall was a high school dropout with only limited work experience in unskilled occupations. While in the Army, he passed his General Education Development test and was trained as a wireman. He felt his only possibility of a future was in this area of work, but there were no openings. David had worked as a baker prior to his Army service. In the Army he was trained as a clerk. Neither of these jobs appealed to him. Both men came to the local office in Grand Forks, where they were counseled and tested, and informed of the various types of training available to them. Both chose apprenticeship training in carpentry, although Randall was reluctant until he was assured he would not be the only beginner of his age group in the class. Three weeks following the start of the training, the local VER visited the class. He found both veterans happy with their choice of work, and the instructors assured him that both were good students and would make competent carpenters.

It happened in Birmingham, and James C. Gates, the Alabama VER, tells of the impatient young Negro Vietnam veteran who came in expecting to criticize, but who a month later was all praise for the activities of the Youth Opportunity Center and his new job. He came to the local office on November 3, 1967 to file for a job and to find out about his servicemen's compensation privileges. After his claim for compensation was taken care of, he was interviewed by the local VER, who, on learning the veteran had been a medical corpsman, suggested referral to a number of local hospitals. He went first to the local VA hospital where he filled out an application as a nurse's assistant. This took up most of the day, and still there was no job. He went home and wrote a letter of complaint to the Department of Labor, criticizing the lack of information available. He didn't realize that possible jobs had to be searched out, developed. In a few days, the Youth Opportunity Center called him in for further counseling and gave him the General Aptitude Test Battery. Then an opening was developed at the University of Alabama Hospital as a nurse's assistant. He was referred, and on December 4 started work there. The hospital personnel officer suggested he take advantage of in-service and academic training available at the University Center. Later, this doubting, impatient veteran had a chance to praise the YOC and his new job as one of five YOC youths speaking before the chamber of commerce.

TRAINEES AND THEN PARTNERS

A recent news letter from the Colorado Department of Employment reveals a success story in which a 36-year-old veteran of the Air Force in Korea and a 45-year-old World War II veteran were helped by MDTA training in coin-machine repair, and became partners in business. They visited the local

Employment Service office in Greeley, saying they would like to attend the 24-week course in coin-machine repair in Denver, but they couldn't afford the tuition costs. After investigation, Joseph F. Evanoski, State VER for Colorado, was able to enter them in the course under MDTA in January 1967. Later, they inquired about possibly buying the school, and the owner was willing to sell. They formed a corporation and after some months were proprietors of the school. In the next few months, they were able to double their business and now have plans for further expansion. The coin-machine repair field is expanding rapidly and many now in the field are ready for retirement. The school now has students from 10 States and Canada, and has received job orders from as far away as Saigon, Guam, South Africa, and Alaska. These two men were transformed from insecure, middle-aged workers to men with a good productive future through a combination of the Employment Service, MDTA, and their own desires to achieve a secure future.

Part-time work can be helpful, too, as is shown in this story related by Walter S. Carlson, State VER for Minnesota. Steve, a 21-year-old just released from the Marines, had a service occupation as a closed circuit television operator and technician. His arrival at the local office coincided with a discussion in the psychology department of the St. Cloud VA Hospital concerning the need for just such a closed-circuit TV system operator and technician in that department. Steve was sent for an interview with Dr. Gordon Henley and was hired to start work the next day. He works 20 hours or more a week, and since January he has been attending St. Cloud State College.

The foregoing are only a few representative cases from around the country. Veterans come in daily to the local VER's for assistance in getting jobs. Some get jobs, others need further counseling, and still others require training or additonal education to make them employable. There is no average case; some are able bodied, others are disabled—physically or mentally or both. They vary in age from 17 to 60. But whoever the individual is, the local VER gives the services that are needed and gains the cooperation of other local, State, and Federal agencies for whatever services are available. Sometimes, it may seem there is a bit of a Houdini in each local VER—it all helps.

RICHARD ROVERE'S ARTICLE ONE OF FINEST PIECES ON VIETNAM

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. IRWIN. Mr. Speaker, I should like to submit for the reading of my colleagues one of the finest pieces on Vietnam which I have seen in a long time. The essay is by Richard Rovere and is entitled "Reflections: Half Out of Our Tree."

Mr. Rovere reviews our role in the Pacific since before World War II and on through the Korean war to our present efforts in Vietnam. While relating our present commitment to those we have engaged in in the past, he looks at what a precipitous withdrawal would mean in terms of the world's balance of power and our role in tomorrow's world. It seems to me that the American people must give great consideration to Vietnam in the context of our long-term history as well as to the immediate burdens it imposes.

Finally, Mr. Rovere questions how much longer the American people will support the efforts required by Vietnam and by our role as leader of the free world.

Mr. Rovere's demanding and brilliant article from the October 28, 1967, issue of the New Yorker, follows:

REFLECTIONS: HALF OUT OF OUR TREE

"This is not 1948; L. B. J. is not Harry Truman; and Vietnam is not Korea."—From an editorial in the New Republic, September 30, 1967.

So say the liberal doves—or at least some among them who were adult and articulate in 1948 and 1950 and who must somehow square past and present. The younger dissidents need not trouble their minds or their consciences about what went on in the Dark Ages, but those over thirty-five or forty must in one way or another confront certain moral, political, and intellectual problems created for them by the views they held two decades ago. Consistency may be a mean virtue, but many people prize it highly and go to remarkable lengths to show others and themselves that they possess it.

It is always easier to deny than to establish the validity of any given historical analogy. If history really repeated itself, its study would be at once boring and terrifying. But analogy can have a limited validity and can, like metaphor, yield and enrich insights. Moreover, where a denial is so flat and emphatic, it is advisable to take a close, hard look. Why should anyone insist that "this is not 1948"? People are capable of keeping track of the years without assistance. Why bring up 1948 instead of 1964 or 1952—or, for that matter, 1776? Why not say that Lyndon Johnson isn't Calvin Coolidge or the Shah of Iran, and that the war in Vietnam isn't the Mexican War or the Wars of the Roses? Clearly, the two years, the two men, and the two sets of events that are mentioned together have, or appear to have, something in common. There is, as it happens, one quite striking way in which Presidential politics today very much resembles the Presidential politics of 1948. Then, as now, many liberal Democrats wished very much to be rid of a liberal Democratic President. Though in the end most of them probably voted for Harry Truman against Thomas E. Dewey, a few supported that year's "peace" candidate—Henry A. Wallace, who had recently resigned the editorship of the *New Republic*—and others, early in the year, had made strenuous efforts to get the Democratic Party to dump Truman and name as its candidate the then Chief of Staff of the United States Army, Dwight D. Eisenhower. (Improbable as it sounds, General Eisenhower might be described as the Robert Kennedy of 1948. General Eisenhower declined to become involved, although it is said that when he was approached on this matter by some leaders of Americans for Democratic Action, his response was that he would consider accepting the Democratic nomination if he could get the Republican one as well.) True, the motives of the 1948 liberals were quite different from those that spur today's liberals into disowning Johnson and contemplating support for a conservative Republican, provided he is less of a hawk than the President. The dump-Truman people did not hate the then President, they merely scorned him and feared that the Democratic Party could not win with him; what the dump-Johnson people fear is precisely the opposite—a Democratic victory that would keep the despised incumbent in office. The dump-Truman people, like everyone else, believed the opinion polls, and they didn't want to be stuck with a loser; the dump-Johnson liberals, also with an eye on the polls, don't want to be stuck with a winner.

"LBJ is not Harry Truman." In many ways, the two men are as different as John F. Kennedy and William Howard Taft. Johnson is a consummate politician; Truman was only a persevering one. Truman was as artless as Johnson is artful. Truman was generally candid, and Johnson seems a compulsive dissembler. One could go on. Truman's foreign policy was widely admired and more often than not was successful, but in domestic policy he never got anywhere; Johnson has done quite well with domestic policy, but his foreign policy may lead us all to disaster. Still, Johnson in late 1967 has more in common with Truman in 1948 than the hostility of some of the same liberals. Both were once Democratic senators and Vice-Presidents. Each took office upon the death of a beloved predecessor. Johnson, like Truman, has never been a child of the Establishment. From the Eastern liberals' point of view, both came from the wrong, or South, side of the tracks. Both had meager, or at least unfashionable, schooling. Both have rather coarse manners and offend by indelicacy of speech. (Liberals, I have no doubt, consider themselves large-minded people, concerned with principles, not personalities. Some are large-minded, others not. If Kennedy had lived, he might at some point have called a halt to the escalation he began. He might even have found a way to get us out of Vietnam altogether. If he had lived and, as seems to me entirely possible, found no better solution than Johnson's, then, of course, he would have faced today much the kind of opposition that Johnson faces. But I cannot help believing that it would have been somewhat less widespread and more restrained against a Commander-in-Chief who was a Harvard man with uncommon wit, intellectual poise, a passion for excellence, and gallantry of manner. Kennedy just might have managed to run a slightly more tasteful and elegant war.) But the relevant thing is that Johnson is, as Truman was, a liberal Democratic President of the United States in serious trouble on almost every front.

Though Truman failed where Johnson has more or less succeeded, and vice versa, their policies are very similar, causing them to make the same enemies. Truman astonished everyone—including, I have always believed, himself—by winning in 1948, and the liberals, some of whom now seem to have forgotten that they ever opposed him, were gratified at being spared a Dewey Administration. A year and a half later, we were at war in Korea. There was some opposition to our intervention, but most of it came from isolationists, like Joseph P. Kennedy and Herbert Hoover. Little of it came from the liberals. Wayne Morse, J. William Fulbright, Arthur Schlesinger, Jr., and J. Kenneth Galbraith all had the public ear in those days, but none of these men were critical of our involvement—and neither, it may be well to say, was I, who now share with them a disapproval of our Vietnam policy. They were in varying degrees enthusiastic in their support of the Korean war, even when General MacArthur, with the full backing of his American superiors and with a special mandate from the United Nations General Assembly, escalated the war by invading North Korea—a step that is held by most historians to have brought the Chinese into the war. (It was believed by some at the time that the real cause of the Chinese belligerence in Korea was our support of Chiang Kai-shek on Formosa. Before our armies went north, there had been quite explicit—though, of course, ignored—announcements of a Chinese intention of intervening.) There was, to be sure, severe criticism, largely led by liberals, of MacArthur's subsequent politicking for further escalation, but that came after, not before, Administration policy had led to a greatly widened war. MacArthur's original move north—surely analogous to an invasion of North Vietnam today—was regarded as an altogether legitimate pursuit of altogether legitimate war aims.

"Vietnam is not Korea." They are two thousand miles apart and considerably different in climate, terrain, and demography.

Both, however, are relatively small and underdeveloped Asian countries partitioned into a Communist North and a non-Communist South by international agreements in the making of which they had no voice. Both abut China, both are peninsular, and both have long histories of colonial occupation and oppression. Each has been the site of large-scale warfare, with the United States in each case intervening to assist the anti-Communist government of the Southern region, and with China assisting—on a very large scale in Korea and on what is still a small scale in Vietnam—the Communist regime in the North. There are other parallels and, of course, many divergencies. Of the latter, all but one—the very different relationships of Korea in 1950 and Vietnam today to Soviet and Chinese power—seem to me to bear only tangentially on the soundness of our present policy and the consistency of liberal thinking. In any consideration of these matters, we must, I think, begin with the incontrovertible fact that the two countries are on the same continent. In both cases, United States policy toward Asia has been at issue. This has been the key to the thinking of one American liberal, Walter Lippmann, who would have no difficulty in finding in the public record proof positive of his own consistency. Long before we became involved in the Korean war, Lippmann was arguing that this country had no business whatever deploying its troops on the mainland of Asia. At the time of Korea, he said that we should be involved, if at all, only as a sea and air power, and he has been saying the same thing about Vietnam for several years. In this, he is only invoking an established (though perhaps today disestablished) American doctrine, and, as a matter of fact, that doctrine was briefly in force even after President Truman and his advisers had committed us to the defense of South Korea on June 25, 1950.

Though it tends to be forgotten now, those who—in Blair House, on that important date—agreed that we ought to intervene had in mind giving the South Koreans only such support as our Navy and Air Force could supply. And for three days that was all we gave. It was not until President Truman was personally assured that General MacArthur, who had been up to then a leading member of the Lippmann school (he had once said that anyone who advocated the use of our ground forces in Asia "ought to have his head examined"), had changed his mind that he assented to the historic shift in policy. In Vietnam we have again tested the wisdom of the doctrine abandoned seventeen years ago, and to some its continuing essential soundness has again been demonstrated. But a much larger question is whether we have any business entering any Asian wars with any kind of American power. It is difficult to see how anyone could maintain that it was morally right to enter the one Asian war in 1950 and is morally wrong to be in the other one today. A more valid argument can be offered on the ground that what makes the one intervention defensible and the other indefensible is that in the interval between the two wars what we once called "international Communism" has been shown to be nonexistent. What in 1950 appeared to be "monolithic" is now revealed as "polycentric." This is an enormously important and highly relevant development, but it does not really alter the basic question of what our role in Asia should be. Even if no Communist powers had been involved in either case, or if the ally of one Northern regime had been Communist and the ally of the other had been anti-Communist, it would still be necessary to decide how much responsibility this country should assume for a balance of power in Asia.

Do we, as a people, have any morally or politically legitimate concern with the political order in Asia? If we say no—or say perhaps, but not to the point of using force—then we simply have to ask ourselves what on earth we were doing in Korea seventeen years ago, and even what we were fighting the Japanese about twenty-five years ago. (It will not do to say that they attacked us at Pearl Harbor. That would not have happened if our foreign policy had not seemed a threat to theirs.) For, beyond all the talk about Fascism and imperialism and Communism and democracy and self-determination, the basic reality is that, for bad reasons or good, the United States has increasingly, through most of this century, been throwing its weight around in Asia to create or maintain a political order that several American governments have decided is best for the United States and possibly best for Asia. I happen to think we would all be far better off if this decision had never been taken by anyone, but it was taken—and not by Lyndon Johnson in late 1963 or early 1964. The balance of power—that is what our three Asian wars have been about, and we might as well state the rest of this proposition, which is that this is what all foreign policy is and almost always has been about. If we ask ourselves why we shouldn't leave the balance of power in Asia to the Asians, we might as well reopen the question of whether we have, or ever had, any business messing about with the balance of power in Europe or anywhere else in the world or the cosmos. I can think of several quite compelling arguments for having different European and Asian policies, but I cannot see how the war in Vietnam can be regarded as some new and lamentable departure from established policy. Rather, it appears to me an application of established policy that has miscarried so dreadfully that we must begin examining not just the case at hand but the whole works. If this is where our foreign policy lands us, then we had better settle among ourselves whether the policy is, or ever was, any good, and even whether we ought to have any foreign policy at all.

For most liberals, the real clincher is that, as they see it now, in Korea we opposed an act of clear and premeditated aggression carried out by an army crossing an international boundary and seeking to annex by force the territory on the other side, whereas in Vietnam we are interfering in what is essentially a civil war, with the forces we oppose consisting of indigenous rebels. There is something in this, but, in my view, very little, and nothing, certainly, to destroy the strength of the analogy. In Korea, it was plainly a matter of troops from the North marching into the South. The people in the Southern war zones seemed to feel very little sympathy for the invaders, whereas in Vietnam the Vietcong guerrillas and, possibly to a lesser extent, the regulars from the North have a good deal of support. But this hardly demonstrates that one is a civil war and the other was not. Koreans fought Koreans in Korea, as Vietnamese are fighting Vietnamese in Vietnam. In each case, the issue was control of the Southern territory and unification of the country. In each case, the contested area has been part of the homeland of people with a more or less common history. Indeed, one can argue that the partition of Vietnam into Northern and Southern regions has greater historical justification than the similar partition of Korea. Many historians maintain that the cultural and political differences between North and South in Vietnam are large and ancient ones, difficult to resolve under one government. "By 1620," according to John T. McAlister, Jr., a Princeton authority on Southeast Asia, writing in *World Politics* for January, 1967, "the system had succumbed to regional pressures, and Vietnam had become divided into two warring states, literally separated by a wall built across the width of the country at the eighteenth parallel near the town of Dong Hoi, north of Hué." This seventeenth-century anti-infiltration barrier, McAlister goes on, was "constructed by the leaders of the southern faction, the Nguyen family, [and] rose to a height of eighteen feet. . . .[In] 1672 it proved strong enough to withstand a major military test by the northern faction under the generalship of the Trinh family."

Korea had known partitions since 108 B.C. Nevertheless, Edwin O. Reischauer writes that it "is a more homogeneous national unit than are most of the countries of South Asia." As for the "boundary" at the Thirty-eighth Parallel in Korea, though it had been proposed as a line of demarcation between Russian and Japanese spheres of influence following the war in 1905, the State Department used to describe it as a "fortuitous line resulting from the exigencies of war." Secretary of State James Byrnes had in 1947 called it "a military convenience." In any event, Americans should be the last people to say that a civil war is not a civil war when it is primarily regional in character or can more or less accurately be described as a War Between the States.

In his forthcoming "Memoirs: 1925–1950," George F. Kennan, who was director of the State Department's Policy Planning Staff until late in 1949, writes of Korea, "This was, finally, a civil conflict, not an international one; and the term 'aggression' in the usual international sense was as misplaced here as it was to be later in the case of Vietnam." Kennan nevertheless approved our intervention—indeed, thought it an inescapable duty. Until the end of the war, Korea had been a Japanese colony. We accepted the Japanese surrender in the Southern zone. But in 1950, he says, "There was as yet no peace treaty with Japan to define [Korea's] future status. We had accepted the responsibilities of military occupation in South Korea, and the fact that we had withdrawn our own combat forces did not mean, in the continued absence of a Japanese peace treaty, that these responsibilities were terminated. We had a perfect right to intervene, on the basis of our position as occupying power, to assure the preservation of order in this territory." Here is a distinction between the two wars that is also an important difference.

Kennan—who, incidentally, opposed the bombing of North Korea, as today he opposes the bombing of North Vietnam—felt that we should have gone ahead in Korea without bringing in the United Nations, whose involvement, as he saw it, itself became a cause of heightened tensions. Most of today's older doves, however, maintain that the backing of the U.N. gave the earlier war the legitimacy that the present one lacks. Few things about the situation in which we now find ourselves should give us more concern than the fact that today we clearly do not enjoy the good opinion of much of mankind. But if the truth is to be told, we didn't enjoy it in the early fifties, either. The U.N. support was largely illusory and came about through dumb luck. The Russians had absentmindedly—and providentially, from our point of view—boycotted the U.N. Security Council, and were thus unable to veto the resolution of support. Had there been a Russian veto, the United States would have gone ahead without U.N. support. We were already in the war.

Furthermore, the Security Council resolution was something less than an unequivocal call to arms. It called for a cease-fire and asked U.N. members to "render every assistance" in bringing one to pass. In a book on the war published in 1951 (originally issued as "The General and the President" and reissued in 1965 as "The MacArthur Controversy"), Arthur Schlesinger, Jr., and I wrote, "By putting the broadest possible construction on this, the President was able to say that his decision was in furtherance of United Nations policy. This claim gave rise to a wrangle that still goes on in law schools." Though Dean Rusk is no doubt right in say-

ing that "the proportion of non-United States forces in South Vietnam is greater than [that of] non-United States forces in Korea," we did have a good deal more approval in 1950 than we have in 1967. But most of it came in the form of talk. Even those nations, like England, that gave us some military assistance were scared stiff that we might lead them into a world war, and kept beseeching us to get out of Korea on the best terms we could—which, in the end, was what we did.

The Communist nations and the radical parties everywhere accused us, as they do today, of conducting an imperialist crusade. If the war in Vietnam is in some sense "imperialist," as so many Americans have come to believe, so was the war in Korea. In any event, the ultimate soundness of a policy is not to be determined by who supports it and who does not. This is particularly the case when, as in the U.N., the count is of nation states. The fact that a majority of General Assembly members has regularly opposed the admission of mainland China does not lend any moral or political force to the wisdom of mainland China's exclusion. The fact that the Organization of American States voted overwhelmingly support, *ex post facto*, of the American intervention in the Dominican Republic in 1965 has never been regarded as an acceptable sanction for the dispatch of troops.

In Korea, as in Vietnam, our intervention was undertaken on the President's initiative. War was never declared by Congress. Truman lacked even as questionable a mandate as the one that Congress gave Johnson in the 1964 Gulf of Tonkin Resolution. Dean Rusk can lecture congressmen today about our obligations under the SEATO treaty, but the treaty had not even been thought of in Dean Acheson's day. Yet I pick up an anti-war manifesto signed by many people who to my certain knowledge favored the Korean intervention and find them saying that because "Congress has not declared a war, as required by the Constitution," the war in Vietnam is "un-Constitutional and illegal." For my part, I would be happy if the Supreme Court ruled the war un-Constitutional next Monday morning.

But I cannot imagine a theory of the war or of the Constitution that would hold our presence in Vietnam to be in violation of our fundamental law and would not require the same judgment on our earlier presence in Korea. Nor can I see that it would make much difference if Congress did declare the existence of a state of war or if the Supreme Court certified the carnage as Constitutional. Can any legislature turn an unjust cause into a just one by an observance of due process? Slavery was "Constitutional" until it was smashed in a war of dubious Constitutionality. The signers of this anti-war manifesto were brought together by, they say, a common desire to assist young men in avoiding conscription. A worthy purpose it may well be, but the draft is legal; the Selective Service Act has been in force for twenty-seven years, and the Supreme Court has yet to strike it down. Such sticklers for law might consider turning themselves in for sedition and conspiracy. I find the names of some of them also attached to an appeal calling upon other citizens to join them and Henry David Thoreau—part of whose "Civil Disobedience" is used as the manifesto for this particular group—in withholding from the Internal Revenue Service that part of their taxes which, by their calculations, "is being used to finance the war." The income-tax laws are at least as legal and Constitutional as Selective Service. Thoreau didn't want to help pay for the Mexican War, which may have been, as he passionately believed it was, immoral, but it was certainly not illegal or un-Constitutional. Anyway, a "legal" war is a legal fiction.

The rhetoric of politics is always opportunistic. But war, which debases all discourse, makes it worse. The opportunism of the doves is no more to be censured than that of anyone else. If I could stop the war by talking, I would not mind talking nonsense or telling a few lies. I have brought up the whole question of the Korea-Vietnam analogy because I think it is important for all of us to see that there have been some profound changes in *us* as well as in the world in the last two decades. To begin with, I think, the mere passage of time has had its effect. In 1950, with a great war only five years behind us, we had, as a people, the zeal and energy of crusaders. There was then little dissent—and, compared with today, little cause for dissent—from the proposition that militarized Communism threatened the peace and stability of the world and that it was up to us, newly emerged as a superpower, to turn back its sorties with whatever force was called for. We did so, and I have no doubt that if the circumstances that had obtained in the late forties or early fifties were to obtain at present in Vietnam, most of today's doves would support our role in Vietnam with at least as much vigor as they supported our role in Korea. But the *New Republic* is in a way profoundly right in insisting that things aren't the same.

Much has happened in the Communist world that requires us to rethink our positions, but even if this were not so we could not look upon Vietnam today as we once looked upon Korea. Our crusading zeal has ebbed; affluence, much of it spent on education, has been accompanied by a heightened sophistication about the world and its affairs, a spreading skepticism and disenchantment, and, in the middle class, a new and rather strange hedonism that particularly and peculiarly affects the young.

We are not, I think, a more attractive people than we were—rather, the contrary—but we are in many ways less self-righteous. Both the best and the worst spirits among us are turning inward more than they were before, given more to seeking individual grace and salvation—the consequences being, on the one hand, an admirable willingness to work and sacrifice on behalf of the disadvantaged and, on the other hand, a less admirable self-indulgence that increases the demand for everything from drugs to yachts and sports cars, from unrestricted sexual license to the right to behave as obnoxiously and irresponsibly as one's underdeveloped conscience may dictate. The difference between the two periods was well stated by Richard F. Babcock, a Chicago attorney, in a letter written early last year to an influential newspaper columnist. After describing what seemed to him the parallels between Korea and Vietnam, he wrote:

"There is, then, little difference, morally, strategically, or politically, between Korea in 1950 and Vietnam in 1966. Yet the first was and still is regarded as a demonstration of American moral stamina at its best, the latter as a moral and strategic aberration.

"The difference, I suspect, is that we are at 1966 and not 1950. There is, for example, a temporal relation between the domestic civil-rights struggle and Vietnam. The student who protests both racial discrimination and Vietnam is not irresponsible in his motivations—he is consistent. We are in an era of incredible affluence and, consequently, of sensitive national conscience in matters not only domestic but foreign. We are a generation away from World War II. Korea had no Watts. Korea was, however, only five years from Nuremberg and at the doorstep of McCarthy.

"This historical setting, it seems to me, is the key. And if so, it suggests that responsible critics do a disservice to the country when they fail to point out that Vietnam suffers not from a failure to come up to a moral or strategic imperative but that it takes place at a time when America is in a period of self-appraisal absent in 1950."

It is often said that the prevalence of television has done much to change us, particularly in our ways of responding to such phenomena as war, racial injustice, and violence, and to the personalities of public men. It would be surprising if this were not to some extent so. The war in Vietnam is close to the center of the national consciousness because of the ease with which we can "follow" it—"live," or almost. Because of television, it is impossible to be unaware of, and hence indifferent to, the war, as the people of the European colonial powers in the eighteenth and nineteenth centuries were largely unaware of the prolonged and costly campaigns—many of them much like the war in Vietnam—being carried on by their armies and navies in distant parts of the world.

I also think it likely that, as some people believe, the daily cocktail-time spectacle of death and atrocity (I sat down to dinner a few evenings ago just as C.B.S. was showing some American troops cutting the ears off Vietcong corpses as souvenirs of the combat) has contributed to the spreading revulsion and to anti-war sentiment. To argue this case, however, it would seem necessary to explain how it happens that a people with an enormous appetite for violence on television, in movies, and in highbrow as much as in low- and middlebrow literature may be repelled by a few minutes a day of the real thing, which is very often less sickening than the simulated variety.

This would be no problem for Norman Mailer or H. Rap Brown, each of whom tells us that we are and always have been a violent people and that the televised war in Vietnam satisfies our lust for violence and serves as a graduate school in murder for our young men. I reject this view. Despite our lynchings, gang wars, race riots, and casual military undertaking, I do not think our people are particularly given to violence. They are human beings and have their share of human weaknesses, of which a lust for violence has always been one. If violence is as American as apple pie, it is also as French as *quiche Lorraine*. There have been as many attempts on the life of Charles de Gaulle as on the lives of all the American Presidents put together. It may be that our assassins are better shots or that the French Sûreté is smarter than our Secret Service. In any case, I have been in many parts of the world where violence, organized and unorganized, is far more easily provoked than as a rule it is here, and far more a part of everyday existence.

I do not know why our popular culture is so hung up on violence and sadism. I think it may have less to do with the need for violence than with the third-rateness of the culture and with the kind of talent that turns out all this awful stuff. That is to say, a partial explanation may be that violence, like sentimentality, lends itself to easy exploitation. A stupid or lazy dramatist can save himself a lot of hard work by writing scenes in which the action consists of people maiming one another. An exchange of gunfire can be more easily and convincingly dramatized than a clash of human wills. And, of course, people go for it—but not just Americans.

Ours is a culture largely manufactured for export, and the very worst of it is a smash hit all over the world. But just as the carnality of our popular culture does not prove that we are more libidinous than others, its emphasis on violence does not prove that we are more brutish than others. Furthermore, there is to be observed an almost complete disjuncture between the violence of Vietnam and the violence of our cinematic and electronic fantasies. Although war movies like "The Dirty Dozen" are big at the box office, the most topical of wars, Vietnam, has yet to be the subject of a motion picture.

This, we are told, on excellent authority, is not because the producers are reluctant to exploit it. The subject has been deliberately avoided, it seems, for reasons rather like those behind the avoidance—at least, until recently—of the subject of sodomy and miscegenation. It would offend the audience, or a

good part of it, and in acknowledgment of this fact—presumably established by the usual surveys of the market—the major producers have agreed among themselves to lay off. Even as heady a matching of star and subject as John Wayne and the Army Special Forces has had difficulty attracting the capital needed for a picture to be called "The Green Berets." If, à la Norman Mailer, President Johnson is only John Wayne in the White House, he may be more vulnerable than we know.

As a nation among nations, as a force in the world, we may be behaving more chauvinistically today than we have ever behaved in the past. This almost has to be true, because our power is so immense that any ugly display of it makes an impression commensurate with its magnitude. But among us, as a people, chauvinism and jingoism have been declining steadily since the First World War. Although Hitler's Germany was more detestable than Kaiser Wilhelm's, there was less Hun-hating in the Second World War than in the First. What was "liberty cabbage" in 1918 was sauerkraut in 1945. There was not much flag-waving in the Second World War, and still less in the Korean war. But now we seem to have made a really radical break with the past.

This is the first war of the century of which it is true that opposition to it is not only widespread but fashionable. It is the first in connection with which it seems is downright bad taste to invoke patriotism; while the Korean war was still in progress, theatres were showing such movies about it as "A Yank in Korea," "Korea Patrol," "Glory Brigade," "Battle Circus," and "Mission Over Korea." In the two wars before this one, there was a conspicuous shortage of martial airs; and now, for the first time, popular songs of bitter protest, such as Joan Baez's "Saigon Bride" and Pete Seeger's "Waste Deep in the Big Muddy," are part of the popular culture.

If we could gauge a nation's penchant for violence by its official rhetoric and its popular culture, China would stand first in both categories. In the rhetoric department, we would rank far down the list and in popular culture perhaps second or third, though it is not to be forgotten that many others consume our product exactly as we do. Some Chinese are behaving very strangely these days, but I do not for a moment believe they are an abnormally violent people, and I am not so sure their leaders are more violent than ours. They just talk rougher and beat more people up. The medium is not the message. The message I get from my eyes and ears is that, because of this war and certain attendant miseries, kookiness of every sort is alarmingly on the rise.

At the same time, if it's a sign of one's sanity to be against the war, and a sign of relative sanity to prefer a limited war to the world's last great shoot-out, we are in better shape than many of us know. Consider the extraordinary extent of the opposition to this war—over forty per cent of the American people now, with the number increasing each month—and, perhaps equally notable, the distate for it among those who do not oppose it. Nothing like this has been known in this century. Ordinarily, in this and most other modern states, opposition to war evaporates once the decision to wage it has been taken, once the killing has begun.

When the bugles sound and the colors are unfurled, almost everyone becomes a patriot of the Stephen Decatur, or my-country-right-or-wrong, persuasion. Such patriots seem very scarce today, and they speak softly, if at all. In the Senate there are a handful of screaming eagles, but mostly there are old-school politicians—like Senator Russell, of Georgia—who explain in patient, weary voices that we have to get on with the war because, regardless of the merits of the enterprise, we are in it and have committed our troops and our honor to it. Here is a terse description of the extraordinary state of affairs in the United States Senate today—a summary, by C.B.S., of a mid-October survey it conducted:

"On Vietnam, the U.S. Senate is advising more and consenting less. In the C.B.S. News survey, nearly half the senators responding said they disapproved the conduct of the war. Open support for the Gulf of Tonkin Resolution dropped dramatically. Eighteen senators wanted the bombing of North Vietnam completely stopped.

"We talked with 95 senators. Eight of them refused to participate, 87 responding to the questions on the conduct of the war. Three years ago, President Johnson took a survey of his own. It was called the Gulf of Tonkin Resolution, supporting his authority to do anything necessary in Southeast Asia. Eighty-eight approved then, two did not. Today, only 34 are prepared to publicly support a Tonkin Resolution without reservation or change. Fifteen refused to comment, and where two voted against it in 1964, 20 would now vote no.

"On Vietnam today, 42 senators disapprove the Administration's conduct of the war. Thirty-two approve. Eleven would not commit themselves, including the Senate's Minority Leader, Everett Dirksen. His 'no comment' follows strong defense of the President on the floor. Disapproval takes two directions. Fifteen are dissatisfied because they want more military action to end the war. Twenty-seven want less, in the form of bombing pauses or de-escalations.

"Most senators feel their constituents think as they do, 46 reporting the folks at home disapprove the handling of the war, 22 reporting constituent approval. They notice a recent change in their public's opinion, too. Thirty-three of the senators say their people have shifted, and 28 of them say it is in the direction of wanting less military action.

"On bombing policy, the Senate goes in all directions. Eighteen want bombing of the North completely stopped. Twenty-one say it should be increased, to include more lucrative targets. Twenty-four go along with whatever the President or the military want to do, and 12 suggest less bombing or a pause.

"The sleeper question of the survey turned out to be the last one, asking if the senators favored direct negotiations with the Vietcong. There was more agreement on this than anything else. Forty-six senators said yes. Sixteen said no to direct talks with the guerrilla front. One of them wanted a military victory so complete as to have no Vietcong to negotiate with.

"Many answers to the CBS News survey were qualified, justifying the opinion of several senators that polls never really satisfy with a full measurement of attitudes, but three things do emerge: a crumbling of the solid front support given three years ago with the Gulf of Tonkin Resolution, an infectious restlessness in the Senate and among its constituents with the progress of the war, and a growing impatience with a long twilight struggle where victories do not decide, and the end cannot be seen."

Whether or not they mean it, the leaders of the Administration miss no opportunity to wring their hands and insist that it is peace, and not victory, they seek, and that they are ready at any time to sit down with anyone anywhere, and so on. ("I would depart today for any mutually convenient spot," Rusk said, "if I could meet a representative of North Vietnam with whom I could discuss peace in Southeast Asia.") *Do* they mean it? Who knows? If they don't mean it, why are they saying it? If they didn't talk so much, the credibility gap might narrow. But they go on. Week after week, the Secretary of Defense, the master of the greatest war machine in history, seems to be trying to signal to us, his countrymen, that the damned thing isn't working, that the bombing is pointless, that it should be stopped. Does he speak for the President? Evidently not, but he still has the job. As for the President, speaking of mankind's behavior in this century, he said earlier this month, in Williamsburg, Virginia, "We can take no pride in the fact that we have fought each other like animals." He added that it "is really an insult to the animals, who live together in more harmony than human beings seem to be able to do." After some generalizations on other failures of statesmanship, he said, "Shame on the world and shame on its leaders." Those who support the war, like those who oppose it, appeal not to the patriotic heart but to the bleeding one. This is without precedent.

Consider, also, the attitudes toward civilian deaths, and casualties, and the general human suffering brought by the war to the Vietnamese, North and South. These, too, are without known precedent. Whether this war is like or unlike any earlier one, it resembles all modern wars in that noncombatants are killed, the innocent suffer greatly, and there is much cruel and needless destruction. In Korea, we bombed and shelled villages, killed countless women and children. No Senate committees pestered the generals to learn how many civilians had been killed or what steps were being taken to avoid the slaughter of the innocents. *C'est la guerre.*

We killed a great many civilians in the Second World War. If they were Germans or Japanese, it served them right. (Hiroshima produced some immediate revulsion, but it was the newness and hideousness of the weapon employed that affected us, who had been little moved by wider killing with mere TNT.) If they were Italians or Frenchmen, we thought of their deaths as gallant sacrifices they made happily for the liberation of their soil. To be sure, civilized people have always felt that noncombatants should be spared to the greatest extent consistent with military needs, but until now there was no doubt in anyone's mind that the military needs—provided, of course, they were our own—should be the first consideration. Any sense of outrage over atrocities and dead civilians was directed at the enemy. Now, for the first time, the conscience of a large part of the nation has been aroused by agonies for which our own forces are responsible.

All wars are brutalizing, and perhaps in the random violence of the past few years (not merely the riots—not even so much the riots as the murders and assassinations) we are paying part of the price for sanctioned murder in the name of anti-Communism, self-determination, and democracy. But what seems already clear—from the size of the anti-war movements, from the muting of the eagles, from the outrage over atrocities and civilian losses—is that there is building up in this country a powerful sentiment not simply against the war in Vietnam but against war itself, not simply against bombing in Vietnam but against bombing anywhere at any time for any reason, not simply against the slaughter of innocents in an unjust conflict but also against the slaughter of those who may be far from innocent in a just conflict. The youthful protesters would probably acknowledge this without hesitation, only asking themselves why anyone should labor the point so heavily. (Some would no doubt go further, and say that they oppose not only the wars this government runs but everything else it does.)

Their elders, thinking of a past they find it necessary to be true to, cannot turn pacifist overnight. They must distinguish between this war and the wars they have supported in the past—up to and including the war in the Middle East a few months ago. But in fact our present war is different mainly in that it seems endless and hopeless.

Is it possible for us to come through this experience, if we come through at all, as a pacifist nation? I suppose not. "Pacifist nation" seems a contradiction in terms. If all

of us, or most of us, were pacifists, we would have little reason to be a nation. Defense is the fundamental raison d'être for the modern state. And if a pacifist nation didn't come apart at the seams, some nonpacifist nation would tear it apart. It seems to me, though, that if the war goes on and if opposition to it continues to increase at the present rate, there will in time be a testing of this whole proposition. No government that is not totalitarian can go on indefinitely fighting a hard war that its people hate. Something has to give. Either the government yields to the popular will or it becomes oppressive and stifles the protest by terror. Thus far, there is no sign that our government has faced the question. With very few exceptions, as far as the anti-war movement is concerned, police power has been used sparingly and in the interests of domestic tranquillity.

Few other governments, even when they were not at war, would be as restrained as this one has been in dealing with protest movements, including violent ones. It seems to me that this is in part because we are waging the Vietnam war with an essentially professional military force. Its morale is said to be high and not to be much affected by what is going on here. This state of affairs cannot last indefinitely. Morale will be affected, and then the test will be made. I cannot figure the odds on the outcome. On the one hand, repression is the safest, surest, cheapest course for any government to take. I can imagine the coming to power of an American de Gaulle, or even of someone a lot more authoritarian than de Gaulle. Much of the troublemaking in the months and years ahead will be the work of Negroes, and I can even imagine the imposition of a kind of American apartheid—at least in the North, where Negroes live in ghettos that are easily sealed off.

If there should be the will to do it, it could be done quite "legally" and "Constitutionally." There are enough smart lawyers around to figure out how. On the other hand, there is unprecedented opposition to the war inside the odious "power structure" itself. There is much opposition in Congress and in every department of the federal government. The governors of large states and the mayors of great cities—among them the Mayor of New York—are opposed to the war. The Supreme Court, which was such a bastion of liberty in the McCarthy years, would make things as hard as possible for all the smart lawyers. The government could, of course, ignore, or even abolish, the Supreme Court. But the Court is not the only American institution that has proved quite resilient in periods of stress.

The churches, the press, the universities—all are centers of dissent. It could prove to be crucial that the American middle class—as despicable as the Establishment in the minds of the young and alienated—is also a center of dissent. The proletariat may not be willing to call off strikes or accept pay cuts because of the war, but it offers little support to the protest movements. If we are now undertaking, or are about to undertake, a radical alteration in values, support for it will come not from the workers but from an unproclaimed, and even unwanted, alliance between relatively affluent whites, of whom I happen to be one, and what Daniel P. Moynihan calls the "underclass," consisting mainly of unemployed Negroes, many of whom want to kill me.

I want American democracy to survive. It is in many ways a fraud. It is not keeping its promises to the American Negroes. It has abused them and many other people. It has very little aesthetic or intellectual appeal. But under it there is at least a hope of redemption. Things do get done here that don't get done under other systems. But it now seems clear to me that if American democracy does survive it will be something quite different from what we have known. I find it hard at this stage to see how a victory for democracy will not also be a victory for pacifism.

Those who will lead the struggle are, whether they acknowledge it or not, renouncing war as an instrument of policy. They may insist that of course they would fight the enemy at the gates, or perhaps take arms against a new Hitler if one should arise. But the wars of the future—at least, those that would have any ideological content—are not going to be like the wars of the past. India and Pakistan or India and China may fight over bits and pieces of territory, but the Soviet Union and the United States are agreed on the need for common efforts to cool it when such disputes get hot. Most future wars are apt to be like the war in Vietnam—wars that will be called by their instigators "wars of national liberation." The Soviet Union, as Nikita Khrushchev long ago informed us, will support them. From its point of view, they are irresistible.

They cost next to nothing and drive us Americans out of our minds. But if we survive as anything like a free society, we will not be entering them. I simply cannot imagine this country, under any President chosen in a free election, taking on another Vietnam. If this is so, it may be good news. But it means that we won't have much in the way of a foreign policy. We will draw back from all difficult situations. We will leave the field to those who have not renounced war.

I hold a kind of Tolstoyan view of history, and believe that it is hardly ever possible to determine the real truth about how and why we got from here to there. Since I find it extremely difficult to uncover my own motives, I hesitate to deal with those of other people, and I positively despair at the thought of ever being really sure about what has moved whole nations and whole generations of mankind. No explanation of the causes and origins of any war—of any large happening in history—can ever be for me much more than a plausible one, a reasonable hypothesis. But if we cannot answer the "how" and "why" questions with anything like certitude, we can answer a good many of the "what" ones, and this sometimes enables us to eliminate at least some of the suggested "how"s and "why"s. In regard to Vietnam, I feel confident in isolating certain noncauses and non-origins. We did not go into Vietnam spoiling for a war. It was not the American attitude at the Geneva Conference in 1954 that made what everyone now speaks of as the "Geneva agreements" unworkable.

A far more likely thesis is that they proved unworkable because the Russians gave the French (and the South Vietnamese) better terms than they needed to, in the expectation that the French would on this account decide not to enter the proposed European Defense Community. However that may be, those so-called agreements were not a diplomatic settlement of any kind but simply a document setting forth the terms of a cease-fire. To quote John McAlister again:

"There were only three documents signed at Geneva, and only four signatories were involved: France, the royal governments of Laos and Cambodia, and the Vietminh. [The Vietminh was an army, not a government. What we think of as the South Vietnamese, or anti-Communist Vietnamese, were never consulted.] These agreements were not treaties and they were not formally ratified by any government by any process. They were simply agreements between the opposing military commands to stop the fighting in Indo-China and to take measures to prevent the fighting from being resumed. Some confusion has resulted because the 'Final Declaration of the Geneva Conference,' which 'noted' the key provisions of the various cease-fire agreements, seemed to emanate from all nine conference participants. However, this 'Final Declaration' was not signed by *any* of the participants. It was yet another cold-war device to mask the lack of consensus among the major powers—an 'unsigned treaty'."

We have sinned greatly and frequently since 1954, but not always in the ways that we think we have. We did not go into Vietnam hoping for a war; after all, we had just passed up a splendid opportunity to join the fighting with our then friends the French at our side. But we were not taken altogether by surprise at discovering that nothing really had been settled by Geneva. Two-fifths of our aid in the early days was military, but something beyond this figure persuades me that we were after something a bit more decent than the opening of a new firing range. The non-Communist state that came into being as a consequence of the Geneva Conference looked to our foreign-aid people as if it might actually work, as if it might turn out to be a nice, prosperous, well-behaved little democracy. In the bright light of hindsight, this seems a ridiculous dream. And what may have been ridiculous about it was not that people like the Emperor Bao Dai and Ngo Dinh Diem would never let it happen, but, rather, that Ho Chi Minh would never let it happen.

We are always being told what awful people we have supported in Saigon while all along there has existed the alternative of supporting the Vietnamese Thomas Jefferson, Ho Chi Minh, and having him on our side. Ho sounds a lot more attractive than most of the types we have lately been dealing with, and it might have been very smart of us back before 1950, say, to try to strike up some sort of deal with him. And Ho could not have been much interested in us in the early fifties (and anyway think of what McCarthy would have said), and Diem then did not have, or was concealing, his cloven hoof. Diem never seemed a Thomas Jefferson, or even a Lyndon Johnson, but he looked no worse than our man in Korea, Syngman Rhee. And one can at least advance the hypothesis that our troubles have grown not out of Diem's "failure" and ours to create a good society in South Vietnam but out of a certain amount of early success, or, if not that, out of Ho's fear that we might somehow succeed someday. It could also be that he was not unmindful of the possibilities for looting.

The Americans had put a good many desirable things—including a lot of expensive and well-made weaponry—in South Vietnam, and if he could knock over the government without too much difficulty they would all be his.

Senator Fulbright has been saying for years that foreign aid is dangerous, because it can lead to war. I think he is right. We invest money and, more important, hope in a country, and when some thugs threaten to wreck the country and dash its hopes and ours we are tempted to police the place.

Some of the most promising governments in Africa are likely to go to pieces because the leaders of less hopeful neighboring states either can't stand the thought that the people across the way are going to make it or feel that neighbors ought to share and share alike. In the late fifties and early sixties, many Americans who had no appetite for war and no thought that there would be one urged that we give Saigon enough military assistance to put down the Vietcong and enable the government at least to stand on its feet and have enough time and energy to make something of itself.

They should have known better. But there was no reason then to think of the difficulties with the Vietcong as having much to do with the balance of power in Asia. Indeed—and here, perhaps, is another important difference between this war and Korea—it seems to have been our intervention on a large scale that gave the war a real balance-of-power meaning. In the early sixties, when Laos was a more troublesome place than Vietnam, the Russians were look-

ing the other way. In that period, too, the "domino theory" was generally discredited. There may then have been a chance for a President to reappraise—agonizingly, of course—the whole affair and order a phase-out. Vietnam was still an obscure place, and with us no longer involved it would have been still more obscure.

I speak of a time when Kennedy was alive. He could probably have de-escalated, but instead he escalated. If he had lived, and if he had beaten Goldwater or some other Republican in 1964, he might have altered his strategy at some later point. But he died, and Johnson pursued his policy with a vengeance, thereby, in my view, giving the domino theory a strange validity it had earlier lacked: *The dominoes might fall in a certain way because we set them up that way.* If we had got out of Vietnam five years ago, the balance of power in Asia might have been affected only insignificantly and imperceptibly. If we got out tomorrow, the consequences might be very serious indeed. We have painted ourselves in.

Until early in 1965, I felt that our role in Vietnam was defensible. The rulers of the country seemed an untrustworthy lot, but that did not appear a good reason for turning the place over to the Vietcong. Knowing that a developing nation cannot possibly manage war and reform at the same time without assistance, I felt that our assistance in putting down an insurgency was helpful. The fact that the insurgents were natives did not bother me; so were their antagonists, and I have never believed that civil wars are somehow more virtuous and rational than wars of any other kind.

From my point of view, the operations of the Vietcong were, and still are, every bit as irrational as I now believe ours are. They don't seem to mind destroying their country any more than we do. I can understand why some Americans should be indifferent to the fate of Vietnam—to a certain degree, and to my own dismay, I am coming to feel that way myself—but I cannot understand why any Vietnamese should be indifferent to it. I wish Johnson would swallow his pride, whatever the consequences, but it seems to me it is positively idiotic for Ho Chi Minh not to take Johnson and Rusk at their word and, if what they are saying is all a bluff, call it. Why not set a place and a date, and see whether Rusk shows up? Everybody knows that unless American forces stay in Vietnam for the rest of history the Vietcong are going to have their triumphs anyway; if they negotiated us out of there tomorrow on any terms at all, the country would be theirs before long. (Tran Van Dinh, a former South Vietnamese diplomat, at odds with the Saigon regime, has speculated that this very knowledge may be a reason for Ho's not negotiating.

Our departure would create a vacuum that would for a time be filled by the Vietcong but would ultimately be vulnerable to Chinese pressure. Tran Van Dinh believes that one of the last things Ho really wants is a complete American pullout.) If the Vietcong can remain as strong as they seem to be with all the Americans chasing them around the country, they should have no trouble at all seizing power after they sat down and told us enough lies about the future to make it impossible for us not to agree to get out.

The American people love to be lied to at peace conferences, and if that happened in this instance the guerrilla could put away his shooting irons, turn respectable, run for office, and run the country. General Ky could get a job with Pan American World Airways or just loll about on the Riviera, where he would be an authentic part of the scene and would find a lot of his old friends as well as many new ones.

Nothing so agreeable is going to happen. It is up to us to make the first move. Until recently, I felt that the best first move would be a relatively small one—small but visible: not necessarily putting an end to the bombing but announcing a plan for scaling it down. I know Air Force officers who wouldn't object to this. Why, it may be asked, should they, since the targets are mostly gone anyway? But many other Air Force people would not object to something of the sort being done for political reasons even if they had strategic reservations. I did not think such a move would be of the least help in "bringing Hanoi to the conference table," but I thought that almost any deescalation would put an end to our scaring everyone else about our intentions, particularly toward the Chinese, and would help prepare us for the inevitable. In time, Johnson or some other President may begin a phased withdrawal in that way.

But I now fear that it will soon be too late—by which I mean too late to undo the damage to us. And it is we ourselves in this moment of history that we must think of before we think of anyone or anything else. This is a terrible thing to feel compelled to say. Edwin Reischauer, in his "Beyond Vietnam: The United States and Asia," argues that of the three options he thinks we have—escalation and a likely war with China, complete withdrawal as soon as possible, and plodding along on our present bloody and repugnant course—the last is the least disastrous and hence the most acceptable. Reischauer, who was until recently our Ambassador in Japan, is a fine scholar and humanist who has great respect and affection for the people of Asia, among whom he lived and studied for many years before John F. Kennedy persuaded him to leave scholarship for diplomacy.

He is no hawk, no imperialist, no warrior of any kind. He thinks we were crazy ever to get into this and crazy to have let it reach this point. But what he fears most of all is that if we abandon this undertaking now, we will tell ourselves that Asia is impossible, that we should never again have anything to do with it, and will abandon not only Vietnam but all of Asia, with the likely exception of Japan. I share his fear. We might treat Asia as we treated Europe after 1918.

We must ask ourselves right now whether that wouldn't be a pretty good idea. From some points of view, it might be an excellent idea. If our foreign policy in Asia produces such a monstrosity as the Vietnam war, why not get out? But, as Reischauer sees it, and as I would like to see it, our foreign policy in Asia is more than just the war in Vietnam. Most of Asia needs our help desperately, and we can perhaps use a good deal of Asian help in growing up. I want to go on having an American presence in Asia, because I don't want people to starve to death if we can prevent it, and I don't want Asians to despise my children and grandchildren and plot to destroy them.

Anyway, the thing wouldn't work. In recent years, a good many people have urged the dismantling of NATO, on the ground that it is no longer needed and that what is sometimes called "the European system" can work on its own. Whenever such proposals were brought to the attention of George Ball, the former Under-Secretary of State, and a dedicated Europeanist, he would ask their sponsors if they remembered what had happened to "The European system" in 1914 and in 1939. Things may have changed in Europe lately, but there has never been anything anyone could call "the Asian system," capable of settling what diplomats call "regional" problems—usually meaning wars.

Even if China managed to contain itself, which doesn't seem very likely, there would still be a good deal of unpleasantness between India and Pakistan. Making their own nuclear weapons might seem more important to them than it does now. And there would be unpleasantness elsewhere in Southeast Asia. And who knows whether some of Japan's long-range planners might not start casting a speculative eye on the "power vacuums" we would be creating?

Until very recently, these considerations put me in substantial agreement with Reischauer that perhaps Johnson's way offers fewer dangers than any of the others. But now I think we have reached—or are just about to reach—a point at which the argument no longer holds water. For one thing, if we continue much longer we may pull out of Asia whether we win, lose, or draw in Vietnam. It happens to be the view of our people that they don't want their kids to be killed so that Asians can go on eating. Most of them would see no logic in saying there is a necessary connection between starvation in India and Americans getting shot in Vietnam, but even if the logic were self-evident they would reject it.

Beyond all that, however, we seem as incapable as the South Vietnamese of running a war—or, at any rate, *this* war—and doing anything worthwhile at the same time. Congress insists on cutting our decent programs elsewhere in the world—to say nothing of those in this country—almost to the point of absurdity. In a literal sense, it is finding a way to make the wretched of the earth foot the bill for Vietnam. This isn't its intention, and as a nation we are still more generous than most, yet not only are innocent people dying in Vietnam but, because of the dollars-and-cents cost of the war, they are dying in Africa.

The war in Vietnam is heading too many of us for the loony bin. People who could once talk sensibly about politics are becoming unhinged and disoriented by it. Some are really thinking seriously of running Ronald Reagan for President. A young man who used to be a provocative analyst now screwily and oracularly proclaims that "morality, like politics, starts at the barrel of a gun." This is printed in a local high-brow journal, and it takes a professor from California to remind this well-educated ex-humanist, now evidently en route to some kind of New Left Fascism, that politics *ends* at the barrel of a gun. Not long ago, a highly intelligent and attractive young Negro spokesman for a radical organization said that he couldn't see any reason anyone should write a book about poverty—he was talking of Michael Harrington's "The Other America"—because anyone who was really poor and had lived in a ghetto knew all there was to know about it anyway. He said he himself could tell it like it is, but thought a book about it was a waste of anyone's time.

The land is filling up with cranks and zanies—some well intentioned, some vicious. It can be contended that Vietnam is not the only cause of goofing off, of alienation. Of course it isn't. But it provides the occasion, and it heightens the degree. And so it seems to me that if we stay on in Vietnam we will render ourselves incapable of being of much help to Asians or anyone else. We will need all the help we can get ourselves. If Ronald Reagan became President, I'd say by all means let's not have a foreign policy.

I want us to get out, and then try to recover our sanity, so that we may face the consequences. Some of them cause me almost no concern. The spread of Communism bothers me very little. It may be bad in some places and not so bad in others, but we can live with it just about anywhere—even ninety miles from Key West. Once, it was, or seemed to be, a world movement, and it was surely a brutally expansionist one. But its adventures in expansionism blunted its threat as a world movement. By 1948, when Tito broke with Stalin, it should have been clear that ideology was no match for nationalism—at least in Europe.

When China broke with Russia, it was obvious that the same thing went for Asia. Perhaps if we had borne in mind the history of earlier religious movements we could have seen all this fifty years ago. But we didn't see it, and neither, of course, did they. At any rate, we now know that the mere cir-

cumstance that a piece of real estate falls under Communist control doesn't constitute a threat to our existence, and doesn't even mean there is no more hope for the people involved. Nor, with things as they are, can my first concern be with the indisputable fact that by pulling out we would be breaking our pledge not only to the Vietnamese but to the Thais and others to whom what would follow might be quite painful. We are going to get out sooner or later anyway, and when we do we will not go back in, so, no matter what happens in the near future, they are going to have to work out their relations with China without much support from us. But some of the consequences of withdrawal disturb me greatly.

By and large, I think that most of American foreign policy for the last thirty years has been admirable. I want us to continue to be part of the world and to use our considerable talents for the benefit of all mankind. I suspect that if we get out of Vietnam we won't have much left in the way of a foreign policy And, most of all, I fear what will happen right here if we withdraw. Theodore C. Sorensen writes that since Khrushchev could admit a mistake in the missile crisis five years ago, and Kennedy could acknowledge one at the Bay of Pigs a year before that, Lyndon Johnson ought to be able to do the same thing now. Here are two analogies that do not work at all. The missile crisis was over in a few days, the Bay of Pigs in a few hours.

No Russian soldiers died in the missile crisis, no American ones at the Bay of Pigs. It would take greater magnanimity and a greater dedication to the truth than we have any right to expect of any politician on earth for Lyndon Johnson to say that this whole bloody business is a mistake, and was from the start. He just cannot and will not do it. If he did, he would throw this country into worse turmoil than it has known at any time since the Civil War. Could he pull out and either say nothing or tell some lies? Could he possibly use Senator Aiken's ploy and announce that we had achieved our ends in Vietnam and were withdrawing?

Perhaps, but there would still be turmoil. There will be turmoil whether we stay or go, and I dread it. But, between the two, I have less fear of the consequences of withdrawal than of those of perseverance.

This war is intolerable What does it mean to say that? Not much—talk is cheap. I haven't a clue as to how we can get out, and I have never much liked the idea of proposing without knowing of a means of disposing. I don't think we can write our way out, and I doubt very much if we can demonstrate our way out. But out is where I want us to be, and I don't know what a man can do except say what he thinks and feels.

RICHARD H. ROVERE.

GROWING INTERNATIONAL INTEREST IN THE METRIC SYSTEM

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. McCLORY. Mr. Speaker, growing international interest in the adoption of the metric system of weights and measures is reflected in the summer 1968 edition of American Scientist.

This respected scientific journal has reprinted a pamphlet prepared by the Royal Society of London to encourage the use of metric symbols in scientific writing.

I am pleased to bring this concise and clear description of metric system symbols to the attention of my colleagues. The article is a further indication of the growing popularity of the metric system. Also, it provides added reason for passage of H.R. 3136, which is the bill authorizing the Secretary of Commerce to make a study of the advantages and possible disadvantages of increased use of the metric system in the United States.

The material follows:

METRICATION IN SCIENTIFIC JOURNALS

(By the Royal Society Conference of Editors)

(NOTE.—The Royal Society (London) has, in various fields, been taking a leading part in promoting the adoption of the metric (SI) system of units in the United Kingdom. The Council of the Royal Society, at a meeting in January 1968, decided that the Society's own journals should henceforth require the use of SI units as far as possible. A pamphlet has been prepared by the Conference of Editors and issued to the Fellows of the Society with a statement that the Royal Society will welcome its reproduction in whole or in part as desired.

(For the information of American scientists we present here the pamphlet as received and inform our readers that copies may be obtained from the Executive Secretary, the Royal Society, 6 Carlton House Terrace, London, S.W. 1, Bulk orders, £2 per 100.—HUGH TAYLOR.)

The Royal Society Conference of Editors, after considering the role scientific journals can play in connexion with the Government's policy of promoting the general adoption of the metric system in the U.K., makes two main recommendations:

1. That the system of units known as SI should be adopted in all scientific and technical journals.

2. That, in order to keep to a minimum the difficulties that will inevitably arise during the period of transition, the change-over should be effected as quickly as possible.

SI (which is the abbreviation in many languages for Système International d'Unités) is an extension and refinement of the traditional metric system. It embodies features which make it logically superior to any other system as well as practically more convenient: it is rational, coherent, and comprehensive. The purpose of this leaflet is to provide a brief account of SI; it has been prepared in the hope that it will be useful to authors in a wide range of subjects and also that in many instances it will obviate the need for editors to produce their own notes.

The metric system which had spread to several countries in the aftermath of the French Revolution, began to be adopted in scientific work in the U.K. in the last quarter of the nineteenth century. Its use extended more and more widely, although a few branches of science remain where Imperial Units have continued to predominate. It is fortunate that now that the time has come to discard completely the time-honoured native units (which are not without their advantages), there is to hand a fully developed International System to take their place. Over the years much thought has been given to extending and improving the metric system until finally, in 1960, the Conférence Générale des Poids et Mesures, the body responsible for maintaining standards of measurements (of which the U.K. is an active participant), formally approved SI. Already nearly thirty countries have decided to make it the only legally accepted system and it is clearly destined to become the universal currency of science and commerce. In many spheres in the U.K. (schools, universities, industry) the adoption of SI is being actively encouraged. The Conference of Editors is anxious that the journals devoted to science and engineering should seize the opportunity of playing a crucial role in helping to end the confusion and wastefulness (both mental and material) resulting from the present multiplicity of units.

The main features of SI are as follows:

1. There are six basic units (see below) the metre and kilogramme taking the place of the centimetre and gramme of the old metric system.

2. The unit of force, the newton (kg m s^{-2} is independent of the Earth's gravitation, and the often confusing introduction, in some branches of science and technology, of g into equations is no longer necessary.

3. The unit of energy in all forms is the joule (newton × metre), and of power the joule per second (watt); thus the variously defined calories, together with the kilowatt hour, the B.t.u. and the horsepower are all superseded.

4. "Electrostatic" and "electromagnetic" units are replaced by SI electrical units.

5. Multiples of units are normally to be restricted to steps of a thousand and similarly fractions to steps of a thousandth.

Lists are appended of the basic SI units, of some derived SI units, of compatible units, and also examples of units which run counter to SI, the use of which is accordingly to be actively discouraged. Also listed are the names and symbols of the prefixes representing numerical factors: these are both convenient in obviating the need to write large numbers of zeros or in some instances high powers of 10, and also helpful in establishing familiarity with the numerical framework of modern science. It will be noted that the recommended prefixes are limited to $10 \pm^{31}$.

The rate of the change-over towards complete metrication will vary from journal to journal, depending on the subjects covered and the extent to which the metric system already holds sway. In certain branches of science and engineering editors may decide to proceed to their target along the following route (with equivalent values given in parentheses):

non-metric (SI) → SI (non-metric) → SI
(stage I) (stage II) (stage III)

In some branches full metrication will have to wait upon the installation of metric machinery and equipment. (Where measurements are expressed in the form of instrument readings they should be so recorded and a conversion factor quoted.)

In many journals, on the other hand, change-over to SI units can be achieved in one step, and the experience of some editors and authors where changes have already been introduced is that such changes are more readily accepted than would have been supposed before their introduction.

Whatever the particular circumstances, it is hoped that editors will play a positive part in encouraging their authors to adopt the International System of Units. When it becomes fully established in all disciplines the advantages will be enormous.

BASIC SI UNITS

Physical quantity	Name of unit	Symbol for unit [1]
Length	Metre	m
Mass	Kilogramme	kg
Time	Second	s
Electric current	Ampere	A
Thermodynamic temperature.	Degree Kelvin	°K
Luminous intensity	Candela	cd

[1] Symbols for units do not take a plural form.

SUPPLEMENTARY UNITS [2]

Physical quantity	Name of unit	Symbol for unit
Plane angle	Radian	rad
Solid angle	Steradian	sr

[2] These units are dimensionless.

DERIVED SI UNITS WITH SPECIAL NAMES

Physical quantity	Name of unit	Symbol for unit	Definition of unit
Energy	Joule	J	$kg\ m^2 s^{-2}$
Force	Newton	N	$kg\ m\ s^{-2} = J\ m^{-1}$
Power	Watt	W	$kg\ m^2\ s^{-3} = J\ s^{-1}$
Electric charge	Coulomb	C	A s
Electric potential difference	Volt	V	$kg\ m^2 s^{-3}\ A^{-1} = J\ A^{-1}\ s^{-1}$
Electric resistance	Ohm	Ω	$kg\ m^2\ s^{-3}\ A^{-2} = V A^{-1}$
Electric capacitance	Farad	F	$A^2\ s^4\ kg^{-1}\ m^{-2} = A\ s\ V^{-1}$
Magnetic flux	Weber	Wb	$kg\ m^2 s^{-2}\ A^{-1} = V\ s$
Inductance	Henry	H	$kg\ m^2\ s^{-2}\ A^{-2} = V\ s\ A^{-1}$
Magnetic flux density	Tesla	T	$kg\ s^{-2}\ A^{-1} = V\ s\ m^{-2}$
Luminous flux	Lumen	lm	cd sr
Illumination	Lux	lx	$cd\ sr\ m^{-2}$
Frequency	Hertz	Hz	cycle per second
Customary temperature, t	Degree Celsius	°C	$t/°C = T/°K - 273.15$

FRACTIONS AND MULTIPLES

Fraction	Prefix	Symbol	Multiple	Prefix	Symbol
*10^{-1}	Deci	d	10	Deka	da
*10^{-2}	Centi	c	10^2	Hecto	h
10^{-3}	Milli	m	10^3	Kilo	k
10^{-6}	Micro	μ	10^6	Mega	M
10^{-9}	Nano	n	10^9	Giga	G
10^{-12}	Pico	p	10^{12}	Terr	T
10^{-15}	Femto	f			
10^{-18}	Atto	a			

*To be restricted to instances where there is a strongly felt need, such as may be experienced in the early days of metrication in favour of the centimetre as the unit of length in certain biological measurements.

Compound prefixes should not be used, e.g., 10^{-9} metre is represented by—

1 nm, *not* 1 mμm

The attaching of a prefix to a unit in effect constitutes a new unit, e.g.—

$1\ km^2 = 1\ (km)^2 = 10^6 m^2$
not $1\ k(m^2) = 10^3 m^2$

Where possible any numerical prefix should appear in the numerator of an expression.

EXAMPLES OF OTHER DERIVED SI UNITS

Physical quantity	SI unit	Symbol for unit
Area	Square metre	m^2
Volume	Cubic metre	m^3
Density	Kilogramme per cubic metre.	$kg\ m^{-3}$
Velocity	Metre per second	$m\ s^{-1}$
Angular velocity	Radian per second	$rad\ s^{-1}$
Acceleration	Metre per second squared.	$m\ s^{-2}$
Pressure	Newton per square metre.	$N\ m^{-2}$
Kinematic viscosity, diffusion coefficient.	Square metre per second.	$m^2\ s^{-1}$
Dynamic viscosity	Newton second per square metre.	$N\ s\ m^{-2}$
Electric field strength.	Volt per metre	$V\ m^{-1}$
Magnetic field strength.	Ampere per metre	$A\ m^{-1}$
Luminance	Candela per square metre.	$cd\ m^{-2}$

UNITS TO BE ALLOWED IN CONJUNCTION WITH SI

Physical quantity	Name of unit	Symbol for unit	Definition of unit
Length	Parsec	pc	30.87×10^{15} m
Area	Barn	b	$10^{-28}\ m^2$
	Hectare	ha	$10^4\ m^2$
Volume	Litre	l	$10^{-3}\ m^3 = dm^3$
Pressure	Bar	bar	$10^5\ N\ m^{-2}$
Mass	Tonne	t	10^3 kg = Mg
Kinematic viscosity, diffusion coefficient.	Stokes	St	$10^{-4}\ m^2\ s^{-1}$
Dynamic viscosity	Poise	P	$10^{-1}\ kg\ m^{-1}\ s^{-1}$
Magnetic flux density (magnetic induction)	Gauss	G	10^{-4} T
Radioactivity	Curie	Ci	$37 \times 10^9\ s^{-1}$
Energy	Electron-volt	eV	1.6021×10^{-19} J

The common units of time (e.g., hour, year) will persist, and also, in appropriate contexts, the angular degree.

Until such time as a new name may be adopted for the kilogramme as the basic unit of mass, the gramme will often be used, both as an elementary unit (to avoid the absurdity of mkg) and in association with numerical prefixes, e.g., μg.

EXAMPLES OF UNITS CONTRARY TO SI, WITH THEIR EQUIVALENTS*

Physical quantity	Unit	Equivalent
Length	ångström	10^{-10} m
	Inch	0.0254 m
	Foot	0.3048 m
	Yard	0.9144 m
	Mile	1.609 34 km
	Nautical mile	1.853 8 km
Area	Square inch	645.16 mm^2
	Square foot	0.092 903 m^2
	Square yard	0.836 127 m^2
	Square mile	2.589 99 km^2
Volume	Cubic inch	$1.638\ 71 \times 10^{-5}\ m^3$
	Cubic foot	0.028 316 8 m^3
	U.K. gallon	0.004 546 092 m^3
Mass	Pound	0.453 592 37 kg
	Slug	14.593 9 kg
Density	Pound/cubic inch	$2.767\ 99 \times 10^4\ kgm^{-3}$
	Pound/cubic foot	16.0185 $kg\ m^{-3}$
Force	Dyne	10^{-5} N
	Poundal	0.138 255 N
	Pound-force	4.448 22 N
	Kilogramme-force	9.806 65 N
Pressure	Atmosphere	101.325 $kN\ m^{-2}$
	Torr	133.322 $N\ m^{-2}$
	Pound (f)/sq. in.	6894.76 $N\ m^{-2}$
Energy	Erg	10^{-7} J
	Calorie (I.T.)	4.1868 J
	Calorie (15 °C)	4.1855 J
	Calorie (thermochemical)	4.184 J
	B.t.u.	1055.06 J
	Foot poundal	0.042 140 1J
	Foot pound (f)	1.355 82 J
Power	Horse power	745.700 W
Temperature	Degree Rankine	5/9 °K
	Degree Fahrenheit	$t/°F = 9/5\ T/°C + 32$

*Fuller lists are to be found in the National Physical Laboratory's "Changing to the Metric System" (Anderton & Brigg). London: H.M.S.O. (1966).

COMMENCEMENT EXERCISES AT NOTRE DAME COLLEGE OF STATEN ISLAND

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MURPHY of New York. Mr. Speaker, on Monday, June 3, I was honored to participate in the 34th annual commencement exercises at Notre Dame College of Staten Island. Notre Dame is one of the finest colleges on the eastern seaboard, and the young ladies who graduated this year can be proud of their accomplishments at this fine school. The commencement address was delivered by the Honorable Malcolm Wilson, Lieutenant Governor of the State of New York. I feel his remarks are particularly enlightening, and I include the text of his speech for the benefit of my colleagues. Also, I include the list of graduates from the Notre Dame College class of 1968:

REMARKS OF LT. GOV. MALCOLM WILSON AT ANNUAL COMMENCEMENT OF NOTRE DAME COLLEGE OF STATEN ISLAND, JUNE 3, 1968

First of all I want to express my heartfelt gratitude to Sister Rita Donahue, your president, for the privilege she has awarded me of sharing with you the joy and significance of this occasion.

As you young women of the class of '68 receive your diplomas—your accolade for having completed four years of training in this fine Catholic institution of learning—you have earned the congratulations of all of us here, and we offer them to you in unstinted measure. No one receives a college diploma unless that one has cooperated in full with those who made it possible. But I am sure that each one of you has in mind that in being awarded your diploma you are the recipient of a privilege and that every privilege which we are accorded in life connotes a corresponding obligation.

I do not refer now to an obligation to the parents and others whose cooperation made possible your attendance here. If obligation there be in that regard, it is recorded in your hearts—and from there it will be repaid. I speak rather of your obligation to God who gave you the minds to assimilate and to benefit from the education which you have received.

Your parents after all—especially your fathers—have provided for you the finest in education because it was their joy to do so. No man, I suppose—and I speak from experience—does anything in life that is easier than to give to a daughter. The only time we fathers are in difficulty is when it comes to saying "No", (as I suppose all of you young ladies are well aware!). I imagine that from the moment when Eve presented Adam with their first daughter, God knew what to expect from him and has been tolerant with us ever since. For we temporal fathers indulge ourselves in the folly of love, but when God who is infinitely wiser gives generously, as He has to you, He expects in His justice a fair accounting.

The period of history in which you graduate is challenging and exciting; if we lose our objectivity in assessing it, it could well be terrifying. The last quarter of a century has seen greater advances in the scientific field than were dreamt of in the preceding thousand years. The tempo of our times has accelerated to such a degree that it is literally impossible to keep pace with it. The tremors of revolution are stirring this globe of ours—revolution social, political and religious. People, particularly young people the world over are tossing aside the pat answers that have satisfied the generations before them and are seeking new answers to age-old questions. They question even the normal traditions that have safe-guarded personal values. They want to revise and re-think the whole universe.

How are you to cope with the problems that confront you? You are modern young women and a part of your time. I suggest the ultimate answer is to be found in the one basic truth that is by now a part of the very core of your being. It is part of the eternal plan and you know that it will remain forever unchanged. No matter through what

spaces man may soar—no matter what far planets he may eventually reach—he was created for a threefold purpose: to know God, to love Him and to serve Him. It is as simple as that. It is a *fact*—as it was in the beginning, is now and ever shall be.

But do not think that anyone minimizes the pressures that will be exerted upon you to question even that truth. God is not dead—nor is the devil, for you remember that he is reputed to have won the robe of Christ when lots were cast for it; and being ever a consummate actor, he can don any disguise and fool even the most wary of us at times. And make no mistake: in the world today he has surrounded himself with many willing—and I suppose, at times, even unwilling apprentices.

A basic indication of the well-educated human being, one who has truly attained maturity, is the extent to which he or she is self-disciplined. The day is past when any of you here would need or expect the props of discipline which were offered to you by wise parents or by the fine faculty that has surrounded you up to now. You are mature young women who are capable of making your own decisions in answer to the multiple problems that you will face. But it will require a full measure of strength and self-discipline to maintain your own standards and ideals in a world that is bent on destroying them.

Some of you who have received your degrees today have already chosen the field where you feel you can best serve God. Sisters, I congratulate you! I can think of no time in the history of the church when the call to a woman to dedicate herself wholly to Him has presented such a magnificent challenge. More and more in the next few years will you young sisters be called upon to carry your apostolate to the whole secular community in which you live, rather than confining yourselves to the small area enclosed by the walls of the religious communities of which you are a part. What a fertile field you will find from which to garner souls for God!

To you other young women may I point out that your choice in life is as varied as your individual talents. You are surrounded on all sides by doors, anyone of which you may choose as the portal through which you will step into the adult world. There are the doors of marriage, the law, science, politics, journalism, medicine, the arts—almost limitless are the opportunities presented to a woman graduated from a fine college today. But I wish you would have one thing firmly in mind. No matter what field you choose to make your life's work, never in any of them will you be entering a man's world—because there is no such thing.

This is a world of men and women, and no matter how emancipated you have become, whatever goals you set for yourselves, whatever obligations you voluntarily assume, you, all of you, religious and lay alike, bear first and foremost the responsibility placed upon you by God: That of being a woman. For woman, it is said, was created to be the balance wheel for man; each by nature complements the other, and this is true no matter what field they share. Man is aggressive and woman accomplishes her end with greater gentleness; man declares war and to woman falls the role of arbiter and peacemaker; man is by nature in great measure an egotist, but a woman understands in some intuitive way that she grows no smaller in stature by building up those around her and helping them to develop their full potential.

We men do not ask that you young women be warriors. That role we have traditionally reserved for ourselves, perhaps because it is a plan of nature, or perhaps because it is the easier one. To woman falls the harder and infinitely more important role of guardian and disseminator of spiritual strength. By the plan of creation it is in the heart of woman that God has implanted the seeds of strength and comfort that are to flower and support his universe. When to that plan of the creator, as old as time, we add the complete development of fine minds and characters through modern Catholic education, we arrive at you, the graduating class of today, each of you bearing on her shoulders heavily it is true, but not too heavily, a responsibility from which there must be no turning away.

I would like to leave one more thought with you on this occasion which marks the termination of one complete phase of your lives. Consider seriously the fact that woman is by nature the home-maker. I am not now paraphrasing the old adage "Woman's Place Is in the Home" nor am I disparaging that sentiment, except insofar as I do not feel that any of us today has the right to light the fire on his or her own hearth, draw the blinds, gather loved ones around and say "Here We Are Sheltered and Safe"—not while in the dark beyond those blinds and beyond the reach of the heath-fire's warmth, so many millions of homeless, cold and frightened people are crying out for help.

Home, you know, has a second definition even in the dictionary. It is a "place to rest in and be safe". There is your role as home-makers—home-makers for the world, not only for those near and dear to you. Let it be your responsibility to make the world a "place to rest in and be safe". Let it be yours to do by holding fast to and spreading your own spiritual strength and moral courage to those around you—whether your own husbands and children—other's children that you may teach—or those who surround you in whatever profession or field you may choose for your life's work.

If the educated Catholic woman will make that her chief goal in life, then surely some day—probably we who are so proud of you today will not live to see it; possibly not even you will—but some day the jubilant cry must go up from a mankind freed at last from the crippling vise of materialistic force and moral weakness "Lord, I do fear Thou hast made the world too beautiful this year!"

CLASS OF 1968

Kathleen Marie Hansen, Valedictorian, Bachelor of Science in Education (cum laude)—Honor Key.

Barbara Chorman, Salutatorian, Bachelor of Arts (cum laude)—Honor Key.

Patricia Plankey, Bachelor of Arts (cum laude)—Honor Key.

Colleen Elizabeth Crosson, Bachelor of Science in Education (cum laude)—Honor Key.

Kathleen Mary Krank, Bachelor of Arts (cum laude)—Honor Key.

Mary Donlon, Bachelor of Arts (cum laude)—Honor Key.

Noreen MacEvoy, C.N.D., Bachelor of Arts (cum laude)—Honor Key.

Suzette Ann Sherry, Bachelor of Arts (cum laude)—Honor Key.

Janet Kathryn Schrieber, Bachelor of Arts (cum laude)—Honor Key.

Claudia Hart, Bachelor of Science in Education, Student President.

Jennifer Maureen Abbott, Bachelor of Arts.

Marianne Adamenas, Bachelor of Arts.

Susan Aery, C.N.D., Bachelor of Arts.

Patricia Ann Ahern, Bachelor of Arts.

Grace L. Altomari, Bachelor of Arts.

Madeline Elizabeth Ambry, Bachelor of Science in Education.

Janet Linda Augustine, Bachelor of Arts.

Beatrice Baker, C.N.D., Bachelor of Science in Education.

Kathleen Margaret Barry, Bachelor of Arts.

Diana Florence Baumlin, Bachelor of Arts.

Stanis Marusak Beck, Bachelor of Arts.

Dolores Karen Belby, Bachelor of Science in Education.

Loretta Bober, Bachelor of Arts.

Rose Michelle Boccasino, Bachelor of Arts.

Jo-Ann Bongiovanni, Bachelor of Science in Education.

Carol Lillian Caccese, Bachelor of Arts.

Ellenanne B. Caldwell, Bachelor of Arts.

Linda A. Campbell, Bachelor of Science in Education.

Patricia K. Campbell, Bachelor of Arts.

Rena Ann Campomenosi, Bachelor of Arts.

Sandra E. Cangiano, Bachelor of Arts.

Elaine T. Capelli, Bachelor of Science in Education.

Kathleen Maura Carmody, Bachelor of Arts.

Yolanda Ann Clemente, Bachelor of Arts.

Mary Elizabeth Clooney, Bachelor of Arts.

Mary Margaret Coggin, Bachelor of Science in Education.

Janis C. Craviso, Bachelor of Arts.

Noreen Theresa Crowe, Bachelor of Science in Education.

Ann Marie Cunningham, Bachelor of Arts.

Linda Ann Dadswell, Bachelor of Science in Education.

Joyce Ann D'Amico, Bachelor of Arts.

Margaret Patricia Dawley, Bachelor of Arts.

Eileen Dokus, Bachelor of Science in Education.

Barbara Lynn Donovan, C.N.D., Bachelor of Science in Education.

Maureen C. Donovan, Bachelor of Science in Education.

Margaret Catherine Driscoll, Bachelor of Science in Education.

Margaret Mary Duffy, Bachelor of Arts.

Carol Essig, Bachelor of Arts.

Barbara Jean Fink, Bachelor of Science in Education.

Annmarie Flanagan, Bachelor of Arts.

Patricia Anne Franzonello, Bachelor of Arts.

Mary Elizabeth Gallagher, Bachelor of Arts.

Linda Rose Gallo, Bachelor of Science in Education.

Barbara Gehshan, Bachelor of Arts.

Pauline Grassi, Bachelor of Arts.

Doreen Lynne Gregory, Bachelor of Arts.

Susan M. Haggerty, Bachelor of Arts.

Maryann Hedaa, C.N.D., Bachelor of Arts.

Margaret Mary Hennelly, Bachelor of Arts.

Helen V. Hickey, Bachelor of Science in Education.

Rosemary Teresa Javaruski, Bachelor of Science in Education.

Karen Eileen Johansen, Bachelor of Arts.

Clare Mary Johnson, Bachelor of Science in Education.

Carol Anne Kalowsky, Bachelor of Science in Education.

Kathleen Agnes Kelleher, Bachelor of Arts.

Sharon Ann Kelly, Bachelor of Arts.

Virginia Rose Kempf, Bachelor of Arts.

Mary Alice Kenney, Bachelor of Arts.

Elizabeth Mary Kocot, Bachelor of Science in Education.

Mary Geraldine Kohoot, Bachelor of Science in Education.

Tatiana Kramarev, Bachelor of Arts.

Donna Lynn Lancos, Bachelor of Arts.

Monica Landry, C.N.D., Bachelor of Arts.

Lorraine Larrivee, C.N.D., Bachelor of Science in Education.

Barbara Marie Lawaska, Bachelor of Arts.

Carol Ann Lawlor, Bachelor of Science in Education—Honor Key.

Eileen Cecilia Ledzion, Bachelor of Arts.

Mary Ann Lemieux, C.N.D., Bachelor of Science in Education.

Monica Leonard, C.N.D., Bachelor of Science in Education.

Karen Marie Leonhardt, Bachelor of Arts.

Sally Longo, C.N.D., Bachelor of Science in Education.

Eileen Maguire, Bachelor of Science in Education.

Frances Maguire, Bachelor of Arts.

Darleen Mayo, C.N.D., Bachelor of Science in Education.

Mary Elizabeth McAuliffe, Bachelor of Science in Education.

Jeanne A. McCarthy, Bachelor of Science in Education.

Patricia Anne McElligott, Bachelor of Arts.

Eleanor D. McGuire, Bachelor of Arts.
Ruth Ann Meehan, Bachelor of Arts.
Leonora Marie Megna, Bachelor of Arts.
Mary Elizabeth Monahan, Bachelor of Arts.
Carol Patricia Moran, Bachelor of Arts.
Mary Ellen Mullin, Bachelor of Arts—Honor Key.
Ellen Murphy, C.N.D., Bachelor of Arts.
Mary Ellen Murphy, Bachelor of Science in Education.
Maureen Ann Murphy, Bachelor of Arts.
Susan Murphy, Bachelor of Arts.
Dorothy Marie Nelson, Bachelor of Science in Education.
Patricia Joan Norman, Bachelor of Science in Education.
Mario Nowicki, Bachelor of Arts—Honor Key.
Rosemarie O'Rourke, Bachelor of Science in Education.
Patricia M. Pattison, Bachelor of Arts.
Kathleen Elizabeth Pearson, Bachelor of Arts.
Carol A. Pender, Bachelor of Arts.
Maria Antoinetta Penna, Bachelor of Arts.
Mary Dianne Peters, Bachelor of Arts.
Sally Plunket, Bachelor of Arts.
Judith Anne Poje, Bachelor of Arts.
Consuelo Irene Polanco, Bachelor of Science in Education.
Ann Powell, Bachelor of Arts.
Augusta Victoria Pumilia, Bachelor of Arts.
Patricia Ellen Quinlan, Bachelor of Science in Education.
Kathleen Patricia Reilly, Bachelor of Arts.
Patricia L. Reilly, Bachelor of Science in Education.
Marion Adele Rozger, Bachelor of Arts.
Elena Marie Sarnelle, Bachelor of Arts.
Ursula Elizabeth Schwarz, Bachelor of Arts.
Carolyn Ruth Sienicki, Bachelor of Science in Education.
Pauline Clara Simmen, Bachelor of Arts.
Mary Jane Singler; Bachelor of Arts.
Barbara A. B. Smith, Bachelor of Arts.
Dorothy Marie Smith, Bachelor of Arts.
Joan Marie Smith, Bachelor of Science in Education.
Roberta Sollazzo, Bachelor of Arts.
Ann Marie Strileckis, C.N.D., Bachelor of Science in Education.
Elizabeth Sullivan, C.N.D., Bachelor of Science in Education.
Norma Sullivan, Bachelor of Arts.
Mary Ellen Kathleen Tobin, Bachelor of Arts.
Susan Patricia Traks, Bachelor of Science in Education.
Patricia Ann Tuite, Bachelor of Arts.
Marie Anne Uffelmann, C.N.D., Bachelor of Arts.
Mariann Tiboni Verhey, Bachelor of Science in Education.
Grace A. Walsh, Bachelor of Arts.
Carol Ann Wittmann, Bachelor of Science in Education.
Anna Zanca, Bachelor of Science in Education.

THE FEDERAL TAX SYSTEM—CURRENT ACTIVITIES AND FUTURE POSSIBILITIES

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BURKE of Massachusetts. Mr. Speaker, I invite the attention of the Members to a recent address by the very able Assistant Secretary of the Treasury for Tax Policy, Stanley S. Surrey, before the Boston Economic Club.

His address, entitled "The Federal Tax System—Current Activities and Future Possibilities," not only describes current tax legislative matters being examined by the Congress, but touches upon a great number of items being talked about and studied by the business and academic communities, as well as within the Federal Government.

In particular I would like to draw attention to those portions of his remarks dealing with the role the tax system plays in the social fabric of today's society. Mr. Surrey discusses many of the subjects we have debated here and have been reading about in many journals for some time. It is a thought-provoking talk about the very real world of taxes, written in clear, lucid lanaguage.

The speech deserves the prompt attention of all Members of Congress.

The speech follows:

THE FEDERAL TAX SYSTEM—CURRENT ACTIVITIES AND FUTURE POSSIBILITIES

(Remarks by the Honorable Stanley S. Surrey, Assistant Secretary of the Treasury, before the Boston Economic Club, Boston, Mass., May 15, 1968)

Major changes in the Federal tax system have now become an annual experience. That system is so directly involved in our domestic and international activities that the constant changes in those activities and concerns are reflected in alternations of our tax structure. Sometimes the tax changes that take place in a given year are the result of events that develop during that year and require a prompt tax response. Sometimes—perhaps more often—the changes are the culmination of considerations and forces that began to gather several, perhaps many, years in the past. As a consequence, a survey of the Federal tax scene requires not only a description of current legislative activities but also an examination of current discussions and studies that may lead to legislative involvement in the future.

CURRENT LEGISLATIVE ACTIVITIES

The major activity in Federal tax legislation in 1968 is the emerging tax increase bill. One should really refer to the time span of that bill as 1967–1968 because the surcharge proposal has been before the Congress since last August. The tax increase proposal has had a tortuous journey and the Secretary of the Treasury throughout has had to play many roles. At times he has been a tax Candide, seeing progress in this procedural move or that statement by a legislator when all else saw only set back. At times he has sorrowfully been a tax Cassandra, as crises recurred in the international markets and gold filled the headlines. And at many another time he has been the ambulance surgeon on the emergency call or even a Dr. Christiaan Barnard—always able to detect a pulse or heartbeat when all others had put away their stethoscopes.

There are certainly many interesting facets of that journey. For one, the forecasting that underlay the recommendation for a tax increase was on target throughout. The economic pace of the economy was clearly foretold—a pause in the first part of 1967, a rise in the second half that would, in the absence of a tax increase, amount to an accelerated rate of growth that would be too rapid for our economic health. The domestic and international consequences that would accompany the unacceptable deficit position obtaining without a tax increase were also accurately foretold—rises in interest rates, an inflationary trend in prices, a setback to our trade surplus because of increased imports, a severely weakened balance of payments position, and attacks on the dollar in the international monetary field. The actual proving out of such a forecast is itself somewhat of a rare event where the forecast is the basis for policy action designed to affect the events forecast—to prevent too steep a rise or to brake a fall—and thus prevent prediction from becoming history. And so when a forecast calling for policy change has become actuality, then policy moves have gone astray—in this case through the passage of time. The enactment of the tax increase will start us on the journey away from all these dangerous instabilities to a more secure position at home and abroad.

Nor was the need for a tax increase a special phenomenon of the new economies or a matter of so-called fine tuning. Indeed, it was in response to a traditional reason for a tax increase—the need for revenues to meet rising expenditures of Government caused by our involvement in hostilities. The United States, ever since the ill-advised tax increase in the Depression, has not required an increaase in income taxes except in a time of hostilities, for it is only in such a period that Government expenditures have outrun revenues. Thus, in one sense the surcharge proposal was a classic textbook case for a tax increase.

But the textbooks would have missed some other facets of the fiscal scene. One of these has been the desire of the Congress and the Committees charged with revenue policy—especially the Ways and Means Committee—and on whom falls the task of increasing taxes, to achieve a coordination between Congressional consideration of appropriations and expenditures and Congressional consideration of tax policy. The annual, and often biannual and even triannual bouts with the limit on the public debt had not proven to be an effective instrument of coordination, though they did pave the way to a much improved substantive format for the Federal Budget and refinements in the concept of Budget surplus or deficit. The need for a tax increase was soon seen as apparently offering a much stronger instrument, and this attitude gradually grew in intensity and scope. As a result, the tax increase proposal became the device to achieve last year a reduction in fiscal year 1968 "controllable" expenditures (over $4 billion), and now under the Conference Report a reduction in fiscal year 1969 expenditures ($6 billion), a cut back in proposed new obligational authority for fiscal year 1969 ($10 billion), and a reexamination of carryover obligational authority ($8 billion). The gradual development of these expenditure changes was accompanied by an increasing degree of interchange between the Tax Committees and the Appropriations Committees, especially on the House side. This procedural change, growing as it did out of a whole variety of tentative actions and shifting goals as the new terrain was explored, proved a time-consuming process. And we are still left with the speculations as to what these developments may portend.

We can be hopeful, I believe, that the time involved in enacting the tax surcharge proposal will not be characteristic of the response to future needed changes in the level of taxes. There are too many particular connotations respecting this proposal—the varying attitudes to Vietnam hostilities for one—to make that time span a precedent. And hence, for example, any need to reduce taxes promptly in a Post-Vietnam period to maintain full employment should not have to face a similar time span.

Another interesting facet is that the format of the tax increase was really never a subject of controversy. As a result of careful study of this matter in 1966, culminating in the Hearings of the Subcommittee on Fiscal Policy of the Joint Economic Committee—a study and Hearing which the Administration had urged in preparation for the possible tax increase—the country had available a considerable amount of analysis and data on the shape of a tax increase, including the recommendation of that Subcommittee for the surcharge form. The tax proposal reflected this background, and involved three essential

aspects: an income tax surcharge form for both individuals and corporations; a shielding of those in the lowest brackets from the increase; and a temporary design for the increase. To a degree that is unusual in tax legislation, the initial proposal is reflected in the final version essentially without change.

The economic effect of the tax increase will be heightened by two recent developments in our tax structure—graduated withholding on wage and salary earners, and developments leading to a complete system of current tax payments for corporations. The former came in 1966, and the latter was built up by legislation in 1964 and 1966 and now by the corporate acceleration provisions in the current bill. The temporary tax increase will thus be immediately reflected in tax payments based on current levels of income and profits, so that those incomes and profits will at once bear the restraining effect of the increase.

While our balance of payments problems are reflected in the tax increase bill, they are also the occasion for other 1968 legislative activity still unfolding. For one, the foreign travel bill is now in the Senate, with the 5 percent travel tax extended to overseas air transportation and a tightening of customs measures. There is still the need further to dampen tourist expenditures abroad. While foreign travel has its undoubted advantages for both individual families and the nation, still a family must budget for its outlays and so must the nation budget its international expenditures to the foreign exchange available. In the trade field, attention now shifts to the Hearings before the Ways and Means Committee scheduled for June 4.

FUTURE EVENTS

Let us turn to the matter of future events in the tax field—or more properly current discussions, studies, developments, or what you will—that are likely to bring about legislative involvement at some point. I use the word involvement" advisedly and broadly—it ranges from active Congressional consideration producing legislative enactment to a Congressional decision not to take any action despite the call for consideration from this or that quarter. For I must emphasize that I am here describing and not predicting—and the area of description extends beyond government attitudes to business and labor discussion, academic interests, current research, and so on.

Tax reform

There is a recognized need for a major effort for further tax reform. The pending tax bill calls for the President to submit proposals for a comprehensive reform" this year. The consideration of tax reform has been held off by the deliberations over the tax bill. The operational aspects of tax legislation permit only one train to be on the main track at a given time, and so tax reform has been waiting in the railway yards for the main track to clear.

There is much to do in tax revision and many ideas have already been expressed, some in speeches by Treasury officials, some in speeches by legislators. The Treasury, for example, has called attention to the need to revise the rules relating to the transfer of property by death or gift, so as to achieve a more equitable estate and gift tax system with less tax distortion in family dispositions of property and a rational income tax treatment of appreciated assets so transferred. It has among other matters also stressed the need to eliminate corporate multiple surtax exemptions; to achieve a rational rearrangement of the tax treatment of the elderly; and to eliminate abuses in the area of private foundations and tax-exempt organizations generally. (It is an interesting commentary—should I say insight—on the foundation scene that *Fortune* magazine in its recent article on "America's Centimillionaires" includes in its estimates of an individual's wealth the holdings of "foundations established by the individuals or their spouses.")

Chairman Long of the Finance Committee, in a recent speech, also mentioned a proposal he had earlier suggested, and which has, in one form or another, been introduced in bills by other legislators, that of a "minimum tax" to be applied to an expanded income base including various forms of income now excluded from coverage of the regular tax. He has also suggested maximum effective tax rates applied to the same expanded base. Chairman Mills has spoken of the need for steps designed to reduce the complexity of various facets of the measure of taxable net income. Others have focused on aspects of the tax law that enable people of large wealth to pay little income tax, and even in some cases to escape payment entirely. The Treasury has spoken of tax reform as involving a combination of revenue-raising and revenue-losing measures, so that on net balance there would be no significant overall budgetary effect. A number of Congressmen have viewed reform only from the revenue-raising, "closing of loopholes" aspect.

Some matters that were on various lists are already on the legislative scene, for tax reform must be a constant process and all developments cannot wait on major efforts for revision. Thus, the pending bill contains a provision setting a ceiling on tax-exempt industrial development bonds, thereby preventing them from swamping the regular tax-exempt bond market and from making private corporate bonds an archaic instrument.

The Secretary of Labor has submitted to the Congress proposals for revision of the structure of private pension plans involving a minimum standard of vesting, standards for the funding of benefits, and a system of plan termination protection. The measure is aptly entitled the "Pension Benefits Security Act of 1968"—for it deals with assuring a worker that years of labor in a company having a pension plan will bring him a vested benefit on retirement even though events cause him to leave that company before retirement age, and that there will be funds on hand for the payment of that benefit. This program is based on recommendations by an interagency staff committee, including Treasury Department participation, which were made after extensive consultations with informed groups regarding prior proposals. The Treasury fully supports this program. It also believes that its formulation as a measure outside the tax laws is a recognition of the importance of these matters in the whole context of employer-employee relations, a point of view that had been stressed by employer groups in criticizing prior proposals as not properly a part of the tax system.

As a substantive matter, I cannot see how one can quarrel with the basic goals of the Labor Department proposal. There is persuasive and saddening testimony to the hardship that can result from a lack of vesting in the many letters we and other Government agencies receive from individuals who, after working years for an employer, suddenly find they have lost their pension accruals because of a change in job or even a lay off. Aside even from the inequity of this result, the simple fact is that these individuals must now face retirement without the pension they expected. There is no way for them to retrace their steps and make other financial arrangements. For them, the private pension system is a failure and a mockery. And the expectation of the pension may well have affected their spending decisions while employed under the plan. In a country in which only half of the employees (aged 30 to 50) who have been with an employer for 10 years will be with that same employer in the next 10 years, this high degree of labor mobility requires that the vesting of benefits be an integral part of the private pension system. The Labor Department proposals will thus enable the private pension plan system to achieve the vital and beneficial role for which it was designed.

Poverty and taxes

The tax system is a part of the social fabric of our nation. As such it will be affected by changes in that fabric and must be responsive to those changes, consistent with performance of its function of supplying government revenues fairly and effectively. Significant events, violent and non-violent, are daily focusing the nation's attention on great poverty within our affluent society. The effects of this poverty and its growing subculture should—one hopes—appeal to our consciences and our capacity to move forward intelligently rather than to our fears. How will the tax system be involved in this appeal?

The tax system must play an essential role in enabling fiscal policy to fulfill the tasks of providing a full employment economy with as few destabilizing turns up or down as possible. Such an economy by itself will not eliminate poverty or solve our urban crisis, but without it all solutions to those ills will fail. The problems are so immense that only with the full use of our potential resources will we be in a position to achieve success in overcoming them. Consequently, we must build on our limited experience of managing a full employment economy, improve our forecasting techniques, but more importantly, achieve the flexible procedures and postures that permit a sufficiently prompt response to the measures that the forecasts require.

Against a background of full employment, what is the relevance of our attack on poverty to the tax system? There is first the direct matter of the payment of a tax itself. Our present Federal income tax does reach below the poverty level, especially for single persons and married couples with no dependents. The President has said that as fiscal conditions permit this should be corrected, and the burden of income tax payments lifted from those in poverty. In keeping with this view, as I stated earlier, the 10 percent surcharge does not apply to the lowest income brackets.

Assuming that step to be an accepted policy goal, the scholars have turned to other taxes paid by the poor and in this regard are critically examining the Social Security payroll taxes. They point out that the employee tax is applied to the first dollar of wages without regard for family size and is proportional to wages covered, all in contrast to the income tax. As a consequence the present employee payroll tax is higher than the income tax for about 25 percent of the people paying Social Security tax. Moreover, this is wholly apart from the question of the incidence of the employer tax, which most economists believe also to fall on wages. Of course the benefits of the Social Security system are paid in a progressive manner. But the scholars are questioning whether the present poor should be called on to pay taxes to provide benefits for the currently retired, or for their own benefits in the future. Any significant increase in Social Security benefits is thus likely to involve the Congress in a consideration of the impact of Social Security taxes below the poverty level.

Somewhat similar concerns could well play a part in any Congressional consideration of suggested changes looking to greater use of indirect taxation in the Federal tax structure. Legislation in recent years has involved an extensive cutback of Federal excise taxes, leaving this type of taxation largely to States and cities and strengthening the role of the income tax in the Federal structure. This concentration on the income tax at the Federal level has brought its fiscal policy benefits, for the United States has shaped that tax into a measure that can be promptly responsive to our fiscal needs, unlike the income tax structures in most

countries. And we are steadily improving the equity of the tax. In some business—and academic—circles, consideration is being given to adding a mass sales tax at the Federal level, be it a retail sales tax similar to our State taxes or a value-added tax which would have the same economic effect. The thought generally is to substitute this for a part of the corporate tax. Others have asserted this would shift the burden of the tax dollars involved from corporations and their shareholders to the consumer, and thus to the poor to the extent of their share in consumption. In their view a sales tax is clearly more regressive than an income tax, and while measures perhaps can be considered to lessen the regressivity of the sales tax, those measures would complicate its administration. They would thus contend such a move to a sales tax at the Federal level would be inconsistent with efforts to relieve the poor of their income tax burdens. Congress may perhaps find itself at some later date involved in this debate which, again, is still pretty much confined to research circles and some business groups.

Poverty and tax expenditures

Another facet of the attacks on poverty and the urban crisis is the realization that all levels of Government will be required to spend increasingly larger sums on social programs. This being so, the broad questions to be answered are the nature of these expenditures and the amounts to be spent. The relationship of the latter question to the tax system is clear, but even the first question has a direct bearing on the tax structure. For many of the suggested expenditures have a tax connotation.

There has been considerable academic interest and increasing business interest in our whole public assistance or welfare system. As an illustration, the recent "Report from the Steering Committee of the Arden House Conference on Public Welfare" states that:

"The present system of public assistance does not work well. It covers only 8-million of the 30-million Americans living in poverty. It is demeaning, inefficient, inadequate, and has so many disincentives built into it that it encourages continued dependency.

"It should be replaced with an income maintenance system, possibly a negative income tax, which would bring all 30-million Americans up to at least the official Federal poverty line. Such a system should contain strong incentives to work, try to contain regional cost of living differentials, and be administered by the Internal Revenue Service to provide greater administrative efficiency and effectiveness than now exists."

Other groups or individuals have also called for an income maintenance system, as a complement to or perhaps as an evolution of an improved welfare system. The President's Committee on Income Maintenance is now considering this whole subject.

Essentially an income maintenance system is an expenditure program, even when it has the name and design of a negative income tax. For a negative income tax calls for payments to people below a designated level of need. The payments by the Government decrease as the individuals' incomes come closer to that level. Once they reach that level and the individuals become taxpayers, they have passed from the negative tax stage (payments of money *to* them) to the positive or traditional income tax stage (payments of tax *by* them). The degree of association to the traditional income tax depends on the relationship of the level of need, below which payments are made by Government, to the levels (determined by personal exemptions and the minimum standard deduction) governing positive income tax payments; the extent to which the "negative income" (the amount by which actual income falls below the level of need) is measured by concepts and definitions of income now used in the income tax; and the extent of participation by the Internal Revenue Service in the administration of the payments to the individuals.

Intense exploration of the income maintenance line of approach—how would it be administered and effectuated, what is the effect on incentives to work, what is the relationship to welfare programs—will clearly be helpful to the Congress when it comes to consider such proposals. The need for intense exploration is increased by the fact that there are competitors for the large expenditure dollars involved in that line of approach. One competitor, for example, has the general name of "tax sharing" to cover a variety of measures by which Federal tax revenues would be allocated in the large, with as few restrictions as possible, to States and (or?) local governments. Under this approach, one proposal is to automatically allocate a percentage of the Federal individual income tax base each year to State and local governments. Other proposals operate indirectly by providing for a substantial credit against Federal individual income tax liabilities for State income taxes (and perhaps other forms of State tax) thereby permitting the States to use and raise these taxes since their impact will be borne by Federal revenues to the extent of the credit.

In addition to the competitor of tax sharing, there is the competitor of direct Federal expenditures for specific purposes, such as slum clearance, urban transportation, manpower training, rental housing, health services, education, pollution control and so on—the whole range of present programs and those pressing to get on the existing list.

However the priorities come out, expenditure programs require funds. Whichever route or combination of routes is chosen, the quantitative impact on budget policy and on tax policy is obvious. The sums involved are very large, but so are the resources of the United States. Each year our growth at full employment increases our total Federal revenues, including the trust fund taxes, by $12 billion—an asset which underscores the vital need to remain a full employment economy. Hopefully, the Post-Vietnam climate will permit defense expenditures to drop to lower levels, thereby releasing budget space so to speak to these domestic areas. We will have to carefully weigh the balance to be struck between the levels of Federal tax burden, and thus the consequent amount of Federal expenditures, and the income of the private sector. This balance between private sector and public sector will involve many considerations—the combination of profit incentives, savings and consumer demand needed to achieve a continuing full-employment economy; the degree to which the private sector can effectively participate in solving our urban crisis and other social problems; the degree and rate at which Federal funds can be wisely spent.

In making these decisions we should keep in mind that taxes absorb a smaller portion of gross national product in the United States than in any other industrialized country with the exception of Japan and Switzerland—in 1966 it was 28.9 percent of GNP in the United States compared to, for example, 38.6 percent in France, 34.8 percent in Germany, and 31.3 percent in the United Kingdom. We rank about twelfth among the industrialized countries. (This is not the place to consider whether there is a clear association between the level of taxes and the rate of growth in these economies—a recent study concluded that the data permit no clear-cut support or refutation of any deductive argument one chooses to pronounce about that relationship. And thinking back to the earlier discussion on sales taxes and poverty, there is the same lack of data on the relationship between the proportion of direct and indirect taxes and growth rates. While many in the Untied States are fond of pointing to the greater proportion of indirect taxes in European economies and saying we should emulate them, there is just as much cause on grounds of economic growth (and more on grounds of equity) to say they should emulate us). But an interesting statistic not usually considered is that, with defense expenditures excluded, the United States spends considerably less of its tax revenues on domestic programs than do those countries.

We cannot measure the welfare of the American people by the smallness of the taxes that they pay. At the present time they would be treated ill if we were to hold taxes down and forgo the 10 percent surcharge but leave them with accelerating inflation, climbing interest rates, an unstable boom, and a weakening of our international economic and financial position. And in the future they will be badly served if we were to press for lower and lower tax burdens but leave our country with the unfairness and ills of poverty and with the urban neglect and other social blights that we see today.

Expenditures and efficiency—and tax incentives

Any sober appraisal of our needs in the future will certainly enforce the view that there is no room for wastage and inefficiency in our expenditure programs. Our resources are very large but not so large that they can be spent wastefully. Expenditure control in the sense of a careful appraisal of the costs and benefits of alternative programs must be a constant feature of our budget policy. And we must clearly learn more about techniques to measure the costs and benefits of social programs to enable us to apply such expenditure control wisely.

A significant part of expenditure control must be a willingness to openly recognize the amounts being expended by Government, and not to bury amounts by disguising them. The Federal Government can expend funds in many ways—through direct grants, through guarantees, through loans, through interest subsidies, and through tax incentives and preferences. Unless the Federal cost is identified no matter what the route, then there will inevitably be a drive to use the route that keeps the cost hidden.

The interest expressed in some quarters today for tax incentives to cure social problems can dangerously weaken our ability both to control Federal expenditures and to make them efficient, in addition to the damage it would do to our tax structure.

We of course do have tax subsidies presently existing in our tax laws. I have elsewhere observed that through deliberate departures from accepted concepts of net income and through various special exemptions, deductions and credits, our tax system does operate to affect the private economy in ways that are usually accomplished by expenditures—in effect to produce an expenditure system described in tax language. I call these items "tax expenditures," and indicated that the amounts spent—i.e., the tax revenue lost—through these tax expenditure programs should be set forth in a meaningful way in the Federal Budget. We would thereby be able clearly to see what are the total Federal funds going to the various activities affected, and not just the amounts shown in the Budget as direct appropriations and expenditures. For these tax expenditures can be classified along customary budgetary lines: assistance to business, natural resources, agriculture, aid to the elderly, medical assistance, aid to charitable institutions, and so on. Moreover, the amounts involved are quite large, reaching in several of these areas into the billions.

Since the tax expenditure programs are imbedded in the revenue side of the Budget and their cost is not disclosed, they go essentially unexamined for long periods, in contrast with direct expenditures. Their efficiency, in the sense of benefits obtained for Government and the public as compared with amounts expended, is thus not compelled to meet the rigid tests we are now developing and applying to direct Budget expenditures. They are not affected by Congressional efforts to obtain "expenditure reduction"—they are outside the scope of the $6 billion reduction in the pending tax bill. They thus fall in the class of the uncontrollable expenditures of Government. I doubt that any of these special tax treatments could stand the scrutiny of careful program analysis, and I doubt that if these were direct expenditure programs we would tolerate for very long the inefficiencies that such program analysis would reveal.

Moreover, these inefficiencies have serious ramifications apart from the Budget. They have caused some activities, such as building construction and ownership for example, in many cases to be engaged in solely on an *after-tax* basis. But a business in which the *before-tax* profit is low or meaningless and which becomes attractive only because special tax treatment for that business makes the *after-tax* profit quite attractive must surely give us pause as to the justification for the tax incentive and the way it is provided. Especially is this so since the after-tax profit is attractive only for those who have income from other activities sufficient to permit full utilization of those special benefits. In large part this situation compounds our problems in the housing field, for it is difficult to achieve efficient use of direct Government assistance for high priority housing programs when the funds represented by special tax treatment continue to subsidize a whole variety of other building activities. There is irony in proposed programs to promote private housing for the poor and low income groups by providing tax benefits that would enable doctors and lawyers and other investors to become tax millionaires through these benefits. We should be able to do better than that in our use of Government funds, even in solving social problems.

This does not mean that private enterprise should not participate in social programs and earn a proper profit. Indeed, as many in business themselves feel, the best way for business to participate is through the profit motive. Nor of course does this mean that Government should avoid participation in these social programs. There is no inconsistency between the participation of business functioning as business—to earn a profit—and Government functioning as Government to obtain those business services which private consumers cannot themselves obtain. Government spends huge sums for defense materials and services and business participates as business in supplying the items sought. Our space program functions in the same manner. Neither requires a tax incentive to obtain the participation of business. If we do not grant tax credits to those who build space capsules when we need them, or planes, or guns, or other weapons, why must we grant tax credits to companies to provide the manpower training we need, or build the plants in the distressed areas, or build the houses we want? Why should business falter and forget its traditions and functions when it comes to its role in meeting our social goals? Why should it cease to stress fair profits and recompense as the basis of its participation and instead stress tax incentives?

We are entering into an era in which Government will be seeking to purchase new types of goods and services from the business community—in manpower training, in housing, in urban development, and so on. There is no reason why Government and business should not seek to utilize and adapt for these fields the experience and techniques developed in achieving successful purchasing programs in defense, space and other areas of Government procurement. The President's recommendations on hard core unemployment follow this path. Moreover, other techniques can be devised. If a Government subsidy in the form of a grant is needed in connection with a project on which there is no direct Government procurement, then companies bidding on the project can state the subsidy they think necessary and the contract can go to the bidder who needs the lowest subsidy.

CONCLUSION

I have attempted to describe some of the current events that could well affect the legislative involvement in the tax field in the years ahead. As in any other field concerning Government, issues are difficult to resolve and the solutions hard to shape. We clearly need all the data and analysis that can be made available to assist in meeting these problems. We in the Treasury do our best to prepare for the future and to see that information will be at hard when the legislative involvement occurs. But our resources are few indeed and our knowledge and wisdom have their limits.

The task of preparation is thus a task for all who have a concern for the wise solution and who have experience, information and insight to contribute to that solution. Among the great resources of our country is its diversity of talent and experience in so many sectors and institutions—business, labor government, academic, foundations, social organizations, and many more—and the ability through so many avenues of calm interchange to explore and compare our knowledge. And so there is hope that in the tax field, as elsewhere, working together we will achieve the wisest solutions that our collective knowledge can provide.

NATION'S BUSINESS MAGAZINE REPORTS ON WHAT THE VOTERS WANT NOW

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PUCINSKI. Mr. Speaker, the very highly respected magazine, Nation's Business, in its June 1968 edition, carries an excellent article on what constituents are telling their Congressmen.

I should like to place in the RECORD today the report on a visit made to my district by Nation's Business editor, Vernon Louviere, who spent several days with me as I met with my constituents and got their reactions to the current mood of America.

I believe Mr. Louviere has done an excellent job in reporting the mood of the people in my district, whom I believe represent an excellent cross-section of America.

I am most pleased that my district was singled out by Nation's Business, and would like to share with my colleagues this excellent report by Mr. Louviere, which follows:

CONGRESSMEN AT HOME: WHAT THEY SAY AND HEAR

What are Congressmen saying to their constituents when they go back home?

What are constituents saying to Congressmen?

As riots flare in the cities, costs climb, political campaigns heat up, what is the mood of the people?

Are they openly upset? Concerned? Hopeful everything will work out in the end?

The problems of the cities differ in some respect from the problems of the nation's rural areas. But the major issues that confront the nation as spring turns into summer affect all.

To find out what Congressmen are saying to the people on a trip back home—and what people are saying to Congressmen—Nation's Business editors Wilbur Martin and Vernon Louviere followed Rep. Robert B. (Bob) Mathias, a freshman Republican from a predominantly agricultural California area, and Rep. Roman C. Pucinski, a Democrat from Chicago.

Each week in Chicago four-and-a-half blocks of residential area change hands with whites moving out and Negroes moving in.

Some of this is caused by "blockbusting." Some by the steady pressures for living space brought on by the inexorable influx of Negroes into Chicago from the South.

Many of these displaced white people are moving into the suburbs. But some—those who cling to city living—manage to find housing in other parts of Chicago.

Over the past few years many of these white displaced families have settled in a pleasant, middle-class section of Northwest Chicago near the suburban community of Norridge.

This area encompasses the Eleventh Congressional District of Democratic Rep. Roman C. Pucinski who is now campaigning for a sixth term in office.

Ethnically, the Eleventh Congressional District is a microcosmic melting pot with almost equal numbers of Poles, Jews, Irish, Germans and Scandinavians. It has no Negroes.

On April 10, for the first time in his 10 years in Congress, Rep. Pucinski voted against civil rights legislation. He voted against the open housing bill.

That vote was taken right after the riots, looting and arson struck Chicago and scores of cities across the country.

Before this latest outbreak of racial violence Mr. Pucinski's constituents almost unanimously regarded the war in Viet Nam as the major unsettling issue in this country. Today, they are primarily worried about the race problem.

Congressman Pucinski, a reporter for the Chicago Sun-Times for 20 years, has a good feel for what his voters are thinking. He talks to them constantly. He spends every weekend in Chicago. His office on Milwaukee Avenue is always open.

A Nation's Business editor spent some time with the Congressman recently in Chicago to try to capture the mood of his voters. It was apparent many of them are disturbed. But riots and war are not the only things. They are also unhappy with inflation, high taxes, demonstrations on college campuses and the jet noise from nearby O'Hara International airport.

VICTIM OF RIOTS

Robert J. Klein called at the Congressman's office on a Saturday morning. He knew what the riots were all about. His men's clothing store on West Madison Street, in the heart of the ghetto, was picked clean of merchandise and then set to flame. He lost everything.

"I don't feel I am a victim of the area but a victim of the times," Mr. Klein said in an interview later. He was not particularly bitter. "I don't think I can go back now. I just don't feel that the city government or the federal government gives a damn if I go back."

In the wake of the paralyzing blizzard in Chicago in 1967 there was some looting on the West Side. It was a signal that something was wrong. Mr. Klein and a group of neighborhood merchants called a meeting.

"I said perhaps we were at fault, that we were not taking enough interest in the area," he recalled. "If we were really interested in

staying there we would have to devote more of our time to the neighborhood. We'd have to get interested in its politics."

The merchants organized baseball and basketball teams for the ghetto Negroes. A start was being made.

"I know now it was not enough," Mr. Klein says today. "Because we were white businessmen we were the first to be attacked."

He believes the assault in his area might have been blunted had the city acted differently.

Marshall High School, a block from his store was ordered to remain open the day after Dr. King's death.

After a series of incidents in the school, classes were dismissed at 10 o'clock on that Friday morning and some 7,000 youngsters poured out into the neighborhood.

The trouble began with these youngsters. First, rocks hurled through display windows. Then the looting.

"Some of these kids came in and helped me board up the windows," Mr. Klein explained. "They were not all bad. But the situation soon got out of hand. The police were not equipped to handle what happened and they soon lost control of the mob."

On Milwaukee avenue, strolling through the business district, Congressman Pucinski talked with other voters.

They did not share Mr. Klein's experience but they share some of his feelings.

Mrs. Grant Dace Jr., a housewife, was somewhat typical. She said:

"The racial problem is our most difficult problem. It causes us the most unrest. I think everybody—at least most of the people I know—are trying to be fair but we feel we are being taken advantage of."

DRAFT CARD BURNERS

Mrs. Dace, who is married to a photolithographer, can't understand why protesters have so much freedom in this country. Especially draft card burners.

Inflation and high taxes bother her, too. "A salary hardly goes anywhere any more," she complained. "I know there's so much waste in government. Everybody knows this. But what can you do."

In a Woolworth variety store Mr. Pucinski introduced himself to the manager, James E. Otto. Mr. Otto is a hard-liner, both on the war and the race issue.

"As far as I am concerned when you have riots and looting you should meet force with force. People must abide by the law. The only thing some of these people understand is force. I agree with Daley (Chicago Mayor Richard Daley who said police should kill arsonists and maim looters). He was completely justified. We can't tolerate this kind of lawlessness."

Mr. Otto on the war: "I strongly feel we shouldn't back down and let aggression take over in Asia. On the other hand, I regret we got involved there in the first place."

Although he prefers not to pay higher federal taxes, he believes they are needed to curb inflation. At the same time, though, he'd like to see the government tighten up on spending before calling for more tax revenues.

Miss Annette Risoff, a young nursing instructor at Chicago City College, believes the wave of demonstrations led by youthful Americans—in behalf of civil rights, in opposition to the military draft and in defiance of university authority—is hurting the country deeply.

"Free speech is good but it's gone to extremes where these people are now openly defying the country," she asserted. "Maybe its the state of the world today and these kids feel they better make the most of life while they can. But I'm more inclined to believe it's a reflection of the radical thinking of their parents."

"Yes," she said, "this racial unrest is disturbing. You certainly become aware of these things as they come closer to home. I have friends with young children in school and this busing of outside students into our area concerns them. But I have to say equal rights have not been granted the Negro. I think when they have more civil rights the situation will improve."

Henry Gorr, manager of Rothschild's men's store, has been in the area 27 years. He is convinced the recent riots could have been averted and he is a strong advocate of a massive education and training program for Negroes to ward off trouble in the future.

"But I have to say, if you're too easy on these people they'll walk all over you. Mayor Daley was three or four days too late with his tough talk. This could have been eliminated. A lot of it was sheer temptation and the rioters—mostly teenagers—took advantage of the situation."

As far as Mr. Gorr is concerned the time is now to stop marches and demonstrations of any kind in this country.

"I don't think these marches and demonstrations are any good any more," he emphasizes. "They just don't prove a thing and they've got to be stopped."

In Mr. Gorr's view inflation is getting out of hand. As a businessman, he says, he has seen the upward spiral of wages and goods continue unabated with no end in sight.

"The war is part of the blame but the government is at fault, too," he points out. "We've spread out too far. Some of this government spending has got to be cut out. Take these poverty programs. Most of them are just waste. I think somebody ought to grab the bulls by the horns and shake them up good."

In another part of his district Rep. Pucinski dropped in on an old friend, Mel Cieslik, owner of Mel's Mens Shop, Inc., to pick up some new shirts.

Mr. Cieslik was vehement on the subject of rioting and looting. He has no hesitancy about cracking down hard on people who break the law during racial disturbances. As he put it:

"We need stronger enforcement of the law. They have handcuffed our police. The Supreme Court is all wrong. Yes, these people have to be educated but the first thing is to teach them that the laws have to be obeyed.

"I can't understand it. They protect doctors, lawyers and even clergymen, but who protects the businessman? Some of my friends were wiped out in this last riot. They can't even buy insurance to cover their losses."

Outside, Mr. Pucinski talked with Tom Kereluk, a 19-year-old student at De Paul University. At his age, the military draft loomed larger than the threat of racial trouble.

He told the Congressman, "I'm really worried about the draft. I think I should be given an opportunity to finish school. Sure, I believe in serving my country. But not in Viet Nam."

Politically, young Kereluk said, he leans toward Sen. Robert F. Kennedy of New York for President—"He's a little closer to our generation."

THE POLICEMAN'S VIEW

Police Officer Gerald Mead, assigned to the Milwaukee avenue business district, believes the police have done a good job in quelling riots but they need help.

"I say bring in the federal troops at the first sign of trouble," he asserted.

Mrs. Darlene Starr, a school teacher, says she believes the trend is toward more—not less—segregated housing in Chicago as white resistence stiffens in the wake of race trouble. According to Mrs. Starr, the quality of education in Chicago is being sacrificed as more and more Negro teachers are brought in from the south. They do not have the proper qualifications and training, she says, but they are accepted anyway.

"I am convinced that if we remain weak in our approach to the racial trouble it will get worse," Mrs. Starr noted. "I have seen it in my own school. A white student will be suspended for breaking the rules but a Negro student is forgiven. The gap between whites and Negroes is widening."

Mr. Klein, whose store was burned out on West Madison St., told NATION'S BUSINESS the lines of communication between ghetto Negroes and police, firemen and the political community practically don't exist.

"On the entire West Side," he reported, "there are only two black aldermen and one of these was put in by the machine. The whole area has been gerrymandered to the point these people don't have a voice.

"I went back into the area after the riots and some people told me they even saw the police looting. One policeman, I am told, went up to a store they were about to loot and told one of the looters, 'The first color TV is mine.' Some policemen who were seen walking out with merchandise said they were taking it downtown to put in a warehouse for safekeeping. The Negroes just didn't believe it."

Mr. Klein, who spent 20 years on West Madison and opened his own business four years ago, at first thought he might return to the area and try to re-establish his business. He said he felt if he took on a Negro partner this might afford him a form of insurance against future trouble.

"But I've changed my mind," he said. "I'm not going back. I don't think it will work. We didn't expect this trouble after escaping it last year. We were wrong. My fire insurance was dropped last January and I had to take out substandard insurance."

COOL TO OPEN HOUSING

Mr. Pucinski was on solid ground with his voters when he opposed the open occupancy section of the civil rights bill. There is grave concern in his district not only among those who were displaced by Negroes in other sections of the city but among those residents who have lived there all their lives.

"My people feel," he says, "that once open housing becomes law the next step will be government subsidies to build integrated housing in their neighborhoods."

Actually, Mr. Pucinski voted for the civil rights bill when it first reached the floor of the House. In the Senate, however, the open occupancy amendment was tacked on by Senate Republican Leader Everett Dirksen of Illinois and this Congressman Pucinski opposed when the bill returned to the House.

He said at the time he felt open occupancy would bring an unprecedented degree of federal involvement and control into every local community of America.

"It will expose every homeowner in this country to the prospect of unprecedented harassment by both the federal government and those who seek to continue the turmoil in this country," he told the House.

TAX HIKE UNPOPULAR

In Mr. Pucinski's district there is an understandable resistance to the proposal to increase federal taxes. Residents of the area have just been subjected to substantial hikes in both their real estate and sales taxes.

The Congressman's mail reflects the same views of those with whom he talks in his district.

"We are, as most of our neighbors, against open housing and it is a crime that a homeowner cannot do with his own property that which he desires," a young housewife writes. "Pretty soon why not get out the chariots and whips and go down the streets of Rome and say give us all you have."

Says another housewife, "When 10 or 15 percent of the people of this nation can close down most of our nation's schools, businesses, places of entertainment, because

the 85 or 90 percent are in fear of their lives and homes, something better be done. You've tried billions of dollars in aid, new homes, education, giving them our homes, our churches, our neighborhoods, yes, and our tax money. Are you going to give them our very lives?"

The reaction to a tax increase, however, ranks high among the issues they write about.

"A point has now been reached which is insufferable; especially when we realize that much of this money is being deliberately wasted," says one taxpayer. "Less government and more responsibility by our government officials could easily reduce the burden of the taxpayer by over 50 percent."

In a recent interview with *The Chicago Daily News*, Mr. Pucinski said, "If representative government has any meaning a Congressman has to respond to his constituents. He has a responsibility to lead as well, but where do you draw the line?"

This didn't sit well with one of Mr. Pucinski's constituents, a housewife, who fired back this answer:

"Submission to a definite wrong because it might be easier to agree with your constituents means nothing to me except a lack of personal integrity and lack of any desire or ability to lead."

IN MEMORY OF A DEPARTED FRIEND

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PODELL. Mr. Speaker, last week I was deeply moved by the privilege to present an award and testimonial to Mrs. Ethel Fein, in memory and in honor of her late, beloved husband, George Fein.

Those of us who were privileged to know George Fein know how keenly and deeply his family and his friends suffer from the loss of his life. His philanthropic instincts are known to all those who knew him, particularly those whose lives were in great measure enriched by his generosity—the homeless, the sick, the young in need of education, the elderly in need of solace and comfort, and the deprived seeking a fair opportunity for a creative life. A wonderful husband and father, George Fein looked upon every human being as a member of his family.

A vice president and trustee of the East Midwood Temple, he was deeply dedicated to Judaism and to the cause of Israel. He was an active leader in Jewish Federation of Philanthropics, the United Jewish Appeal and in many other areas of human need, to which he selflessly dedicated his time, his energies, and his spiritual leadership.

There is very little we can say or do to ease the pain and suffering of his wife, his children, Jerome, Sheldon, and Franklyn, and of his friends and family over their tragic loss. To them I can offer only the solace of his memory and compassion enshrined in the hearts of those whose lives were touched by George Fein.

PRESIDENT EXPRESSES FAITH IN OUR YOUTH

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. EDMONDSON. Mr. Speaker, President Johnson's speech last weekend at commencement exercises at Texas Christian University was an outstanding commentary on the youth of this Nation.

The President made two excellent points about our young people, points with which I am in wholehearted agreement.

First, he observed that this generation of young people is the best we have ever had—bright, well-trained, and keenly aware of their moral responsibilities.

And, second, the President expressed his faith in these young people's willingness and ability to carry forward the efforts of this Nation to achieve its great destiny.

Mr. Speaker, I would like to have the President's speech appear in the RECORD, and I would like to call attention to his proposal to establish a program to bring outstanding college juniors into Washington each year for direct discussions with the leaders of the Government. I wish him well in this effort, and he can count on my full support.

The remarks of the President follow:

REMARKS OF THE PRESIDENT AT THE COMMENCEMENT EXERCISE AT TEXAS CHRISTIAN UNIVERSITY, FORT WORTH, TEX.

Dr. Moudy, and other students, any political speaker who comes to a college campus today does so at his own risk. I want to make it very clear at the beginning—I come here tonight not as a politician but as a student.

Just like you, I am here to get my degree. I am honored to appear here with seven others who will receive honorary degrees tonight. Perhaps my degree means more to me than it does to them. I am the only one who is a college dropout—from the electoral college, that is.

Dr. Moudy, I appreciate your Doctor of Laws Degree for another reason, too. As someone who has spent the better part of his life doctoring laws, it is nice to finally have a license.

So I appreciate it and I am delighted to be welcomed into the fraternity of educated men.

I may even apply for a Fulbright Scholarship, although I am not very hopeful of my chances. So I can come to TCU without paying homage to its great quarterbacks like Sammy Baugh and Davy O'Brien. Fort Worth is known as the home of great quarterbacks. So is the national capitol, Washington. The only difference is that your quarterbacks play on Saturday and ours do their work on Monday mornings.

We meet here tonight at a time when the American universities are at the center of rapid change and the center of heated controversy.

Perhaps this is a good time to reflect on the nature of change in America—on affirmations and discontent among our young people and on your opportunity to share in the on-going discovery of our country.

It is an unchanging habit of commencement orators to talk about change. The speakers who tell their audiences this year that times are changing, however, should not be accused of dealing with platitudes. For America—and the world—are altering themselves at a dizzying speed. The citizen, the student and the public servant may find it difficult to fathom the nature and the meaning of all of this change.

But all of us can feel it happening. All of us are stirred by it. All of us are sometimes elated—and sometimes disturbed by it.

A stranger to America might well wonder how a people so active and so successful can be so troubled.

Why do we take so little comfort in the undeniable triumphs of the past few years? Why do we scarcely seem to notice how far we have come—and in how short a time—toward solving problems that have plagued our democracy for generations?

In these past three years, a stranger might point out, America has brought the franchise to almost a million citizens who had been systematically denied the right to vote.

In this Administration alone, the nation's economy—and our common efforts to conquer want—have lifted more than eight million citizens up from poverty; created more than seven million new jobs; cut unemployment to the lowest level in fifteen years; and increased the real income of the average American, after taxes, by more than 20%.

In a few years, the Congress has broken the deadlock of years and pioneered new programs in health, in education, in consumer protection, in conservation, in civil rights. Your own Senator Yarborough and Tiger Teague and others have supported the leadership in this field.

Yet for all this accomplishment, the American people are anything but satisfied. We are, as countless orators and observers remind us, a restless nation.

Why? Part of the answer lies, I believe, in the very progress we have made. For a nation—as for an individual—success brings its own problems and raises its own vexing questions.

More than a century ago, a shrewd French visitor to our shores made this observation:

"The sufferings that are endured patiently, as being inevitable, become intolerable—at the moment it appears that there might be an escape. Reform, then, only serves to reveal more clearly what still remains oppressive, and now all the more unbearable. The suffering, it is true, has been reduced—but one's sensitivities have become more acute."

Certainly our sensitivities have become more acute. We are today more keenly aware of lingering poverty amid our growing wealth—of public squalor amid private luxury. Our people, especially our younger people, are more impatient than ever with "what still remains oppressive"—with racial injustice, urban decay, outworn institutions, bitterness and war between nations.

By almost every measure, we have moved closer—much closer to solving our problems. But although some of the solutions are in sight, many of them remain frustratingly beyond our reach. With all our advances in computer technology, we are still unable to set a precise date for the arrival of equality, the advent of peace, the curing of old ills and the healing of old wounds.

As President Kennedy put it, we are destined—all of us—"to live out most, if not all, of our lives in uncertainty and challenge and peril."

How should we face that uncertainty? Will we master an uncertain age, or let it overwhelm us?

Have we the strength, the tolerance, the vitality—and the faith—to weather the "burden and the heat of the day"?

Much depends on the answer your generation gives. And sometimes, that is not encouraging.

Today, as in every time in our history, there are those who doubt the power of our democracy to make early and significant progress.

There are extremists whose aim is to rule—or to wreck. They speak only in slogans, sometimes they are deaf—deaf to reasoned reply. They are chiefly united in the certainty with which they advance their views—and in the vehemence with which they mock the views of others.

Theirs is not the spirit of liberty—which Judge Learned Hand once defined as "the spirit which is not too sure that it is right."

Thomas Jefferson, the drafter of the Declaration of Independence, the philosopher of individual liberty and the defender of individual conscience, wrote a kinsman in 1808 that public men,

"should from all student disputants keep aloof, as you would from the infected subjects of yellow fever or pestilence. Consider yourself, when with them, as among the patients of Bedlam, needing medical more than moral counsel. Be a listener only, keep within yourself the habit of silence, especially on politics. In the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in fact or principle. They are determined as to the facts they will believe, and the opinions on which they will act. Get by them, therefore, as you would by an angry bull; it is not for the man of sense to dispute the road with such an animal."

I might point out that Thomas Jefferson wrote this during the last year of his Presidency.

It would be interesting to compare his views with those privately expressed by several modern presidents in recent weeks.

But my purpose, this evening, is to talk about change—and those who glorify violence as a form of political action are really the best friends the status quo ever had. They provoke a powerful conservative reaction among millions of people. They inspire, among many people, a blind allegiance to things as they are—even when those things ought to be changed.

But though they are great in volume, these young totalitarians of opinion are few in number among America's graduating classes this Spring.

For almost forty years—since I was graduated from a small college down in San Marcos—I have been observing the quality of each year's crop of university graduates. I must speak to you frankly, and without any attempt at flattering: I believe that this generation of young college people is the best I have ever seen.

Healthier, as you would expect. Quicker of mind, and better trained.

But beyond those things—which could be, after all, only the results of affluence and evolution—there is a moral energy in this generation that exceeds any I have ever seen before.

Even that may stem in part from historical circumstance. Most of those who are graduating from college now have had a degree of leisure, in which to contemplate the society around them. Most have had a measure of confidence in their ability to secure a prosperous place in that society. And so they have been spared the pressure of meeting society's demands—of shaping themselves to be acceptable to a very restricted job market.

However it has come about, they have had an opportunity to look at their country—at its institutions, its people, its promise, and its performance.

You have had a chance to feel the force of change in modern life—even if you—like the rest of us—cannot entirely comprehend it. You have already experienced the impersonality of modern institutions—that affords you a degree of privacy, while it sometimes deprives you of a sense that you count.

You know that your chances for long and prosperous lives have never been better.

Your life expectancy is far from what the graduate was of yesteryear. But you wonder whether you will continue to live side by side with desperate want, ugliness and with racial animosity.

You know that your country is the most powerful nation on earth. But you wonder how its power, and its idealism, may help to bring peace to a tormented world.

These are not new concerns. What is new is the desire of the young college graduates today to ask the right questions—and the desire of your country to try to find the right answers.

Here are some of the questions I hope you will ask—and then I hope you will take part in answering them:

How can the quality of education be improved—not only in ghetto classrooms, but throughout the nation's educational system, from pre-school to graduate school? From Head Start to adult education?

How can education be improved?

What are the best means of helping our poor to lead more secure and productive lives?

How can good medical care be provided at reasonable cost to every citizen in our land?

How can the transportation of people be made safer, swifter, less frustrating, more efficient?

How can we take advantage of technological change, and the economy of massive enterprises, without submerging the individual?

How can we best help the people of underdevelop world in their struggle against poverty?

How can we help the world—and help ourselves—find rational solutions to conflict, and end the threat of a nuclear war?

These are formidable qeustions. You may feel ill-equipped to deal with them. I assure you that I do.

But they must be answered, if conditions in our country and the world are to change—in a manner that will serve man, and not master him.

And it is your generation that must answer them.

You must begin now—in industry, in government, in universities, in politics, in private life—to examine the alternatives, to seek the programs, the politicians, and the public support for progressive change.

I believe that leaders in government can contribute to the education of this college generation. I should like to see outstanding leaders from the junior classes in the colleges all over America come to Washington each year, for direct discussions with government leaders on these key issues of our times that we must find the answers to. I would like to see them spend, without losing credit, a month to six weeks in Washington each Spring—deepening their understanding of the problems and prospects we face.

I have called, at present, upon the White House fellows—young citizens who have served a year at the highest levels of our government—to develop a plan for accomplishing this, and to submit their plan to me in the early Fall.

It is a time to widen the opportunities for excellence. It is a time to widen the opportunities for service in public affairs. I have tried to do this in a number of ways:

Through VISTA, Volunteers in Service to America, where young men and women help those who need it most;

Through the White House Fellows program;

Through the recognition of Presidential scholars from every State in the Union;

And, not least, through going out to college campuses and finding and using the best young talent available for service in our government.

Now, I believe we should extend the range of young people's participation in public life. I believe we should move forward—now—to grant the vote to 18-year-olds.

Several states have already done so. A majority of the people and many in Congress approve the idea. The great majority of young people in America have demonstrated their maturity; their desire to participate; their zeal for service.

But we can do more than open the door to participation for our chosen few. I think there is a basic and fundamental need to open our political system to the participation of the many.

I strongly believe, therefore, that the time is already here for this Nation to recognize and to grant the right to vote to 18-year-olds. We have everything to gain by extending to these young people the most precious right and responsibility of citizenship—the right to vote.

I leave you, this evening, in faith: faith in you; faith in our institutions; faith in our country; faith in your capacity to change our country for the better.

My faith is built on what young people have achieved, in these past few years; on their bravery and steadfastness in battle; on their idealism and perseverance in the cause of social justice.

It is built, as well, on the country itself: on its ability to move out of apathy and bigotry, toward dignity for all of its people; on its steady assumption of responsibility in the world.

I know the future will be often perilous and frustrating. The past, you know, has been that way, too. But what we have accomplished in these years—and what you are tonight—tells me that we have only begun to achieve the greatness that is our destiny.

Good night, and God bless you all.

NATIONAL MARITIME DAY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MURPHY of New York. Mr. Speaker, the Honorable George H. Hearn, Vice Chairman of the Federal Maritime Commission, recently gave a speech at Rockefeller Plaza in New York City as part of a ceremony commemorating National Maritime Day.

Mr. Hearn is well qualified to speak about our maritime industry, and his address was especially pertinent to our maritime problems today.

I include the text of his remarks for the benefit of my colleagues:

NATIONAL MARITIME DAY

(Remarks of Vice Chairman George H. Hearn, of the Federal Maritime Commission, at Rockefeller Plaza, New York City, commemorating National Maritime Day, May 22, 1968)

It is a distinct pleasure for me to appear here on National Maritime Day, celebrated during World Trade Week, in the greatest port in the world to commemorate the 149th Anniversary of one of the great maritime feats. A maritime accomplishment by the United States was the first trans-Atlantic navigation by the SS/Savannah on May 22, 1819. It was the early beginning of a long list of American firsts on the high seas and I think, while celebrating National Maritime Day and commemorating that great American maritime accomplishment, we might all

think of ways to foster the American Merchant Marine.

As Vice Chairman of the Federal Maritime Commission, I am a regulator, and do not have the statutory responsibility for the promotional aspects of the American Merchant Marine. However, every United States citizen, including every government employee privileged to serve America, should be interested in our Merchant Marine becoming the greatest mode of international trade. With that background I speak to you here today and address myself to the issues, hopefully to contribute to keeping America great by spreading an awareness that a Great America requires a strong and economical Merchant Marine.

We as a maritime nation, with the Atlantic, Pacific, Gulf Coasts, and Great Lakes, must realize that international trade, and the merchant fleet that makes it possible, is the ingredient that brought this nation to prominence throughout the world in the latter part of the 19th century. This desire for maritime initiative coupled with "Yankee Ingenuity" resulting in the knack to build better ships and larger fleets is a feeling that must return to all Americans. Now, during this World Trade Week we have a wonderful opportunity to impress upon all America the need for increasing foreign trade in American vessels as not only a way to make American economy stronger, but as a deterrent to our gold flow and balance of payments problem.

As I have said, the United States Merchant Marine has played a vital role in the attainment by our country of its position in world affairs. The merchant marine industry and the men who plow the seas on merchant ships have performed their role nobly throughout our nation's history. There can be no doubt of this nor that the transportation of persons and goods provides an indispensable link for the economic, social, cultural, and political functions of the world community. In the early days of our country's history when communications media were for history when communications media were far short of today's Telstar satellite, efficient water transportation was essential. The 1960's have brought far flung places on the globe in to almost immediate contact through new electronic and other devices. Travel, also, is now at a much more rapid rate than ever imaginable. Nonetheless, waterborne transportation services no longer provide the only means of communication and cannot match the speed of current communications systems. Despite this lag ocean transportation must make every endeavor to improve its services to meet the often cited "shrinking" of the world. In other words our waterborne transportation must not lag behind other important technological developments.

Rapid changes in our economy and in the world trade community, and the continually fluctuating military and political situations as to which our nation has made commitments, demand an effective and strong American merchant marine industry. For many years now the storm warnings have been up; but despite the developing crises our merchant marine, though nobly performing within its means, has not grown or developed sufficiently to meet the obligations which it must assume.

One area in which the merchant marine can and has played an important role is that of the United States balance of payments problem. We all are familiar with the serious nature of our balance of payments deficit and of the various developments and events concerning this which have occurred of late. Little is known, however, although much is assumed, as to the contribution of our merchant marine to the net improvement in the foreign exchange position of the United States and dollar retention by this country. According to the latest figures our balance of payments deficit for the first quarter of 1968 was 600 million dollars. This is a substantial reduction of the deficit of the last quarter of 1967 which was 1.84 billion dollars. In reflecting on these figures we must realize that an important part of the balance of payments computation is provided by the transportation sector of our economy. Within that sector is included international ocean shipping operations, and it is thus that we must consider the impact on the transportation sector of our merchant shipping.

In the years 1964–1966 our merchant fleet contributed about 2.2 billion dollars to our balance of payments. That is to say that as to the transportation sector, the balance of payments would have suffered a loss of approximately that amount if the services performed by our flag fleet had been performed by foreign owned and operated vessels. It is easy to see that a loss of such magnitude would have catastrophic economic consequences for our country. When we consider these facts we must also consider that the current percentage of U.S. foreign waterborne commerce carried by American flag ships is only 4.5%. This compares with the over 7% which our flag ships carried only a year ago. It is not determinable at present what impact this reduction will have on our balance of payments; but it can readily be seen that a decrease of better than 2½% in the carriage by American ships of our foreign commerce will have substantial consequences for our balance of payments.

The reasons for this decline are varied and numerous, and, in fact, too much so to be fully gone into here. I would like, however, to comment on two points. One way in which the cargo carryings of American ships could be improved is by adhering to the slogan "Ship American." Of course you know that according to the cargo preference laws of the United States, a certain percentage of government sponsored cargo must be carried in American bottoms. The private sector of our economy is not so restricted. While I do not suggest any such restriction, I strongly favor any action taken by exporters to ship their goods on American ships to the maximum extent possible. This goal is not easy of attainment at this time for several important reasons. Our commitment in Southeast Asia has required the diversion of much cargo space to military needs. In addition, the present condition of our merchant fleet leaves much to be desired with regard to availability of tonnage and suitability of service.

This leads me to the other point. The changes in transportation technology which have occurred in recent years have been very rapid, and perhaps even too rapid. Carriers, shippers, and others involved in the transportation industry have not yet fully realized the import of these technological changes, and their implementation has been, in some instances, retarded or misdirected. This has been due to excessive zealousness in the use of new transportation systems without full analysis of their consequences, by a failure of shipping interests to update their thinking at a rate commensurate with the growth of shipping techniques, and by other factors. The innovations in transportation offer a new avenue for American businessmen and potential exporters to enter foreign markets. But this potential will not be fully achieved until innovations in thinking and practice match the innovations in techniques.

It is thus easy to forecast the consequences of a further percentage decrease in the amount of our foreign waterborne commerce carried by American flag ships. It is also not difficult to hypothesize the even greater improvement in our balance of payments deficit in the first quarter of 1968 had the percentage of American flag cargo carryings not fallen to its present low ebb.

Many proposals have been put forward by shipping interests with a view toward improving the situation. While it is not for us to pass judgment on any of them here, I cannot over emphasize, and you I am sure do not underestimate, the pressing need for action in this vital area of our economy.

I wish to make one further point: that is, in regard to the international overtones in the matter of promoting our merchant marine. Again I must say that all promotional authority *per se* has been removed from the jurisdiction of the Federal Maritime Commission. In fact, the Commission acts without regard to flag; and we are constantly alert to the danger of discriminatory practices.

At the same time, I am a concerned American citizen, as is each of you; and I am aware of the vital role the Merchant Marine plays in our economy. I cannot, therefore, entirely divorce myself from the task of promoting our merchant industry. Without a strong merchant fleet manned by highly skilled crews, our economy will surely founder, and our status as a leading force in the free world will be on the rocks. Consequently, we must all work together to keep our Merchant Marine at an even keel and as a bulwark of our economy.

ALLIANCE FOR URBAN PROGRESS

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, early this May, Secretary Robert C. Weaver, of the U.S. Department of Housing and Urban Development, told the annual dinner meeting of the Greater Lawrence, Mass., Chamber of Commerce:

> Top priority in our domestic programs must be to give to the poor and alienated American a greater share of the Nation's abundance.

Until we find ways of doing this, the Secretary pointed out, the poor will remain alienated and America divided.

Secretary Weaver, the man charged with devising and administering programs that must offer solutions to the Nation's urban ills, went on to say that the new interest of business and industry in solving urban problems and social ills may be the most important development in this field. Businessmen no longer say "the business of business is business. Today the top level of business leaders are calling for involvement," he asserted. "This concert of action—by the private sector, and by Federal and local government—is the only viable means to solving the human and physical problems of urban areas."

I would like to point out that the proposed Housing and Urban Development Act of 1968 goes further than any previous legislation in involving the private sector in rebuilding American cities and it deserves our most serious attention. I think all Members of the House should have the opportunity to read the Secretary's remarks:

AN ALLIANCE FOR URBAN PROGRESS

(Address by Robert C. Weaver, Secretary, Department of Housing and Urban Development, annual dinner meeting Greater Lawrence Chamber of Commerce, Andover, Mass., May 7, 1968)

As you have all read, President Johnson recently asked those of us in his Cabinet to

remain outside the political arena during these somewhat political days. The President feels, and I think a good many Americans of all political parties agree with him, that we must devote a good deal of hard work in the next few months to unifying our people.

The President put it this way: "We have won too much, we have come too far, and we have opened too many doors of opportunity, for these things now to be lost in a divided country where brother is separated from brother."

Conciliation and unity, the end of divisiveness—these are essentials in this year in our great Nation.

And as I look over this audience tonight, I see here the ingredients for a good deal of unity.

Now I don't want to lead you on. I imagine that if you turned a detective loose on my background, he might come up with the astonishing fact that I am a Democrat.

But I am here tonight as the result of an invitation which came from the Greater Lawrence Chamber of Commerce by way of Congressman Brad Morse.

And I have a strong suspicion that if that same detective were turned loose hereabouts, he might come up with the amazing fact that Congressman Morse is a Republican.

I suspect as I look over this audience tonight that we are, as the boys from Madison Avenue would say, a pretty mixed lot politically-wise. And I do apologize for putting it that way.

Not only are we a mixed audience politically, but I would guess the people gathered here tonight represent a broad cross-section of interests and activities in the five communities that make up this Chamber of Commerce. City officials, businessmen, representatives of local public agencies—and a good many others—are in this room.

We are here together—and I was specifically asked to speak tonight—because we are all heavily involved in the problems and potentialities of our cities. We are here to talk about how life can be made better for the people of all five cities in the Greater Lawrence Chamber of Commerce, and for the people of the suburbs in this metropolitan complex.

We have a common bond, Congressman Morse and I, because we both support the necessary Federal programs which we believe can alleviate many of the serious problems of our urban areas. It is a bond that unifies us all in this room. And I must say that it is a great pleasure to be non-political in such good company.

I would like to make it very clear, however, that my non-partisanship extends only to politics. I am very partisan in what I think is needed to help our urban people. And I do not believe we can afford for one moment to slow the momentum we have gained in meeting urban problems, just because this is a political year.

I think you must agree, for the Lawrence area has its share of those problems. You have urban blight and you have slums. You have unemployment and underemployment. You have very poor people in the Lawrence area. I am sure they feel alienated from most of us who are attending this banquet. They are the have-nots, and we are the haves. Until we find a way of giving them a much better share of this Nation's abundance—and an increased share of our respect—they will remain alienated.

We must face this fact candidly and realistically if we are to bring about the reconciliation we want among Americans.

As you know, we are having a poor people's march on Washington this summer. The vanguard of this group met with members of the Cabinet and with the Congress last week. I met with them, as did several other Cabinet members who deal with domestic affairs.

With the murder of Dr. Martin Luther King and riots that followed so close behind us, there is a danger that we might oversimplify about who is involved and why.

In the first place, this is not simply a confrontation of black and white Americans. American Indians are there, and Mexican-Americans. They feel a discrimination as strong as any Negro.

White Americans from Appalachia are there, and they feel a discrimination as strong as any Negro.

They are the poor. It would be dishonest to say they are not made up primarily of minority groups. It is a fact of life in this Nation today that it is these groups which have suffered most from economic deprivation, and from lack of access to the opportunities accessible to the majority of Americans.

But I think it is important we keep in mind that what is being discussed here is poverty, first and foremost.

I am making a strong point of this, because I feel with many others that a priority must be given to the disadvantaged in our national and local programs. If we are to end alienation and bring about unity, then we must give first priority to the poor American. We must redress the balance between the haves and the have-nots, and this must be the first order of business.

I am not alone when I say these things. One of the most striking developments of the past several years has been the increased involvement of business and industry in local and urban affair and with social concerns. It was only a short time ago that someone could stand up here and say, "The business of business is business," and most people would have nodded in agreement.

But what do we hear from the top level of businessman today?

Let me give you a few quotations.

". . . Business has an obligation to help create a viable environment in which citizens of depressed areas can learn to be capitalists in a capitalistic society." That was Edward G. Uhl, President of Fairchild-Hiller Corporation.

". . . The most important domestic problem today is obtaining full citizenship—all rights and responsibilities—for every American . . ." That was Edgar F. Kaiser, Chairman of the Board of Kaiser Industries.

"We have a national commitment, shared by public and private leaders as well, to erase our slums and give all city dwellers equal and rewarding opportunities for clean, healthy and productive living." That was Gerald L. Phillippe, Chairman of the Board of the General Electric Company.

". . . In the enormously complex communities of modern life, we face great social tasks in which we in business are bound to be involved. I simply say we should enlist instead of being drafted. If we are not a lively part of our communities as citizens I do not see how we can know them as we should, and if we do not know them we can hardly serve them well." That was Frederick R. Kappel, former Chairman of the Board of the American Telephone and Telegraph Company.

And, finally: "The National Chamber hopes businessmen and business organizations throughout the country can extend the hand of help and cooperation on community problems, and—most important—can do so with other groups making up communities . . ." That was from Allan Shivers, immediate past President of the Chamber of Commerce of the United States.

Sentiments of this kind have come from a great number of business leaders in addition to those whom I have quoted. They have come from organizations representing every facet of the free enterprise system. I believe that for the first time in our recent history, Americans of every background and all political alinements are in close concert about the fact that *something* must be done.

The question is what, and how we go about it.

Again, I do not believe we should oversimplify. As is usually the case in a diverse and strongly-opinionated citizenry, there are those who speak out as strong advocates of a special group.

There are those who feel the Federal Government should take the greatest responsibility, and those who argue just as ardently against big government and for the private sector.

There are those who advocate purely local solutions, and those who argue just as strongly that national problems require national problems require national solutions.

My own position is that we need them all.

I do not say this only to keep peace in our diverse American family.

Let me illustrate by using some examples of what we are doing in the Federal Government to solve urban and housing problems—which are, after all, my immediate concern.

We must have far more housing for the poor. That is obvious. At least 20 million Americans live in bad housing.

So the President in his requests to Congress—and to the building industry—called this year for a ten-year housing program which will substantially eradicate substandard housing in this Nation. This would mean the construction of 26 million homes and apartments in the next decade. Of this number, six million would be built or rehabilitated through various forms of Federal assistance.

A number of programs would be used, most of which are familiar to this audience: public housing, rent supplement housing, low- and moderate-income rental housing, and elderly housing.

In addition, there is a new proposal for a substantial low-income home ownership program. Under this plan, Federal assistance would be provided to make up the difference between 20 percent of family income and the cost of the mortgage on a modest home. Payments would apply to the interest, with the Federal subsidy covering all but one percent of the interest on the mortgage if necessary.

Another new idea is one which would lead to a far greater involvement of the private sector. There would be a program of National Housing Partnerships in which industrial and financial firms would join together to pool their investments and spread their risks over a large number of projects. There are tax incentives, and there is the opportunity to use the best private management talent and the most advanced methods to construct low-income housing.

We are even using the private sector far more effectively in the public housing program, a program which only a few years ago was looked upon as close to socialistic by many business and industry leaders.

Today we have the Turnkey process in public housing, so that we are asking private enterprise not only to see whether it can build units faster and cheaper, but also whether it can take over the management of this housing, and, finally, whether we can move toward ownership of public housing by the tenants.

Just last month we announced a new policy in our growing research and development program. We are asking that a prime contractor be chosen to work out a variety of low-cost, experimental housing projects in as many as 20 of our Model Cities. This would entail bringing together a variety of expert knowledge—in design, in construction techniques, in management, in knowledge of special local building conditions. We are, in short, looking forward to the time when we can call for a massive effort on the part of the American business community, with the help of government and the academic community, to mount a truly significant attack on the problems of building and rehabilitating homes for the poor.

We are also trying to increase our contacts with the private sector through a new Office of Business Participation, opened last Febru-

ary. We have brought General B. A. Schriever, former Commander of the Air Force Systems, into this office as a consultant. This office will provide information and conseling to private companies interested in housing and urban affairs. It is our contact with and advisor to industry.

As you know, it is not only in housing that we have a strong and continuing relationship with the private sector. The urban renewal process depends on a close working relationship not only between Federal and local governments, but, in the final analysis, on the private sector to do most of the rebuilding and rehabilitating of both private and business structures. You know about that because you have just completed an urban renewal project here, and have two others in the works.

The Model Cities Program will call upon all elements of the community if it is to be successful. This is the complete urban partnership. It depends on local planning and the use of innovative local ideas. It calls for the use of a number of Federal programs—in housing, in education, in welfare, in manpower training, in health—and for supplemental Federal funds to carry out local ideas. It will require the heavy involvement of the private sector, not only in the practical matters of investment and physical rebuilding, but in giving management help and in planning. This city is now preparing an application for a planning grant under this program.

These programs—and a number of others either proposed or existing in the Federal arsenal—clearly call for a community of effort and involvement. They are, I believe, symbolic of the new feeling which is abroad in this land—that we must work in concert if we are to solve our urgent human problems of poverty, and if we are to upgrade our large and small cities.

SUMMARY

Top priority in our domestic programs must be to give the poor and alienated American a greater share of the Nation's abundance. We must give him an increased share of respect. Until we find ways of doing these things, the poor will remain alienated. There is a changed climate in this country, so that business leaders are also calling for greater involvement in social concerns. They are calling on their people to involve themselves in local affairs, to support civil rights activities, to take a strong interest in urban matters. It is only by a concert of action—by the private sector, and by Federal and local government—that we will solve the human and physical problems of our urban areas.

BROTZMAN URGES EAST SLOPE WATER DEVELOPMENT

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BROTZMAN. Mr. Speaker, it has been only lately that this Nation, as a whole, has faced up to the fact that its water resources are limited, and that it is not only possible but probable that our industrial, agricultural, and domestic thirst will exhaust our supply of water, as we now know it.

In my great State, Colorado, and the other States of the Southwest, the limitations of water supplies has been recognized for decades. Small wars have been fought over the possession of irrigation water. Great court battles have been fought between States over water allocations. The States have been wracked, at times, by arguments between the urban and rural interests over who should have the precious water in times of drought.

Last month, Mr. Speaker, this body debated one of the landmark bills in the history of comprehensive water planning—the Colorado River Basin projects bill. It was my privilege to join with Members of both parties from Colorado, Utah, New Mexico, Arizona, and California in securing sufficient support for the bill that it passed without substantial opposition.

This bill not only will benefit all of the States of the Southwest United States, but the Nation as a whole will realize tremendous dividends. It would require pages to enumerate these national benefits, but I will mention two which are of towering importance.

The development of vast deposits of oil shale now seems assured, due to the availability of water for industrial and domestic requirements; this will guarantee the Nation several centuries of plentiful carbon fuel and petrochemical byproducts.

And vast new recreational areas will be developed, thanks to reservoirs which will be built, and roads which will be opened. The Nation has few more pressing requirements, insofar as its pursuit of a life of comfort and dignity for all of its citizens is concerned.

But important as the Colorado River Basin projects are, they concern only a portion of the water resources of the West. This legislation had a direct bearing on the watersheds which ultimately channel into the Gulf of California. Meanwhile, other great river systems—some of them highly developed, some relatively undeveloped—must receive the attention of Congress in the years to come if we are to keep ahead of our great national thirst for water.

Colorado has a direct interest in perhaps more of the river system development programs than any other State in the Union for, despite the semiarid nature of our most populous areas, the high country of Colorado is the mother of not only the Colorado River but also the Rio Grande, the Arkansas, and both the North and South Platte Rivers.

In the years to come, Mr. Speaker, the South Platte River will come to the attention of Congress many times, and I will be seeking support for projects which, in my district, are just as important as were the Colorado River Basin projects.

So that the Members may have some background on the South Platte River Basin and some of the projects which we will be bringing to the floor for authorization and funding, I will now present a brief status report.

The South Platte River and its tributaries are the bringers of both life and death in my district. No doubt all of the Members are familiar with the terrible floods which devastated the South Platte River in 1965. The death toll was greater than that of the recent Washington riots, and the property damage exceeded Washington's by 30 times. We are well along the way to controlling the flood potential of the South Platte and its principal tributaries. The Chatfield project, located in my district, upstream from Denver, is underway and enjoys a high priority among the Nation's flood control projects. The Mount Carbon project, located on Bear Creek in my district upstream from its junction with the South Platte, is awaiting authorization—hopefully as part of the Public Works Committee's omnibus flood control bill.

However, important as all of these lifesaving projects are to the future of Colorado, I am today addressing most of my attention to the lifegiving aspect of the South Platte River. For it is going to require the full resources of State and local governments in Colorado, as well as that of the U.S. Bureau of Reclamation, to make the substantial water supply of the South Platte River and its tributaries—and perhaps even augmentation from other basins—to meet the water requirements of the next two decades in northern Colorado.

The development of the water resources of the South Platte River on the northastern plains of Colorado is moving forward satisfactorily. This was evidenced last week when my colleague from the Fourth District of Colorado [Mr. ASPINALL] introduced—and I cosponsored—a bill for authorization of the Narrows unit of the South Platte River. This project, which has been under active study for a number of years, will have the primary purpose of impounding the waters of the South Platte during surplus-runoff years for later use. It will also afford a measure of flood protection for the communities along the South Platte into Nebraska.

Now that the Narrows unit is moving ahead, I plan to ask my colleagues from Colorado to join with me in securing authorizing legislation for a feasibility study for yet another South Platte River Basin water conservation unit—a broadly drawn set of proposals referred to by the Bureau of Reclamation as the Front Range unit.

Basically, the Front Range unit study would consider the feasibility of constructing reservoirs and other facilities which would increase the supply of water for domestic and industrial use for such cities as Boulder, Longmont, Loveland, Fort Collins, Greeley, Estes Park, Broomfield, Lafayette, and Louisville, Colo.

A number of possible reservoir projects on Boulder, the St. Vrain Creeks and the Cache la Poudre River would be examined. Augmentation possibilities, improved reuse techniques, and techniques for cutting losses from seepage and evaporation in existing and proposed reservoirs and canals, would be examined.

Flood control benefits to be derived—while a secondary consideration—would be defined.

The water supply problems facing these communities is severe.

For example, despite extensive and expensive water supply facilities installed over the years by the two principal cities of Boulder County—Boulder and Longmont—the Bureau of Reclamation says their water requirements are assured for no more than 15 years. And 15 years is

a very short span in the context of city planning.

And the Bureau of Reclamation indicates that three of the smaller communities of Boulder County—primarily Broomfield, Lafayette, and Louisville—wil probably need additional water within 10 to 15 years.

Mr. Speaker, I think the final paragraph of the conclusions in a reconnaissance report released by the Bureau of Reclamation last year summarizes the situation with unusual terseness and clarity. The report said:

> The reconnaissance investigation of water resource developments in the St. Vrain Creek basin revals that full development in the St. Vrain Creek basin, coupled with water resource development plans for the Cache la Poudre River . . . will not suffice to meet the increasing demands of Boulder, Longmont, Ft. Collins, Estes Park, and Loveland. It is apparent that full utilization of Eastern Slope sources, complemented by additional sources from outside the basin, will be needed to serve demands by 1995.

The report then recommended that:

> Feasibility studies be initiated at the earliest possible date to determine the most economical source of water to supply the needs of these Eastern Slope communities directed toward determining the most economic and desirable order of development to keep pace with water needs.

The next move, Mr. Speaker, will be up to Congress. It is my hope that we can assist the dynamic and growing communities of my district and adjacent areas by authorizing the feasibility study which is so urgently needed.

IN MEMORIAM—LURLEEN BURNS WALLACE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. NICHOLS. Mr. Speaker, in the days since the death of Gov. Lurleen B. Wallace, much has been said of her courage, her humility, and her understanding. Alabama's poet laureate, Bert Henderson, has recently expressed the feelings of all Alabamians in his poem "In Memoriam: Lurleen Burns Wallace."

In tribute to our late Governor, I insert in the RECORD Mr. Henderson's eulogy:

IN MEMORIAM—LURLEEN BURNS WALLACE

Words are futile that would eulogize
The greatness of a spirit that no more
Will walk among her people—she who bore
The duties of her office with a wise
And understanding heart. With fortitude
She faced adversity, always to give
Unselfishly, that those she loved might live
Unfettered lives. Forever she imbued
The people of her state with loyalty
To their own heritage—the right of choice.
Proud, yet humble, she became the voice
Of all her subjects. Immortality
Will be her crown, her banner faith and love
In those she served—a deathless monument
In countless hearts—her life a sacrament
Of what she was and what she sought to prove.
Words are futile things, yet we would keep
Her memory sacred until we, too shall sleep.

MEMORIAL DAY MESSAGE

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. TUCK. Mr. Speaker, the people of the town of Virgilina and its environs have for many years held Memorial Day exercises at the Old Union Church Cemetery near Virgilina on the last Sunday in May. These services have always attracted wide attention and large gatherings.

The town of Virgilina, located in Halifax County, Va., and in Granville County, N.C., is situated on the Virginia-North Carolina State line, from whence it derives its name. It is a picturesque and beautiful community inhabited by stalwart citizens of determined character who believe in a firm adherence to the time-honored truths and virtues.

The last Memorial Day exercises were held on Sunday, May 26, 1968, and was sponsored by the Union United Church of Christ, of which the Reverend Mack Welch is pastor, and by the Florence Avenue Baptist Church, of which the Reverend Clarence Bishop is pastor. The sponsors also included the Honorable M. A. Goode, mayor, and members of the Town Council of Virgilina, the Woman's Club of that town, and the American Legion and the American Legion auxiliary, and others.

Through the influence and efforts of Hon. W. L. Gregory, one of the leading and most beloved citizens of southside Virginia, and his nephews, Messrs. Charles and Gregory Poole, of Raleigh, N.C., these groups were enabled to secure Mr. Carl Goerch, of Raleigh, as the Memorial Day speaker.

Mr. Goerch is a widely known and highly respected citizen of North Carolina. His sterling qualities of character are known and appreciated throughout the Old North State, as well as throughout parts of the surrounding States, including southside Virginia. A publisher and a radio commentator, he is an able and entertaining speaker who holds the undivided attention of his audiences. Carl Goerch has read much and traveled widely. He has a storehouse of knowledge and information, with the ability to express himself in such a way as to impart and share the same with his hearers.

On the occasion hereinabove referred to, Mr. Goerch brought an unusually fine and appropriate message, which, under leave heretofore granted me to extend my remarks in the Extensions of Remarks of the RECORD, I include as follows:

> To "turn over in one's grave" is an expressive figure of speech. As such, I believe it has a special significance with reference to our relatives and friends who are buried across the road from us here. Particularly is this true when they consider what a mess we have made of things in general.
>
> We honor them for their sturdy citizenship, for their respect of authority, for discipline in their homes, for their energy and determination in the face of adversity, for their willingness to do an honest day's work for an honest dollar, their practice of thrift, and their belief in other fundamentals that have been such important factors in the progress and development of our country.
>
> When they survey conditions as they exist today and see what we have done with the noble heritage they left us, I can well appreciate their sorrow, shock and disappointment.
>
> We brag about the progress and development we have made in recent years. We have the highest standard of living of any country in the world: more modern homes, fine clothing, more automobiles, better educational facilities, and many other wonderful assets. On the other hand, we have more juvenile delinquency than any other nation. Also more sex crimes and homicides.
>
> Found on our news-stands is the most nauseatingly filthy literature imaginable, and the same might be said of the sensational stuff that is played up in our newspapers and reaches us on T. V. and radio programs. Regardless of how we hate to admit it, it is a self-evident fact that our standard of morals has never been as low as it is at the present time.
>
> We have lost control of our young people, as is evidenced by what recently happened in Columbia, Duke and other institutions of higher learning in the nation. If such occurrences as these had taken place during the days of our forebears, the persons responsible for them would have been kicked out so fast it would have made their heads swim.
>
> Parents no longer seem to be able to control their children. Discipline has largely disappeared from our public schools. In the so-called good old days, if a boy broke one of the rules of behavior, the teacher gave him a sound thrashing. And if the boy's father found out about it later on, do you know what would happen to this same boy?
>
> Correct!
>
> There has been a distinct change in our attitude toward life in general. I like to look back to the days when man considered himself master of his own fate, when his success or failure depended upon his own efforts, when he saved up for possible periods of adversity, when he was proud to do an honest day's work for an honest dollar, and when he was glad and willing to look after the welfare of his aged and infirm parents.
>
> The attitude of so many folks today seems to be to do just as little work as they can get by with. We've lost the incentive, the urge, the push that our fathers had before us. And you know, when you take everything into consideration, I believe that work is the grand cure for most of the maladies, ailments and miseries in the world today.
>
> One of the latest developments in an effort to improve economic conditions is the so-called poverty program. I mention this not from a political angle but as an example of our attitude toward existing conditions.
>
> Let me tell you about a personal experience.
>
> The kick-off to President Johnson's poverty program took place in Rocky Mount, North Carolina, where the stage was set for his visit at the home of a tenant farmer. I was present when this took place. The TV antenna was taken down, the children were told to wear their poorest clothing, the whole house was in some disorder. All this typified real, honest-to-goodness poverty. The President made a speech, during the course of which he said:
>
> "I have seen a family of 10 whose existence hangs on the thread of the food-stamp program, the poverty program, nine acres of tobacco and ten of cotton. I don't think it is a mark of God's will that they are poor. They are poor but honest. They are poor because they never got a decent break. They could never break out of poverty's grip. Our war on poverty will give them a chance, and we intend to win that war, because our objective is total victory."

Let me repeat one of those sentences: "The reason these people are poor is because they never got a decent break."

That's just not so. They were poor at that time because they made no effort to better their condition. I checked up on this same family six months ago. They had moved to an adjoining county, they still continue receiving welfare assistance, and their economic status has not shown one iota of improvement.

My friends, you just naturally cannot help men permanently by doing for them what they could and should do for themselves. I wonder if we're ever going to learn that.

Now don't get me wrong. There really are people who are poor but honest. There are people who have had to cope with misfortunes of various kinds, there are people who never had a decent break, but I don't believe they are in the majority. I've always contended that any able-bodied man can always get a job if he really wants one. It may not be what he wants, but it will be sufficient to provide him and his family with the necessities of life.

Compare our way of life with that of our forebears and I believe you'll agree that we are getting soft. We haven't got the grit, the determination, the courage, or the endurance that they had. Success in life depends on the obstacles one has to overcome. It is the difficulties confronting us that help make us strong.

Mr. S. B. Coley of Raleigh, who passed away recently, was president of the Durham Life Insurance Company. His son, Hal, became a member of the organization. Someone asked Mr. S. B. how Hal was coming along.

"Oh, I reckon he's doing all right, but I ain't expecting too much of him because he ain't had the opportunities I had."

And someone in the group, knowing something of the old gentleman's background, asked him, "What do you mean by that?"

"Well, I'll tell you. I was born out in the Harrican' section of Wake County. My folks were mighty poor. I had to work from the time I was able to hold a hoe or a shovel. I never finished grammar school, and on Saturdays I often worked eighteen hours in a country store. Then two of my friends and I started an insurance company, and many days I worked all around the clock. On a number of occasions I thought we would have to give up. But we kept on struggling, and finally we made the grade, and you can see what we are today."

And then he added: "Now with Hal it was different. He went to high school and to a summer camp. He spent four years in college, and had his own automobile. He also took a trip to Europe. So you see, I can't expect too much of him, because he hasn't had the opportunities I had."

No, I can't go along w'th the poverty program for individuals in our country, and I can't go along with the poverty program for nations, otherwise known as foreign aid.

During the last eight or nine years, Mrs. Goerch and I have visited 52 foreign countries. We learned something about foreign aid. It was supposed to be delivered free to the poor people in various countries, but don't think for a moment that the politicians didn't make a little something out of it. The poor folks had to contribute a so-called "tax" before they were given any aid.

We were in Bombay, India, having dinner with a textile-mill owner by the name of Amersey. The topic of foreign aid came up, and here's what he had to say:

"Mr. Goerch, India is the largest individual recipient of foreign aid from your country, but if your people could just see how this aid is wasted, misappropriated and misspent, I know they would raise their hands in holy horror. There is only one man in your high governmental circles who has raised his voice in protest, but apparently no one pays him any mind."

Naturally, I asked him to whom he referred. His answer, "Senator Byrd of Virginia."

Our slump in morals has been due to a gradual letting down of the bars. And, as a result of this, no wonder that people are running wild, just as cattle will run wild when given an opportunity to do so.

A group of Methodist leaders met recently and decided to tone down their attitude of general condemnation toward liquor. A group of Episcopal clergymen in New York said that in some instances homosexuality might be permissive and condoned. Other religious leaders have subscribed to views which would never have been tolerated by those whose memory we honor today. And how long has it been since you have heard a clergymen urge strict observance of the Sabbath?

What is the solution to all this? As I see it, the solution rests with going back to the fundamentals that were in vogue in years gone by. Back to the fundamentals which helped make this country great. Such fundamentals as willingness to work, respect for authority, self reliance, practice of thrift, and old-time religious precepts.

Speaking of religion, our preacher said the other Sunday that what this world needs as badly as anything else to bring about a restoration of peace and harmony is for Christians to get converted to Christianity. And he added, "Too many people are willing to use the Sermon on the Mount as a flag to sail under, but too few are ready to use it as a rudder to steer by."

Have I been painting a dark picture? Perhaps I have, but don't get me wrong. There is still plenty of good in the world. So far as our young people are concerned, we have thousands of clean young folks, for every hippie you see. For every crackbrain in college we have scores of conservative instructors. Then, too, there are numerous good books, magazines and T.V. and radio programs. There are many loyal church members, and there are many happy homes. And also there are many folks who work hard and take pride in their work.

However, life in some respects might be compared to a barrel of apples. All the apples may be good with the exception of three or four—and this small number can ruin the entire barrel. That's something we've got to guard against. We can't afford to close our eyes to things that are undermining our way of life. Trying to deceive ourselves is like the little colored boy who was reading the inscriptions on tombstones in a cemetery. He came to one which said, "Not dead, but sleeping." The lad shook his head and said somewhat disdainfully "Shucks; he ain't foolin' nobody 'cept hisself."

Yes, we've got to be on our guard in connection with what's going on. That's true, even though we may hate to admit some of the things I have mentioned.

Memorial services like this should inspire us to rededicate our lives to Americanism in its finer aspects; rededicate ourselves to the ideals that these departed folks believed in and were ready to fight for.

I don't know whether my talk here today should be taken in the nature of being a sermon or not, but if you want to classify it in that category, I would like to wind up with this as a benediction:

"And finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report—if there be any virtue, if there be any praise, think on these things."

As a man thinketh, so is he. What a grand thing it would be if more folks would regulate their lives by thinking on these things. It would do much to help relieve the chaotic conditions that are so prevalent today throughout the land.

And we could forget that figure of speech about people turning over in their graves and substitute therefor the more consoling thought—rest in peace.

NEIGHBORHOOD ACTION CRUSADES

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BUSH. Mr. Speaker, as last summer wore on, with its sporadic outbreaks of violence in cities across the Nation, a number of my Republican colleagues and I called upon the President to make possible neighborhood action crusades, groups of local volunteers in our ghetto neighborhoods who would provide leadership and communication to prevent violent outbreaks.

These colleagues and I, together with gentlemen from the other side of the aisle, introduced a joint resolution to provide the impetus for these voluntary crusades. To date, I regret to say, no action has been forthcoming. With a tense situation remaining in a number of our cities, and summer coming on again, I think it is high time we dust off this simple but effective approach.

And it is effective. Something very much like it was used last August in my own city of Houston. It worked very well in stopping a wave of firebombings. Houston Mayor Louis Welch submitted the following information to the Senate Permanent Investigations Subcommittee in November 1967:

The Mayor's Office has organized a "block watcher" program to deter fire bombing—this step was taken in mid August after Molotov cocktails had been thrown from passing cars at various stores in Houston, mostly establisments owned by white people in Negro neighborhoods. Through using volunteers from the Harris County Community Action Association and various civic and neighborhood groups, Negroes were organized into a "block watcher" effort made up of approximately 300 persons. These Negroes were assigned to specified areas of the city and were given instructions on what to do in case they spotted anyone attempting to start a fire.

A total of 20 fires had been started in 36 hours preceding the formation of the "block watcher" program. After the organization was set up, only one additional fire was reported and attributed to arson. The "block watcher" program remains in effect in case it is needed in the future.

Later in his testimony before the subcommittee, Mayor Welch said:

The point I wish to emphasize here is that there are people in the Negro community, including some militants, who can be of considerable service in acute situations if communications have been maintained with them. After the night of the service station incident, we had 20 firebombings to follow in the next 36 hours. Dr. Blair Justice of my staff proposed a "block watcher" network in Negro neighborhoods, where Molotov cocktails were being thrown at stores owned by white persons. Through volunteers from the community action association, civic clubs, neighborhood groups, and high school coaching staffs, some 300 Negroes took stations in the field. Only one firebombing occurred the first night the block watchers were on duty and only one the next. After that there were no more firebombings.

The Houston Post of April 6, 1968, reported that the Harris County Community Action Association is hard at work recruiting about 500 local residents in Houston to serve as "block watchers."

HCCAA'S "BLOCK WATCHERS" MOBILIZED IN POOR AREAS

The Harris County Community Action Association mobilized approximately 500 "block watchers" Friday in predominantly Negro areas.

"We hope the block watchers will be as effective as they were last year in contributing to quiet atmosphere in the city," HCCAA Deputy Director Hartsell Gray said.

"The block watchers," Gray said, "are volunteers who cooperate with city officials to protect lives and property in the poverty areas in which they live."

The volunteers are supervised by HCCAA officials, he said. Block watchers operate in their neighborhoods at night to report suspicious activity.

Mayor Louie Welch and his aide, Dr. Blair Justice, praised the HCCAA officials last August for their leadership in organizing the civic-minded volunteers.

Mr. Speaker, I believe that the Congress and the President ought to recognize the great potential of this relatively simple program and facilitate its adoption and use throughout the country. The time to do so is now.

TAX RESOLUTION

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, the New Mexico Department of Development recently passed a resolution concerning the tax exemption of interest paid on bonds issued by States for industrial development purposes. For the benefit of my colleagues, I am inserting a copy of that resolution in the RECORD at this point:

RESOLUTION BY THE NEW MEXICO DEPARTMENT OF DEVELOPMENT AND NEW MEXICO DEPARTMENT OF DEVELOPMENT ADVISORY BOARD

Whereas, the U.S. Treasury Department has by recently announced ruling arbitrarily overturned the long-standing exemption of interest paid on bonds issued by states and their subdivisions of government for industrial development purposes, effective as of March 15, 1968; and

Whereas, New Mexico is one of the many states which in recent years has enjoyed a respectable industrial growth due very largely to investment funds made possible by such exemption of interest on industrial bonds from federal income taxes, whose industrial progress is now seriously threatened by such arbitrary action on the part of the Treasury Department; and

Whereas, said action is in direct conflict with the expressed policy of the present Administration in Washington, to increase jobs and payrolls and reduce the number of "hard-core" unemployables, the accomplishment of which desirable objective depends in substantial degree upon availability of investment funds with which to finance new and expanding industries; and

Whereas, the aforesaid Treasury Department action will also result in reduced, rather than greater, federal tax revenues, in that the aggregate of federal tax revenues to be received, directly or indirectly, from increased payrolls and related economic activity made possible by the proscribed type of industrial bond financing will exceed by far the increase in revenues accruing from the taxability of such interest; and

Whereas, a further effect of such action to be foreseen as private capital is thus forced out of industrial bond investments, is a much greater dependence upon federal funds with which to finance industrial projects, with decisions affecting the progress of our cities and towns being made in Washington instead of being made locally; and

Whereas, such action by the U.S. Treasury Department in overturning long-standing administrative interpretation of the law, represents an invasion of the power of Congress solely to make such a vital and important decision, and should not be allowed to stand unchallenged, Now therefore be it

1. Resolved, that the aforesaid action by the U.S. Treasury Department should be, and it is hereby, deplored and condemned and should be reversed by action of Congress.

2. Resolved, that the effect of such action on the State of New Mexico, and particularly upon the smaller cities and towns in this state, will be most harmful and injurious, rendering much more difficult our problem of cooperating with the Federal Government in increasing job opportunities for the unemployed and underemployed in this area.

3. That copies of this Resolution be distributed to all members of Congress from New Mexico, including the U.S. Senators from New Mexico, to the President of the United States, his Secretary of the Treasury, and to the officers of the U.S. Senate and House of Representatives.

Dated this 17th day of April, 1968, at Santa Fe, New Mexico.

JAMES O. ROBERSON,
Director, New Mexico Department of Development.

A VFW POST HONORS PRINCE GEORGES COUNTY POLICEMAN AND FIREMAN

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MACHEN. Mr. Speaker, this year members of Post 8950 of the Veterans of Foreign Wars, of 9800 Telegraph Road, Lanham, Md., held a Day of Honor for policemen and firemen of Prince Georges County. A citation as the VFW policeman of the year was presented to Sgt. Vernon J. Herath, of the Oxon Hill substation. A citation for VFW fireman of the year was presented to Thomas G. Daly of the Tuxedo-Cheverly Volunteer Fire Company. Both citations honored these men for their outstanding and dedicated public service to the citizens of Prince Georges County.

This program was so successful that I believe it should be considered by other groups around the Nation to demonstrate our support for our firemen and policemen who more and more are the unsung heroes of our society. I think it is very commendable that Post 8950 of the Veterans of Foreign Wars has taken the lead in this regard and I urge other groups around the country to consider holding similar days of honor for their dedicated policemen and firemen.

PRESIDENT JOHNSON SPEAKS IN TEXAS

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. CABELL. Mr. Speaker, last week, during his visit to Texas, President Johnson spoke at the Will Rogers Memorial Center in Fort Worth. He talked about some of the accomplishments of his administration—particularly in the fields of education, employment, economic prosperity, and medical care. He related these achievements to the support he has been given by so many of the men who represent Texas in the Halls of the Congress.

In particular, he singled out Congressmen JIM WRIGHT and "TIGER" TEAGUE, two outstanding members of the Texas delegation.

Of JIM WRIGHT, the President said:

And JIM WRIGHT is a winner for one reason: Because he is always on the people's side.

Of "TIGER" TEAGUE, the President said:

He came to Austin before he came to Washington to talk to me about what he wanted to do in Washington. He has been doing it ever since—a very good job for all the people.

I can state without hesitation that these sentiments are widely shared by Texans who have come to know JIM WRIGHT and "TIGER" TEAGUE. I insert the President's remarks in the RECORD:

REMARKS OF THE PRESIDENT BEFORE THE JIM WRIGHT CONGRESSIONAL CLUB, WILL ROGERS MEMORIAL CENTER, FORT WORTH, TEX.

Congressman and Mrs. Wright, Congressman Teague and other members of the Delegation, Mr. and Mrs. Johnson, distinguished clergy, guests, ladies and gentlemen:

I am so happy to see so many familiar faces here this afternoon.

This is a great treat for me, to come back to Fort Worth.

When I saw my dear friend of many, many decades here at the head table—Raymond Buck—it reminded me of the good old days when I use to be in politics.

Looking around at all of you happy people, and all of you happy politicians, I can only think of one thing to say right now. That is, I would rather be "Wright"—than President

I especially wanted to be here this afternoon to lend my support to Jim Wright and "Tiger" Teague in their campaigns. They face a very tough race this year, as all of us do.

One of my staff, a young man from Harvard, somewhat unfamiliar with these parts, told me that Jim Wright and "Tiger" Teague are both running against the same opponent—a man with a very odd name: Unopposed.

I called in one of my staff and asked him what he knew about this man. He laughed and said, "Mr. President, you have been gone much too long. That is unopposed."

Actually, I have something in common with both Jim and "Tiger": We are all three running unopposed. They are running for the Congress, and I am running for the ranch.

As you may know, I am going to be at TCU later tonight to receive a degree. I hope this will come in handy when I resume my teaching career.

But I could not pass up this party. I am going to be a resident of Texas again after January. As I told Senator and Mrs. Yar-

borough coming down, and as every Texan already knows, it is mighty good to have some friends in Washington.

It is particularly good to have a friend who is a winner. The one and only time that Jim Wright ever had any competition in a primary he wound up with only 92 percent of the vote.

He carried every one of his 153 precincts and in two of them—I never could quite understand this—the opposition received no votes at all.

That is my idea of a winner. And Jim Wright is a winner for one reason: Because he is always on the people's side. No one knows this better than I do.

Jim and I have been on the same team in Washington for a good many years. We stood together for Texas and America on Capitol Hill.

During the past five years, when the showdowns for progress came in the Congress, there are none who have been of more help to me than the members of the Texas Delegation.

With Senator Yarborough in the Senate—he wouldn't want to admit this publicly, maybe—there is no Senator who has a finer voting record in helping the Johnson Administration do what they think is best for all the people of this country.

And "Tiger" Teague, Graham Purcell, "Chick" Kazen, Earl Cabell—and the other Congressmen—I don't know how many of them came down here, though we had several on the plane—have all been very generous and very helpful to me.

I broke "Tiger" in before he came to Washington. He came to Austin before he came to Washington to talk to me about what he wanted to do in Washington.

He has been doing it ever since—a very good job for all the people.

Tonight, somewhere in this City, there is a boy from a poor family who has made it to college. He is just one of a million and a half young Americans who would not have had this chance five years ago, but who can now pursue a college education because the leaders of the Texas Delegation, who sit at this table, and their colleagues in Congress, have seen to it that their government is interested in that young man.

Tonight there is a man with a job—a man who was out of work five years ago. He is only one of 7 million new workers who have found employment since 1963.

And for the entire labor force, which is 75.5 million strong today, our paychecks are bigger, our retirement is more secure, our working conditions are better.

For employers and businessmen, the past seven years, the last 87 months, in fact, have had no parallel in all of American history.

Seven straight, uninterrupted years of prosperity without a single dip, recession, depression or whatnot.

Tonight, there is an old couple who can face their golden years with a new serenity and a new security. If they get sick, they are no longer a burden to their children or their son-in-law. They have earned the dignity of independence—because almost 20 million elderly families are tonight covered by Medicare, by a program which did not exist five years ago, but which these men helped us to pass.

Once these all were visions—just visions, just dreams. But to the boy in college, to the couple in retirement, to the worker on the job, to the businessman in his shop, they are actualities and realities today.

Other visions have been made reality, too. Other dreams have come true, too: The child of the slum, who can not get a head start and an equal chance in life; the 5.5 million Americans who no longer live in poverty.

In health, in elementary and secondary education, equal justice, in conservation, in recreation, in farm and rural programs, in every area where government can help people, we are levelling old problems and we are building new hopes.

Before I left Washington this afternoon, I signed into law the Consumer Credit Protection Act. That brings truth to the lending market for every purchaser in America.

Jim Wright, "Tiger" Teague, Ralph Yarborough, Earl Cabell and "Chick" Kazen—all these Congressmen at this table helped pass that measure which helps every American.

To Congressman Purcell and all the others I mentioned, I want to say we owe each of you a debt of thanks and gratitude.

Proud? Yes, we are proud. But satified? No. Never. This is a world of change, and we want to change. We want to improve with every change. We want to become better. We want to become richer. We want to become more powerful. We want to conquer our ancient enemies of disease, ignorance and poverty.

We want the world where every man can be free, be equal, and not be burdened with these ancient enemies.

In eight months, I will come back home to be a teacher and a private citizen again. But good men, like those in the Texas Delegation at this table, will remain in Washington, working to give substance to your dreams—working to carry on the unfinished business of America.

I know there are many of you in this group who are here on rainchecks four years old. I was sorry to disappoint you then. But remember, four years ago my subject would have been promises.

Tonight I have been able to talk about performances.

There was a little lady from the Temperance Union who once called upon a great government leader, a Prime Minister of Great Britain, Winston Churchill, to make her complaint.

She said, "Mr. Prime Minister, I am told that during the war, you have drunk enough brandy, if it were poured out in this room, to come up to here (indicating) on all of us standing."

Mr. Churchill looked at her, listened attentively, looked at the floor, looked at the ceiling, and said, "My dear little lady, so much we have done; so much we have yet to do."

There is so much that we have done in this country. All of us live better than our fathers and our grandfathers, those who made it possible for us to enjoy our liberty and freedom.

But there is so much yet for all of us to do.

If we can only arrest our impatience, if we can only keep our eye on the ball, if we can only love instead of hate, if we can only unite instead of divide, if we can only apply all of our energies and our talents to constructive endeavors, there is a better world over yonder for all of us.

To the good, progressive, generous people of Fort Worth, I want to thank you for the quality of your Congressmen and your Delegation.

More than that, I want to thank you for the strength and comfort that your friendship has given me through the years.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. SCHERLE. Mr. Speaker, this is the 134th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

"OPEN HOUSING" AGGRESSION DELAYED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. RARICK. Mr. Speaker, the emergency passage and signing into law the controversial open housing bill, as a memorial to the U.N. International Year of Human Rights, has been followed by a controlled silence.

Robert Weaver, head "block-buster" speaking at an open-housing conference in Atlanta, Ga., explains his outfit will not go into compulsory full gear until after January 1, 1969. In this way there would be nothing to stir up the people against those Congressmen who voted for the law until after the election.

But his little-publicized threat against free men was clear: For those "who insist upon being the last to recognize not only the morality but the legality of equal opportunity in housing, HUD intends to pursue that responsibility as vigorously as it can."

Mr. Speaker, I include the Housing and Urban Development Secretary's comments from the Atlanta Constitution for May 30 following my remarks:

OPEN HOUSING IS PEOPLE PROBLEM, CONFEREES HERE AGREE

(By Alex Coffin)

Housing for the poor and minority groups involves problems of money, vacant land, laws, jobs and education, but it ends up being a people problem—more than 800 persons at a metropolitan open housing conference agreed here Wednesday.

"Even if we come up with all the answers to the problems, how do we inspire our neighbors to accept them?" Charles (Chuck) Jackson, a Model Cities neighborhood worker, asked during an afternoon panel dicussion.

The all-day conference at the Dinkler Plaza Hotel featured speeches by Robert C. Weaver, secretary of Housing and Urban Development, and Atlanta Police Chief Herbert Jenkins, as well as workshops and a panel discussion.

A follow-up workshop is set next month and Noyes Collinson of the American Friends Service Committee told of nine neighborhood fair housing organizations already in existence with another on the way. The neighborhood organizations, most of which have sprung up in recent months, are in such areas as Ansley Park, Garden Hills and Druid Hills.

At an afternoon press conference, Weaver said that the best answer to discrimination seems to be "to change the rules of the game . . . to work with the institutions first and then let the people adjust themselves to the institutions."

In his remarks at the dinner, Weaver said, "Between now and next January, when the law moves into its first major phase, there is a unique opportunity for voluntary compliance that will not come again. We expect—and certainly hope for—a significant amount of voluntary acceptance before next January."

But, Weaver went on, for those "who insist upon being the last to recognize not only the morality but the legality of equal opportunity in housing," . . . HUD intends to pursue that responsibility as vigorously as it can."

The secretary added that the law is not enough to solve the housing problems of the

nation. The responsibility remains, he said, "to press with unprecedented vigor for complementary legislation which will greatly augment the supply of low- and moderate-income housing . . . We cannot afford to do less in this hour of national travail."

Prior to Weaver's remarks, those at the dinner passed a resolution calling on metropolitan governments around Atlanta to pass the "workable programs" required before the federal government will approve low-income housing projects.

Cecil Alexander, chairman of Mayor Allen's Housing Resources Committee and a co-chairman of the conference with Benjamin Mays, president emeritus of Morehouse College, closed the dinner session by saying that "this is only the beginning. . . . There are those outside this room who need to be convinced.

The morning panel discussion was climaxed by the Rev. Sam Williams, chairman of the Community Relations Commission, persistently questioning J. Marion Crain, president of the Atlanta Real Estate Board.

Crain said real estate men "are very unhappy about the new federal open housing law. It will affect our left hip pockets, our families and our friends . . . But we are good Americans . . . and we are going to obey the law!"

Williams then asked Crain if the National Association of Real Estate Board discriminates. "We represent the sellers. We go by their instructions," Crain answered.

Williams asked if a Negro could join the NARB and Crain said not now, but the law requires the barrier to drop after Jan. 1, 1969.

Williams then said to Crain that, "It's simply not so to say that a Negro can buy a house anywhere he wants if he has the money."

Crain's comment that led to this discussion was that "anyone can buy anywhere he pleases if someone wants to sell to you."

Earlier, Leon Eplan, vice president of Eric Hill Associates, had presented a background for the conference, which was dedicated to the late Dr. Martin Luther King and the late Archbishop Paul J. Hallinan, and sponsored by 61 metropolitan organizations and agencies.

Eplan said that Atlanta's "extensive housing inequalities" have resulted from "federal policies, local policies, economic repression and personal prejudice."

Middle class neighborhoods "must be opened to middle class blacks," he said. Eplan praised those interested enough to attend, but criticized the lack of involvement in the problem by churches, garden clubs, real estate associations, political parties and banks.

Speaking of the legalities of the law, attorney Lewis Cenker explained how it goes into effect by stages with 80 percent of the nation's housing to be effected by 1970.

In answer to a question, Cenker said that the law doesn't prevent, as some fear, rejections of renters or buyers on grounds other than racial, religious or nationality.

After Crain complained that the law works hardships on sellers, buyers and real estate men "unless they follow the law 100 per cent," Negro Alderman Q. V. Williamson, president of the National Association of Real Estate Brokers, Inc., said, "Mr. Crain tells us the law is difficult. It is only difficult for the homeowner who wants to discriminate."

During the morning session, Donald Hollowell, regional director of the Equal Employment Opportunity Commission, tied in the problems of housing to those of jobs and noted that the big industrial parks are being located in suburban areas—away from the central core where the Negro ghettos exist.

Speaking late in the morning, Dr. Jack L. Preiss of Duke University labeled as myths the notions that property values drop when Negroes move into an area, that white and black persons can't live together in a viable existence and that public housing will solve all the problems of the poor who need housing.

At the luncheon, Jenkins spoke on the report of the National Advisory Commission on Civil Disorders, on which he served. He said that "the only way to control a riot is to prevent it" and that that responsibility rests on local police departments with the full support of all citizens, white and black.

During afternoon workshops, the need for a metropolitan open housing organization was cited as well as revision of building codes, more involvement by business and smaller public housing projects.

The workshop participants also called for local fair housing ordinances and laws, a permanent fair housing organization, encouragement of whites to move into Negro areas, a housing information and service center.

AIR POLLUTION CONTROL

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. ROONEY of Pennsylvania. Mr. Speaker, at present the Department of Health, Education, and Welfare is reviewing the criteria it set up some time ago as a standard for control of sulfur dioxide in the air around us. The criteria, coupled with an opinion by HEW that a hazard to health results when the ambient air contains more than one-tenth of 1 part per million sulfur oxides on a 24-hour basis, drew bitter attack from some scientific circles. The reevaluation was undertaken under a provision of the Clean Air Act of 1967.

The Department's review is expected to be completed some time this year. It is to be hoped that the results, arrived at with the assistance of a 15-member air quality criteria advisory committee drawn from the ranks of industry, engineering, and scientific research, will be practical and realistic, as well as providing a pacesetter for helping clean up air pollution.

The stakes in this race are high. Everyone wants clean air—an atmosphere kept as free as possible from offensive and health-destroying pollutants. But no one wants to see industry forced to grind to a halt, nor blackouts in our metropolitan areas, nor an economy injured by too stringent regulation of air conservation applied unwisely and too soon.

This is what could occur should the authorities insist on immediate application of controls based on the earlier criteria for air purity devised by HEW. It has been proposed in a number of areas, acting under the impetus of the original criteria, to limit the use of coal, burned as fuel to produce more than half of our electrical power, to a sulfur content of no more than 1 percent—or even less.

As the coal industry knows, as the U.S. Bureau of Mines knows, and as the Department of Health, Education, and Welfare should know, there just is not enough coal available with such a low sulfur content to go around. Practically all of the low sulfur coal that is mined has been allocated to metallurgical use and for export under long-term contracts. There are substitute fuels for coal, but these too do not abound in sufficient quantity with low sulfur content to meet the needs of powerplants and other industry.

Application of ordinances decreeing use of only low sulfur fuels thus appears out of the question. However, there are ways to reduce the emissions of sulfur oxides from powerplant stacks caused by combustion of coal and, thus, maintain good air quality. The coal and power industry themselves, along with such arms of the Federal Government as the Bureau of Mines and the Office of Coal Research, have been studying this problem for years. Both Government and private industry feel that they have a number of possible solutions—which already have been proven technically and need now proof only of economic feasibility.

These processes, along with a general review of the overall problem of sulfur oxides in the air about us, are discussed in detail in an excellent report published recently by the National Coal Policy Conference, Inc. In nontechnical language, the report describes more than a dozen processes tested in this country and abroad which have the best possibility of success.

The report declares that emission of sulfur oxides into the air can be controlled, but greatly stepped-up research and development is necessary to determine that the control systems are economical and do not force costs of fossil fuel burning out of competition with nuclear powerplants. Time and money are needed to carry out the experimental projects. But the battle can be won, the report declares.

The title of this report is "Research Must Meet the Demand for Clean Air and Abundant Fuels." It has been distributed, I understand, to each Member of the Congress. I hope it will be read and given full consideration by each Member.

I do not come from a bituminous coal mining area myself, but am fully aware of the importance of bituminous coal to the Commonwealth of Pennsylvania and to the entire Nation. In this age of expanding energy needs, coal must not be hampered in the role of supplying these needs.

The Federal Power Commission estimates that the demand for electrical power doubles every decade. It is predicted that by the year 2000, the total demand for electricity will be seven times what it was in 1965. Coal currently supplies more than half the fuel used in electric power production and, as America's most abundant natural resource, it is expected to be a major source of powerplant fuel for many years to come.

As yet, nuclear powerplants have produced no palpable proof that they can compete economically with coal-fueled powerplants. And this despite the fact that our Government has spent more than $2 billion in fostering atomic research and development. The Atomic Energy Commission has yet to come up with a finding of "practical value" in the operation of any atomic plant. In this connection, I would like to urge anew that congressional action be taken on a

resolution I have introduced in cooperation with 27 other House Members to establish a select commission to undertake a comprehensive review of the Federal Government's role in the atomic energy development program.

More than a score of years have gone by since the passage of legislation setting up the nuclear development program. It is time that we take a new look at the whole matter and decide where we are going from here, particularly in view of the tremendous expenditure of funds for this program at a time when our Nation is in fiscal difficulties.

In discussing coal's role in the campaign for cleaner air, I would like to call attention to the fact that the industry is cooperating with the HEW's National Center for Air Pollution Control campaign to reduce sulfur dioxide even though it has not demonstrated that SO_2 is harmful to humans and animals in the portions normally found in the air around us. Numerous scientists, engineers, and physicians have disputed the argument that sulfur dioxide in ordinary portions is the big bugaboo that it has in some quarters been painted up to be.

One of Britain's prime authorities in the field, Dr. P. J. Lawther, director of air pollution research at St. Bartholomew's Hospital Medical College in London, has stated flatly that concentrations of less than two parts per million of sulfur dioxide in the ambient air are not dangerous, even to ill persons, and that he himself has inhaled experimentally as much as 30 parts per million for a brief period with no deleterious effects.

Dr. Eric J. Cassell, of the Cornell University Medical College, has reported that numerous studies, using men and animals as experimental subjects, have failed to provide evidence that sulfur dioxide alone, at levels anywhere near those found in urban atmospheres, has any adverse effect on men.

Dr. William O. Negherbon, staff biologist for Hazelton Laboratories, at Falls Church, Va., has said that in his opinion the complex natures of air pollution "seems to render a preoccupation with the sulfur oxides unduly simplistic."

Concerning air pollution and sulfur oxides, the Bank of New York Letter for August 1967, had this to say:

> Our discussions with these (air pollution experts) people lead us to believe that the problems of cleaning up our air are far more numerous and complex than most Americans realize. Having considered all factors, we see a risk that the present HEW recommendations on the sulfur content of fuels may actually impede progress toward cleaner air.

Despite all these opinions from experts and researchers throwing doubt upon the hazards posed by sulfur oxides, the coal industry nevertheless has cooperated in every way with clean air proponents adhering to the notion, real or fancied, that sulfur dioxide even in small amounts is harmful and must be greatly reduced.

The industry does, however, request more time to continue its and the Government's research into ways of eliminating SO_2 from stack gases and into the possibilities for removing inorganic sulfur from coal before the coal is burned as powerhouse fuel.

Involved in this research are the Bureau of Mines, with its alkalized alumina process, regarded as one of the best possibilities for removing sulfur oxides from stack gases; the Office of Coal Research, which has let numerous coal research contracts to private industrial firms; and numerous private companies acting either on their own or cooperatively through Bituminous Coal Research, Inc., an affiliate of the National Coal Association. Private research involves efforts by individual coal companies, electric utilities, and engineering firms.

As the NCPC booklet points out, three projects to remove sulfur dioxide from flue gases have advanced far enough for their sponsors to proclaim they are ready to be marketed.

The Monsanto Co., with a catalytic oxidation process, is operating a demonstration plant with the Metropolitan Edison Co. at the latter's Portland, Pa., station on the upper Delaware River. The process removes 90 percent of the sulfur dioxide from flue gases and produces sulfuric acids, which can be sold commercially.

Wellman-Lord, Inc., of Lakeland, Fla., utilizing a chemical scrubbing process, has operated successfully a pilot plant at a Tampa Electric Co. plant unit, removing more than 90 percent of the SO_2 from the flue gases. The company says it is ready now to install a full-sized unit on a large commercial powerplant. Sulfur and sulfuric acid are byproducts.

Combustion Engineering, Inc., of Windsor, Conn., has offered its dolomite injection-wet scrubbing process on a commercial basis with guaranteed results in removal of sulfur dioxide from stack gases and production of sulfuric acid. The firm is installing a full-scale device at Union Electric's coal-fired Meramec generating station at St. Louis and is planning an even larger unit for installation at the Kansas Power & Light Co.'s Lawrence station.

These and other experimental projects—including the much-talked-about alkalized alumina process of the U.S. Bureau of Mines—have shown apparently that great reduction in sulfur dioxide emissions from stacks is technically feasible. What remains to be demonstrated conclusively, however, is whether they are feasible from an economic standpoint. Here, further testing and further expenditure of funds—with both industry and government cooperating—is needed.

In reporting out Senate bill 780 last year—which later was enacted as the Clean Air Act of 1967—the House Commerce Committee, on which I have the honor to serve, declared:

> Research is the key to effective air pollution control.

In providing a rounded picture of the research work that has been done and pointing up what remains to be done to beat this problem, the National Coal Policy Conference has done a monumental job in publishing its booklet, "Research Must Meet the Demand for Clean Air and Abundant Fuels." The booklet will serve as a guide in this field for Members of Congress, Government agencies, private business and utilities, air pollution control officials around the Nation, and the general public.

LETTERS FROM VIETNAM

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BURKE of Florida. Mr. Speaker, in these trying times throughout our land, we have those in our society who feel it is the order of the day to openly defy all facets of responsibility to our country, as well as those who take pride in burning our country's flag, or in talking treason and anarchy.

Yet, despite all of the turmoil brought upon by our discontents, it is indeed a feeling of great pride to know that the majority of our young people are not the participants of the order to destroy our Nation.

Yet, we are often saddened when we take cognizance of the casualty lists as they are released with respect to our fighting men in Vietnam. It is also most heartbreaking to receive requests as a Congressman from our young men who are fighting in Vietnam to find that it is sometimes too late to aid in the fulfillment of such a request.

Recently, I received a request from a young soldier wherein he asked a question as to the return to combat of those who had previously received two Purple Hearts. He had not received the Purple Heart himself and his letter was not intended to keep him from combat, but was instead for his fellow soldiers who had been previously wounded, and were the recipients of two Purple Hearts, but were by reason of change of policy returned to combat.

However, it is not a Congressman who makes the policy concerning the assignment of personnel in battle, since this is the direct responsibility of the commanders in the field, or carried out by the commanders through orders from the corps or Army levels.

I am also aware of the fact that there are times when Purple Hearts are awarded for minor injuries directly resulting from incidents wherein one is engaged with the enemy, but it seems to me that those in a combat area who have been under fire, and had twice received the Purple Heart, should be entitled to consideration sufficient to station them in a rear echelon area.

In this regard, then, I have brought this problem to the attention of the Department of Defense for their consideration and with the hope that perhaps they will make a reappraisal of their present policy.

Unfortunately the young soldier who first brought this to my attention by his letter never did get the chance to receive my reply, since his letter was received in my office this month, along with another letter from one of his buddies. The soldier's letter is as follows:

> DEAR SIR: It is not without some hesitation that I write to you, for I realize how bur-

dened you must be with the many problems and decisions which lay before you. Among these, I am sure, is Vietnam.

There is, among those fighting this war, a very basic and real problem. I am speaking specifically of a segment of the 90,000 men (of some 525,000) who are directly involved with fighting the enemy.

These men are here to fulfill a commitment, of which many know little, but for which all fight gallantly. These are men who have been torn from their families, trained as soldiers, shipped to foreign soil and thrust into armed combat. They have been forced to watch their comrades die terrible deaths. These very men, both living and dead, are the legacy of what America and Democracy stand for.

It is difficult enough that a combat soldier must face each tomorrow with fear, that he must be harassed and unnerved by enemy fire, he must also face a similar antagonism from those who lead him.

I am speaking specifically of an incident which has recently arisen in the 9th Infantry Division. It had been division policy to release a man from combat duty after receiving two Purple Hearts, I.E. was wounded twice in battle. This policy has been revoked and a man must serve his full term in the field, unless he is maimed or permanently disabled. Since the new policy was set forth, morale and Esprit De Corps has been at an all time low. Men have the feeling and rightfully so, that the upper echelon of command has little or no regard for their welfare.

I have fought beside many of these men and feel they are receiving cruel and unjust treatment, treatment not deserving to one who has shed his blood for his country.

It appears that this situation cannot be remedied from within the military. It is for this reason that I write to you. Anything you might be able to do to alleviate this situation would be greatly appreciated by the men who are affected.

I thank you for your time and pray that God may guide you in the many decisions you face in guiding our troubled nation.

Respectfully,

(Name withheld).

The above letter had reached my office along with the other letter which reads:

DEAR SIR: The letter you have now read has been written by a man who was very close to me and his men of his platoon. You see, Sir, this man is now missing in action. Along with him were four other good men.

So I feel it is my duty to make sure this letter is mailed to you. And I hope with all my heart that you will try and help on the subject Rich has made.

This is all I have to say sir. And me and many others are hoping that something can be done.

Thank you for your time and patience.

Respectfully,

(Name withheld).

The parents of the first young man were notified by the Army that their son was reported dead on May 2. He had drowned while a passenger on an amphibious PT boat which suffered a direct hit by hostile enemy fire.

I commend these letters to you since I was indeed touched by the earnestness of these two young men, who while serving in a faraway land under enemy fire, were sufficiently interested in their fellow man to write, in the hope that they could correct what appeared to them, to be a wrong being done our soldiers serving in combat while in Vietnam.

I am hopeful that the condition above referred to can, and will be changed, by future Army policy.

VIETNAM: AN INDIAN VIEW

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. ROSENTHAL. Mr. Speaker, it is useful to see our situation in Vietnam from the viewpoint of other countries, especially when those countries are basically friendly to us, and when they represent an Asian perspective.

The Indian and Foreign Review, an official publication of the Indian Government, recently reprinted two articles from the distinguished Indian newspaper, the Indian Express, under the title "Lessons of Vietnam Tragedy."

The importance of Asian leadership is a theme of both articles. When we hear once again that we are about to win the war in Vietnam during a week when Saigon undergoes another siege, these articles suggest how we might have gone so far wrong to find ourselves facing such an apparent contradiction. They suggest, simply, that despite our "commitment" in Southeast Asia, we understand very little about our role there.

The articles follow:

LESSONS OF VIETNAM TRAGEDY

The Indian Express (February 14) featured an article by Mr. Shiv Shastri on the tragic fight in Vietnam. The article said:

"That the USA has suffered severe reverses in Vietnam is both astonishing and understandable. It is astonishing because the military power it has employed in Vietnam has been far superior to that of its opponent. Let us look at some figures. American soldiers fighting in Vietnam number more than half a million. In addition there is a locally recruited army of over 600,000 men. This means a total military manpower of over a million. With the abundance of American technology, along with what has been called President Johnson's propensity to 'overkill,' the maintenance costs are high. Since last year, they have mounted to 26 billion dollars yearly.

"As against such an abundance of military power the Vietnamese guerrillas present a picture of paucity. According to figures given by the U.S. Government, the total strength of the guerrillas was 6,000 between 1954–60. The numbers started increasing after 1960. They reached the figure of 30,000 in 1963 consisting of 10,000 regulars and 20,000 'irregulars.'

"A sharp increase was recorded after the Gulf of Tonkin incident in 1964. The total number of guerrillas now shot up to 80,000.

"On February 7, 1965, the U.S. Government commenced its bombings of North Vietnam. Far from being cowed down, the guerrillas increase in strength and numbers.

"By August, 1966, they numbered 110,000 regulars and 40,000 so called 'infiltrators.' In an August 25, 1966, briefing at the White House, Secretary McNamara indicated a 'cumulative 1961–66 total' of 71,000 'confirmed infiltrators.'

"Such is the position according to American 'guess-estimates.' They show an increase of resistance after each 'escalation' in the use of American power. This makes nonsense of the official American position that the USA is in Vietnam to defend a part of it against 'aggression' from the other. It must not be forgotten that if the USA commenced its bombings of the North in 1965 it was already bombing the South. It has therefore bombed both the North and the South to defend the one against the other. This is a species of 'compelled defence.'

"The human drama that lies behind a statistical presentation of facts does not reveal the suffering and the pathos that accompanies it. It is well known that American efforts to destroy the hideouts of the guerrillas have included the use of napalm, the destruction of 'all life' in target areas—a process described as 'defoliation,' the employment of the so-called 'nerve gas' and the rendering of water and edibles unfit for consumption.

"Let us look at the quantum of American power employed to destroy Vietnamese resistance. The Secretary of Defence, Mr. McNamara, told the Senate Foreign Relations Committee on April 20, 1966, that 250,000 tons of aerial ordnance had been expended in 1965. The amount earmarked for 1966 was 638,000 tons. This approximates to 48 per cent of all the bombs used against the Nazis in Germany and Nazi-controlled Europe by the USA in World War II.

"Let us look at it another way. At the height of the London 'blitz,' 200 German bombers dropped 1 ton of bombs each every night for sixty nights. At the rate of the 1966 bombing plan, no less than 1,772 tons of bombs a day have been dropped on Vietnam. This is more than eight times the maximum the Luftwaffe dropped on Britain. The rate for 1967 would obviously be greater.

"In spite of this murderous rate of destruction, the NLF was able, in its recent offensive, to bring American power to a standstill.

"Where does such reckless courage come from? The answer to this question takes us back to the fundamentals of the question. The magnitude of the resistance comes from a sense of outrage and desperation in which the common man seems to share. I would venture to suggest that the million strong force of the USA is fighting not the 200,000 odd guerrillas but a whole nation. The more the USA punishes its inhabitants, the more unified they become.

"If you look at the situation from the Vietnamese point of view—and that point of view is certainly not to be ignored—the people of Vietnam are fighting to shed the yoke of colonialism. They fought against French rule and won in 1954. Then, instead of the terms of the Geneva Agreements being implemented, the Americans stepped in and propped up the southern zone of Vietnam into an 'independent State.'

"If the Americans had allowed the people of South Vietnam free choice as respects their government, even a divided Vietnam could have become stable. But the Americans wanted a complaisant government. And a complaisant government means a corrupt government. When you add to this the American obsession with communism, you not only have a corrupt government but a government that rules by terror.

"The odd thing is that what American policy seeks to curb in Vietnam is precisely that which has been created by that policy. In a rather perceptive passage, James Eliot Cross (Conflict in the Shadows) says: 'The Government (of South Vietnam) locks itself into a standpat position of fighting to defend all the inequities which gave the rebellion its first impetus.'

"Confronted with what is called a 'credibility gap' as respects its Vietnam policy, the US Government refers to the need for checkmating 'international communism.' This adds to the credibility gap. For, were the US Government sincerely fighting communism alone, it would not be giving economic assistance to Yugoslavia and now Rumania and, above all, it would not be signing all kinds of treaties with the USSR—on space, nuclear proliferation and so on.

"Another argument points to the danger of Mao's aggressive expansionism and the

containing role played by US power in South Vietnam. Were some wisdom displayed in the execution of such a role, the USA would find countries like India on its side. But you can not checkmate the spread of Chinese power by destroying the very leadership that would resist it most effectively—which is precisely what President Johnson has been doing so far.

"The conclusion is unavoidable that the means chosen by the US Government to make its presence felt in Asia are repugnant to the self-respect of Asia. Man is not a machine to be manipulated by statistics of fire power or unrelated application of concepts like 'counterinsurgency.' He has a soul and an urge to dignity which he will assert like anybody else.

"The USA has now two choices—to repeat its old mistakes or to take the hydrogen bomb out of its pocket and learn to live with the world on an equal basis. The first means further war effort in Vietnam and the possible use of nuclear weapons—even if they are called 'tactical' to begin with.

Such a course will create new Vietnams and will not exclude the sprawling masses of South Asia. The USA of course can destroy everybody including itself to 'assert its rights.' That would be silly, would it not?"

Writing in the Indian Express (February 2) Mr. Frank Moraes said:

"Nature, they say, abhors a vacuum. So does Man. The tendency of both is to try fill it up. Militarily it would be premature for the Viet Cong to claim that victory is theirs in South Vietnam. But politically and psychologically they have struck the Americans a resounding blow. Its echoes reverberate throughout Asia.

"The Americans might not have lost the war. But they have lost what in Asia is far more important. They have lost face.

"Europe first lost face when little Japan toppled the Russian Colossus in 1905. Some sixty years later Asia watches as North Vietnam in the role of David takes on the American Goliath. Whatever the military outcome, the New World politically and psychologically has lost face to the Old.

"The vacuum thereby created is far more serious and enduring than the temporary void which a military defeat generates. In the long analysis human values count for more than national strength.

"What is happening in Vietnam will alter and affect men's minds and perspectives far more than the obliteration of Hitler did in 1945. Its dimensions are global and intercontinental. They are also unfortunately inter-racial.

"By their precipitate action in Vietnam, the Americans have unwittingly brought Europe face to face with Asia, and in the process have confronted the Old World with the New.

"That Russia which was humbled sixty years ago by the Japanese should now provide the main warhead for Hanoi's rocket against the Americans is also symbolic of the traumatic change in values over the years. Today the Soviet Union presents a new phenomenon to the world—that of Euro-Asia, with one foot astride Europe and another reaching towards Asia. The Warsaw Pact and the Tashkent Declaration are two faces of the same coin.

"Is the land of the Tsars, now of the proletariat, earmarked to fill the latest vacuum in Asia?

"Territorially Russia lies athwart Europe and Asia, and from the days of the Tsars its political tentacles have tended to reach out towards Asia. China, another Colossus, bars its path on a vital flank. Viewed superficially, the struggle for influence over Asia seems to lie between Soviet Russia and Communist China—both of them territorial giants and both of them Communist.

"The question which arises—whether Asia is now doomed and destined to go Red—does not necessarily postulate a simple answer based on a choice between two alternatives. For the battle for power over Asia is not limited to two contending Communist dinosaurs nor indeed to the polarized pulls of the Marxist and non-Marxist worlds. Asia itself enters into the calculus.

"For the achievement of North Vietnam proves that given the tools an Asian country can do the job. Japan demonstrated it sixty years ago, but in her case the tools were her own. That over half a century later another Asian country has to rely on foreign hardware to achieve the same miracle exposes the widening, pitiless, material gap between the Western and non-Western worlds.

"North Vietnam's startling success projects another fact. A vacuum in Asia need not be compulsively filled by a foreign body. Asia is capable of filling it itself. The present inherent weakness of Asia undoubtedly owes much to its own doing, to its sins of commission and omission. But the calculated policies of the West, based on selective aid, have contributed not a little to that end. Many Asian countries will draw the obvious moral and set about putting their houses right. Japan did it. North Vietnam is on the way to doing it. Why not the rest of Asia?"

A TRIBUTE TO MONSIGNOR BURKE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, at the 42d annual outstanding service presentation by the Essex Council of the Boy Scouts of America, Council President Fred S. Tarbox honored the distinguished service of the Right Reverend Joseph P. Burke, J.C.D., pastor of St. Patrick's Church in Lawrence, Mass.

In his parish, the monsignor has the largest number of Cub Scouts and Boy Scouts in the council, and an active Catholic youth organization of over a thousand members. Mr. Tarbox presented Monsignor Burke with a plaque in tribute to his dedicated and generous service to boyhood. His address, "A Tribute to Monsignor Burke," is an eloquent testimony to the monsignor's unselfishness and devotion to today's youth, and I am privileged to be able to present it here for the attention of my colleagues:

A TRIBUTE TO MONSIGNOR BURKE

In a world torn with strife, bogged down with inaction and problemed from within it's refreshing to have your discipleship a part of our community.

Quoting from the Gospel according to John, Jesus appears to his Disciples and in speaking to Simon Peter asks him, "Simon Peter, do you love me?" and Peter replied, "Yes Lord you know that I love you." Jesus said to him, "Feed my lambs." A second time he said to him, "Simon son of John, Do you love me?" Peter replied, "Of course, Lord, I love you." Jesus said, "Tend my sheep." Finally, the third time he asked Simon Peter, "Do you love me," and although Peter was grieved, he replied, "Lord, you know everything, you know I love you." Jesus said, "Feed my sheep."

Monsignor Burke you are tending and feeding our lambs and sheep. You are answering our Lord's request. You are doing good and great things with action, you are a "Do-er" and your "Golden Deeds," in so many ways, help our young and old. You are not out making apologies for America—You are encouraging, nourishing and enriching the lives of so many young boys and girls. You are providing leadership to many young boys and girls. You are providing leadership to many young boys in Lawrence. You are sponsoring and making available "Scouting" for all our boys and these boys' lives are being oriented toward good citizenship. These boys are learning the Scout Law and oath and they will make fine Americans because you care.

I've been thrilled to see you here at the Greater Lawrence Regional Vocational Technical High School, late at night when a dance was in progress—just checking on the well being of our youth. Your warm body and Christ like attitude gives all of us courage. You represent a youth movement of your own. You are a great man and Christ's own disciple.

North Essex Council Boy Scouts of America is proud to present this plaque for all you have done and for all your assistance.

May God Bless you now and always.

THE UNITED STATES CAN HELP CZECH PEOPLE

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. GUBSER. Mr. Speaker, from time to time I receive copies of letters written to the Palo Alto Times by Mr. Julius Epstein of the Hoover Institution on War, Revolution, and Peace at Stanford University, in my congressional district.

A letter by Mr. Epstein which recently appeared in the Palo Alto Times raises some very interesting points regarding the type of assistance which we could give to the Czech people in their desire to democratize within a Communist regime.

The letter follows:

THE UNITED STATES CAN HELP CZECH PEOPLE

EDITOR OF THE TIMES:

Since there can be no doubt that the events in Czechoslovakia indicate the most important and most hopeful development within the East European Communist bloc outside the Soviet Union proper, the question arises what the American government is going to do to encourage the Czech people in their admirable and immensely courageous struggle for "democratization within a Communist regime."

Two things should and could be done immediately: to return the paltry $20 million in gold held by our government since 1945 and the offering of a new kind of Marshall plan to the new regime in Prague. As we remember well, Stalin forced Jan Masaryk to reject the American Marshall plan aid offered in 1948.

Secondly, and even more important, would be the offer to the Czech "liberals" who are now in power in Prague the conclusion of an American-Czech Cultural Exchange Agreement.

The Soviet government could not denounce the Czechs as "lackeys of imperialist Wall Street" since such cultural exchange agreements existed between the USSR and the U.S. for the last 10 years.

Whereas the value of the cultural exchange agreements between the USSR and the U.S. can reasonably be questioned, no doubt exists about the usefulness of a similar U.S.-Czech agreement. In this case, both countries would certainly be the true beneficiaries of such an agreement. The agreement should provide the intensive exchanges of scholars, students and artists—from symphony orchestras to

jazz bands as well as art exhibitions, theatrical groups and plain tourists—and all this on a rather broad and generous basis.

It stands to reason that the present Czech regime under Dubcek's leadership would never try to infiltrate Communist agents into the U.S. as the Soviet government repeatedly did when it sent its ballets and circuses to the United States, not to mention its diplomats at the United Nations.

A cultural exchange agreement between the United States and the new Czechoslovakia would be of immense importance in cementing a real friendship between the peoples of the two countries. The final results of such policy of a genuine rapprochement between the two peoples cannot even be guessed at present time.

May I express the hope that there is somebody in the White House as well as in the Department of State with enough imagination to tackle the task, to use a current slogan, "right now!"

JULIUS EPSTEIN.

PALO ALTO.

FORMATION OF THE PROFESSIONAL AIR TRAFFIC CONTROLLERS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PUCINSKI. Mr. Speaker, recently a group of air traffic controllers throughout the United States formed a much needed organization, which hereafter will be known as the Professional Air Traffic Controllers.

I am very pleased to see the air traffic controllers establish this organization which will provide a unified voice to deal with their many problems.

Few Americans realize what a tremendously important role the traffic controllers at a major airport play in keeping the airlines operating and maintaining the highest standards of safety in the control of airway traffic.

I was pleased to see a large contingent from Chicago's O'Hare Field Tower participate in the formation of this much needed organization.

The traffic control operators at O'Hare Field are probably the most unique group of workers in this country. I do not know of anyone who works under heavier pressure than the men in the O'Hare Tower and the Aurora Control Center—the world's busiest airport.

These men handle more than 2,500 operations a day at O'Hare and at certain times they have four or five runways going at one time. It borders on the incredible that these human beings can perform their duties with such precision and excellence.

Too long have the needs of these men been lost in the mainstream of demands by all the employees of the Federal Government when, indeed, these particular workers' problems and needs are unique and apart from any other group of Federal employees.

PATCO will give these men a unified voice to bring a higher standard of respect and remuneration for their high dedication to duty and better working conditions.

I am today including in the RECORD a speech by Attorney F. Lee Bailey, delivered recently at the Americana Hotel in New York City when this organization was first founded.

Mr. Bailey has put into proper perspective the work of these human computers who keep this Nation's biggest transportation system functioning with the least amount of interruptions, other than those created by weather conditions which are beyond their control.

Attorney Bailey's speech follows:

Mr. F. LEE BAILEY. Thank you very kindly, not only for your reception, but for coming. I hope that in my youth I have the good sense to avoid attempting to compete with Red Baron (Mr. Arthur Godfrey) sitting over on my left. I too recognize the beauties that are in this room but I will not attempt to supervene his comment on them, because I am sure it can't be bested.

I shall not keep you long, most of you are executives of one type or another and I think that the message can be short and sweet and yet clear.

The reason for asking you to join us this evening and to come around where personal contact was possible was simply this: there are all kinds of communication in the United States; the telephone is nice, telegrams are nice, magazines are nice, but there is nothing like a face-to-face confrontation. We do not settle disputes at remote distances or through the impersonal medium of a narrative statement that cannot be questioned or contravened.

The Professional Air Traffic Controllers organization which was indeed launched six weeks ago was not more than an idea, but it was such an overwhelming idea that it is literally sweeping the profession and will continue to do so.

Statistically it is provable beyond any shadow of a doubt. There is a great deal of unrest among Controllers. It is justified by the circumstances and they are going to move. I was very happy when I was originally asked to consul with them about the formation of an organization that they did not approach the matter from a rable-rousing, union point of view wherein they could get what they wanted simply because they wanted it and because everybody else was getting it.

They spoke first of their responsibility, and their responsibilities are not only extreme but they are exclusive. By the same token, so is their control.

The word "air traffic control" has now become an integral part of commerce and life in the United States and it will not diminish.

If a long time ago when the many of you among us tonight used to fly, the low frequency range was our only salvation. In the hope that we could distinguish an "A" signal from an "N", the controller merely stood by and listened to where we said we thought we were and he hoped that we were right so that the other guys reporting a different position wouldn't run into us. But times have changed. The duties of the pilot have not gone down, but up. He is a man of integrity and he has great respect, justifiably so. In the United States he is an exciting individual who can do something that most of the citizens can't do: he can fly an airplane. But he knows, as I know, because I do it many, many hours every month, that from the time we light the engines and get on ground control until the time we reach our destination and turn off the switch from ground control, that we are directed by somebody to make every single move.

That somebody is particularly a man who is not very old. He has a background, we hope, as a controller in the military—this is where most of them come from. There is a thought that many are pilots; some are, many are not. He has the responsibility and the only responsibility for making sure that we don't run into one another, and as we view the New York traffic situation today or Chicago, if you like, or Los Angeles, or many of the other high density zones, that responsibility is becoming overwhelming to the point where it can rip human minds apart.

Now, we all know the consequence of a mistake on the part of the controller. We ask of him mental strain that we would not accept. We put at least two experienced qualified men in the cockpit of every large airplane that is complex and difficult to fly, where mistakes are never forgiven, only recorded in twisted metal, but in between the take-off and the landing we are given some respite. We can drink a cup of coffee, we have an auto pilot to help us out and we are allowed to generally relax.

The controller will sit for two, four, six or even eight hours on his scope taking hand-offs and putting them on the ground at the rate of 30 at any given time, which is not only unreasonable but it could become something more than that.

It is not the purpose of this organization to try to create any state of panic to accomplish its ends. It does not contend that danger runs rampant through the system, but it does accept and it will discharge the responsibility to announce what the conditions are.

This is not a responsibility that can be excepted, as has been demonstrated by the upper echelons of the bureaucracy known as the FAA.

The only people who know when an airplane is safe to fly or unsafe is the pilot, the man who controls, not the presidents of the companies who own the airplane. And by the same token, the only people who know whether or not the system can accommodate the traffic that is thrust into it or whether it must reject some to attain a margin of safety to which we, as pilots and passengers, are entitled are the people who are working every day on what we call "the boards."

The boards are the radarscopes with the flight strips sitting next to them where airplanes are moved from New York to Chicago to Miami or anywhere across the country.

This is not to suggest that the Organization is interested only in the high density zones; a controller is a controller and if he is not a good man, it is small consolation to tell the widow that it was a Piper Cub accident, not a 707. Small airports with control towers need the same level of efficiency because emergencies are never programmed, they always happen out of turn.

The controllers say that they are in trouble; they have evidence that they are in trouble. They have called this meeting to explain to you what their troubles are, to get your reactions as representatives of other areas of the aviation industry and more than that to get your cooperation.

They are the sole experts in that area which involves the radarscopes, and the visual aids that they have from the tower, in order to guarantee you safe passage wherever you must go.

By the same token, you in your various fields are the sole experts to complement that function wherein together hopefully on each occasion a successful passage is made.

The key to the theme of this Organization is posted behind me. We will very shortly have in print for those who were unable to attend that have interest, a national magazine called the Professional Air Traffic Controllers Journal, for the first issue at least. This is a proposed cover and probably very close to the final result, but the thing that you see there and the thing that you see hanging behind me is symbolic of what is involved; that is to say, an airplane in flight is a partnership between a group in the cockpit and a group on the ground, and the failure of either can result in disaster. It need not and should not, but we are approaching the breaking point in many areas.

The air traffic control is our diminishing lot; the government is not able to hire new men who have the necessary youth, vigor, intelligence, ability, and this is a job of high skill and resilience—the key to an air traffic controller—because without resilience he'll pull off his head-phones and throw them through the radar scope and run out screaming and wind up in Bellevue. He must be able to take pressure in tremendous amounts or he cannot do his job. There is no rule or law or directive from the FAA, which directs how many planes may arrive at a given point at a given time. They arrive spontaneously because they chose to go there. It does not appear that there is going to be such a rule tomorrow. At any time he may suddenly be hit with 30 targets he didn't intend to have and his responsibility is to get them down because we know from Isaac Newton that every airplane that takes off is going to come down. Our hope is that it will land on its rubber.

The reason for recruitment being as bad as it is has been recently demonstrated by a panic program to get more controllers in areas where they are dropping like flies; that is to say, far more than half or those who are hired for one reason or another are not satisfactory. They quit because they don't like the job, it is not attractive to them or they are not qualified and, therefore, forced out.

But some are not forced out. The controllers upon whom your lives depend and who are represented here tonight not only from New York but from all over the United States, the top controllers called GS–12s and some 13s, the ones who assume the ultimate responsibility of the minute-to-minute action that cannot be supervened by any other authority, who being administrators are no longer qualified to operate what we have called the "Board," will tell you and tell you very frankly that incompetent help is being seated beside them, and that although now they maintain the margin of safety, tomorrow that incompetent help will be taking over and that's not good enough.

They will also say that although there can be no excuse for giving less than the best, because we who have airplanes have only the best equipment and know what's at stake, they have far less than the best and they have equipment which is not adequate to meet the needs of the job that they have to do.

The reason that they don't have better equipment is because nobody apparently has had the impetus to make sure that they get it. It's available, the manufacturers know how to make it; what's available is at least three times as good as what is in operation, but it has not been installed.

Now, Congress is like any other body; I assume it has to oil the wheel that squeaks the loudest. This wheel is going to squeak. There are two alternatives, and one is to wait until the trouble is so serious that a crisis has been invited and has arrived. This is not in my judgment the manner in which a professional organization ought to act. They have the same duties to the moving American public that a doctor has to medicine and patients and that a lawyer has to society. They should forecast trouble if they can see it; if they do see it, they will mention it, and they are going to try to do something about it.

Their position is also this, and I think justifiably so, and I throw these ideas out because we very much want to hear from anybody who disagrees with them.

We cannot do very much without a firm liaison between the professional pilots, pilots of general aviation, the people who make the airplanes that plow through the system and they, by the way, are far superior—having in mind what is available—to the equipment on the ground that is intended to prevent them from meeting unexpectedly at altitudes unknown.

I have been to Atlanta. At Atlanta they have a system, although they say down there they would like to see it improved and the desire for improvement is healthy, it is so far beyond what a pilot coming into New York has for his insurance policy that I think it to be a disgraceful situation.

A common IFR room is being created in New York where all of the Kennedy, LaGuardia and Newark approach controls will move together in the hope that they can rescue one another where now separation of frequencies might prevent communication in time. Unfortunately, the equipment that will be installed in that room is not what is available. As a matter of fact, it is, in any instance, poorer than what is now operating.

A controller must look at a scope and he must view a number of targets. They all look alike unless he has asked one to identify himself, at least all within his area, and he must remember, simply through the forcing of will and memory, to imprint momentarily the identity, the altitude, and hopefully the heading and perhaps the speed of every unknown little blip that makes its way across the screen.

To watch a control tower and to accomplish this in an hour of peak traffic at Kennedy Airport where there are circling above 50 airplanes all demanding to land, asking to be put in sequence, and to remember everything that he sees is to gain new respect for the capacity of the human mind, but there is not need to abuse it so badly.

The controller now will tell you that at 40 years of age he feels he is on a sharp downgrade and that his career or his useful life has just about run its course, at least in the highest of pressure areas.

In Atlanta as one watches the scope a little tag follows along and says, "This is American 243, he is flying at 2000 feet, his ground speed is 340 knots," and his heading you can figure out. And the mental strain that is lifted thereby is fantastic.

The New York area is perhaps an apt example because it is the closest to great difficulty.

There are 2500 movements on the average day from three major New York airports and you know what they are.

The airspace that is available to handle each of them has become minimal.

To the northeast, to the north, the northwest, the west, south and southwest, all the air is gone. Politicians have spent much time arguing about where they should put another major jet port. None of them have bothered to contact the controllers who would be told that they would have to operate that jet port.

The controllers have decided that it is their responsibility to give advice and strong recommendations in this area, and if there is going to be another jet port, and there isn't time to build one any more because the controllers will not accept the annual increase in traffic at its present rate for in so doing they cannot guarantee the safety of those who enter the system, they have taken a very firm position that they will not tolerate any increases which represent a hazard.

A corollary to that is that either the traffic will halt—and I don't believe that any more than you do. If only 10 to 15 per cent of the American public has flown, the generation coming along is going to kick that up to 90. Air traffic will increase, not decrease. But it cannot increase here this way any more. It would take a number of years to put up a major new port, there isn't time to do that, it is time to open another one, and I use this only as an example, because this is not a New York club, it is involved with air traffic throughout the country and will become more and more involved in the months to come. I fully expect that within a very few months it will be the most solid and unified voice of Air Traffic Control that the United States has ever seen.

You can't put an airport in a place where you don't have air through which to fly airplanes to get in and out.

If New York has to have another one at the moment, there is one that is built that could handle all of the overseas traffic and alleviate rather simply the load that is placed on Kennedy and the other major terminals and it is sitting on the end of Long Island.

If somebody proposed to build another one without asking the Controllers whether or not it is feasible to use it, they may be wasting a lot of money. By the same token, probably because nobody ever thought of it, nobody ever came to a Controllers' group and said: "Is this practical with 18 runways going in different directions", how would you try to solve this problem?

Well, after you tried to get a 90-knot airplane out in front far enough of a 707, when you can point them both towards the outer marker, and not have one overrun the other and rule out the calculations and opportunities for mistakes involved, you begin to figure out that it will be nice to have two runways, one for 90 knots and one for 150 and those two will handle anything that is built in the United States or imported into it today; but nobody has asked, and from now on they will not have to ask, we will see that they are informed.

The Air Traffic Controllers feel, and again I think justifiably so, that in order to get the best men they must elevate their standards entirely. I do not mean by small increments such as unions visualize when they seek improvements in fringe benefits or income. I mean with one solid jump. They do not feel, and I do not feel as an attorney, that they can do this within the agency. They will in the near future approach Congress. They will ask for a new law. It will create a new Air Traffic Controller—although a grandfather clause certainly must cover those who are now in the business, because if they were all to walk out, the United States would be closed for business.

I can assure you that the Air Traffic Controller in the future should go to a college where air traffic control is taught. It is a complex business and the one that can be learned in part in the classroom.

The Air Traffic Controller should be a pilot. He is now reaching right into the cockpit, dictating headings, speed, altitude and coming up with lost airplanes from time to time. The only hope to get that airplane on the ground is that he can through his radio transmission dictate the moment by moment movement of the controls and get back from the pilot, panicked though he may be, enough information from the instrument panel to find out where he is and put him on the ground. That is the responsibility the Controllers are anxious to accept. At the moment, their opportunity to do so is sharply limited.

They feel, and I think the pilots feel, because I have talked with many of them, that hours that controllers spend in the cockpit cannot help but make them better qualified to do the jobs that they have to do, and more important, to make the decisions they must make in which the pilot cannot participate.

We all know that when holding at 6,000 feet over Colt's neck in the soup we haven't got the slightest power as pilots to avoid a collision with anything, but the controller has, and he is the one who sees that collision is avoided, and if it is not done and we are at our final altitude, the responsibility must be his, and fault, if there is failure. It is possible for an Air Traffic Controller to fly today, if he wants to give three weeks notice to go through a long batch of red tape, use his trip for a legitimate purpose in the judgment of some bureaucrat and not take too many each year.

An Air Traffic Controller ought, with the consent of the airline or other airplanes

involved, whether it be a Biz jet, a corporate airplane or a private airplane, to fly anywhere anybody will have him simply to accumulate the hours and wisdom.

I have never seen an airline pilot that resented a controller in the jump-seat.

Quite to the contrary, it is heartening to fly over New York City at 2 or 3 in the morning to listen to the airplane pilot talking to the controllers about things that may be trivial, but at least to indicate one to the other the tremendous respect that runs between them.

I have never seen an airline that objected to carrying the extra 175 pounds in a 50-ton airplane, that is required to give a seat to a controller, and I think that they should fly anywhere any time that is feasible for those who would carry them to permit it—that they should log those hours and that they should have a minimum standard so that just like pilots they must spend some time in order to know the difference between a gyro horizon and a manifold pressure gauge.

This information is useful to them when they ask one airliner to slow down or a small plane to speed up and maintain 160 knots, a decision critical to the entire pattern on the radarscope and of great moment to the pilot who stalls out at 159.

Now, by raising these qualifications, they are going to have to raise the attraction to become a controller.

Most of them are, of course, dedicated men and they say, "Yes, you know things aren't too good, but I wouldn't be happy if I weren't controlling aircraft."

On the other hand, it is not simply to increase personal status but an observation that things are getting very, very tight.

I suppose because of the initial acceleration of the kickoff of this Organization, which you might assume is a matter of business logic, appeal to a group that was ripe for something and had spent too many years hoping, but getting nothing seeing progress slowed down, that the initial conscription rate which has been at the major facilities we have so far seen, being New York, Washington, Chicago, Miami, Minneapolis, Los Angeles and last night Cleveland running 85 per cent, is a strong endorsement that the ideas advanced by the initial group which caused the formation of this Organization are attractive to all and they are behind it and they will stay behind it.

Our desire to cooperate with everybody in the industry is perfectly sincere. There have been rumors I know, because I have gotten them in the feed-back—and it is fortunate, thank goodness, that I have an investigative Bureau—that this is a Teamster front, that it is an attempt by Castro to take over the United States, and they are the things that business men after too many Martinis are apt to listen to with an attentive ear when they should be laughing; but it is no more than we have said it is: Air Traffic Controllers, and only Air Traffic Controllers, I don't mean the supervisors who check them in and out, I don't mean the people who learn the business some day, but this organization is the voice of the men who do the controlling and for them there is no substitute.

Now, we know that there are problems and controversies which arise between the views of the professional pilots who know that only so many movements can be tolerated in a day in a given airport, and feel that those movements should be dedicated to the airplane that moves the most people at one time—and the representatives of general aviation who feel that there should be maintain unfettered the rights of a citizen to take his own plane and land at any airport that he needs to go to for business or otherwise; and certainly right in the middle of this controversy sits the Controller. They have said to me, "If you give me the concrete and the equipment we will land every plane that wants to come in." But they don't have the concrete and the equipment. The lines of communication must be kept open; there is no way any more to have aviation in the United States without a controller hooked into it 50 per cent of the time, 60 per cent of the time, and when it is IFR, 100 per cent of the time. And we are very hopeful that we will get substantial cooperation, and we extend it to everybody that we have invited here tonight.

We are also very hopeful that the aims of the organization will be correctly reported. It would be possible—do not think that this possibility is not viewed or understood—it would be possible to bring a tremendous pressure to accomplish these ends in panicky fashion.

The gentlemen that I represent do not choose to take that route, and if they did, I am satisfied that I would not choose to represent them.

One slow down in the New York area, and a slow down is defined as following FAA regulations, with the spacing required by those regulations, would cut the traffic in the New York area down to 60 per cent of its level.

It has been done by renegade movements, by discontented controllers in Los Angeles, in Chicago and in New York and its effects are disastrous, and that is not the answer. It is a demonstration much as Martin Luther King's march into Washington with many of the people who are dissatisfied. It is not the method of this group.

But, on the other hand, they have made it very clear among them, and I think that their position cannot be attacked, that *they* are the ones who will report; this is enough, this is as far as we can go.

If New York is to continue to expand, or Chicago, somebody will put in the three dimensional radar that is available. Somebody will furnish good and alert young men who can become controllers because this select group cannot be reamed out of society as we ream our juries out.

They are a select group just as pilots are, and that will be done by making reasonable working conditions at attractive salaries to people—who will not go otherwise—because Air Traffic Control has something to offer.

As of the moment, everybody in New York is on a six-day work week. Pilots are limited to 80 hours flying, and I think wisely so. I fly 80 hours a month, and if I did nothing else I suppose that would be a month's work.

But we do not know because no one has ever run an intelligent and well-documented psychological study of whether or not there is a safety limit as to the work of controllers at which point efficiency begins to give way to fatigue. Perhaps a 48-hour week is feasible and perhaps it is not. We will accomplish such a study on our own and we will pay for it and then we will rely on it.

These are some of the things that we will report to the Congress when we ask for a sweeping change in the Law.

There is a maximum in aircraft instructions and you pilots know it well.

Some people can fly Piper cubs, some people can fly light twins, some people can fly the Lear jets and some people can fly 707s. Presumptively some day we will have people who can fly the SST, but at a given level some pilots drop off, not because they don't know aviation, not because they don't know what the controls look like and feel like, but because they can no longer keep up with the airplane. It moves too fast and their ability to think, reason and decide begins to fall behind the movement of the machine.

We see it happen all the time trying to transition people from light aircraft into a Lear jet, as I have to do.

There is no such thing as being "with" an airplane.

You are ahead of it or you are behind it, and when you are behind it, the only communication that will be useful will be with the life insurance representative, the attorney who has your will and the funeral director.

It perhaps would be unfair to say, because it could be misinterpreted by the public and hurt aviation generally, which the controllers have absolutely no desire to do—but to the contrary, that we are behind the system—that we are perilously close to being even with it in certain areas and being even with it is a fiction that means you can handle everything but the emergency; and we should handle the emergencies and handle them well.

I put to you an example: Some time ago Eastern Airlines and Trans World met unfortunately at the same place at the same time and the usual result occurred. TWA lost half a wing and through some highly skillful heroics on the part of its pilot, landed successfully; and Eastern landed in a wooded area, fortunately, and unfortunately some people did not get out of it.

One of the airplanes apparently, and I do not attempt to evaluate the accident report which is on file, was not at the right altitude, and it is possible to say that no controller can be held responsible for that as long as the tape shows that he achieved with his instructions the desired separation. But is this really the answer? I think it is not.

The controller relies today exclusively on what the pilot tells him as to its altitude and then he must remember it and when he sees two targets cross, he must rely on his memory that they are separated vertically, although not horizontally.

We have had pilots, and we know about it, reporting 10,000 feet off their attitude by misreading altimeters. The controller usually is helpless to disagree with that or check the error, but if our controller back during that accident had had the equipment that he could now have, if somebody had put it in, he would have seen, no matter what the pilot thought he heard, that two airplanes both indicating on the scope the same altitude were about to have an unhappy encounter and could have prevented that.

I think that every accident of that size that can be prevented—or even two Piper cubs—is worth whatever investment is necessary. I realize that the War in Vietnam is important and that we must contribute substantial funds for it, but as long as the people who run the country are among the 10 per cent who fly, and so long as American citizens are given some sort of assurance that when they enter an airplane and feel it leave the runway they know it will get back down safely, there is no excuse whatsoever for going second best in the business of air traffic control.

The equipment now used is second best. The controllers coming in to replace the ones who have formed this Organization are second best, and that is the way we are pointed at the moment. If any of you should see in the future that the Controllers have said not only to authorities but also publicly, "This airport will not have more than X landings per hour period", you will know that at least the message was laid down this evening here in New York. That will not be an effort to demonstrate. It is an undesirable result for everybody. It is not in some areas very far away.

It is the responsibility and the duty of every controller to stop before we have gone too far and he will do so.

If someone directs him to accept five more airplanes per hour than he says he can handle, and that is his decision alone, just as the pilot holds the decision as to what speed he will use over the fence or on climb out, then the name of the man will be properly emblazoned, and whether or not the order is followed if a crash occurs, that name will be reported infamously in history.

I rather think that however powerful superior representatives of agencies or other areas from whence directives come may be, it is unlikely that that order will ever be given, whether or not it may be obeyed.

We hope very much because being good fellows and realistic Americans, we will, of

course, reopen the bar immediately after this short meeting is over, that we hear from everybody that is interested in air traffic control and I know that you would not be here unless you were.

We will make available to all of you the first issue without even your having to ask for the copy of our Journal. We hope, and it must go to press within thirty days, because it is the vehicle by means of which we will initially inform all of these people in outlying areas that we cannot directly visit what this organization is, what its aims are and what its limits are and the nature of its professional level.

We hope that you will look through it, and we also hope to have by then the ideas of the aviation industry, the professional pilots, the general aviation, the Air Transport Association, indeed everyone who has any concern with this, and especially those in the Congress who must shoulder the ultimate responsibility of deciding what will be done to remedy a situation that is in trouble now.

At any time I hope that any of you will ask for meetings, discussions—we can dig committees out of the Air Traffic Controllers that you never heard of. As I said, they are resilient, they have shown me—because they have exhausted me in the process—working twenty-eight hours a day, that means that they are sleeping coming up with an idea. But this is an immediate thing; it isn't an idea for a future great society of Air Traffic Controllers, it is intended to be a steam-roller and will remedy a situation that threatens to crop up faster than it can be handled. To the extent that their responsibility is involved, they have assumed it and they will implement it, if I may borrow a term that I hate from Governmental Memoranda: They need your help in doing so just as you need theirs.

When the time comes to put a bill into the Congress we will furnish evidence describing the form of testimony that I have told you tonight. I am very hopeful that most of you who are professionally involved in aviation from any avenue are in agreement, because somebody is going to call upon you to support or contradict that testimony.

There isn't a man here who doesn't owe his life at one time or another to an Air Traffic Controller, and we hope when the time comes you will remember that fact and not let them down.

The best assurance you have in addition to the superiority of your machinery and the skills upon which you rely is the direction which you receive at a time when your vision is limited to about three feet; that is the distance between the pilot and the instrument panel.

We want to thank you all very much for coming.

PFC. JEFFREY SEGAL, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that one of my constituents, Pfc. Jeffrey B. Segal, U.S. Army, of Carmel, N.Y., died last month in Vietnam.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article from the White Plains, N.Y., Reporter Dispatch, May 31, 1968:

PFC. JEFFREY SEGAL IS KILLED IN VIETNAM

CARMEL.—A Carmel High School senior, Mrs. Theresa A. Segal, 53 Gleneida Ave., has been notified by the Department of the Army that the soldier she married last November was killed in action in Vietnam on May 21.

While attending school in Carmel the 18-year-old girl has been residing with her mother, Mrs. Ralph Balzano.

Pfc. Jeffrey B. Segal, 20, Co. "C," 1st Bn, 6th Inf., Americal Division, fell before enemy machine gun fire during action in the Central area of the Vietnamese Republic according to the Army authorities. Notification to the widow, and to the soldier's mother, Mrs. William J. Murphy, a summer resident at Lake Carmel was made Saturday evening by Capt. Richard Clarke of the U.S. Army Garrison at West Point.

The soldier's military records indicate he graduated from DeWitt Clinton High School in New York, that he was inducted into the service from New York City and that his father is deceased.

Pending arrival of the soldier's remains in this country, members of the family are planning funeral services in the city; a memorial service at St. James the Apostle R.C. Church in Carmel with interment at St. Lawrence O'Toole Cemetery in Brewster.

NATURAL GAS PIPELINE SAFETY BILL

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. VIGORITO. Mr. Speaker, I would like to bring to the attention of my colleagues a recent event which—if it was not so tragedy laden—would be comical. As it stands, it is a matter of the greatest irony, especially as the House of Representatives will shortly be considering a weakened and watered-down version of the natural gas pipeline safety bill.

Last weekend I was shocked to pick up the newspapers and read that at the recent annual meeting of the Pennsylvania Gas Association, the Equitable Gas Co. of Pittsburgh received an industry safety award only a few months after five of its employees were killed in a natural gas explosion and shortly after it was named as a defendant in a $1.5 million suit arising from another fatal gas explosion last November.

This award to the Equitable Gas Co. for "achieving an outstanding on-the-job safety record" shows that the natural gas industry does not know what constitutes safety and that it feels that deaths, in small numbers, are an acceptable byproduct of their industry.

It is certainly ironic after five members of an Equitable Gas crew were fatally injured in a January 1968 blast at Ingram, a Pittsburgh suburb, and after the loss of life in another explosion in Washington County last November, that the company could be praised by the Pennsylvania Gas Association for being one of the six safest natural gas companies in the State.

If this is considered to be a safety-conscious company by the gas industry then the industry is admitting it has a very poor concept of what the word means. This points out why the House of Representatives must not buckle under to the strong and subtle industry lobby which has succeeded in diluting the natural gas pipeline safety bill in the House. We must band together and make every effort to strengthen it by amendments on the floor.

The original pipeline safety bill as passed by the Senate was an excellent piece of legislation. It had the approval of the President, the Secretary of Transportation, and Miss Betty Furness, the President's adviser on consumer problems. The bill as reported out by the House committee was so weakened by the natural gas industry special interest lobbyists that it no longer has the approval of the administration.

I hope all my colleagues will band together when the bill does come up so that we can strengthen and return it to its original respectable form.

UNIVERSITY OF IOWA SCOTTISH HIGHLANDERS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. SCHWENGEL. Mr. Speaker, the University of Iowa Scottish Highlanders have long been a part of the campus scene at Iowa City. They have performed before thousands of people at football games, on trips in this country and abroad.

Recently they centered the competition at the Kansas Highland Festival and did very well.

The student newspaper at the University of Iowa, the Daily Iowan, tells about the Highlanders' accomplishments at Kansas City:

HIGHLANDERS MARCH AWAY WITH HONORS AT FESTIVAL

The University Scottish Highlanders marched away with a number of honors at the Kansas City Highland Festival, it was announced Tuesday by Al McIvor, director of the all-girl bagpipe band.

Forty-two members of the band competed in the Highland Games held May 18 and 19 in Kansas City. Pipe bands from throughout the U.S. and Canada and more than 10,000 spectators attended the event.

Honors went to Barbara Brewer, A4, Clarinda, who placed first in drum major competition, and Bonnie Luzius, A3, Fairview Park, Ohio, who received a first, a second and two third places in dancing competition. Miss Luzius competed with a sprained ankle.

The group also fielded an eight-member minature band which received a rank of 7 out of 10 competing units, McIvor said. This was the first time the coeds had ever marched in miniature band form.

The Highlanders were the only girls to enter competition. Miss Brewer, who has led the group for four years, found her reception in the drum major competition rather cool. "I was the only girl in the seven contestants," she remarked, adding that "one man asked me if I was really going through with it and another told me that if I was really going to compete I better 'strengthen my bloody bonnet'.

"The men were all very military-like," she recalls, "and didn't even smile. They put me in the middle of the line so the judges couldn't see me." But Miss Brewer had the last laugh.

Members of the miniature band were pipers Cynthia MacLaren, A2, Hickman, Ky.; Cynthia Waddell, A1, Marysville, Mich.; Terry Seaton, A3, Seaton, Ill.; Margo Lawson, A2, Raleigh, N.C.; and Pam Klocksiem, A4, Rock-

well City. The two snare drummers were Marcia Nice, A3, Sterling, Ill. and Mary Murphy, A1, Ida Grove, Karen Rummells, A3, West Branch was bass drummer.

The Kansas City Highland Games were sponsored by the St. Andrew Society, an international Scottish organization.

COURTS OF CHANGE AND REVOLUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. RARICK. Mr. Speaker, the rulings of the Federal courts in recent weeks would indicate not only that the judges can not read the law or Constitution but that they do not even know what they are doing—a theoretical jurisprudence without any direction.

Who ever heard of judges striking down "freedom of choice" because someone failed to exercise his freedom? Can freedom be made mandatory and still be freedom? Sounds like Castro's voluntary slave labor cane cutters.

Landlords lose control of their own property if an eviction is charged as retaliatory.

And State courts must tax their people with the additional expense of jury trials in misdemeanor cases if, as the judges feel, "a possible penalty is a serious crime?"

What constitutional laws or concepts could have expelled this imagination.

But Mr. Warren and his ivory-tower circle—possibly oblivious to the crime and revolution about us—take no action for law and order to retain sanity.

We can but deduce they know what they are doing and desire more violence and chaos in our land.

If the tenants have a free hand against retaliatory landlords—then free people must react against retaliatory judges.

And now the murdered victim is to be refused a fair trial by the State, being forced to accept objectors to the death penalty on the jury. The law is being eroded backward to where the individual need mete out justice or justice is denied.

How much longer do they think the American public will allow unelected judges to free the guilty and punish the innocent—judges in solemn black robes executing civilization.

I include news articles from the Evening Star for May 27 and May 29, 1968, the Times-Picayune of New Orleans for May 25, and the Evening Star for May 18 and 19, and June 3, 1968, as follows:

[From the Washington (D.C.) Evening Star, May 27, 1968]

SUPREME COURT CURBS FREE-CHOICE SCHOOLS

The Supreme Court held today that so-called "freedom of choice" school plans are inadequate methods for desegregation where another reasonably available means will accomplish it more effectively.

Although the tribunal stopped short of prohibiting such plans altogether, the decision set out a new, stepped-up command for effective public school desegregation efforts in Southern states.

"The burden on a school board today is to come forward with a plan that promises realistically to work and promises realistically to work now," Justice William J. Brennan Jr. said in the unanimous opinion.

"Although the general experience under 'freedom of choice' to date has been such as to indicate its ineffectiveness as a tool of desegregation, there may well be instances in which it can serve as an effective device," Brennan said.

"On the other hand," he said, "if there are reasonably available other ways, such for illustration as zoning, promising speedier conversion to a unitary, nonracial school system, 'freedom of choice' must be held unacceptable."

The new school desegregation guideline, announced 14 years after the high court's historic 1954 school decision, was set forth in a packet of opinions in cases from New Kent County, Va.; Gould, Ark., and Jackson, Tenn.

In New Kent County, a rural area in eastern Virginia, one of the only two schools still is all Negro. The other has 519 white pupils and 115 Negroes.

"In other words, the school system remains a dual system," Brennan said.

Brennan said school officials must try a more effective method.

He said that drawing a line across a county, assigning pupils on one side of the county to one school and those on the other side of the county to the other facility, would achieve a "unitary, nonracial system . . . with a minimum of administrative difficulty."

The school board's obligation, Brennan said, is to formulate a new plan which promises realistically "to convert promptly to a system without a 'white' school and a 'Negro' school, but just schools."

In Gould, Ark., 304 white and 71 Negro students attend one school complex under a "freedom of choice" plan while all the rest of the county's Negro students attend a second, all Negro complex.

Brennan, in this decision, also called for development of some other plan, such as a zoning approach, to promptly achieve a unitary, nonracial system.

The Jackson, Tenn., case dealt with a "free transfer" school plan that the high court held operated like the two "freedom of choice" plans and was inadequate as a desegregation tool.

Brennan did not indicate what degree of integration would satisfy the court's new desegregation requirement.

In the New Kent County and Gould rulings, however, the facts of the cases made it clear that an acceptable plan must do more than move a comparatively small percentage of Negro students to a formerly all white school, while still leaving their former school all Negro.

The approach taken by the justices today is substantially what they were asked to do two months ago by the Justice Department and the NAACP legal defense fund during oral arguments in the three cases.

Both groups stopped short of condemning "freedom of choice" plans outright, but urged that school boards be placed under a duty to fashion plans that would effectively bring about an end to racially identifiable schools.

Today's decision will require a reassessment in many Southern localities that have included "freedom of choice" plans to insure continued federal school aid.

The court announced these other actions today:

INDIANS

The right of Indians to avoid state game laws under old treaty provisions was upheld in one case, while in another the court declared that state conservation laws should apply to Indians along with other state citizens.

In the first case, the court affirmed 6–2 a Court of Claims decision that the Menomidue for the loss of these rights.
nee Tribe in Wisconsin continues to have termination of an 1854 treaty. The court denied the Indians' claims they said were unlimited hunting and fishing rights despite

In the other case, involving two other tribes, Justice William O. Douglas wrote a 9–0 opinion holding that the Indians' right to fish is subject to Wisconsin conservation laws "reasonable and necessary for the preservation of the fishery."

[From the Washington (D.C.) Evening Star, May 29, 1968]

MADDOX LOWERS FLAG IN PROTEST

ATLANTA.—Gov. Lester Maddox draped the U.S. Constitution in black and lowered flags to half-staff yesterday to protest the U.S. Supreme Court's latest school desegregation ruling.

"This is another attack by the U.S. Supreme Court that is bringing violence, death, communism and the welfare state that is destroying our country," Maddox said in an irate speech in front of a flagpole on the lawn of the state capitol.

The Supreme Court on Monday curbed the use of freedom-of-choice desegregation plans that are widely used in the South.

[From the New Orleans (La.) Times-Picayune, May 25, 1968]

ANY REASON WHY ATTORNEY GENERAL CAN'T AVOID COURT TIEUP?

The U.S. Supreme Court last Monday remanded to Louisiana a "simple battery" case with the stipulation that it must be tried by jury (rather than by a judge, as this was) because an offense carrying a possible penalty of two years in jail was a "serious crime" and not a "petty offense."

Attorney General Jack P. F. Gremillion averred that the decision would slow the criminal courts of the state "to a standstill." We believe he is largely correct—unless prompt legislative action is taken to relieve the condition. Some of the work of the courts would continue since some small percentage of these cases provide for relative small penalties of less than six months or a year. Some few defendants who have the option of a jury trial might waive it. But since most so-called "misdemeanor" cases call for sentences with maximums of a year or more, the criminal courts processes certainly would be largely paralyzed. Obviously that would be a tragic state of affairs, especially in this time of an upsurging crime incidence.

But we believe that Attorney General Gremillion, with the cooperation of the Legislature, now in meeting, can avert the courts tie-up. His office would have to work with diligence and haste, but what is wrong with these in an emergency situation?

After reading the full court decision, it strikes us that the following course offers a way out:

1. Make minor revisions in about 50 sections of the criminal code to reduce the maximum jail sentences for misdemeanors to six months, or at any rate, less than a year.

2. Rewrite the five-man jury article (for felonies not necessarily punishable at hard labor) to require that misdemeanor cases where the penalty is more than six months shall be tried by such a jury. (That would seem to meet requirements in the few types of serious misdemeanors for which it was desirable to retain maximum sentence of more than the six months.)

We believe the attorney general should, after studying the decision text, consider the practicability of such a course of simple rewriting.

The taxpayers should not be called on to stand the expense of a special legislative session to adjust the criminal code, if that can be done by prompt action now.

The bills should be presented by Tuesday night's deadline for introductions. If they cannot be presented by that time, they can be admitted a little later with the consent of a two-thirds vote of each house of the Legislature.

Without drawing any clear border between serious and petty crimes, the court said that

any offense subject to a maximum penalty of two years in jail was a jury case under the requirements of the Constitution. It prescribed no firm guidelines but did comment "that there appear only two instances, aside from the Louisiana scheme, in which the state denies jury trial for a crime punishable by imprisonment for longer than six months." It added that the federal maximum for nonjury trial is six months. The court did not frown on the use of the five-man jury as Louisiana uses it, though it did mention that only two states employed it.

[From the Washington (D.C.) Evening Star, May 18, 1968]

RETALIATORY EVICTIONS ILLEGAL, U.S. COURT OF APPEALS SAYS

(By William Basham)

The U.S. Court of Appeals, in a split decision yesterday, forbade retaliatory evictions of tenants who report housing code violations.

Sidestepping constitutional issues, the majority held that the tenant's right to complain of housing violations without fear of eviction is implied in the District's housing codes. The court ordered a new trial for a woman who was not allowed to try to prove in a lower court that her eviction stemmed from her housing complaints.

The opinion, a major decision in landlord-tenant relations, said that "while the landlord may evict for any legal reason or for no reason at all, he is not, we hold, free to evict in retaliation for his tenant's report of housing code violations to the authorities.

"As a matter of statutory construction and for reasons of public policy, such an eviction cannot be permitted."

The ruling was written by Judge J. Skelly Wright, with Judge Carl McGowan concurring in part. Judge John A. Danaher dissented.

DECISION HAILED

Many low-income tenants have complained that they face retaliatory evictions if they report housing code violations to the District government. A spokesman for the Neighborhood Legal Service Project, hailing the decision, said tenants evicted after complaining to the housing office can now press this argument in court.

The case decided by the court began three years ago when Mrs. Yvonne Edwards claimed that her lease on a rented home at 770 Irving St. NW was terminated by her landlord because she reported housing violations on the property to the District's Department of Licenses and Inspections.

In the lower courts, Mrs. Edwards was not given the right to introduce evidence to try to show that her landlord, Nathan Habib, was retaliating. The lower courts held that under the housing code, Habib did not have to give a reason for eviction under the 30-day rental agreement.

Her attorney, Brian M. Olmstead of the Neighborhood Legal Services Project, argued that retaliatory evictions violate a tenant's 1st Amendment right to petition his government. But the appeals court said it did not have to address itself to that question.

RIGHT APPLIED

The appellate court wrote that Congress did not intend the right to petition to be stifled when it approved the District's housing codes. The court said the right was implied, and ordered a new trial for Mrs. Edwards in the Court of General Sessions with instructions to permit evidence on the question of whether the eviction was retaliatory.

Wright further commented: "In light of the appalling condition and shortage of housing in Washington, the expense of moving, the inequality of bargaining power between tenant and landlord and the social and economic importance of assuring at least minimum standards in housing conditions, we do not hesitate to declare that retaliatory evictions cannot be tolerated."

In his dissent, Judge Danaher condemned practices such as retaliatory evictions, but said that the majority went too far in outlining the court's power over a landlord's property.

Danaher said that if legal standards bearing on this type of complaint are too vague, Congress, rather than the courts, should provide legislation to correct the problem.

He cited a message to Congress last March by President Johnson, who recommended legislation "to prevent retaliatory evictions by landlords in the District."

[From the Washington (D.C.) Sunday Star, May 19, 1968]

ABA TO GET PLEA TO BACK HIGH COURT

The American Bar Association's Board of Governors will be asked this week to go to bat against proposed congressional restrictions on the Supreme Court.

The 21-man executive group is to meet here tomorrow, the day before the Senate is scheduled to vote on a five-part section of the Johnson administration's crime bill that would cut into the courts effort to extend constitutional rights.

Over the years the ABA has opposed attempts to limit jurisdiction of the Supreme Court. The controversial section, chiefly the work of Sens. John L. McClellan, D-Ark., and Sam J. Ervin, D-N.C., represents the most serious effort in years to cut down the court and roll back its decisions.

Last month, ABA President Earl Morris wrote Senate Democratic leader Mike Mansfield and the members of the judiciary committee that the council of the ABA's section on criminal law had decided to oppose the proposed amendments and to ask the board of governors to go along.

The amendments, in the main, would take away the Supreme Court's authority to upset confessions accepted as valid by state courts, abolish federal habeas corpus jurisdiction over local criminal convictions and reverse Supreme Court decisions limiting use of confessions and police lineup identifications.

[From the Washington (D.C.) Evening Star, June 3, 1968]

JUSTICES STRIKE DOWN "HANGING JURY" SYSTEMS—HIGH COURT ALSO GIVES SOME IMMUNITY TO TEACHERS WHO CRITICIZE OFFICIALS

(By Dana Bullen)

The Supreme Court ruled today that the death penalty may not be imposed by juries that exclude persons possessing general objections or religious scruples against capital punishment.

"Whatever else might be said of capital punishment, it is at least clear that its imposition by a 'hanging jury' cannot be squared by the Constitution." Justice Potter Stewart said in an opinion for the court.

The opinion overturned the conviction and death penalty of a man convicted in the 1960 slaying of a Chicago, Ill. policeman. Three justices dissented.

In a second decision on a separate subject, the court held today that teachers in public schools have a limited immunity from discharge for making public statements critical of school authorities or their activities.

This ruling, delivered by Justice Thurgood Marshall, overturned an Illinois Supreme Court decision upholding the dismissal of a Lockport, Ill., teacher who wrote a letter to a newspaper accusing school officials of putting athletics and field equipment ahead of teachers' salaries and academic excellence.

A NARROW ISSUE

The opinion in the death penalty case leaves room for states to exclude persons with a fixed view against capital punishment.

It also did not deal with possible challenges of jurors who state that reservations about the death penalty would prevent them from deciding impartially the issue of guilt or innocence.

The narrower question decided by the justices thus represents only a limited inroad on the death penalty rather than a broad scale attack on capital punishment or the methods by which it is imposed.

Stewart said in the majority opinion that data before the court was too tentative and fragmentary to show that jurors not opposed to the death penalty tend to favor the prosecution in the determination of guilt.

Despite this, Stewart said, the practice followed in the Chicago case of William C. Witherspoon "fell woefully short" of the impartiality guaranteed defendants in criminal cases by the Constitution.

At the time of Witherspoon's trial in Chicago, state law provided that jurors could be removed if they said they had "conscientious scruples against capital punishment, or that (they are) opposed to the same."

In this way, Stewart said, the prosecution was afforded unlimited opportunity to exclude jurors who "might hesitate" to return a verdict of death.

In Witherspoon's case, nearly half of the prospective jurors were stricken for this reason. The jury that was finally empaneled convicted Witherspoon and sentenced him to death.

"In a nation less than half of whose people believe in the death penalty, Stewart said," a jury composed exclusively of such people cannot speak for the community.

"Culled of all who harbor doubts about the wisdom of capital punishment—of all who would be reluctant to pronounce the extreme penalty—such a jury can speak only for a distinct and dwindling minority," he said.

"In its quest for a jury capable of imposing the death penalty, the state produced uncommonly willing to condemn a man to die."

In a dissenting opinion, Justices Hugo L. Black, John Marshall Harlan and Byron R. White flatly rejected Stewart's contention that the Illinois practice had "stacked the deck" against Witherspoon.

"With all due deference, it seems to me that one might much more appropriately charge that this court has today written the law in such a way that the states are being forced to try their murder cases with biased juries," Black said.

"If this court is to hold capital punishment unconstitutional I think it should do so forthrightly, not by making it impossible for states to get juries that will enforce the death penalty," he said.

THE TEACHER CASE

In the decision in the Illinois teacher discharge case, Marshall indicated that there could be situations in which discharge of a teacher for statements critical of school officials might be justified.

"The problem in any case is to arrive at a balance between the interests of the teacher as a citizen, in commenting upon matters of public concern, and the interest of the state as an employer in promoting the efficiency of the public services it performs through its employees," Marshall said.

The opinion—from which White dissented in part—said "it is essential" that teachers be able to speak out freely on matters of public interest without fear of retaliatory dismissal.

In the Lockport case, the court said that the teacher involved, Marvin L. Pickering, had a sufficiently distant working relationship with the school officials be criticized so as to permit him to speak without interfering with the relationship.

In a closer working relationship, or under other circumstances involving possible impairment of school operations, Marshall indicated, a teacher's right to speak out might be less broad.

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

MEMO

FEDERAL SPENDING . . . Those of us who have urged restraint in government spending recognize that it is not the instant road to popularity. The easy way is to spend government money freely; then nobody has to be told that they can't have the federal funds they've been waiting for—for a sewer, a hospital, a loan, a grant, or what have you. The hard way is to vote to keep spending within reasonable bounds—which means that everybody cannot have everything they want all at the same time. The easy way—the way which seems to please the most people—is unfortunately the one which eventually hurts the most people. This is not to say that there are not government needs which must be met; there are and the meeting of them is a costly business which can be accomplished only with a sound, stable and productive economy. The ultimate result of federal spending without regard to the deficits created is to so weaken the economy that either drastic steps must be taken to cure its ills or it collapses into disaster.

COST . . . Furthermore, any responsible congressman, in voting on spending measures, ought to keep in mind that he is not spending his own money, that the government can only give away what it first takes in through taxes from its citizens and that taxes, no matter how devised, come largely out of the hide of John Q. Average Citizen. The price of big spending is big taxes, cutting heavily into take-home pay. When the big spending outraces big taxes to produce big deficits, the price is even higher. It is called "inflation" a fancy word for "I don't know what happened to last week's pay check."

INFLATION . . . Inflation is here—now. It is here simply because the Administration in power—for the last eight years—has pursued a policy of trying to please everybody while spending the nation billions of dollars into debt each year. (You name it; there's a federal program to start it, stop it, speed it or spread it.) As a result, prices are already going up at a rate of over 4 percent a year. People are paying 7–8 percent in our area for home mortgages—when they can find a lender. In the inflation now going on, and in that to come, everyone will suffer from a squeeze on their incomes. The poor will suffer the most because they must spend the biggest percentage of their incomes on pure necessities. The price of the big spending spree will be paid by everyone—first, in high prices for everything, and second in high taxes (paid directly or passed on).

WHAT FOLLOWS . . . But this is not all. Inflation spirals, feeds upon itself, as wages go up to match price increases which go up because of wage increases, etc., etc. The danger is something even worse than high prices; the danger is economic collapse. To quote an economist (See *Memo*, 4/30/68). "there is a danger of a recession caused by a tardy and unduly severe application of the brakes; or, in the absence of adequate restraint, there is a danger that the inflation will accelerate, in which case it will be followed by a recession from natural causes." A recession, of either type, coming on top of our international monetary difficulties and gold loss, could spell disaster.

POSITION . . . Exorbitant federal spending, in the long run, harms even those who think they benefit from it the most. It endangers the welfare of every citizen, weakens our economy and threatens the future of the nation by bringing on the evils and consequences of inflation. That's why I opposed the kind of spending which created the situation confronting us right now. It is why I have insisted that any tax increase must be accompanied by a sizeable spending cut.

NATIONAL GALLERY OF ART CALENDAR FOR JUNE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, during the month of June as more sightseers come to Washington, D.C., to see the beauty of our Nation's Capitol, it is known that the National Gallery can be a restful and exciting visit. Therefore, I call to the attention of my colleagues and the American people the schedule of events for the month of June at the National Gallery of Art:

NATIONAL GALLERY OF ART—CALENDAR OF EVENTS, JUNE 1968

Special exhibition: *Paintings from the Albright-Knox Art Gallery, Buffalo, New York,* continues on view through July 21 in the ground floor galleries. A catalogue for the exhibition is available with 21 color plates and 121 black and white illustrations. $4.00 postpaid.

Concerts: The 25th annual American Music Festival directed by Richard Bales concludes on June 2 with a performance of his composition *The Republic* by the National Gallery Orchestra with chorus and soloists. Also ending, for the summer, is the current season of weekly concerts, with a final performance on Sunday, June 30. All concerts begin at 8 p.m. in the East Garden Court.

Daily films: *The National Gallery of Art* (52 min.): Weekdays, 2:00 p.m., Sundays, 1:00 p.m. *The American Vision* (35 min.): Weekdays, 4:00 p.m. *Art in the Western World* (30 min.): Weekdays, 7:00 p.m. Each film is in full color and deals with art in the collections of the National Gallery. Auditorium.

Recorded tours: *The Director's Tour.* A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. The portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries. A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receiving sets rent for 25¢.

New color postcards: Blake, *The Great Red Dragon and the Woman Clothed with the Sun;* Chase, *Chrysanthemums;* Courbet, *La Grotte de la Loue;* Duccio, *Nativity with the Prophets Isaiah and Ezekiel;* Homer, *Right and Left;* Kalf, *Still Life;* Ryder, *Siegfried and the Rhine Maidens;* Stubbs, *Colonel Pocklington with His Sisters;* Circle of Verrocchio (possibly Leonardo), *Madonna and Child with a Pomegranate.* 5¢ each postpaid.

Gallery hours: Weekdays, 10:00 a.m. to 9:00 p.m. Sundays, 12 noon to 10:00 p.m. Admission is free to the Gallery and to all scheduled exhibitions and programs.

Cafeteria hours: Weekdays, Luncheon 11:00 a.m. to 2:30 p.m.; Snack Service 2:30 p.m. to 5:00 p.m.; Dinner 5:00 p.m. to 8:00 p.m. Sundays, Dinner 12 noon to 7:30 p.m.

MONDAY, MAY 27, THROUGH SUNDAY, JUNE 2

Painting of the week: Master of the Saint Bartholomew Altar. *The Baptism of Christ* (Samuel H. Kress Collection), Gallery 35A, Tues., Wed., Fri., and Sat. 12 and 2; Sun. 3:30 and 6.

Tour of the week: *20th-Century European Paintings from Albright-Knox* (to be repeated June 25–30), central gallery, Tues., Wed., Fri. and Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11 and 3; Thurs. (Memorial Day) 1; Sun. 5.

Sunday lecture: *Surrealism, Belgian Fantastic Art, Homage to René Magritte. Guest Speaker:* Marcel van Jole, Professor of Aesthetics, Antwerp, Belgium, Lecture Hall 4.

Sunday concert: 25th American Music Festival: National Gallery Orchestra, Richard Bales, *Conductor,* with Chorus and Soloists. East Garden Court 8.

MONDAY, JUNE 3, THROUGH SUNDAY, JUNE 9

Painting of the week: Franco-Flemish School, Early XV Century. *Profile Portrait of a Lady* (Andrew Mellon Collection), Gallery 39, Tues. through Sat. 12 and 2; Sun. 3:30 and 6.

Tour of the week: *20th-Century American Paintings from Albright-Knox* (to be repeated June 18–23), Central Gallery, Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11 and 3; Sun. 5.

Sunday lecture: *Folk Elements in Contemporary Realist and Non-Objective Art. Guest Speaker:* Paul M. Laporte, Professor of Art History, Immaculate Heart College, Los Angeles. Lecture Hall 4.

Sunday concert: William Brown, *Tenor;* Reynaldo Reyes, *Pianist.* East Garden Court 8.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737–4215, ext. 272.

MONDAY, JUNE 10, THROUGH SUNDAY, JUNE 16

Painting of the week: Ingres. *Madame Moitessier* (Samuel H. Kress Collection), Gallery 56, Tues. through Sat. 12 and 2; Sun. 3:30 and 6.

Tour of the week: *19th-Century French Paintings from Albright-Knox* (repeated from May 21–26), Central Gallery, Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11 and 3; Sun. 5.

Sunday lecture: *Light in Painting. Guest Speaker:* René Huyghe, Kress Professor in Residence, National Gallery of Art, Lecture Hall, 4.

Sunday concert: Zaidee Dufallo, *Pianist.* East Garden Court, 8.

All concerts, with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS–AM (570) and FM (103.5).

MONDAY, JUNE 17, THROUGH SUNDAY, JUNE 23

Painting of the week: Rembrandt. *Portrait of a Lady with an Ostrich-Feather Fan* (Widener Collection), Gallery 45, Tues. through Sat. 12 and 2; Sun. 3:30 and 6.

Tour of the week: *20th-Century American Paintings from Albright-Knox* (repeated from June 4–9), Central Gallery, Tues. through Sat. 1; Sunday 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11 and 3; Sun. 5.

Sunday lecture: *Botticelli, Leonardo, and the Arts of Frustration. Speaker:* Raymond S. Stites, Assistant to the Director, for Educational Services, National Gallery of Art. Lecture Hall, 4.

Sunday concert: To be announced. East Garden Court, 8.

MONDAY, JUNE 24, THROUGH SUNDAY, JUNE 30

Painting of the week: Florentine School. *Apollo and Marsyas* (Samuel H. Kress Collection), Gallery 13; Tues. through Sat. 12 and 2; Sun. 3:30 and 6.

Tour of the week: *20th-Century European Paintings from Albright-Knox* (repeated

from May 28–June 2); Central Gallery, Tues. through Sat. 1; Sun. 2.30.

Tour: *Introduction to the Collection*. Rotunda, Mon. through Sat. 11 and 3; Sun. 5.

Sunday lecture: *The Baroque Aspects of the Film. Guest Speaker:* Bernard Hanson, Director, Liberal Arts Department, Philadelphia College of Art, Philadelphia. Lecture Hall 4.

Sunday concert: To be announced. East Garden Court 8.

L. B. J. RANKS HIGH AS CONSERVATIONIST

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD an article appearing in the Kansas City Star of Sunday, April 21, 1968, praising the labors and efforts of President Lyndon Baines Johnson as a conservationist.

Americans in this and coming generations will have great reason to thank our distinguished President for his splendid efforts to make this a better and a more viable Nation in which to live through preservation of our natural resources.

The editorial follows:

L. B. J. RANKS HIGH AS CONSERVATIONIST

Lyndon B. Johnson's roots go deep into the soil of Texas. He has always loved the land and gained strength from it. Therefore, it is not surprising that his White House years have been studded with major accomplishments in the field of conservation.

Many far-reaching programs have been advanced by the President and most of them have been written into law. Among the high points are the Land and Water Conservation fund, the Highway Beautification act, the Wilderness act, the Wild River bill and the proposal for a Redwood National park.

All of these programs are designed to improve the American environment and to preserve a larger portion of this continent for future generations to enjoy. In order to gain increased public support for his proposals, the President called the White House Conference on Natural Beauty in May of 1965.

At the conclusion, he assembled the delegates in the East Room of the White House and read them a special message, detailing some of his ambitious plans. It was an historic document.

When he had finished, the President laid aside his text and began to speak informally. His words were a moving tribute to the land and what it meant to him.

"I remember," he began, "when I was a very young man, a boy who walked through the sand—hot sand—up to see my grandfather—a child of 5 or 6. I would cross the dusty field and walk along the banks of the river . . .

"And those hills, and those fields, that river was the only world that I really had in those years. So I did not know how much more beautiful it was than that of many other boys, for I could not imagine anything else from sky to sky. Yet the sight and the feel of that country somehow or other burned itself into my mind.

"We were not a wealthy family, but this was my rich inheritance. All my life I have drawn strength, and something more, from those Texas hills. Sometimes, in the highest councils of the nation, in this house, I sit back and I can almost feel that rough, unyielding, sticky clay soil between my fingers and it stirs memories that often give me comfort and sometimes gives me a pretty firm purpose.

"But not all the boys in America had the privilege to grow up in a wide and open country. We can give them something and we are going to.

"We can let each of them feel a little of what the first settlers must have felt, unbelieving before the endless majesty of our great land. Thus, they too, will reach for the wonders of our future, reinforced by the treasured values of our past."

That rare insight, probably better than anything else, explains Lyndon Johnson's dream for a more beautiful America.

CRIME AND PUNISHMENT OF THE SUPREME COURT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. EDWARDS of California. Mr. Speaker, the omnibus crime control bill is on your desk and I must say that it is a matter of great concern to me that the bill as it came back from the Senate is very different from the good bill that passed this House. A most perceptive article was written by Mr. Herbert Mitgang of the editorial board of the New York Times. It appeared in the Monday Times, May 27, 1968, and most persuasively presents the dangers to our country and our traditional concepts of justice if this bill passes in its present form.

The article referred to follows:

CRIME AND PUNISHMENT OF THE SUPREME COURT

(By Herbert Mitgang)

The clashing elements in Congress and warring philosophies of government have emerged in classic form during the consideration of the administration's omnibus crime control bill. The bill's evolution serves as a case history of evolving views on the relationship of the cities to the Federal Government and of political alliances to preserve rigid state authority. It also provides a measure of the contrasting attitudes toward the rebellious mood in the country.

As originally conceived, this bill was designed to assist state and local governments in reducing the incidence of crime and increasing the effectiveness and fairness of law enforcement and criminal justice. There was proper concern for the safety of persons in the neighborhoods and in homes during a time of rising crime. But in the background, there was an awareness of the dangers of unchecked rioting.

DIRECT GRANTS TO CITIES

The Administration-supported bill was approved almost intact by the House last year. It's main provision included grants—$100 million the first year, $300 million the second—by the United States Attorney General to states and cities for improving anti-crime programs and police departments. The point was that, since law enforcement is primarily a local responsibility, direct grants to the cities would bypass state machinery and strike at the core of the crime problem.

MORE ORDER THAN LAW

When the bill reached the Senate, three controversial titles were added that reflected tougher views on order and weaker views on law. Furthermore, political considerations became apparent that mauled the original aims of the Omnibus Crime Control and Safe Streets Act, even though some useful provisions were approved.

The grants to local communities—Title I—must now go for the most part through the state houses. In the opinion of the Attorney General and many city law-enforcement agencies, such bloc grants would inevitably be a step removed from where the real action is. The concept of Federal grants is still retained, but the funds may not be used to best advantage in some states where political differences exist between governors and mayors.

On eavesdropping and wiretapping—Title III—the Senate bill goes a long way toward encouraging governmental invasion of privacy. Snooping for a wide variety of comparatively minor crimes is authorized. Most shocking is the fact that Federal, state and local law enforcement agencies would be permitted to engage in these practices, for brief periods without even a court order. Taps and bugs could become standard procedure for any low level prosecutor. If anything is the hallmark of a police state, it is the citizen's inability to speak freely at home, in the office and even in the street.

RIFLE LOBBY VICTORY

When it came to controlling interstate shipment of firearms—Title IV—the Senate banned the mail order sales of hand guns. This must be considered a partial victory for law enforcement. But long guns—rifles and shotguns—were omitted, a total victory for the rifle lobby.

The most complex and controversial Senate amendment—Title II—is a deliberate attempt to undermine the decisions of the United States Supreme Court. All voluntary confessions and eyewitness identifications—regardless of whether a suspect has been informed of his rights to counsel—would be admitted in Federal trials. Evidence could be admitted even if there was unreasonable delay between the time of arrest and arraignment.

TARGET: THE WARREN COURT

This title does more than strike at Constitutional safeguards of due process. The target here is really the Warren court, which has had the audacity to defend the Bill of Rights. In a larger sense, it is an attack on the system of checks and balances. When the House and Senate get together on the final version of the bill, the titles on the authority of the Supreme Court and on the invasion of privacy will demand changes that preserve the judicial branch.

"There is no liberty if the power of judging be not separated from the legislative and executive powers," Montesquieu wrote in "The Spirit of the Laws" before our constitution. And it was underscored by Alexander Hamilton in "The Federalist," when he wrote that checks and balances "can be preserved in practice no other way than through the medium of courts of justice."

SO FULL A FLOOD

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. SNYDER. Mr. Speaker, I submit herewith for the consideration of my colleagues and for the readers of the RECORD "So Full a Flood." This statement, which I feel is very appropriate to our time, is being distributed by the Fathers of the Oratory, Post Office Box 1326, Lexington, Ky., 40501, and I have obtained their permission, through Father Francis E. Nugent, superior, to in-

clude this copyrighted material in the RECORD:

SO FULL A FLOOD

Shall we ever see again so full a flood of hypocrisy as that in which the land has lain awash in the last weeks?

As the savages made funeral pyres out of parts of a hundred cities, a craven clergy dutifully responded to the latest rubrics handed down from The Great Birdcage, D.C., and eulogized the deceased as though he had been Saint Stephen just done in by the Jews.

They called him a great Christian, he who denied the Divinity of Christ and His Virgin Birth.

They called him a man of honour, he who Mr. J. Edgar Hoover described as "the most notorious liar in the country."

They called him a great patriot, he who was a notorious collaborator with known Communists and a preacher of revolution.

They even called him a saint. I suggest they do not know the meaning of the word.

And all their flags they flew at half mast.

I remember no flags flown at half mast for the abandoned boys of the Pueblo.

I remember no flags flown at half mast for the massacred boys of the Liberty.

I remember no flags flown at half mast for the thousands of betrayed boys who gasped their last in the mud of a Vietnam war they were not permitted to win.

I remember no flags flown at half mast for the dozens of brave policemen who have been slain by black revolutionaries.

But I shall always remember the unspeakable hypocrisy with which both politician and priest have betrayed their country these last days in this sometime land of the free, sometime home of the brave.

MISS RUTH SIEBRANDS NAMED SOUTH DAKOTA'S SMALL BUSINESSWOMAN OF THE YEAR

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BERRY. Mr. Speaker, I would like to extend my congratulations to Miss Ruth Siebrands of Redfield, S. Dak., who was named South Dakota's Small Businesswoman of the Year by the SBA last week.

The stated purposes of the Small Business Administration are to aid, counsel, assist, and protect the interests of small business concerns. Through business loans, the SBA has helped thousands of firms get started, expand and prosper. Miss Siebrands is a fine example of the program's many successes.

Ruth Siebrands is the administrator of the James Valley Nursing and Convalescent Home in Redfield. Through SBA loans to the Redfield Rest Home Development Corp., she instigated construction of a 56-bed nursing home which has since had a 30-bed addition. The home now has 56 employees, including 11 registered nurses and two activity directors.

In addition to performing a valuable social service to the community, the home has been successful financially. Its bills are current, the first bank-SBA loan is prepaid well in advance, and the second loan is prepaid beyond 1970.

Again, my congratulations to Miss Siebrands for her outstanding achievement.

ARNHEITER CASE FACTS DISTORTED

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. GUBSER. Mr. Speaker, one of my constituents, Mr. William T. Generous, Jr., was the operations officer on the U.S.S. *Vance*, which figures so prominently in the well-publicized Arnheiter case.

Recently I announced to the House that I would place material in the CONGRESSIONAL RECORD which presented the views of the junior officers aboard the *Vance* who, if one believes press stories and other sources of information, constituted a group of people strongly resembling beatniks and mutineers.

My constituent, Mr. Generous, recently wrote a letter to the editor of the Palo Alto Times which does present some information regarding his side of the story. The letter follows:

[From the Palo Alto Times, May 21, 1968]

ARNHEITER CASE FACTS DISTORTED

EDITOR OF THE TIMES:

I have just finished reading James J. Kilpatrick's column in your May 15 issue, and it, like the other products of the Arnheiter propaganda machine, is a monumental collection of distortions and untruths. The level of Mr. Kilpatrick's journalistic standards is evidenced by the fact that in the National Review for March 26, 1968, he gave me a physical description and a personality analysis in depth without ever having seen or talked to me. I wonder where he gets his information?

One look at the present column will tell. He says that "no one" from the Navy "turned up at Congressman Resnick's hearings." Of course not; Mr. Resnick, as the chairman of the House Subcommittee on Rural Development, has little jurisdiction in naval matters, and he tacitly admitted as much by turning the "hearing" over to Mr. Arnheiter's personal lawyer, Mr. Marvin Lewis, who reportedly conducted most of the questioning. No wonder they arrived at pro-Arnheiter conclusions! The House Armed Services Committee (HASC) does have jurisdiction, however, and an exhaustive staff study completed only a few days before had found that, "During the period Lt. Commander Arnheiter was in command of the Vance, he violated many orders and regulations."

To return to Kilpatrick, the "evidence . . . that Arnheiter inherited a sloppy ship manned by an undisciplined crew" comes largely from a former seaman who despite his extraordinarily high native intelligence was unable to adapt to Navy life and was separated from the service with a general discharge for that reason. That man was on board Vance two full years before Mr. Arnheiter arrived in December 1965. He was not, therefore, a member of the crew that was awarded at least nine commendations during the eight months before that (six of them spent in Vietnam waters), a "Meritorious Conduct Ashore Award" six months before, a Navy Unit Commendation nomination six weeks before, and an Operational Readiness grade in the mid-90's six days before. The Vance, according to official Navy records, was "the ship to beat" for squadron honors at the moment Mr. Arnheiter came aboard.

By way of contrast, the HASC report indicates that Mr. Arnheiter's previous record "was very spotty," and that "the Navy was taking a chance when it assigned (him) to command." As for what Mr. Kilpatrick calls his "obsessive love of fighting naval traditions," the same report shows that it was "obsessive" to the point where he ignored his assigned mission off the Vietnam coast to go into prohibited areas where he might shoot, filed false position reports, to conceal this, interfered with other ships that were supposed to be firing, and then finally fired at "enemy" targets that no one but Mr. Arnheiter ever saw.

The "bewildering array of malicious charges, cooked up by rebellious junior officers" also exists only in Mr. Arnheiter's mind. Official Navy records show that the reports that triggered his relief came not from the junior officers, but from such people as the COs and commodores of the ships interfered with as mentioned above, from the Vietnamese navy, from the U.S. commands ashore in Vietnam, etc. The discontent of the junior officers, who found themselves disgusted and unwilling accomplices in these irregularities (and many others) was nowhere in evidence until they were asked to testify at the investigation that followed the relief. (Incidentally, that testimony was given in only seven days, and although he had a full year in which to gather support and rebut it, Mr. Arnheiter was unable to overturn the evidence given at that time.) In fact, it was discovered that "it was only through the efforts of the ship's officers that the morale of the crew remained as high as it did," and that the officers "served their commanding officer to the best of their ability, under the circumstances," which were very trying, indeed.

The Times has been as conscientious in covering the affair as any other newspaper in the country, but now that the Navy has released the official records, I, as one who has been widely and untruthfully branded as the "ringleader" of this fictitious conspiracy, recommend you take another long, hard look at it. I think you'll find it a fraud.

WILLIAM T. GENEROUS, Jr.

Mountain View.

SALE OF OIL AND GAS LEASES FOR OUTER CONTINENTAL SHELF LANDS

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mrs. HANSEN of Washington. Mr. Speaker, 2 weeks ago we had the Interior appropriations bill before us.

At that time I stated to you and Members of this House that the bill was largely self-sustaining.

I am in receipt of a letter from Boyd L. Rasmussen, Director of the Bureau of Land Management, which is as follows and in which I believe the Members will be interested:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington, D.C., May 28, 1986.

Hon. JULIA B. HANSEN,
Chairman, Subcommittee on Interior and Related Agencies Appropriations, House of Representatives, Washington, D.C.

DEAR MRS. HANSEN: On May 21 in New Orleans, Louisiana, we held a sale of oil and gas leases for Outer Continental Shelf lands off the coast of Texas.

Given below for your information, are the preliminary results of this sale as we have them to date:

Total of all bids	$1,607,193,714.28
Total of high bids	$602,485,716.88
Number of tracts offered	169
Number of tracts bid	141
Highest bid on single tract	$43,787,520.00

Successful bidder was the Texaco Oil Company. Though not a record high, this bid is exceeded only by the combine of Gulf, Texaco, Mobil and Union Oil Companies whose bid was $61,418,000 during the February sale in California.

This sale now places our estimated FY 1968 total receipts at about $1.4 billion of which about $1.3 billion will be deposited in the General Fund of the U.S. Treasury.

As additional information about the sale becomes available, we will inform you of the significant items. We trust that this information is helpful to you.

Sincerely yours,

BOYD L. RASMUSSEN,
Director.

IF A ROCK FALLS ON AN EGG

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. QUIE. Mr. Speaker, I wish to call attention to an editorial of the Mental Health Newsletter of the Minnesota Department of Public Welfare. Written by Dr. David J. Vail, the department's director of medical services, the editorial calls attention to the folly of "stop and go" funding of Federal categorical aids. Dr. Vail deplores the uncertainty of funding which handicaps so many State-Federal joint efforts. For years I have sought to change Federal aid from categorical grants to block grants. I am convinced that block grants would end many of the difficulties cited in the following editorial titled, "Let's Do It Right":

LET'S DO IT RIGHT

The editorial in the November–December 1967 issue of the Mental Health Newsletter contained this statement:

"We ask . . . for an effective national government, that solves problems. We ask not solicitude, nor even necessarily benevolence, but at least a straight deal: honesty, stability, and lawful adherence to the Constitution."

In one of the Sherlock Holmes stories, the giveaway clue was the fact that the house watchdog did not bark. And so with the above statement: it is not remarkable in itself; its significance is that no one has challenged it.

While it apparently is not necessary to defend the statement, it appears appropriate to elaborate it. The questions of honesty and lawful adherence to the Constitution are being better and more appropriately debated elsewhere.

What about stability? In one sense we cannot complain of a Constitution which has endured for almost two hundred years. As citizens of the world's oldest living republic we should be proud of the stability of our national government.

But in another sense, at the level of the line tacticians in state and local governments, we have every reason to complain and be concerned. For the federal government is now and increasingly woven into the fabric of other levels of government and the vicissitudes of funding and of changes in laws and regulations at the federal level have a terrific impact locally.

For example, P.L. 89–313, an amendment to the Primary and Secondary Education Act of 1966, provided funds for education programs for handicapped children in institutions. These were most welcome in Minnesota state institutions for the mentally retarded and mentally ill, where they were put to use in establishing numerous patient learning programs with an emphasis in special education activities in small groups. Thus children who had been living under conditions of severe emotional deprivation could begin to enjoy personal relationships and were coming alive. But in the second year of the program the funds were drastically reduced, which meant that over a third of the education activities were wiped out. It would have been less cruel not to have started them in the first place. The capper to this tragic story is the January 5, 1968 memo from the Office of Education, which contains this astonishing statement: "P.L. 89–313 funds will no longer be subject to reduction because of limited appropriations. This not only results in added funds but in considerably more stability since participants can now anticipate reliably the level of funding from one year to the next." What is amazing here is the spectacle of the mighty U.S. government—the mightiest government of all time—having to assure and persuade its clients that it can be trusted.

Another example is the tomfoolery surrounding the mental health services grants under Section 314d of P.L. 89–749. The exact amount available to Minnesota for the fiscal year 1967–68 was not known until mid-January 1968, almost seven months after the fiscal year had started. During this time we were advised of half a dozen different possible spending levels. The result was a total inability to plan for proper use of the funds. Now the states are caught in the effect of a new ruling which reduces the proper use of funds for state program administration; in Minnesota at least this will have the effect of reducing the grant and will create severe administrative mischief. It has almost come to the point where one must play on margin, and plan on using federal funds for nickel-and-dime projects that won't cause serious repercussions when the funding collapses. We would almost be better off without the stupid grants; but life isn't that simple, for the public expects the state and local government operator to get every penny of federal money that is available.

But the big, institutionalized programs like education, health, and welfare are bastions of security compared to off-beat agencies like OEO. For example, the Foster Grandparent Project in Minnesota, sponsored by OEO, is literally living from hand to mouth, and is forced to borrow from private banks to keep going between sporadic grants from Washington.

One could go on and on. The word these days is "creative federalism" and "partnership." But the partnership is often like that of the egg and the rock in the Turkish proverb: "If a rock falls on an egg, it's too bad for the egg. But if the egg falls on the rock, it's too bad for the egg."

The problem goes much deeper than just the malaise of state and local bureaucracies. It goes to our values as a people. For if we look at what is stable in the long-run pattern of federal spending, the answer is chilling: item number one is money that pays for past, present and future wars.

The problem goes to the division between executive and legislative branches. When they clash, as occurred in the fall of 1967, it is the programs and the countless recipients of the programs who suffer.

The problem also goes to the lack of a comprehensive policy of national planning. No industrialist or merchant in his right mind would run his business the way we allow our government to operate, lurching from crisis to crisis and making it up as it goes along.

This nation is, as sailors would say, in irons. This refers to the situation when a boat in trying to come about from one tack to another gets caught dead into the wind. The spars shudder and the boat slips backward; control is lost. It is a time of extreme danger.

Can we get out of irons? Can we come of age as a people, and move onto a course, a program, of problem-solving? Are we ready for a comprehensive policy of national planning? Planning: "intelligent cooperation with the inevitable." The answer will no doubt be determined in this year of ordeal and decision.

FORMAL DEDICATION OF THE CUMMINGS BROTHERS POST NO. 1436

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mrs. KELLY. Mr. Speaker, I was indeed proud to be a participant in the dedication of the new memorial building of the Cummings Brothers Post No. 1436 of the American Legion, at 4516 Avenue D, Brooklyn, N.Y., on March 31, 1968. This dedication marked the culmination for a planned permanent memorial to the valor of Joseph and John Cummings. I now have the privilege of bringing to the attention of the Members of the House of Representatives three speeches which were made on the occasion of the dedication by Mr. Louis E. Drago, national executive committeeman of the American Legion; Mr. William F. Kennion, Jr., commander of the Cummings Brothers Post; and Mr. S. Michael Oliva, Kings County commander of the American Legion.

The speeches follow:

ADDRESS GIVEN BY LOUIS E. DRAGO, NATIONAL EXECUTIVE COMMITTEEMAN, AMERICAN LEGION, AT THE FORMAL DEDICATION OF CUMMINGS BROTHERS POST NO. 1436, NEW BUILDING, MARCH 31, 1968

Few things could give me a National Officer greater pleasure than to speak on this occasion.

We are met to-day to dedicate a new building for the American Legion.

The rich heritage of the American Legion is not gained merely by meetings in these Legion Halls, or even by attaining greater affluence and material prestige in the community. But rather by living up to the purposes of the American Legion, for God and Country—Service to Community, State and Nation, by living in a brotherly spirit among our neighbors with open minds and sensitive spirits, seeking to relate ourselves to the world in which we live, to our fellow-man and to God.

From this day, this American Legion building will have as a living part of its community, the names of two brothers, two American heroes, to whom our new building is dedicated; Joseph and John Cummings.

I hope and trust that this beautiful building is an investment in the future, and to wager our faith in the coming generation.

And so, on behalf of the National Organization of the American Legion, I join in this dedication for commemoration which is so necessary in these trying times to combat the unpatriotic, disloyal, immoral and lawless breed who would destroy our great work that of perpetuating the American Way of Life.

Cummings Brothers Post No. 1436 while having great confidence in the Almighty, nevertheless seem to believe too, that the good Lord helps those who help themselves.

Consequently, this Legion Hall is the cumulative fruition of the innumerable and dedicated hours of work by its members who believe in the American Legion and its great principles.

In this day of battle between light and darkness, let us all resolve to strengthen our Faith in the American Legion, in our beautiful country; that we shall preserve, protect and defend our inalienable rights of life, liberty and the pursuit of happiness, not only for ourselves but for all mankind.

To-day we live in a world of the juvenile gang and the juvenile delinquent. Yet this strange and sad world is also part of our life to-day, and must be dealt with.

We are waking up to the fact that many of the young people of America are estranged—estranged from their families, churches, and schools, and at war with society.

In place of the adjusted youth of the past—who had a clearly established place in his family and in his community from earliest childhood—we have the young rebel—the outsider—the child enemy of adult society. We read of inexplicable murders and acts of violence taking place among youngsters in our cities, we hear of thefts and crimes in suburban areas, we see skidmarks of recklessness on our highways, and watch the mounting toll of injury and death in the traffic accidents of teen-agers.

We are shocked by statistics that reveal the high percentages of drug addicts and criminal records among young people.

What causes these conditions is another story and has no place here to-day; but mass media, disdain for hard work and achievement.

The many false standards that have crept into our social attitudes, are contributing causes of these conditions.

Up to now, we have been a complacent people, reposing in our belief that we are unsurpassable in all things, technologically, in wealth and in power. But to-day we are face to face with dread possibilities—destruction from within and destruction from without. The Communists have surpassed us on many things, and our foundations at home are crumbling from human termite attacks.

We must return to those simple virtues of hard work, responsibility, and self-sacrifice that underlie most of our achievements.

This means a quickening of our patriotism, a regeneration of our national spirit, and a rebirth of responsibility. No more business as usual or pleasure as usual—by the policy of letting George do the hard things while we go on enjoying our own selfish pastimes.

Let us enshrine once more in our hearts and in public life, those old bed-rock virtues which made our nation great. America needs our help, all we can give her, and she will repay us, everyone, to the full and overflowing.

ADDRESS AND INTRODUCTIONS BY WILLIAM F. KENNION JR., COMMANDER, CUMMINGS BROTHERS POST NO. 1436, AMERICAN LEGION, AT THE FORMAL DEDICATION OF NEW BUILDING, MARCH 31, 1968

Thank you Bill for your very kind introduction.

Reverend clergy, members of Cummings family, National Executive Committeeman, the Honorable Lou Drago, County Commander Mike Oliva and Staff, County Chairlady Mrs. Gloria Billington and Staff, distinguished guests, fellow legionnaires and ladies of the Auxiliary, and Gold Star Mothers;

Of the twenty previous Cummings Brothers Post Commanders, who all served with great distinction, I am most pleased and honored to be the one to act as your host today and welcome you all to our formal dedication.

This has been quite a year for our Post, having one of our own past Commanders attain the high office of County Commander and despite the enormous task of renovating our building we have been very active in all of the American Legion programs, particularly Child Welfare and Americanism.

We reached our membership quota of 207 prior to March 15th the beginning of the 50th year of the American Legion and before the County Convention time I predict an all time high to exceed 250.

All of these, climaxed by the completion of our new building which we are all proud of and very pleased with, a befitting memorial to our Standard Bearers, Joseph and John Cummings.

As your host, I have the pleasure of presenting to you our distinguished guests, all of whom have served our Community and the American Legion with great distinction. We have invited them because we of Cummings Brothers Post like them, we like what they stand for and we like the job they are doing.

May I present to you the Pastor of Little Flower who was so generous in permitting us to celebrate our beautiful memorial mass this morning in his church, the Reverend Father James Smyth.

The County Chaplain of the American Legion, Reverend Alfred Thompson.

National Executive Committeeman of the American Legion, Mr. Louis Drago who we shall hear from later.

Our own contribution to the success this year of the Kings County American Legion, one who held practically every office of this Post and who was Post Commander at the time I joined Cummings Brothers, our own County Commander, Mike Oliva.

Mike's very competent "Aid" and another member of Cummings Brothers Post who served as Commander and who we all love and respect for his continuous efforts so much so that we bestowed a life membership on him, John Cincotta.

The "work horse" of Kings County American Legion, the man every Post is deeply greatful to, particularly Cummings Brothers, County Adjutant Steve Sanzillo.

One of Cummings Brothers very best friends and Past County Commander, presently our Second District Vice Commander, Al Caccamo.

Our very capable Chief Division Commander of Kings County, Jim Werner.

Every successful venture generally owes most of its success to a woman. We, in Kings County are no different and here she is, County Chairlady of the Kings County Auxiliary, Mrs. Gloria Billington.

Our very good friend and County Judge Advocate the Honorable Judge Kopff.

We are very proud and pleased to have with us Past County Commanders; George Gaffney, Ed Rhatigan and Jack Friedman.

Our next guest is very close to the hearts of the members of Cummings Brothers because of his tremendous contributions of time, effort and money to the youth of Brooklyn. The Youth Center in Brownsville is a living and lasting testimony to this and is only one of his many accomplishments. Our guest speaker today and Chief Executive Officer of the Borough of Brooklyn, the Honorable Abe Stark.

Our very capable and charming Congresswoman, 12th District, Mrs. Edna F. Kelly. It was certainly gratifying to read that despite the "stacked deck" this year, Edna will be right in the fight for us.

Another member of Cummings Brothers Post who makes me feel proud that I belong, our State Senator, 17th District, Jerry Bloom.

The man who is considered to be Cummings Brothers' greatest benefactor, since, any time we need outside help regardless of the nature of the problem he is there ready and willing, and in every case we have racked up a satisfactory conclusion because of his efforts, State Assemblyman, 43rd District, George Cinotta.

The Community and Cummings Brothers are deeply grateful to our next guest, City Councilman, 23rd District, Harry Maze.

The great spirit of reciprocity existing between the American Legion and the Jewish War Veterans is largely due to our very dear friend and County Commander of the Jewish War Veterans, Joseph W. Flatow.

The American Legion, as you all know is dedicated to the service of the Community, State and Nation. Our next guest fosters this great principle, our own Post Executive Committeeman and President of the Community Action Committee, Mr. Patrick Joseph Curran.

Another great community leader and friend of Cummings Brothers Post, President of the Hyde Park Association, Mr. Vincent Gallagher.

The next guest is very dear to me and my great Post. This Community is most fortunate to have in its confines the Great La Salle Council of the Knights of Columbus which like the American Legion is dedicated to the principles of God and Country. I am very proud to be a member of this great council and it gives me great pleasure to present my Grand Knight, Mr. Wally More.

We are also very pleased to have with us today the District Leader of the Civic Republican Club, Mr. Danny Camoia.

I am also proud to present the Past President of the Robert Jordan Conservative Club, present President of The Little Flower Little League and member of Cummings Brothers Post, Mr. John Olquist.

The next group of Guests are very special guests to us and have contributed the most possible to the success of America's freedom story, the lives of their sons. Our most recent Gold Star Mothers of this Community, Mrs. Eileen Jordan, Mrs. Margaret Furlong, Mrs. Oliver Reilly and family and Mrs. Kenneth Gibbons and family.

To climax the introductions today may I present to you members of a very proud and honorable family:

Mr. and Mrs. James Cummings.
Mr. and Mrs. Robert Cummings.
Mr. and Mrs. Thomas Cummings.
Mr. Raymond Cummings.

The four surviving brothers of Joseph and John, and the sisters:

Mrs. Charles B. Connors and family, and Mrs. Alice Shine, who because of distance (California) could not be with us.

We also have Aunt Mary and Aunt Charlotte with us.

Our own Ladies Auxiliary President of Cummings Brothers Unit and wife of Thomas Cummings, Therese.

I apologize deeply to any distinguished guest who was kind enough to be with us today and who I may have overlooked in my introductions. I shall now turn the meeting over to our County Commander, Mike Oliva.

ADDRESS GIVEN BY S. MICHAEL OLIVA, COUNTY COMMANDER, KINGS COUNTY AMERICAN LEGION, AT THE FORMAL DEDICATION OF CUMMINGS BROTHERS POST'S NEW BUILDING, MARCH 31, 1968

Mr. Chairman, Bill Young, Reverend Clergy, the Cummings Family, My Post Commander, William Kennion, National Executive Committeeman of the American Legion, The Honorable Louis E. Drago, The Honorable Abe Stark, President of the Borough of Brooklyn, Distinguished Guests, Fellow Legionnaires, Members of the American Legion Auxiliary of Kings County, Ladies and Gentlemen, and Friends:

It is my privilege to appear before you this day and to participate in this building dedication.

Our Post has set aside a day each year to honor our departed Comrades and, in addition, to honor Joseph and John Cummings, our Standard Bearers, who made the supreme sacrifice in order that we may con-

tinue to enjoy the principles of Justice, Freedom and Democracy.

We pause momentarily to reflect on the deeds accomplished by these two men, whose names we honor and respect.

Joseph Cummings enlisted in the U.S. Army on April 21, 1941 and was assigned to the 454th Ordnance Company. In the fall, his unit left for the Philippines and arrived at Manila on November 27, 1941, as the dark clouds of war formed on the horizon.

The treacherous Japanese attack followed and Joe fought all through the historic Battle of Bataan, in which he was wounded and captured by the enemy. He was in the infamous "Death March" and died at Camp McDonnell as a Prisoner of War on August 4, 1942.

John Cummings at 17 enlisted in the Marine Corps on November 27, 1943, and was assigned to the 24th Regiment as a Machine Gunner. He engaged the enemy on Saipan and on February 20, 1945 died in action on the Black Sand of Iwo Jima.

Both of these stalwart men were interested in the field of athletic and youth programs. Both were former employees of the Brooklyn Baseball Club.

In furthering the interests of our Standard Bearers, this Post has fostered many athletic events and sponsored youth programs and activities.

We have devoted our time, money and efforts in supporting numerous teams in the fields of Baseball, Football, Track and other sports.

Through our participation on the Post level and County level, we of Cummings Brothers Post have carried out the many programs formulated by the American Legion and to which we are dedicated.

Our activities in the Americanism program have earned us the Department of New York Americanism Plaque, of which we are extremely proud.

In the area of Child Welfare, Cummings Brothers Post has won first place on the County and Department levels and in addition, recognition on the National level.

Our Post, in its inception, was small, not only in the number of members, but also in funds.

However, our members have always been enthusiastic and dedicated, who believe in the principles and programs of the American Legion.

Our sponsorship of the numerous activities has brought our Post to a position of influence and prestige, which it now enjoys, not only in the neighborhood, but in the County, City and State.

Today we are assembled here for still another purpose. That purpose is to create a Perpetual Testimonial to the memory of our Standard Bearers Joseph and John Cummings and to all men who gave their lives to safeguard the principles upon which our Country was founded. These principles are clearly set forth in the Constitution of the United States and the Preamble of the American Legion.

In addition thereto, this building represents the realization of lifes' ambitions of the members of the Cummings Brothers Post.

I am extremely proud to have been chosen to participate in these dedication ceremonies and to address you this day, not only as the County Commander of Kings County, to which office you were instrumental in electing me, but as a member and former Officer of this Post.

May this edifice stand as a living monument to the two Cummings Brothers and to all other Veterans who gave their lives for this country so that Democracy can live, and to those members of this Post, both living and dead, who devoted their energies to aid our youth, our elders and our brother veterans, so as to make their lives happier.

In conclusion, let us not not forget our love for God and Country and may we continue to serve the Community, State and Nation.

A CONSTITUENT LOOKS AT THE GUARANTEED ANNUAL INCOME PROPOSAL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. WYMAN. Mr. Speaker, questionnaires and polls taken by Members of Congress have a common objective—to find out what constituents are thinking and how they want their Representative to vote on key issues. In response to a recent poll of mine in the First Congressional District of New Hampshire, many citizens took the time to write me at some length concerning subjects referred to in the poll and other problems as well.

One of the chief domestic challenges Congress faces is how to legislate constructively in helping poor people in this prosperous Nation. On this subject I am inserting in the RECORD, with her permission, a most interesting and constructive letter from Mrs. Edna G. Walker of Manchester, N.H. Where to draw the so-called poverty line is difficult and her thinking goes directly to the problem.

The letter follows:

MANCHESTER, N.H.,
May 18, 1968.

LOUIS C. WYMAN,
Longworth House Office Building,
Washington, D.C.

DEAR MR. WYMAN: Thank you for the enclosed card. I have answered the questions and while some of them require more than just a no or yes answer, I guess the card generally reflects my ideas. I do not feel qualified to sound off too much on Vietnam, but let me say that I am not a pacifist and I do not believe in pacification, I am old enough to remember the Englishman with the umbrella that was going to "have peace in our time" when dealing with Hitler.

I am not given much to writing letters and this is the first letter that I have ever written to any public office in any form, but I feel so strongly about the so called Civil Rights and riots that I must make my voice heard, however weak it may be.

First let me congratulate you. I read in the paper that you supported an amendment that would deny Federal funds to rioting students. Good for you.

Second, let me say, that when I use the pronoun "we" that I reflect, more or less, the general ideas of friends and neighbors probably 50 more or less. This is in just casual conversation, I have not taken any poll And let me say also that if I refer to myself, I am not in any way complaining or asking for help in any way whatsoever, it is just facts and figures.

I believe in equal rights; equal rights to vote, equal rights to work and equal rights to live anywhere one can afford and will maintain neighborhood standards. But I do not believe in privilege. I know plenty of mothers that work, work to support small children, work to send their children to college. Why should any one group feel they have a right to demand support? They complain on the TV that they are treated like second rate citizens, well as far as I am concerned any able bodied person that accepts welfare for more than a short time when down on their luck is a second rate citizen.

Are they serious when they demand a guaranteed annual wage? One leader quoted a figure of $3,000 for a single person and $6,000 for a family of four.

I never made as much as $3,000 in any one year in my life, and I mean that I worked for 30 years, 50 weeks a year for about 25 of the 30 years, the other 5 years having less time on account of my health. I am going to be 59 this summer and have had to retire on account of a back ailment. It took me 19 months to have my Social Security pension granted, and that is for something that I paid taxes on all those many years, and now I have an annual wage of just under $1,300 a year. And they want an annual wage, for what?

I live in a quiet well-kept neighborhood and we all own our own houses. My brother and I live in houses side by side, and we got them by buying a pile of boards and a keg of nails and going to it. If we want the house painted we buy a can of paint and start pushing a brush, etc. This goes for nearly everyone in the neighborhood, the women too. My friend across the street is 66 and she does all of her own painting inside and out and works rather than draw her Social Security. My sister-in-law works, and for the most part paints her own house inside and out and keeps up the yard, and by the way, she is quite lame, one leg is about 5 inches shorter than the other. So you can see that all these pitiful pictures on TV and in magazines of tumble down shacks and garbage littered yards fall on rather deaf ears as far as we are concerned. Oh yes, I almost forgot, most of us can't afford too many commercial clothes, we cannot afford them, if want a new dress we get out the sewing machine. We are not freaks, we represent the large majority across the length and breadth of the land.

The "poor" need help, help to help themselves, but first let every able bodied person get up and pick up. If the "poor" spent as much energy and money fixing up their homes as they have spent and will spend on marching to Washington, they would have a lot more. If they spent as much energy fighting rats as they spend on rioting, the poor rats would be no more. We would all have rats if we did not take care, yes even here.

In case you have read this far, I just wanted to say I hope somebody that can be heard will raise a voice of protest and not buckle under to political blackmail, for that is all it is.

Very truly yours,

EDNA G. WALKER.

P.S.—In case you think that I am substandard as far as wages, I am only average, some did a little better and some a little worse. Of course some had the strength to work overtime, which I could never do. If you don't know that the women office workers in New Hampshire are not very well paid, you should know it. Of course, bear in mind that I had to stop working in 1966 which was before the last two minimum wage increases.

EGW.

WHAT ARE THE POOR PEOPLE FOR AND AGAINST?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. ASHBROOK. Mr. Speaker, it would be absurd to think that the poor

camped in Resurrection City, so-called, think of the American flag as a "rag on a stick," or would eliminate the "God versus devil philosophy of Judeo-Christian tradition," or further "re-orient" the police, presumably away from law enforcement even further; or believe that all public officials, liberal or conservative, are Fascists.

To believe this would be absurd. But to attribute these beliefs to a leader of the poor people's campaign would not be too far afield. Unfortunately, by following such men as the irreverent James Bevel, the poor are lending the weight of their names and numbers to statements such as these. For these were part of Bevel's statements of the campaign's aims.

Until a full treatment of his statement is available, I offer an eye opening column by Chicago Tribune staff writer, Willard Edwards. This column appeared in the June 4 edition.

CAPITOL VIEWS

(By Willard Edwards)

WASHINGTON, June 3.—The Capitol hill forum had been provided by Sen. Percy [R., Ill.] but the Rev. James Bevel of Chicago gave a contemptuous brush-off to his host [who was mercifully absent] in a long harangue.

"I indorsed Percy for the Senate in Illinois," he remarked. "But only because he was running against an old man [Ex-Sen. Douglas] and I don't have much confidence in old men."

Bevel, it developed, had no confidence at all in any American official in authority. He lumped them all as "fascists," including both conservatives and liberals in this category. It didn't matter who was President, he said, because the capitalist system was defunct and "economic class warfare" had arrived. Loyalty to country was an out-dated concept when that country was waging an unjust war in Viet Nam.

"I feel no responsibility to a nation-state," he remarked. "I represent conscious energy which is a universal phenomenon. As a result, I don't get too excited when I see a rag on a stick which is called a flag."

A transcript of Bevel's remarks is under study in Congress. Delivered May 21, they were far more unguarded than other statements he has since made in public. He did not know they were being recorded. The congressional staff assistants who assembled to hear him at Percy's suggestion agreed that they were hearing a theme taken from the utopian phases of the philosophy of Karl Marx. They so reported to members of Congress who confessed themselves deeply disturbed.

Bevel is a high-ranking leader in the poor people's campaign, now in its fourth week in Washington. He is in charge of maintaining discipline among the demonstrators. Thus far, despite some broken windows in the Supreme court building and a few arrests, the demonstrations have been generally mild and restrained.

SPEAKS WITH DEADLY SERIOUSNESS

But Bevel's statement of the campaign's aims has served to keep uneasiness at a peak in Congress. He impressed his listeners with a sense of his deadly seriousness in calling for a complete reshaping of the American system of government.

"He speaks quietly and does not aim for emotionalism like [the Rev. Ralph D.] Abernathy," one aid reported to his senator. "I think we are kidding ourselves if we think that we are just dealing with misguided radicals. This man, for all his cover-alls and Castro-type beard, was intelligent, articulate and calculating."

Despite passionate denials by leaders of the campaign that Communists have infiltrated its ranks, Bevel preached a straight Marxist line. Ironically, he lost his temper only when he referred to Rep. Albert W. Watson [R., S.C.], who took the House floor recently to reveal what he claimed was evidence that Communists helped plan the march on Washington.

Bevel mentioned Watson so often that some listeners regarded it as significant. Bevel's wife is the former Diane Nash, a former civil rights leader in Tennessee, whose passport was revoked after she and three other women made an unauthorized trip to communist North Viet Nam. On their return, the women accused the United States of atrocities and lauded Ho Chi Minh.

Bevel told the staff aids that the Washington march was "a great human theatrical drama enacted to educate the people." In this great play, senators and congressmen, police, apathetic citizens, and poor people were actors.

SOME SCENES WILL BE VIOLENT

"You people got to understand what we mean by non-violence is not just some people marching peaceably in a parade," he said. "We mean the whole restructuring of our inter-relationships.

"Some of the scenes will be violent. If there's violence, we won't worry about it. We will come back and re-educate.

"Our goals are to eliminate all disciplinary relationships. We do not believe in a parent making a kid conform to a certain norm. That is a violent relationship. We want to eliminate it.

"The wealth must be re-distributed and the means of production turned over to the people. Money is a product of militarization. Armaments must be eliminated. The police must be re-oriented. The God versus devil philosophy of Judeo-Christian tradition must be eliminated.

"Personally, capitalism is intellectually incompatible with me. Why should I compete for things that are mine?"

He left a deeply troubled audience, many of them convinced that Bevel's "great human theatrical drama" will have a violent climax.

EDITORIAL THAT CONCERNS ALL AMERICANS

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PRICE of Texas. Mr. Speaker, Mr. Bob Watson, general manager of KGNC-TV and radio in Amarillo, Tex., presented an excellent editorial on May 5. I insert the following in the CONGRESSIONAL RECORD, because I feel the editorial touches on something that should be of concern to all Americans.

The editorial follows:

KGNC EDITORIAL

(By Bob Watson)

In this troubled world of ours today, subject to sudden and sometimes shocking change, there has been perhaps no change more dismaying than that in the smaller world of academe, the environment of our universities and colleges, a minority of whose students seem somehow to have determined that they and not the academic authorities should control these institutions which are supported by someone else . . . *quite* someone else.

The newest manifestation of this anarchist trend is the so-called sit-in, in its most recent major instance embellished additionally by the seizure or restraint of hostages and by the vandalism of the office of the president at a revered university of the Ivy League. "Sit-in" is a mild way indeed to describe the forcible occupation by a small minority of the student body of key buildings and the exclusion of the right-thinking majority from classes, plus interim wanton destruction and damage amounting to hundreds of thousands of dollars.

It seems strange to us that these students involve themselves deliberately in an unlawful situation and then act surprised and outraged when the University at long last timidly moves to protect itself. It's as if these minority students were saying "we have rights—but no one else has."

Blossoming anarchists were encouraged and condoned, as too often before, in advanced stages of the latest sit-in, by a small segment of faculty members, and even some of these had to be removed forcibly. These more mature and presumably more responsible people are more guilty than undergraduate and graduate students. It is time for guilt to be punished by expulsion of law-defying students and discharge of abetting teachers. For responsibility again to rule the classrooms and the dormitories whose halls of ivy during recent years have become infested with the creeping growth of poison ivy instead.

MAPLE HEIGHTS HIGH MUSTANGS ARE OHIO WRESTLING CHAMPIONS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MINSHALL. Mr. Speaker, it is with great pride that I salute the Mustangs of Maple Heights, Ohio, High School. For the third consecutive year they have won the Ohio wrestling championship. It is the seventh time in the last 13 years that our Maple Heights mat team has captured first place in State competition.

Under leave to extend my remarks, I place in the RECORD an article from the outstanding newspaper which serves this community, the Maple Heights Press, and a commendatory resolution adopted by Mayor Lisy and the Maple Heights City Council:

THIRD STRAIGHT YEAR—STATE CHAMPS AGAIN

(By Bob Nozar)

No! Beaver Creek didn't win it. Parma Valley Forge and Toledo St. Francis finished second and third respectively but they weren't tops either. Upper Arlington with four boys in the tourney scored only two points. Martins Ferry, also with four qualifiers wasn't much higher.

So who is the number one mat team in the state? None other than the Maple Heights Mustangs, under the coaching of Mike Milkovich. Yes sir, for the third year in a row, and the seventh time in the last 13 years Maple Heights is the Ohio State Wrestling Champions.

Maple scored 44 points to Valley Forge's 38 for its first place finish. The crowd at St. John Arena was divided into two groups. It was the people from Maple, and the people against the Mustangs. The anti-Maple crowd had nothing to cheer about Friday as the

Mustangs pulled all five of their state qualifiers through to the semi-finals.

Tom Milkovich took his second consecutive state crown in the action at 112 pounds. He won it last year at 103. Tom scored a pin in the first round Friday as he flattened Bill Seipel in 4:37. Later on in the day he defeated Bill Walter of Lakewood 12-2.

In the semi-finals Saturday afternoon Tom took on Walker Stevenson of Sandusky Perkins. In the first period Tom had a takedown, but Stevenson escaped. In the second frame Stevenson got a reverse, which was followed by an escape by Milkovich which left the match at three all after two periods. But in the third Tom turned on the steam, and got an escape, a takedown, and two near-pins for a 12-3 win.

In the championship bout Tom took on John Meros of Euclid in a repeat of their district final. Tom won again as he got two takedowns, and a reverse for the 6-2 victory.

Lon Hicks at 120 won his two matches Friday as he rolled up a 12-1 win over George Zollinger of Toledo DeVillbis, and then trounced Randy Breit of Marlinton 11-3.

In the semi's Lon met Bob Mason of Parma and scored the first takedown, but Mason escaped and got a takedown of his own. In the second period Lon got a reverse which was followed by a Mason escape leaving the score at 4-4. Mason got two more points in the third period with a reverse to give him a 6-4 win. Mason was eventually the state champ.

In a consolation round bout Lon defeated Wayne Hardy of Huron 7-3. He took third place in the state with a 4-2 decision of Frank Yoo of Eastlake North. Lon had a takedown and a reverse in that one.

Tom Barrett scored a 3-2 win over Leroy Noyd in his opening match Friday. Tom got a late reverse to wrap up a 9-6 decision of Derek Bartlett of Huron in the quarter final match.

Then Saturday afternoon he met Bob Lade of Valley Forge. In that one Barrett got the first takedown and rode Lade out. Lade got an escape and a penalty point in the third period to tie the score. Late in the match Lade was on his back, but no points were awarded to Barrett. In the overtime that followed Lade got the only escape for a 1-0 win. He won the state crown that evening.

In consolations Tom beat Bob Johnson of Dayton Meadowdale 5-3.

Then in the finals of the consolation rounds he beat what was left of Beaver Creek, Logan Martinez, 3-1. He had an escape and a penalty point, along with riding time for his third place finish.

That win wrapped up the state crown for the Mustangs.

At 133 Bill Black breezed through his class for the state championship. In his first bout he beat Bill Fisher of Toledo Rogers 10-1. Then later on that day he pinned Larry Branson of Lorain in 2:53.

On Saturday he beat Don Akerman of Martins Ferry 13-3.

Then in the championship finals he beat Bob Tschool of Toledo St. Francis. Bill had three takedowns, a predicament, and an escape for a 9-3 win.

Derek Bekeny also won his first two matches beating Rick Greene of Columbus DeSalles 7-5, and then decisoning Bruce Witzke of Strongsville 5-2.

Saturday afternoon he lost an overtime referee's decision to the future state champ Dennis Toffler of St. Francis. The score was 1-1 at the end of the overtime. It was a split decision, with the referee and one judge voting for Toffler, and the other judge voting for Bekeny.

Derek lost a close match to the third place finisher Bruce Hrycyk of Copley in a consolation round bout.

Paul E. Landis the Commissioner of the O.H.S.A.A. awarded the first place trophy to Coach Mike Milkovich and his crew amidst the cheers of the Mustang followers.

RESOLUTION 1968-47

A resolution commending the Maple Heights High School wrestling team, its coaches, and the administrative officers of the Maple Heights city school system, upon the attainment of the third consecutive Ohio State wrestling championship for the 1967-1968 season

Whereas, the 1967-1968 Wrestling Team of Maple Heights High School was proclaimed Ohio State Wrestling Champion for the third consecutive year in Columbus, Ohio, on February 24, 1968, in competition with teams representing high schools throughout the State of Ohio, and

Whereas, this Council recognizes that such achievement is the result of steady application of exercise, practice, and training while maintaining scholastic studies, and that such achievement of necessity reflects the inspirational leadership of the team's coaches, Mr. Michael Milkovich, Mr. Patrick J. Palumbo and Mr. William Barrett, and the Athletic Director Mr. T. Donovan Wylie, and

Whereas, this Council further recognizes that even though two of the members of the team were individual titlists, the season's record is a team product, and accordingly this Council desires to commend all of the team members and the Coaches on behalf of itself, the Administrative and Judicial Departments of and for Maple Heights, and the citizens of Maple Heights, and

Whereas, on behalf of the same agencies and individuals, this Council desires further to express its commendation to the representatives and of the Maple Heights City School District for their cooperation in assisting the Coaches and members of the Wrestling Team in carrying out the wrestling program while first providing and requiring compliance with educational standards.

Now, therefore, be it resolved by the Council of the City of Maple Heights, State of Ohio:

SECTION 1. On Behalf of the City of Maple Heights, the Council and the Administrative and Judicial Departments of and for the City of Maple Heights, and the people of the City of Maple Heights, do herewith express their commendation and congratulations to the Coaches and students of the Maple Heights High School Wrestling Team for the honor and recognition accorded this City through their efforts as hereinbefore expressed.

Be it further resolved, that the Clerk of Council be and he is hereby authorized and directed to forward certified copies of this Resolution to the following persons: Mr. Harry Salisbury, Superintendent of Schools; Mr. Michael Milkovich, Head Coach; Mr. William T. Barrett and Mr. Patrick J. Palumbo, Assistant Coaches; Mr. Charles Pickens, Principal, Maple Heights High School; Mr. T. Donovan Wylie, Athletic Director.

MEMBERS OF THE 1967-68 WRESTLING TEAM

Thomas Barrett, Derek Bekeny, William Black, John Blank, Pat Bowen, Conrad Calander, Frank Cikach, Lon Hicks, Mark Hicks, Dale Hlavin, Jim Jedlicka, John Morrell, Thomas Milkovich, Cliff Radi, and Louis Churney, Manager.

SECTION 2. This Resolution shall take effect immediately.

Passed March 6, 1968.

ROBERT J. LOUGH,
President of Council.
EMIL J. LISY, Jr.,
Mayor.

Attest:

JOHN J. WETZELL,
Clerk of Council.

THE AGE OF EFFLUENCE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, while benefits of our increasingly industrialized and technological society are vast, so are the problems. It is becoming clear and more and more urgent to realize that as we have made great gains for the good of mankind, we are also in dire danger of destroying the very source of our wealth. Despite magnificent technological achievements in space, our air and water are unfit for consumption or recreation.

The degree of environmental pollution that has occurred in our Nation is alarming, and is increasing. It cannot continue. Yet we cannot expect to be effective in halting this trend while we continue to use archaic and uncoordinated methods to solve such complex problems as exist in our urban areas. The methods of problem solving must keep pace with the problems.

In 1966, I introduced a bill, now H.R. 20, to create a Commission on Public Management to study the application of technology—the comprehensive approach that systems analysis can offer—to find effective solutions to the vastly complicated public problems which include housing, transportation, and education, as well as the problem of pollution. A systems approach would involve a computer analysis of the total environment. As the editorial comments from Time magazine of May 10 points out well, only then can cities adequately and effectively make the necessary cost-benefit choices and balance the system. They will be able to get a complete picture of the problem and the alternative solutions—and the advantages and disadvantages in each one—to take action best suited to the problems and the facilities at hand.

I urge my colleagues to take to heart the seriousness of the situation and give their consideration to the urgency for new concepts of problem solving. The Time article is an excellent commentary on this critical issue, and I commend it for careful reading.

The article follows:

THE AGE OF EFFLUENCE

What ever happened to America the Beautiful? While quite a bit of it is still visible, the recurring question reflects rising and spreading frustration over the nation's increasingly dirty air, filthy streets and malodorous rivers—the relentless degradations of a once virgin continent. This man-made pollution is bad enough in itself, but it reflects something even worse: a dangerous illusion that technological man can build bigger and bigger industrial societies with little regard for the iron laws of nature.

The problem is much bigger than the U.S. The whole industrialized world is getting polluted, and emerging nations are unlikely to slow their own development in the interest of clearer air and cleaner water. The fantastic effluence of affluence is overwhelming natural decay—the vital process that balances life in the natural world. All living things produce toxic wastes, including their own corpses.

But whereas nature efficiently decays—and thus reuses—the wastes of other creatures, man alone produces huge quantities of synthetic materials that almost totally resist natural decay. And more and more such waste is poisonous to man's fellow creatures, to say nothing of himself.

Man has tended to ignore the fact that he is utterly dependent on the biosphere: a vast web of interacting processes and organisms that form the rhythmic cycles and food chains in which one part of the living environment feeds on another. The biosphere is no immutable feature of the earth. Roughly 400 million years ago, terrestial life consisted of some primitive organisms that consumed oxygen as fast as green plants manufactured it. Only by some primeval accident were the greedy organisms buried in sedimentary rock (as the source of crude oil, for example), thus permitting the atmosphere to become enriched to a life-sustaining mix of 20% oxygen, plus nitrogen, argon, carbon dioxide and water vapor. With miraculous precision, the mix was then maintained by plants, animals and bacteria, which used and returned the gases at equal rates. About 70% of the earth's oxygen is thus produced by ocean phytoplankton: passively floating plants. All this modulated temperatures, curbed floods and nutured man a mere 1,000,000 or so years ago.

To primitive man, nature was so harsh and powerful that he deeply respected and even worshiped it. He did the environment very little damage. But technological man, master of the atom and soon the moon, is so aware of his strength that he is unaware of his weakness—the fact that his pressure on nature may provoke revenge. Although sensational cries of impending doom have overstated the case, modern man has reached the stage where he must recognize that real dangers exist. Indeed, many scholars of the biosphere are now seriously concerned that human pollution may trigger some ecological disaster.

CONSUMING NOTHING

For one thing, the impact of human pollutants on nature can be vastly amplified by food chains, the serial process by which weak creatures are typically eaten by stronger ones in ascending order. The most closely studied example is the effect of pesticides, which have sharply improved farm crops but also caused spectacular kills of fish and wildlife. In the Canadian province of New Brunswick, for example, the application of only one-half pound of DDT per acre of forest to control the spruce budworm has twice wiped out almost an entire year's production of young salmon in the Miramichi River. In this process, rain washes the DDT off the ground and into the plankton of lakes and streams. Fish eat the DDT-tainted plankton; the pesticide becomes concentrated in their bodies, and the original dose ultimately reaches multifold strength in fish-eating birds, which then often die or stop reproducing. DDT is almost certainly to blame for the alarming decrease in New England's once flourishing peregrine falcons, northern red-shouldered hawks and black-crowned night herons.

In the polluting sense, man is the dirtiest animal, and he must learn that he can no longer afford to vent smoke casually into the sky and sewage into rivers as he did in an earlier day, when vast reserves of pure air and water easily diluted the pollutants. The earth is basically a closed system with a waste-disposal process that clearly has limits. The winds that ventilate earth are only six miles high; toxic garbage can kill the tiny organisms that normally clean rivers. Today, industrial America is straining the limits.

One massively important factor is that the U.S. consumer actually consumes nothing; he merely uses things, and though he burns, buries, grinds or flushes his wastes, the material survives in some form, and technology adds to its longevity. The tin can used to rust away; now comes the immortal aluminum can, which may outlast the Pyramids. Each year, the U.S. produces 48 billion cans, plus 28 billion long-lived bottles and jars. Paced by hardy plastic containers, the average American's annual output of 1,600 lbs. of solid waste is rising by more than 4% a year. Disposal already costs $3 billion a year.

All this effluence is infinitely multiplied in big cities—and 70% of Americans live on only 10% of the country's total land area. Every day, New York City dumps 200 million gallons of raw sewage into the Hudson River. Each square mile of Manhattan produces 375,000 lbs. of waste a day; the capital cost of incinerating that 1-sq.-mi.-output is $1.87 million, and 30% of the residue drifts in the air as fly ash until it settles on the citizens.

The sheer bulk of big cities slows the cleansing winds, at the same time, rising city heat helps to create thermal inversions (warm air above cold) that can trap smog for days—a crisis that in 1963 killed 400 New Yorkers. Cars complete the deadly picture. While U.S. chimneys belch 100,000 tons of sulfur dioxide every day, 90 million motor vehicles add 230,000 tons of carbon monoxide (52% of smog) and other lethal gases, which then form ozone and peroxyacetyl nitrate that kill or stunt many plants, ranging from orchids to oranges. Tetraethyl lead in auto exhausts affects human nerves, increasing irritability and decreasing normal brain function. Like any metal poison, lead is fatal if enough is ingested. In the auto's 70-year history, the average American's lead content has risen an estimated 125-fold, to near maximum tolerance levels. Arctic glaciers now contain wind-wafted lead.

AIR, WATER AND THE SEWER

By the year 2000, an estimated 90% of Americans will live in urban areas and drive perhaps twice as many cars as they do now. The hope is that Detroit will have long since designed exhaust-free electric or steam motors. Another hope is nuclear power to generate electricity in place of smoggy "fossil fuels" (oil, coal), but even with 50% nuclear power, U.S. energy needs will so increase by 2000 that fossil-fuel use may quadruple. Moreover, nuclear plants emit pollution: not only radioactive wastes, which must be buried, but also extremely hot water that has to go somewhere and can become a serious threat to marine life.

Industry already devours water on a vast scale—600,000 gal. to make one ton of synthetic rubber, for example—and the resultant hot water releases the dissolved oxygen in rivers and lakes. This kills the oxygen-dependent bacteria that degrade sewage. Meanwhile, the country's ever-mounting sewage is causing other oxygen-robbing process. By 1980, these burdens may well dangerously deplete the oxygen in all 22 U.S. river basins. The first massive warning is what happened to Lake Erie, where overwhelming sewage from Detroit and other cities cut the oxygen content of most of the lake's center to zero, turning a once magnificently productive inland sea into a sink where life is catastrophically diminished. With state and federal aid, the cities that turned Erie's tributaries into open sewers are now taking steps to police the pollution, and if all goes well, Erie may be restored to reasonable life in five or ten years.

But the problem goes on. Though one-third of U.S. sewage systems are below health standards, improving them may also kill lakes. The problem is that treated sewage contains nitrate and phosphate, fertilizing substances widely used in agriculture that make things worse in overfertilized lakes. Though nitrate is normally harmless in the body, intestinal bacteria can turn it into nitrite, a compound that hinders hemoglobin from transporting oxygen to the tissues, causing labored breathing and even suffocation.

THE SYSTEMS APPROACH

It seems undeniable that some disaster may be lurking in all this, but laymen hardly know which scientists to believe. As a result of fossil-fuel burning, for example, carbon dioxide in the atmosphere has risen about 14% since 1860. According to Ecologist Lamont C. Cole, man is thus reducing the rate of oxygen regeneration, and Cole envisions a crisis in which the amount of oxygen on earth might disastrously decline. Other scientists fret that rising carbon dioxide will prevent heat from escaping into space. They foresee a hotter earth that could melt the polar icecaps, raise oceans as much as 400 ft., and drown many cities. Still other scientists forecast a colder earth (the recent trend) because man is blocking sunlight with ever more dust, smog and jet contrails. The cold promises more rain and hail, even a possible cut in world food. Whatever the theories may be, it is an established fact that three poisons now flood the landscapes: smog, pesticides, nuclear fallout.

Finding effective antidotes will take a lot more alertness to ecological consequences. What cities sorely need is a systems approach to pollution: a computer analysis of everything that a total environment—greater Los Angeles, for example—is taking in and giving out via air, land, water. Only then can cities make cost-benefit choices and balance the system. Equally vital are economic incentives, such as taxing specific pollutants so that factories stop using them. Since local governments may be loath to levy effluence charges, fearing loss of industry, the obvious need is regional cooperation, such as interstate river-basin authorities to enforce scientific water use. Germany's Ruhr River is ably governed this way. A shining U.S. example is the eight-state Ohio River Valley Water Sanitation Commission, which persuaded 3,000 cities and industries to spend $1 billion diverting 99% of their effluent to sewage plants.

Similar "air shed" action is starting between some smog-bound states and is considered preferable to federally imposed air standards, which might not fit local climate conditions. Still, far greater federal action—especially money—is urgently needed to help cities build all kinds of waste-treating facilities. In fact, the Secretary of the Interior really ought to be the Secretary of the Environment. To unify federal leadership, he might well be given charge of the maze of rival federal agencies that now absurdly nibble only at their own slice of the pollution mess.

One of the prime goals in attacking pollution ought to be a vast shrinkage of the human impact on other creatures. The war on insects, for example, might actually go a lot better without chemical pesticides that kill the pests' natural enemies, such as birds. One of the best strategies is to nurture the enemies so they can attack the pests; more insect-resistant crops can also be developed. Florida eliminated the screw-worm fly not by spraying but by sterilizing hordes of the male flies, then liberating them to produce infertile eggs. A still newer method is the use of sex attractants to lure male insects into traps and thus to their death.

Above all, man should strive to parallel natural decay by recycling—reusing as much waste as possible. Resalvaging already keeps 80% of all mined copper in circulation. But U.S. city incinerators now destroy about 3,000,000 metric tons of other valuable metals a year; magnetic extractors could save the metal and reduce incineration by 10%. The packaging industry could do a profound service by switching to materials that rot—fast.

The perfect container for mankind is the edible ice-cream cone. How about a beer container that is something like a pretzel? Or the soft-drink bottle that, when placed in the refrigerator, turns into a kind of tasty artificial ice? Soft drinks could also come in frozen form, as popsicles with edible sticks.

To cut air pollution, a Japanese process can be used to convert fly ash into cinder blocks. Since the market is too small for commercial success, public subsidies would make sense; recovering waste at the source is almost always cheaper than cleanup later. There are some real prospects of profit in reconstituting other waste. Take sulfur, for example, which is in short supply around the world. While 26 million tons are mined a year, smokestacks belch 28 million tons of wasted sulfur dioxide, which could easily be trapped in the stack and converted to sulfuric acid or even fertilizer. Standard Oil of California is already profitably recovering the refinery sulfur waste that pollutes streams.

To reduce smog over cities, one of the most visible and worst forms of pollution, smog-causing power plants might be eliminated from densely populated areas. Why not generate electricity at the fuel source—distant oil or coal fields—and then wire it to cities? On the other hand, industrialization must not be taken to distant places that can be better used for other purposes. Industrializing Appalachia, for example, would smogify a naturally hazy region that settlers aptly named the Smokies. The right business for Appalachia is recreation; federal money could spur a really sizable tourist industry.

Sometimes pollution can even help recreation. In flat northeastern Illinois, for instance, the handsomest recreation area will soon be Du Page County's fast-rising 118-ft. hill and 65-acre lake—artfully built on garbage fill. One form of pollution could even enhance—rather than spoil—water sports. Much of the nation's coastline is too cold for swimming, if marine life can be protected why not use nuclear plant heat to warm the water? Or even create underwater national parks for scuba campers?

IN HARMONY WITH NATURE

Ideally, every city should be a closed loop, like a space capsule in which astronauts reconstitute even their own waste. This concept is at the base of the federally aided "Experimental City" being planned by Geophysicist Athelstan Spilhaus, president of Philadelphia's Franklin Institute, who dreams of solving the pollution problem by dispersing millions of Americans into brand-new cities limited to perhaps 250,000 people on 2,500 acres of now vacant land. The pilot city, to be built by a quasi-public corporation, will try everything from reusable buildings to underground factories and horizontal elevators to eliminate air-burning cars and buses. The goal is a completely recycled, noise-free, pure-air city surrounded by as many as 40,000 acres of insulating open countryside. "We need urban dispersal," says Spilhaus, "not urban renewal."

In the search for solutions, there is no point in attempting to take nature back to its pristine purity. The approach must look forward. There is no question that just as technology has polluted the country, it can also depollute it. The real question is whether enough citizens want action. The biggest need is for ordinary people to learn something about ecology, a humbling as well as fascinating way of viewing reality, that ought to get more attention in schools and colleges. The trouble with modern man is that he tends to yawn at the news that pesticides are threatening remote penguins or pelicans; perhaps he could do with some of the humility toward animals that St. Francis tried to graft onto Christianity. The false assumption that nature exists only to serve man is at the root of an ecological crisis that ranges from the lowly litterbug to the lunacy of nuclear proliferation. At this hour, mans only choice is to live in harmony with nature, not conquer it.

OCCUPATIONAL EDUCATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PUCINSKI. Mr. Speaker, the Chicago Tribune, in an excellent editorial on occupational education, has made a meaningful contribution toward the current dialog on preparing young people for gainful employment.

I recommend this editorial to my colleagues for a better understanding of how junior colleges can play a key role in developing a post secondary system of education which will compliment training programs started by youngsters in lower grades to develop marketable skills.

I have said time and again that the basis for our effort to eliminate poverty in America and to prevent phenomena like the Poor People's Campaign in Washington is to develop a system of education in this Nation where every single American youngster will develop a marketable skill in his elementary and secondary education process. The Chicago Tribune's emphasis on postsecondary education fortifies the arguments for a greater emphasis in occupational education.

The Chicago Tribune editorial follows:

EDUCATING FOR JOBS

The Illinois State Chamber of Commerce has just published a survey entitled "Occupational Education in Illinois Public Junior Colleges." This useful brochure spells out in here-and-now terms what our state's rapidly growing junior college system is offering [and has planned for the near future] in terminal courses of study aimed at specific job markets. The showing is extensive, with tremendous potential for further growth. There are 101 different programs listed, from accounting to X-ray technician, from air conditioning to welding. In Illinois there are 34 public junior colleges in being, with more due to open next fall.

Economy and convenience are probably the ideas that junior colleges suggest to most people. Those are powerful considerations, especially for young people with means too limited to permit leaving home or paying high tuitions. But occupational education—qualifying people to hold jobs that call for less than a college degree but more than a high school diploma—is probably the biggest idea involving the junior colleges.

The chamber of commerce states three uses of its new publication—to inform employers of sources of new trained personnel; to inform employers of job-related curricula to which they can direct present employes; and to direct attention to gaps in existing curricula, gaps which business initiative might help fill. It all boils down to matching qualified people with job opportunities. Anything that does that helps not only the businesses and employes directly involved, but everyone.

Junior colleges do such matching. Without neglecting the preparation of students to transfer successfully to four-year colleges elsewhere, junior colleges should and no doubt will give high priority to occupational education. Their most distinctive and probably most useful contribution is and will be in that kind of teaching.

ANOTHER DR. GODDARD NEEDED

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. HANNA. Mr. Speaker, upon learning of the resignation of Dr. James L. Goddard, I wrote a letter to the President expressing our disappointment and at the same time recommending for his consideration the appointment of Dr. Herbert Ley, Director of the Bureau of Medicine.

I include my letter in the RECORD at this point and following my letter I insert an editorial from the Fullerton, Calif., Tribune in the RECORD. This editorial expresses the sentiments of many in the medical field regarding Dr. Goddard's work. He will be sorely missed by his colleagues in the Food and Drug Administration as well as by those who worked with him outside the Administration.

The above-mentioned follows:

MAY 22, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: We learned with a regret we feel sure will be shared by all well informed citizens of the resignation of Dr. Goddard. That worthy gentleman has served with a distinction that ranks with the most dedicated of a long line of outstanding public servants but beyond that with a courage and dedication matched by only a few.

Dr. Goddard's tenure in office has highlighted the importance of the Food and Drug Administration and its critical position in safeguarding the health and lives of our citizenry. The great record he has established needs to be continued, I am sure you will agree.

May we strongly and sincerely support by our voice and office the recommendation of Dr. Herbert Ley as a new leader with the Goddard spirit. We are informed that Dr. Goddard himself has indicated his support for Dr. Ley and I am sure you are impressed by such confidence far above any such feeling I could hope to inspire.

The public needs and looks for our continued best efforts and closest surveillance in this vital field of government activity. We know you will give the selection of the new Administrator your sober and considered study. We thank you for your kind attention and patience.

Very respectfully,

RICHARD T. HANNA,
Member of Congress.

[From the Fullerton, Calif., Tribune, May 23, 1968]

ANOTHER DR. GODDARD NEEDED

It is unfortunate for the country, and for the American people, that Dr. James L. Goddard could not see his way clear to remain as commissioner of the Food and Drug Administration.

He has been the strongest, most conscientious and most dedicated chief since the late

Harvey W. Wiley, the "father" and first head of the FDA.

Dr. Goddard correctly interpreted the responsibility of his post as being to safeguard the health of the people to the fullest extent possible. When the inevitable conflicts with vested interests, notably the pharmaceutical manufacturers, occurred, Dr. Goddard stood up and was counted on the side of the public. He put into effect recommendations of the Kefauver Committee, and subsequent congressional investigative bodies, to apply stronger standards in the testing and marketing of new drugs and in measuring the efficacy and safety of others already being dispensed to the public.

Countless lives were saved because of these measures, for looseness and abuse were far too prevalent before Dr. Goddard assumed his office. The tragedies stemming from use of Thalidomide, a tranquilizer that resulted in deformities to unborn children, serve as one example of negligent practices in the department.

We are all in Dr. Goddard's debt. While we deeply regret his decision to return to private life, we wish him well in whatever endeavors he may undertake.

Unanswered at this point is the question of a successor to head the Food and Drug Administration. Because of the extreme importance of the office of commissioner, who must rule on matters of life and death and resist all efforts to exploit the public for monetary gain, the White House should not settle for less than the best-qualified person, a man of caliber comparable to that of Dr. Goddard.

We believe there is such a man in the department's Bureau of Medicine—its director, Dr. Herbert Ley.

We strongly urge his appointment and hope that members of Congress and others who may have influence with the administration will exert it in Dr. Ley's behalf.

TO THE UNKNOWN SOLDIER

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. QUILLEN. Mr. Speaker, Memorial Day, May 30, 1968, has a special significance, as we all know, due to the war in Vietnam and the great crisis we face in America and throughout the world. It is refreshing to pick up a newspaper, as I did the Sevier County News Record, published on Memorial Day, and read such a moving tribute to the Unknown Soldier.

The tribute was written by James R. Howard, a 17-year-old senior in the Granite High School in Salt Lake City, Utah, who was among the students chosen to visit Washington, D.C., in January 1968, to observe the work of the U.S. Government. Their visit was sponsored by the William Randolph Hearst Foundation for Youth. After visiting the Tomb of the Unknown Soldier, James wrote this tribute which we feel is a remarkable revelation of a depth of perceptive patriotism that is exemplary of true Americanism.

It was carried on the front page of this fine newspaper and the words speak out clearly, as follows:

You lie in your cold grave—triumphant in death because you defeated tyranny, peaceful in death because you died a free man.

And I wonder what tribute can I pay to you—a patriot who loved freedom and country enough to forfeit life and name on a foreign battlefield?

I would thank you—but words of thanks cannot penetrate the grave.

I would weep for you—but tears can neither stir your silent body nor warm your still heart.

I would laugh for you but laughter would disintegrate against the walls of your joyless tomb.

I would comfort you as a brother—but brotherhood cannot surmount the obstacle of eternity.

I would show you the free land you helped to save—but your vision is blocked by the curtain of death.

So I will offer you the one tribute which makes your death meaningful and my life worthwhile. I will honor your memory by pledging myself to the perpetuation of those ideals for which you fought and died—the defense of freedom, the love of liberty, and a peaceful future.

Thus will your death enrich my life, thus will my actions honor your unknown name.

—JAMES R. HOWARD.

IMPROVED STREET LIGHTING DETERS CRIME

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PODELL. Mr. Speaker, life in my own community is encapsulated in fear for life, limb, and property because of the rising incidence of crime. This is true of communities throughout the Nation. Improved street lighting can serve as an effective deterrent to crime by eliminating the dark and the shadows which provide cover and concealment for the criminal element. The Flatbush Chamber of Commerce in my district has taken leadership in programs to improve municipal street lighting systems. As a guide to other civic organizations, I am calling attention to the text of a resolution on this subject adopted by the Flatbush Chamber of Commerce and addressed to responsible officials of New York City. The text of the resolution follows:

We are very much distressed to read the latest report issued by the Police Department on the increase of major crimes. In our city, in fact throughout the state, the problem of crime prevention and enforcement of law are becoming more and more exacting.

The members of the Board of Directors, after an extensive study, respectfully want to present for your consideration, some changes in our street lighting system to improve street conditions, to illuminate the dark area where crime is most likely to be rampant at night.

The present city law requires outside lights at each entrance to large buildings, but these lights do not extend further than the immediate entrance. There are at present many areas of one and two family homes that do not come under this category. We believe that lights deter crime. The thug, the robber, the rapist, shrink from the glare of bright street lights. Thefts of motor vehicles showed the highest rate increase.

The present street lighting system consists, in most instances, of 30 foot high street lighting standards, usually 120 to 160 feet on centers, complete with a bracket arm assembly to support a mercury vapor type luminaire. Nothing but spill light is available for the sidewalk area adjoining the street, with the result that most streets in the city are dark and dismal, creating an atmosphere ideal for muggers and rapists.

To correct this hazardous condition, we are outlining the following three ideas for your consideration to improve our lighting system:

(a) Equip each of the present street lighting standards with an additional bracket arm assembly and luminaire, similar to the one presently installed and located on poles 180 degrees from the present luminaire. This additional luminaire will provide adequate illumination for the sidewalk area directly under and on either side of the street lighting standard.

(b) Equip each of the present street lighting standards with twin mercury vapor floodlight assemblies mounted on top of the pole. These pole mounted floodlights should, of necessity, be placed back to back with their floodlight beams directed towards and parallel to the sidewalk below to provide the required illumination. This scheme is presently being utilized by the Street Lighting Division of the Department of Water Supply, Gas and Electricity of the City of New York to illuminate public schools and Park Department playgrounds that adjoin city streets.

(c) Change the distribution of illumination of the present street lighting luminaires to a distribution, which will redirect some of the light from the luminaire to the adjoining sidewalk and at the same time provide illumination for the street. This change in type of distribution can be accomplished by a simple adjustment of the adjustable lamp socket within the luminaire, without necessity of replacing the refractor lens. It is true that the amount of illumination in the street will be reduced, and it is for this reason we strongly recommend that, if at all possible, the present 400-watt luminaires be replaced with their 1,000-watt companion versions. This proposed 1,000-watt luminaire will provide adequate illumination for the street as well as the adjoining sidewalks.

It is our feeling that scheme (c) is the most beneficial as well as the most economical of the three ideas proposed. However, due to the fact that certain locations of the city require the selection of various lighting equipment, we leave this matter to the best judgment of our city engineers to improve the present performance of our street lighting system.

We ask your response to this expression of our observation, approved by the unanimous vote of our Board of Directors, and hope you can give us some indication of what steps, if any, you advise will be taken on your part to cure this unsatisfactory condition and improve the street lighting system.

A TIME FOR CONFIDENCE, NOT WORRY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. BROWN of California. Mr. Speaker, in view of all of the black pictures painted recently of the state of our national economy which have led to the pushing of the panic button demonstrated most recently by the actions of the conference committee in tying the proposed surtax to a $6 billion reduction in the President's current budget, I felt that an article written by Prof. J. Philip

Wernette deserves our most serious consideration and study.

Professor Wernette feels that the U.S. economy is strong and is critical of many of the "scare statements" we have been reading. He feels that the budget deficit is bad, but that it is not of crisis proportions. Inflation resulting from the present economic situation is not good, but "the harm done by it is grossly exaggerated."

He also points out that the surtax would have an impact in controlling this inflation, but not the impact it is credited with having. In fact, he sees a possible danger in the actions we are now contemplating, stating:

"Reducing both deficits—budgetary and in the balance of payments—may be desirable; but actions to accomplish these goals are quite as likely to retard American prosperity as to preserve it.

Under unanimous consent to extend my remarks at this point, I include the article, which was carried in the Los Angeles Times, on May 29, 1968. Professor Wernette is an economist in the Graduate School of Business Administration at the University of Michigan and editor of the Michigan Business Review. His books include "The Future of American Prosperity" and "Government and Business."

The article follows:

A TIME FOR CONFIDENCE, NOT WORRY

(By J. Philip Wernette)

The American people are being bombarded with scare statements about the balance of payments and the gold crisis, warning that the U.S. economy is in bad shape and unless quick corrective action is taken disaster threatens.

In fact, the American economy is in excellent shape and is getting better right along.

Here are some of these statements:

A European international banker says, "What you have is a severe dollar hemorrhage and it could bleed you to death." He does not go on to explain how a nation can be bled to death, but he makes it sound bad.

A noted columnist states, "This gold outflow, if continued, could shatter our economy." One can understand what it means to shatter a glass, but what does the term "shatter our economy" mean?

A staff correspondent for a noted newspaper writes, "When the gold crisis subsides, there will remain one overriding question: Will the United States, the greatest world power, have the strength and courage to put its economic house in order? That house is in disorder now." The writer did not go on to explain the forms of disorder—perhaps because he would have found it hard or impossible to do so.

"A sound dollar is vital to the defense of our country; and ours is shaky." No; a strong economy is vital; and ours is strong.

LOOK AT TRUE INDICATORS

What are the facts? What are the measures of the strength and soundness of a nation's economy? There are several, and the United States scores well on all of them.

1. Productivity (as commonly measured by output per manhour) is high and rising.

2. Employment is high and rising and unemployment is at a relatively low level.

3. The real gross national product (streams of goods and services produced by the American people) is at an all-time high and is rising.

4. Capital investment is at an all-time high and is rising.

5. The state of technology and business management skill and enterprise are also at all-time high levels and are rising.

6. Average real family incomes are in the same happy condition.

The foregoing are the key measures and they indicate that the performance of the American economy is the best of any nation in the world.

In the face of this evidence, what conditions lend support to the scare statements about the economy being in disorder?

One is that the commodity price level is at an all-time high and is rising. This rise is inflation, which is not good; but the harm done by it is grossly exaggerated.

Another is the fact that the budget of the federal government is unbalanced and is showing the largest deficit ever registered in peace time. That deficit is about one-fortieth of the gross national product. By contrast, in 1944, during World War II, the deficit was more than one-fifth of the gross national product. That condition, of course, was nothing to evoke enthusiasim, but on the other hand, it did not seem to generate the fearful statements that today's relatively much smaller deficit does.

The other factors that disturb the worried observers are the interrelated ones of the deficit in our international balance of payments and the gold outflow. Our monetary gold stock has gone down in the last 10 years from $23 billion to $10 billion. Since we do not have an unlimited supply, the danger is that we may run out or be forced to suspend gold payments before our stock is entirely exhausted.

It is because of this condition that foreigners have urged or have even demanded that the United States take steps to improve its balance of payments position. The step most commonly urged is moving nearer toward a balance in the federal budget—a move which is approved by foreign central bankers either because of its believed innate virtue or because of its believed effect on inflation in the United States and on our balance of payments. The reasoning is that by restraining the rise in aggregate demand, inflation would be checked and exports stimulated, and, by reducing American markets, imports would be reduced.

The price of this kind of policy probably would be increased unemployment. Furthermore, these conditions would be hurtful to the very foreign countries whose experts are urging them, would probably lead to retaliatory actions, and might not affect the balance of payments very much.

In an address before the American Society of Newspaper Editors in Washington on April 19, William McChesney Martin, Jr., the highly respected chairman of the board of governors of the Federal Reserve System, said:

"The nation is in the midst of the worst financial crisis since 1931. In 1931, the problem was deflation. Today, it is inflation and equally intolerable . . .

"I hope I am not being too emotional about our situation, but we are faced with an intolerable budget deficit and also an intolerable deficit in our international balance of payments.

"Both have to be corrected over the next few years or the United States is going to face either an uncontrollable recession or an uncontrollable inflation. We ought to get to work on these problems immediately."

In evaluating any public speech by Chairman Martin, it is wise to bear in mind that this honorable and patriotic man, by virtue of his position, is required to make certain positive statements. He must assert in the strongest terms the American determination to honor its gold obligations, not to increase the mint price of gold, and to achieve a proper balance of payments.

Moreover, in order to lend substance to this statement of determination, he must refer to the steps considered to be necessary and to indicate why failure to take these steps and to achieve these goals would be extremely harmful to the American economy.

If he does not make such statements, foreigners might interpret his stand as being less than reassuring and thereupon withdraw more monetary gold. In short, his statements are a protection for our gold stock.

When, however, his statements are subjected to economic analysis, neither facts nor reasoning support them. Our economic situation today is not at all comparable to our situation in 1931 and any suggestion that, unless the steps Martin recommends are taken, the sequence of events in the next few years in our country will resemble those that followed 1931 is completely wrong. Such inaction would not lead to an uncontrollable recession; indeed, it is doubtful that it would lead to even a small recession.

Nor, if they are not taken, do we face an uncontrollable inflation. The impact of the pending surtax on inflation in the United States is being grossly exaggerated. It will not make the difference between no inflation and an uncontrollable inflation. In fact, in the next year, it probably would make the difference between a 4% inflation and a 3% inflation.

OTHER NOTABLE LACKS

It may also be noted that Chairman Martin said nothing about the expansionary monetary policy followed by the Federal Reserve System last year, when the Fed permitted the fastest expansion of the national money stock since World War II—at a rate very considerably in excess of our normal growth needs and probably a more expansionary force than the rise in federal expenditures during the same period.

The case for scrutinizing federal expenditures was made in a calm and sensible fashion last autumn by House Ways and Means Chairman Wilbur Mills, when he observed that, wholly apart from the present problems, it is time for us to take a hard look at the size of the federal government and its role in our lives.

Reducing both deficits—budgetary and in the balance of payments—may be desirable; but actions to accomplish these goals are quite as likely to retard American prosperity as to preserve it.

The fact is that every significant indicator shows that the American economy is strong. Employment, industrial production, the real gross national product, and our standard of living—every one is at an all-time high. Moreover, the outlook for continued growth is favorable.

The strength of the American economy depends on what goes on within our borders, not on what goes out across them and what is going on within our borders is strong and getting stronger. This is a time for justified confidence, not for worrisome fear.

ITALIAN NATIONAL DAY

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MINISH. Mr. Speaker, it is an honor to join in saluting the citizens of Italy on the happy occasion of Italian National Day. There is reason for pride and satisfaction in the unprecedented progress made by the Italian Republic since its birth 22 years ago.

On June 2, 1946, the people of Italy held their first election following World War II and voted to replace their monarchy with a republican form of government.

Italy thus began the difficult road back to cultural and political importance in the world. Her land was ravaged by the war and threatened by an expanding and well-organized Communist Party eager

to subvert the country. Nevertheless, since that time Italy has undergone a second renaissance. A modern industrial sector has been established, democratic institutions have taken firm root, a stable government has prevailed, the underdeveloped south is being brought into the mainstream of Italian life, and Italy serves as a loyal and strong link in the Atlantic Alliance.

Italy's prosperity is due to the vigor and determination of the Italian people. With an early boost from the United States, they have worked hard to bring their country to its present state of economic and political well-being.

Of course, the vigor and determination of the citizens of Italy come as no surprise to Americans. We have been enriched beyond measure by the immigration of millions of Italians to our shores throughout our history. From pre-Revolutionary times to the present day, the industry, vitality, and artistry of Italian-Americans have contributed greatly to our national life. On behalf of Americans of Italian descent and of all Americans I am proud to extend best wishes for continued growth and prosperity to the people of Italy on this their Republic's 22d anniversary.

COLUMNIST SYLVIA PORTER ANALYZES THE NEW CONSUMER CREDIT PROTECTION ACT

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mrs. SULLIVAN. Mr. Speaker, I commend to the Members of the House of Representatives an excellent article in the Washington Star and in the many other newspapers which carry this outstanding feature, by Sylvia Porter, columnist on economic issues for the Publishers-Hall syndicate, on Public Law 90-321, the Consumer Credit Protection Act signed last Wednesday by President Johnson.

Miss Porter points to the many far-reaching provisions of the law on disclosure of finance charges, on garnishment, on loan-sharking, on second mortgage rackets, and on the title of the law creating the National Commission on Consumer Finance.

But she also points with sharp clarity to some of the compromises which had to be made in the House bill in getting the final version of the legislation through conference. We should all be aware of the shortcomings as well as of the strengths of the new law. As I told Miss Porter when she was preparing this column, the new law—far reaching as it is—is no cure-all for all of the ills of the marketplace; it is only a good beginning.

The article referred to is as follows:

[From the Washington Star, June 3, 1968]

TRUTH IN LENDING LAW IS HAILED

(By Sylvia Porter)

The Consumer Credit Protection Act signed last week by President Johnson is one of the most important of all consumer protection laws.

The law will, for the first time, force lenders to disclose, both in dollars and in yearly percentages, the actual cost of borrowing money. Thus it will compel lenders to provide borrowers with means of comparing a variety of terms. It will reveal, beginning July 1, 1969, that many "6 percent" auto loans actually are double that rate; that a monthly credit charge of 1½ percent adds up to 18 percent a year; that in some cases, small loans by consumer loan companies are costing 30 percent a year.

But there are other less publicized, little noticed aspects of the new law which may equal or dwarf its interest disclosure provisions in their importance to consumers.

1. The law, for example, will prohibit garnishment of wages up to $48 a week and also will prohibit employers from automatically firing an employe whose wages have been garnished for the first time.

This provision could be a crippling blow to the vicious credit peddler who lends to the poorest risks not on the basis of their ability to repay but because the borrower's wages are garnishable. It also could save thousands of borrowers from personal bankruptcy resulting directly from the current medieval wage garnishment procedures.

2. The law also will forbid loan sharks from charging interest rates exceeding 45 percent a year and also will forbid them from collecting their debts by violent means. Loan sharking business, dominated by organized crime, in which interest rates of 1,000 percent or more a year are often charged. It's estimated that loan sharks today are bilking the poor of $350,000,000 a year. The significance of the nation's first Federal crackdown on this magnitude of usury can hardly be exaggerated.

3. The law clamps down on unscrupulous home repair racketeers who lure homeowners into unwittingly signing second mortgages on their homes, while they think they are signing ordinary installment loan contracts. It does this by providing for a three-day "cooling off" period during which the homeowner may back out of a deal and by requiring home repair firms to explain clearly what's involved in a second mortgage.

4. Finally, the law provides for a new National Commission on Consumer Finance which, in the words of Rep. Wright Patman, D-Tex., chairman of the House Committee on Banking and Currency, "may well be the greatest accomplishment of the bill." The Commission will probe every aspect of consumer credit in the United States today and surely will make recommendations for further legislation.

Tough as the landmark Truth in Lending law is, pressure already is building up to make it even tougher, through future amendments.

Still exempt from Federal control are the installment lenders who get around the high interest rate problem simply by doubling the prices on goods being sold to the poor or who pile on every manner of special finance charge when they draw up a loan contract. Lenders still do not have to spell out the total dollar cost of a first mortgage to a homebuyer, even though this cost sometimes equals the cost of the home itself. Department stores and other retailers still do not have to spell out yearly interest rates on charge account balances of $35 or less if the credit charge is 50c or less a month, even though this can amount to a yearly interest rate of 17 per cent.

The protection for which former Sen. Paul Douglas of Illinois fought so hard and long is at last law. But says Rep. Leonor K. Sullivan, D-Mo., the law-maker who brought it to fruition in its current tough form, "It is no cure-all for all the ills of the marketplace. It's only a good beginning."

MEMORIAL DAY OBSERVANCE ADDRESS

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. MURPHY of New York. Mr. Speaker, on Memorial Day, May 30, 1968, Alfred F. Caccamo, the second district vice commander of the American Legion, gave a Memorial Day observance address to Brooklyn Post 500 of the American Legion. I thought Mr. Caccamo's speech was particularly significant, and I include the text of that speech for the benefit of my colleagues:

MEMORIAL DAY OBSERVANCE ADDRESS OF ALFRED F. CACCAMO, MAY 30, 1968

This is Memorial Day 1968, a patriotic holiday in the United States. A holiday marked traditionally by parades—memorial services—and decorating of graves with flowers and flags.

This is Memorial Day 1968, dedicated to the memory of the dead of all wars, a day we honor the soldiers and sailors and a day we honor the memory of all those who have died.

This is Memorial Day 1968, first observed officially one hundred years ago today on May 30, 1868 by order of General John A. Logan, Commander of the Grand Army of the Republic. This memorable order which gave the greatest momentum for establishing a national holiday in tribute to this Nation's heroic dead.

Mr. Toastmaster, Commander, distinguished guests on the Dais, officers and members of the Brooklyn 500 Post, Members of the Auxiliary, my fellow legionnaires and friends.

I am honored to have this opportunity to talk to you on this day Brooklyn 500 Post conducts memorial services for all who have answered the final call.

Memorial services are of special significance to the American Legion and its members who served and proudly so in all the major wars of our time. While born in war, the American Legion, largest of all veteran's organizations, labors for peace. An honorable and durable peace for all America.

As we salute the hero dead of all wars and honor all others who held to mould American character apart from military service, I want to tell you about some of the fundamental principles of the American Legion.

We believe these principals are sound. They should live in the hearts of all Americans. For in the final analysis it is hard to distinguish between the true goals of the American Legion and those of America.

Preservation of the rich American heritage for which we fought is a goal to which the American Legion is dedicated. We realize, of course that this goal is impossible unless the people of America are convinced of the value of that heritage.

We believe it necessary for all of us—to remind ourselves constantly of the ancient values upon which our government and entire way of life are founded.

Freedom does not perpetuate itself, but has to be won anew by each generation. This means that every generation must be always prepared to place upon the altar of freedom the sacrifices that freedom demands. What we are is good. But it will only be that way as long as we are free.

Patriotism is a basic ideal of the American Legion. Love of country, we believe, is a virtue, and one that must be visable demonstrated. Since the flag is a symbol of our nation, we believe that visable respect must be shown it. The flag stands for all that is

good and noble about our rich heritage. When we respect it, we are indicating to the world that we revere our heritage and love the country that has given it to us.

The American Legion hates war. But we believe the best way to avoid war is to be prepared militarily and morally. And—through public opinion, let the world know that we Americans today are just as willing to fight for our freedoms today as were our heroes past. Willingness to bear ams in defense of our country is a prime responsibility of citizenship. This cannot be denied, it cannot be shirked when the occasion demands.

War is fearful and costly in terms of human suffering and material losses. But it is also true that life without freedom is meaningless and in the end not worth living.

History teaches the bitter lesson that the nation that would not fight for its freedom soon lost it. Nation's character and identity are lost when freedom is lost.

What we Americans decide to do today, about our country and about the world in which we live may well decide not only *how* but *whether* the youth of America will live tomorrow.

Today—our most urgent requirement is national unity. Demonstrations, criticism, and arguments that cast doubt on our motives and tear down our national spirit have no place in the discussion of problems we face. All of us recognize the inalienable right of every citizen to petition and to peaceable demonstrate on behalf of the cause which he supports. We also recognize the difference between rights and riots. It is identical to the difference between liberty and license, and the right to protest does not give license to engage in campaigns, demonstrations or even arguments that lend aid and comfort to the very enemy who today is killing our fighting men in a bloody war halfway around the world. The time has passed when it was useful to argue whether, and to what extent, we should have become involved in Vietnam. *We are there.* Thousands of our men have made the supreme sacrifice and thousands more have been wounded . . . some of them marked for life by the scars of the conflict. This is no "limited" war to them. Having committed American military men to battle, the American Government and every citizen of our United States is totally committed to their full support. Vietnam is a test of both our power and our strength of national purpose and determination. The battle is therefore being fought inside the United States as much as on the battlefields of Vietnam.

There are lessons to be learned from history and we should have learned by now that appeasement of aggression leads only to further aggression. Those who would have us pull out of Vietnam have forgotten the lesson of Munich. We had better remember that lesson, for to abandon the conflict in Vietnam can only bring another confrontation with communism at another time and in another place.

Our job as Americans, each of us, is to see that our hope never darkens, that our Nation will stand great and strong and generous . . . able to offer a helping hand to all who need it. Just as we have done since World War II.

In closing remember we must all work together for God and country and in doing so, we will be keeping faith with all the heroes in our Nation's past.

Comrades and friends, on this Memorial Day let us pledge ourselves anew to patriotic service. Let us make ourselves the friend and brother, son and father, of those who will not see their own again in mortal flesh. Let us grasp with fearless hands the flag so nobly borne before, and, like those others, plant it always on the battlements of righteousness.

Thank you.

JAPAN BOYCOTTS THE STATE OF ISRAEL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. EILBERG. Mr. Speaker, it is with deep regret that I find it necessary to bring to the attention of my colleagues a distasteful situation which seems to be intensifying with each passing month; namely, the economic boycott of the State of Israel by Japan.

Three reactions strike me immediately.

The first is the distaste that a major maritime and trading nation should find it necessary to bow to the pressure of the Arab boycott against the State of Israel.

The second is the uselessness of the Japanese decision, inasmuch as the other maritime and trading nations of the world which have refused to bow to international blackmail are still buying Arab oil; and it appears to be the fear of this source which has been the determining factor in the Japanese acquiescence in obeying the Arab dictum neither to buy from Israel nor sell her that which she wishes to buy.

The third is the brutal hypocrisy of a Japan trading with United States and Nationalist China the same time it is trading with Red China; trading with both North and South Korea at the same time; the hypocrisy of a nation screaming loudly for free and unrestricted international trade turning against little Israel.

All these facts and many more are present in a report issued by the Anti-defamation League of B'nai B'rith. I consider the 25-page report too lengthy for insertion in its entirety, but I recommend the reading of it to any of my colleagues who are interested in international fairplay.

Israel is anxious to trade with Japan; they are a natural combination with Israel ready to supply such raw materials as phosphates, alkali, cement, diamonds, and so forth, in addition to varied foodstuffs.

Israel is an eager market for Japan's electrical and automotive goods, finished and knocked down machinery and consumer products.

Israel had also negotiated with the Kawasaki Dockyard Co., of Kobe, to build for its merchant fleet a 100,000-ton oil tanker. In a letter to Zim Israel Navigation Co., the prospective purchaser, the Japanese builder stated:

> One of the Kawasaki Group Company has a business transaction with the U.A.R. which fact was not made known to us at the time of our early negotiation with you for this deal.
>
> However, this fact has been recently put before us at a consultation meeting of the Kawasaki Group and at that meeting the said company has strongly made his appeal to us that we discontinue this particular business for Israel.
>
> Under the above circumstances, we, all of a sudden, are compelled to put forward this declination to you with a thousand pities and this matter will trouble our conscience for your very kind assistance made in negotiating this deal to date.
>
> Please understand our position and accept our deep apology for this unhappy situation.
>
> Taking this opportunity, we wish to add that this action has no bearing with the Japanese government and we never received their instruction nor suggestion and the decision made by us is purely based on our discretion.

Mr. Speaker, there is a letter from the Shiba Electric Co., Ltd., of Tokyo, to an Israel importer who wished to buy closed circuit television.

The letter states simply that—

> To our regret, we wish to refrain from quoting the article, because our company have closely dealt with Arabic countries.

There are other letters as well.

Trade between the two nations is not completely nil, but it is descending to a point where it will be soon. In 1966, Israel exported $13.5 million in goods to Japan—but of this $12 million was diamonds alone. The remaining $1.5 million in other goods represents a decline from $5.7 million during the previous year.

The position of the Congress is quite clear. In a 1965 amendment to the export control bill of 1949, the Congress went on record as opposing "restrictive trade practices or boycotts by foreign countries against other countries friendly to the United States."

This is a classic example of what the Congress opposes.

It much be remembered that the United States is Japan's best customer. In 1966, the United States absorbed $2.969 billion worth of Japanese imports. The United States has a unbalanced trade with Japan, with Japan getting the advantage; and this advantage is growing annually.

I think the time has come for the Congress of the United States, for the people of the United States, and the businessmen of the United States to tell the Government and industrialists of Japan that we mean what we say and we say what we mean.

STEEL IMPORT CONTROLS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. DULSKI. Mr. Speaker, the Committee on Ways and Means began hearings today on the important issue of the balance of trade between the United States and foreign nations.

These hearings, according to the committee, will be comprehensive and will consider the whole pattern of tariff and trade proposals which have been made over recent months.

Included is the very important issue of the increasing influx of foreign steel into the United States.

I introduced legislation—H.R. 14295—last fall to provide for orderly trade in iron ore, iron, and steel mill products. This measure has wide support, as evidenced by the large amount of mail which I have received before and since I sponsored the legislation.

Two weeks ago, the Lackawanna Chamber of Commerce adopted the following resolution which refers to H.R. 13543. I also cosponsored that measure,

but my H.R. 14295 represents a refinement of the earlier bill.

The resolution referred to follows:

LACKAWANNA RESOLUTION

Whereas the Lackawanna Chamber of Commerce is a businessman's organization in the Steel City of the Great Lakes—Lackawanna, New York; and

Whereas the commercial health of our community is directly dependent upon full employment of our citizens, many of whom are employed at the Bethlehem Steel Corporation's Lackawanna Plant, situated within our Corporate limits; and

Whereas the Lackawanna Chamber of Commerce Board of Directors are convinced that the rapidly increasing use of foreign made steel in this country is becoming a depressant to needed improvements and expansion of our domestic steel industry; and

Whereas the unchecked increase, in future years, of foreign steel imports may well decrease the demand for domestic steel and thereby reduce the employment of American labor in American steel mills

Now therefore be it resolved, That the Lackawanna Chamber of Commerce Board of Directors petition the New York State Senators and the area Congressmen to move and pass S. 2537 and H.R. 13543 respectively and that a copy of this resolution be furnished each legislator signifying the very strong feelings of the petitioners.

Unanimously adopted at a meeting of the Lackawanna Chamber of Commerce held May 22, 1968.

MODERNIZING MEDICAL CARE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. ROSENTHAL. Mr. Speaker, I was honored twice during May with invitations to address groups of doctors and medical educators.

Although each meeting was devoted, in part, to the new advances in the technology of medical education, I chose to consider some of the broader issues of medical care and the responsibilities of the medical schools for changing our medical care system.

Because these speeches aroused strong feelings about our medical care system—I am still answering letters of praise and criticism about them—I am including the texts which I hope will interest my colleagues as we prepare to face the difficult task of the proper Federal response to the serious shortcomings in our medical care system.

SPEECH BEFORE THE AMERICAN FEDERATION FOR CLINICAL RESEARCH, ATLANTIC CITY, MAY 4, 1968

A layman should be reverent before the dramatic communications changes described today which may soon make medicine more efficient and more effective. But I'm not.

Medicine is for people and by people and it won't be improved from its present sorry state in this country until we do something about the people running it.

I am not proposing to shock you with a populist speech from your proper attention to the new electronics. But I do not think you should return to your universities and your medical schools without refreshing your human response to the unfair, discriminatory and over-rated system of American medicine which so awkwardly today faces its responsibilities to a society to which it is so essentially alien.

I talk to many people, and listen to even more, about your profession and its practice. I find no one who is happy with it and few who even make a good defense of it.

I'm not speaking of the poor, the ignorant, and victims of discrimination. They never had any happy experience with doctors. I am speaking of representatives of the middle class, whom I represent in Congress and whom you serve, directly or indirectly.

Americans have been educated to accept their doctors and their medical services as the best in the world. Obvious discrepancies between this institutional advertising and one's personal experiences were usually dismissed as exceptions. There was until recently an isolation from comparisons with other countries which is now shattered by the frequency with which doctors themselves discuss our persistently inferior ratings in the crucial health indices: infant mortality, maternal mortality, and life expectancy.

America ranks 21st among nations in life expectancy at birth for males. We are behind such nations as Malta, France and Spain, and significantly farther behind such medically-advanced countries as Denmark, Netherlands, and Sweden.

Our infant mortality rate is 18th among countries reported by the World Health Organization. Statistically, we could save over 40,000 young lives a year if we matched the health record of the Netherlands.

These national averages, by their statistical nature, smother an even more damaging indictment: our medical services for the poor, for the Negro, and for the rural residents are much *below* these mediocre national averages.

These great social and geographical disparities mean that metropolitan middle-class residents, disturbed and annoyed by overcrowded waiting rooms, delayed medical appointments, assembly line examining and diagnosis techniques and treatment are relatively *well-off* compared to the simple lack of doctors and basic medical facilities endured by the urban poor and by almost any rural residential group.

The President's National Advisory Commission on Rural Poverty just reported that "We have failed miserably to protect the health of low-income people in rural areas. The health service they get is not only inadequate in extent but seriously deficient in quality. It is badly organized, under-financed, rarely related to the needs of the individual or the family".

That commission's jurisdiction was limited to the rural poor; its comment on your profession applies here to a far wider group.

For among non-whites throughout the country, the picture is indeed bleak. Maternal mortality, related directly, of course, to pre-natal care, is *four* times as high for non-whites as for whites. Infant mortality is an equally dismal prospect for black babies. Over 40 out of every 1000 non-white babies dies before the age of 12 months, compared to about 21 white infants.

How does the richest nation in the history of the world tolerate these conditions? The Medical Establishment, represented by the private practice of doctor-oriented medicine and walking hand-in-hand with the research-oriented federal government, is only somewhat and sometimes concerned about these problems.

President Milford O. Rouse, of the American Medical Association, said at his inauguration last June:

"We are faced with many problems and many challenges. We are faced with the concept of health care as a right rather than a privilege.

"Several major steps have already been taken by the federal government in providing health and medical care for large segments of the population. Other steps have been proposed. These we must continue to oppose.

"What is our philosophy? It is the faith in private enterprise. We can, therefore, concentrate our attention on the single obligation to protect the American way of life. That way can be described in one word: Capitalism."

He concluded, "The United States (has) a quality of health care unsurpassed anywhere."

Private enterprise, in Dr. Rouse's context, suggests health service should center around the private practitioner of medicine. I believe that health service must be oriented to the patient. Our criteria of good medical services should be not the self-defensive statements of the AMA President, but the accepted medical indices, like infant and maternal mortality and life expectancy. And when these indices show serious deficiencies of medical care, as they unquestionably do now, the answer is not "more of the same," but rather a complete and thoughtful evaluation of our national medical services.

It is in this context that I see, with many distinguished doctors and medical enducators, a crisis in America's medical services. And it will not do to dismiss Dr. Rouse as an atypical American doctor. I am really not concerned about Dr. Rouse but only about the climate in American medicine which produces him. One does not become President of the AMA without reflecting accurately the convictions of many of its 215,000 members.

If we admit that the situation in medical services is serious today, how prepared are you men, who will lead academic medicine for the next 20 or 30 years, to revise the present system?

Are you ready, for example, to admit that much of the private practitioner's time today is wasted, whether measured in terms of directing his attention to those really needing his skilled services within his middle class practice or by the standards of infant and maternal mortality I have mentioned, which show that the poor and the ignorant simply fail, by the system you work in and reinforce, to get the minimum medical care they deserve?

American medicine is today a middle class service institution run by well-to-do doctors for their own convenience and profit. This is a minority view, which is certainly not typical of my Congressional colleagues, but it will become more prevalent in the future.

To see these problems from a different perspective, imagine a discussion two hundred years ago about the state of American education.

Imagine a system of education characterized by private teachers, working for fee-for-service, in their own offices and other purely private institutions.

Imagine: little interest or activity by the government directed to improving the education system.

Imagine: no credence for the belief that education is not only a right of the citizen but a primary responsibility of government.

And, finally, imagine: grossly inadequate performance of the educational system, as indicated by wide illiteracy, ignorance of public issues, and governmental distrust of public opinion.

Mid-eighteenth century America was actually like this. Change medicine for education, and this sketch becomes an accurate view of how 20th Century America practices private medicine.

What then happened to private education in America? Well, it still exists at some of your schools and at a relatively few primary and secondary schools, but the last 200 years has seen the construction of the American public education system.

Do you think private teachers in America in 1768 could imagine public schools as a right? Can doctors today imagine public medical care as a right? My guess is that

American medicine will undergo a change as fundamental as that experienced by American education. It will take about 20 years.

How can you—the leaders of academic medicine—accept this challenge and prepare a proper response? How can Congress and the rest of the federal government anticipate this change, encourage its development, and yet retain the essential nature of medicine as a system for the best exercise of those essentially personal judgments, made in privacy, of humans about the health needs of other humans?

I suggest that one important goal for your medical schools is to take *more* responsibility for revising the medical educational system than you have ever been inclined to take.

How well are you and your schools prepared to train new kinds of doctors and new kinds of doctors assistants? How important is preventive medicine in your schools today? How many of you have worked to free your colleagues who are pediatricians or obstetricians or orthopedists from the drugery of their work which takes so much of their time, uses so little of their training, and wastes so much of their medical talents?

You are all aware of the work of Drs. Stead in Duke University and Niebauer in San Francisco and Lewis in Kansas City. Each of these medical educators is trying, in different ways, to train medical assistants to remove some of this drugery.

Each of them is 20 years *behind* his time in this training compared to other countries. By present rates of progress, these men are 20 years *ahead* of your own interest in paramedical personnel.

Each of these is trying to answer the questions:

"Do you need a doctor to take your blood pressure?"

"Can a bright college graduate be taught to take a complete medical history and to give a thorough physical examination?"

"What happens to the medical knowledge of an Army 'medic' when he is discharged?"

These and other similar questions raise one of the most striking questions in American medicine today: How much medical talent are we wasting?

To put the problem in terms of the doctors themselves, let's ask—Is it sensible to train a pediatrician for four years in college, four years in medical school and four years graduate medical training, and then use him for tasks a good junior college graduate can do?

Dr. Bergman's study[1] in the State of Washington showed that pediatricians, especially for the middle and upper classes, have become the "arbiter in the American scene of such things as infant feeding, clothing, elimination, child-rearing practices and the differential diagnosis and treatment of common infectious diseases."

The authors of this study noted that "pediatricians spend most of their time dealing with children who are not ill or have only minor illnesses and who, they may feel, do not require their special talents". The result is intellectual disenchantment, a well-known and serious problem for pediatricians.

We have tens of thousands of babies dying each year because their mothers had poor care or no medical care at all before delivery. Yet, nearby, we have pediatricians serving the middle class who are bored with their work because it could be done by others with much less training.

I am well aware of the problems we face in creating new assistants for today's physician. These problems can be grouped as follows:

I. Acceptance by doctors.

II. Acceptance by patients.

III. Accreditation and licensing.

IV. Training facilities and methods.

V. Federal encouragement.

Dr. Joseph Stokes, a former dean of the University of California Medical School, has proposed a new graduate degree of "Medical Practice" to prepare one kind of physicians assistant. With four years of post-college medical training (including a one year "apprenticeship" instead of three-five years post-graduate training required for doctors presently), this Medical Practitioner could work principally on salary, either in a hospital or a doctor's office. He would earn more than nurses ($12,000 to $15,000) but less than doctors. He "would actually spend 75 to 80 percent of his time performing services now performed by physicians (routine physical examinations, well-child care, operating room assistance and normal deliveries of babies) while 20 to 25 percent of his time would go to carry out tasks now done by certain nurses".[2]

On patient acceptance, Dr. Stokes concludes:

"Success or failure for such a program would almost certainly rest with the public. It is clear that society is not willing to accept anything but the best where health is concerned. As customers we may be willing to deal with a salesgirl rather than with the department store manager when buying stockings, but for any illness we have thought it best to start at the top. In reality, medical care has much in common with service industries. Each need of each patient should seek its own level of competence. The physician should be allowed to restrict his personal involvement to that for which his superb training uniquely qualifies him. Only in this way will he be able to assume the team leadership role which, as yet, he has been neither willing nor able to accept."

To succeed, a new "Medical Practice" degree would need the following send off:

(1) Agreement by 4-6 medical schools on a curriculum, entrance requirements and simultaneous starting dates.

(2) Accreditation and licensing of the first graduates of these schools in some major populous states—like New York, California, Pennsylvania, Illinois, Ohio, Michigan, etc.

(3) Clear understanding by all—including licensing authorities—that practitioners will work within professional guidelines established by physicians who remain legally and in the public's view, as "the ultimate agent of society".

In each of these steps, the medical educators will play a crucial role.

One problem today is that no one knows how to train a physician's assistant. No one knew 30 years ago how to train a television technician either. We need more pilot programs of the kind Duke University and a few other institutions are attempting.

Yet the Duke program[3] was financed by a private foundation, partly because neither state nor federal funds were available for a non-degree program but also because there is considerable opposition among the conservative doctors which state and federal agencies deal with on many other medical programs and who are strongly opposed to Dr. Stead's experiment.

Another interesting pilot program for doctor's assistants was carried out in Kansas City using nurses who were given greater responsibilities for patient care.[4]

This program was significant particularly because it focused on patient acceptance of a doctor-substitute.

Clinical patients were divided into two groups—control and experimental. The control group continued to see doctors in the medical clinic. The experimental group saw nurses as the primary source of medical care. All patients were adults with chronic illnesses.

No special training was given the nurses who were, however, willing and very able volunteers for the program.

Here is the striking result of a survey of patient attitudes before and after the 12 month program:

"The majority of patients, at the start, held rather strong opinions about having physicians perform most of the functions associated with medical care . . . patients had many complaints and made frequent use of clinic facilities.

" . . a year later retesting of the control group revealed no changes. In the experimental group several significant changes were evident. The nurse was accepted as a primary source of care. There was increased adherence to appointed schedules and better utilization of time . . . The overall cost of the program was lower. The experimental group shifted their preference in favor of the nurse as a provider of many of the services formerly reserved for the physician. The quality of care and patient satisfaction with care were high in the experimental group."[5]

Imagine how much better clinical care could be given by specially trained physician's assistants with the credentials, experience, and pride of other professions.

The desperate shortage of health manpower, and the need for new approaches to the traditional medical team, renders these few pilot programs inexcusably inadequate.

And the blame can be divided between the federal government and the medical profession. In any group of human beings most will prefer the status quo. Any disruption of the comfortable complacent and self-justifying present is dangerous.

Most doctors *don't* think they need a new kind of assistant. Most can not imagine a non-doctor doing things *they* now do. But a few "heroes" arise in any group of 200,000 members. And the medical profession has produced, in these pilot plans, and in the "maverick" medical organization, its share of heroes.

The sad chapter of this story is the lack of response by the federal government to these pleas for change.

The federal government has never been a leader in social legislation either within the American context, or compared to other countries. Congress particularly tends to respond with new social legislation only when a problem in health or welfare or education is clearly defined and only after private, local and state alternative actions are demonstrably insufficient.

The same pattern is true in the federal response to training physician's assistants. No one knows how far we could have come today if the Executive Branch had lead in a thorough exploration of the whole field of health care, and particularly in freeing the present system from almost exclusive dependency on an underpowered and inefficient use of an inadequate number of doctors.

Today, the Steads, and the Niebauers and the Stokes of American medicine are still finding their way with foundation money, half-hearted federal support, and general skepticism of their medical colleagues.

The federal response, as might be expected, is at least as far behind these leaders as you are. The federal record in stimulating innovation in medical care is a sorry one.

I am working, in those limited ways available to a single Congressman, to hurry this response. You could make an even larger contribution by showing the federal government that you are ready and willing to follow the leaders in the medical schools and not those in the American Medical Association.

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[1] "Time-Motion Study of Practicing Pediatricians", *Pediatrics*, August, 1966.

[2] "A New Profession Within Medicine?", *Saturday Review*, December 3, 1966.

[3] "The Duke Plan for Physician's Assistants", by Dr. Eugene A. Stead, Jr., *Medical Times*, January 1967.

[4] "Nurse, Clinics, and Ambulatory Patient Care", by Charles E. Lewis, M.D., and Barbara A. Resnik, R.N., *New England Journal of Medicine*, December 7, 1967.

[5] Lewis, Resnik, *op. cit.*

You can demonstrate, specifically, that physician's assistants should be training today in the medical schools of this country. The medical schools have the knowledge, the faculty and the prestige necessary to commit to the difficult task of deciding which specialties can benefit first and most from physician's assistants.

You have the influence over state accrediting and licensing authorities necessary to get physician's assistants accepted. And you have the knowledge to know where and how, and with what limits, these assistants could be used.

Let me close by saying that Congress *is* becoming aware of the relation between poverty and medical care. We hear more often from doctors, among others, that the sick get poorer and the poor, sicker. With the present momentum behind our belated commitment to the poor, we could not ignore even if we wanted to, the medical needs of America's forgotten man—the poor, black who causes no riots, who commits no crime, whose only desires are a decent home, a meaningful job, and education to perform it properly.

This forgotten man has been remembered today.

When Shakespeare wrote:

"The miserable have no other medicine. But only hope," he wrote for us.

Let us fulfill that hope together.

KEYNOTE ADDRESS BEFORE THE HARTFORD FOUNDATION CONFERENCE ON MEDIA RESEARCH AND MEDICAL TEACHING, N.Y.U. SCHOOL OF MEDICINE, MAY 16, 1968

Medical communication is our theme today. We have seen and heard of many coming marvels of technology, most of which I'll never understand. But I want to talk to you, not about the new technology but about a much older and much more difficult problem of communications:

How does one group in society tell its story and its problem to the public without demeaning its cause or forsaking its integrity? How, specifically, can the medical profession, including its educators, tell the country how desperately serious are today's problems of sustaining and expanding medical education?

After some six years in Congress, you can be sure I am not easily shocked by anything. But I am genuinely and deeply shocked by the possibility that 12 to 15 of this country's medical schools may go out of business in a year or two from lack of funds.

I am shocked, and distressed, that a country that can give General Motors $20 Million extra to speed up rifle production cannot find a quarter of that amount to keep the have-not medical schools alive.

I am distressed that when Congress authorizes $90 million for institutional aid to medical schools, the Administration asks for only $76 million.

And I am as aware as you are, that the fiscal blackmail which may force further budget reductions in order to pass a tax increase, may well fall again on this scanty $76 million for institutional grants.

But more than exposing our deficiencies in Washington, which I am sure are well known to all of you, I'd like to consider yours also.

I would like to know why, for example, the medical educators have not realistically appraised the problem of the dozen financially weak medical schools, and said: Lets meet and plan a program to communicate this problem to the country. Let us set an example of honesty by listing these have-not schools, by explaining how they got that way, and what we see as solutions.

This is not a difficult story to tell. And, more important, it is not a one-sided story of Federal righteousness, on one side, and educational mismanagement, on the other. Rather, the poorest dozen medical schools, who are in real danger of collapse without emergency resuscitation, got that way during a decade when the Federal government was raising its medical research budget from $400 million to $1.4 billion each year. Much of this money went to the medical schools and some of it goes to the very schools which reel closer and closer to disaster.

But this money, as you well know, does not make a medical school rich. In fact, Federal research funds *cost* a school part of its own budget in most cases. So the rich schools became poorer, and the poor ones became poorer, but the rich ones survive, because of endowments and wealthy alumni.

You could tell this story better than I, but you haven't done it. You could name a dozen have-not medical schools today. So could I.

Together we could, and should, direct the attention of my colleagues in Congress and yours in these needy medical schools to these facts:

If we lose one of these medical schools—and we may well lose more than one—it will cost $40–$50 million in start-up costs for a replacement medical school. It will cost about $2.5 million each year for that new school just for minimum operating costs. And it will be ten years, and $75 million later, before the first graduates of that school go into practice.

Meanwhile, during that planning and start up period which takes a decade, one thousand doctors will never be graduated from the school that died. And the 800,000 people they would serve will either go without medical care or become a burden on the limited number of doctors we have.

This is a decade when we finally begin to realize that our medical care system is over-rated, discriminatory and unfair in many ways. Yet we stand unprepared and unorganized to prevent the loss of a dozen over worked medical schools and it is these schools, and you, the educators, who must give us both the answers to our medical care problems and the health manpower to apply them.

I have been critical of our medical care system. I think we must all reexamine many of the premises of today's care system: the sanctity of the private practice of medicine, the devotion to fee-for-service compensation, the reluctance to direct medical services except by the narrower economics of supply and demand, and the live-if-you-can medical treatment given the poor, the ignorant and the Negro.

But I am ready to translate this indictment of shortcomings into support for the efforts the medical school make to save their sister institutions. I am ready to help save the system in order to improve it.

I am ready to help educate my colleagues in Congress and my constituents in this City with these facts:

For what we spend on one fighter-bomber, lost over Vietnam, we can sustain the hard-core of the have-not medical schools.

For the $2.3 million health program in Laos sponsored by our foreign aid program, we could keep five of *our* medical schools alive for a year.

And for the $761,000 we spend on contraceptives in Thailand's share of our foreign medical aid, we could keep Creighton and New York Medical College going for another school year.

How does the richest nation in this world tolerate this situation? The same way we tolerate the poor around us and the crumbling cities in which we live.

Beyond the emergency programs we need during this Congress for the Meharry's and the Marquettes, we need a vastly increased Federal program to create new medical schools and to staff them with new teachers of science and clinical skills.

These new medical schools need not require completely new building complexes for our medical schools have an average of over three hospital affiliations each. At least 50 of the over 300 teaching hospitals can be detached from their present affiliations to serve as nuclei of new medical schools.

In addition, if every existing medical school expanded its enrollment by five percent we would have almost 400 additional medical graduates a year—the output of nearly four average medical schools. Such expansion involves a minimum of new construction funds and a much faster way of making new doctors.

We must also increase the number of teaching hospitals to bring the benefits of university medical standards to the widest number of our citizens. There is no reason why medical schools cannot extend their affiliation to hospitals hundreds of miles away, considering the ease of transportation and communication today. This radiation of medical competence and performance must be accelerated by expanded federal assistance programs to both the medical schools and to upgrade their potential teaching hospitals.

I have proposed basic science faculty fellowships and clinical teaching grants to staff the new medical schools and to expand enrollment at existing schools.

The present research support of medical college personnel by the federal government is helping to creat *research* faculty members for tomorrow's medical schools. We must also provide an increased flow of *clinical teachers* of medicine if we are to insure quality medical education for the new and existing schools. To do this, we should encourage specialists on the staffs of leading voluntary institutions to teach medical students in the crucial clinical third and fourth years of medical education.

The total cost of a clinical grant program would be about $60 million a year. It would provide 1,000 clinical instructors, 1,000 part-time clinical teachers, and 1,000 full-time clinical teachers.

Basic Science Faculty Fellowships would help create the 4,000 additional MD's and PhD's needed to teach in the new medical schools. Five hundred of these teaching candidates would enter the fellowship program each year under full federal grants. Acceptance of the fellowship would pledge the fellows to serve as basic science teachers in a medical school for a specified period following their training.

Another important area to be explored is the creation of new types of health professionals.

There is considerable ferment in the medical profession concerning a new class of doctors' assistants who can relieve them of much of the burden of routine tasks. They would work under close superivsion of physicans. Several exciting experiments in training and using such workers have already been conducted with very impressive results.

The federal government, which should lead in encouraging such imaginative uses of new health workers has done just the opposite. It has answered calls for imagination with inertia. For fear of opposition among organized medicine, it has felt safer in doing nothing. For lack of clear legislative mandate, it turns away medicine's own plans to explore the new health assistants.

Communications technology has vast import in manpower training. Media such as films, videotapes, and television systems and computers can vastly extend the didactic output of the single academician . . . immensely relevant when one considers that in 1967 the ratio between teacher and clinical medical student had become 1.2 teachers for every student. This is an unaffordable luxury.

But the broader communications between doctor and the public, between medicine and the Federal government, and between the medical schools and the Congressmen who

represent these schools in their districts, remain my principal concern today.

Fifteen Congressmen, on the floor of the House of Representatives, could explain easily . . . more easily than I have attempted to do . . . how the death of their medical schools will affect their communities. The rest of us can explain and amplify the national concern.

The pork-barrel is always in poor repute. But the Congress continues to respond to the concern of a Congressman about his district. My concern is that these Congressmen don't know the real danger and therefore can't respond properly to it.

My message to you today is that unless the Congress leads in the reconsideration of medical school support, and unless it does it soon, we may be talking here next year about how we can *replace* the darkened schools.

I do not want to make that speech next year.

THEATER FOR THE FORGOTTEN—A CONSTRUCTIVE PROGRAM

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. KUPFERMAN. Mr. Speaker, the Theater for the Forgotten, an organization located in my district, seems to be the only program in the country providing professional entertainment for prisoners and also the opportunity, by participation, for constructive rehabilitative involvement.

My colleagues who have supported the program for the arts and humanities because of its great potential for the cultural life of this country, will recognize that those who are incarcerated will hunger all the more for the opportunity to view a theater program and partake in such a performance. The therapy involved can be of great benefit in helping to restore the individuals involved for return to society.

I have asked Barry H. Garfinkel, Esq., of Skadden, Arps, Slate, Meagher & Flom, Esqs., in my district, to prepare a short statement about this endeavor which is financed by tax-deductible public contributions.

I know my colleagues will be interested in this, as well as in the New York Times' coverage, one of the many newspaper references to Theater for the Forgotten, and the laudatory letter from New York City Commissioner of Correction George F. McGrath:

THEATER FOR THE FORGOTTEN

HISTORY

Theatre for the Forgotten is a 1967, New York State chartered non-profit corporation. Endorsed by New York City and State correction officials, the project has been supported by individual contributions and grants from the J. M. Kaplan Fund and the New York Foundation. The City has provided the 15-member company with a temporary rehearsal building at a rental of $1 a month. Actors' Equity Association has allowed Theatre for the Forgotten to use professional performers without compensating them.

Productions have been brought to Riker's Island, Hart's Island, the Bronx House of Detention for Men and the Women's House of Detention. Although the basic company is composed of professional performers and technicians, prisoners are used also. This is the only program in the country providing both professional entertainment to the prisoners and the opportunity for constructive rehabilitative involvement. During the past season, Theatre for the Forgotten performed to approximately 6,000 prisoners. One hundred inmates of Riker's Island and the Women's House of Detention actively participated as actors and technicians.

Plays presented include:

"Hello Out There"—Saroyan.

"Lou Gehrig Did Not Die of Cancer"—Jason Miller.

"The Advocate"—Robert Noah.

"The Case of the Crushed Petunias"—Tennessee Williams.

"Here We Are"—Dorothy Parker.

"Impromptu"—Tad Mosel.

"The Shewing-Up of Blanco Posnet"—Shaw.

PURPOSE OF EXPANDED PROGRAM

To provide paid employment for ex-convicts and a means to reinforce the rehabilitative study program by creating a "bridge to society";

To stimulate the use of theatre as a rehabilitative tool and encourage the development of prison drama groups;

To increase touring capacities and reach statewide prison audiences.

THE PROGRAM

Theatre for the Forgotten is an important cultural enrichment program for the prisons. It provides audiences with an excellent source of professional entertainment; it allows interested prisoners to explore their own potential and receive training. The skills and disciplines acquired by the better motivated prisoners may lead to career opportunities and advancement in theatre and related fields.

APPRENTICE PROJECT

An apprentice program for ex-convicts would allow them to continue their studies, while being salaried. Two former prisoners, introduced to Theatre for the Forgotten through the Riker's Island program, have been working with the company as volunteers, since their release.

The project bridges their return to society by providing a positive alternative to a return to former patterns of behavior and unsatisfactory relationships. Working as apprentices they would serve as actors, technicians, designers and administrative assistants. Learning by working, they would become professional.

RIKER'S ISLAND RESIDENT COMPANY

Prison officials have indicated that a permanent professional company at Riker's Island is needed. The communication between prisoners and Theatre for the Forgotten staff members enables the company to effectively teach and personally influence the prisoners.

The company of seven (a Director, Stage Manager, Lighting Designer, Scenic Designer and three Actors) would work with 100 prisoners in workshop and production to provide a constructive, therapeutic study program for the enrollees and entertainment for an audience of 3,500. The most promising, and interested, of the students would be referred to the Apprentice Project after their release.

EXPANDED TOURING PROGRAM

Funding would enable Theatre for the Forgotten to salary the artists and technicians participating in the program. The company have had to support themselves and the project by working at other jobs. Consequently, rehearsals, performances, and the teaching of prisoners, have been sandwiched into limited time periods.

A company of seven professions and five apprentices would prepare a new production every six weeks and return regularly to all participating institutions. The program in New York City could be expanded to include residences sponsored by the New York State Division for Youth and the State Narcotics Control Commission. They would also act as consultants to the prisons so that they could institute their own resident work-study programs.

PROJECTED PROGRAM

1968–69 season

Apprentice Project—Five paid Apprentices working full-time with the professional touring company in workshop and on productions.

Riker's Island Resident Company—Seven full-time artists and technicians working in workshop and on productions with only Riker's Island inmates.

Touring Company—A new production would be mounted every six weeks to be toured in the New York City prisons, Narcotics and Division for Youth centers: the company would also perform at Riker's Island.

In addition to the in-prison tours, the apprentices and professionals could make public presentations. The sale of tickets at these performances would help support the project, as well as educate the public to the value of the program.

1969–70 season

Apprentice Project—Five new apprentices would be added to the program.

Riker's Island Resident Company—Expansion of the project as determined by the prison and company needs.

Touring Company—Two companies would be formed made up of the professionals and the experienced apprentices.

The Tour would be expanded to include prisons throughout New York State.

Budgets (One Year)

Administrative budget	$29,510
Apprentice project/one touring company	92,725
Riker's Island resident company	60,381
Total	182,616

[From the New York Times, Oct. 15, 1967]

RIKERS' INMATES TURN INTO ACTORS—PLAY AGAINST INJUSTICE IS PERFORMED BY PRISONERS

(By J. Anthony Lukas)

When the lights went on after the first act of "The Advocate" Monday night, a heavyset man in the first row rose quickly and lumbered backstage to examine a ring of keys used to unlock Bartolomeo Vanzetti's cell.

"Theatrical realism is fine," said Jim Thomas, "but those keys looked a little too real."

Mr. Thomas' concern was understandable. He is the warden of the New York City Correctional Institution for Men and the play was being presented in the institution's auditorium on Rikers Island. The man who played Vanzetti's guard—like 22 of the other actors—was a prisoner.

The play, presented at the prison Monday through Friday, made both theatrical and penal history: this is believed to be the first time professional actor and prisoners had combined efforts in a theatrical production.

From City Correction Commissioner George F. McGrath, who authorized the unusual venture, down to the guards and prisoners on Rikers Island, everyone associated with the project was eager to see that nothing went wrong.

ONE WATCH STOLEN

Except for a stop watch stolen from the prop manager's cupboard, a sprained ankle suffered by the stage manager when his foot caught under a piece of scenery and a power failure on Wednesday, nothing did go wrong. In fact, things went so well that prison officials have invited the producers to return again soon for another production.

The producers are the Theatre for the Forgotten, Inc., a group of young professional actors who got together last spring to tour penal institutions.

Its first productions—a pair of one-act plays—were presented last June at Rikers Island and at the Women's House of Detention. But in both cases the cast and the production crew were fully professional.

The reaction at Rikers Island, where many of the prisoners had never seen a play before, was so enthusiastic that the producers decided to try involving the prisoners in their next production.

Moreover, they chose a play with which the prisoners could identify but which was hardly calculated to enchant prison authorities: "The Advocate," a play by Robert Noah about the Sacco-Vanzetti trial of the twenties.

The play argues that Bartolomeo Vanzetti, a shoemaker, and Nicola Sacco, a fish peddler, were not guilty of the South Braintree payroll robbery and murder for which they were executed in 1927 and that their conviction and execution resulted largely from prejudice against them as anarchists.

Commissioner McGrath, who attended Monday's performance, said he had not wasted much thought about this.

"I realized that the prisoners might tend to sympathize with Sacco and Vanzetti and therefore be critical of the system which sent them to their deaths, but that's perfectly O.K. We all know that there are injustices. They're thinking people and they can make up their minds."

The audience at Monday night's performance—about 600 adolescents (16 to 21) from the Rikers Island Reformatory—clearly did sympathize with the prisoners. They cheered when Sacco, as played by one of the group's founders, Akila Couloumbis, spat at his guard.

When Sacco and Vanzetti's lawyer asked: "Do they have to trace their ancestry back to the God damned Mayflower?", the prisoners cheered and laughed and one Negro boy chortled with glee "the God Damned Mayflower!"

Steve R., a tall, quiet prisoner, said, "some parts of it I didn't like. Like that scene where the lawyer accused the Italian fellow of lying. I don't like my lawyer to call me a liar. I want him to believe me and then decide what he wants to tell the court. He shouldn't call me a liar."

However, the greatest impact has been made on the 23 inmate-actors and the roughly equal number of inmate-stage hands.

Originally, there were only a few parts that could have been assigned to prisoners but John Sillings, the director; Mr. Coloumbis, a 35-year-old actor and part-time taxi driver, and the co-founder, a 28-year-old actress named Beverley Rich wrote about 23 extra parts into the play—extra guards, wardens, newspaper reporters, spectators—so all the inmates who wanted to act could do so.

OFFICE OF THE
COMMISSIONER OF CORRECTION,
New York, N.Y., March 12, 1968.

Mr. AKILA COULOUMBIS,
President, Theater for the Forgotten,
New York, N.Y.

DEAR MR. COULOUMBIS: On behalf of the New York City Department of Correction, may I again express our profound gratitude to you and your fellow members of the Theater for the Forgotten for the excellent volunteer dramatic productions presented in our various correctional institutions this season.

Especially germane to our aims in Correctional Rehabilitation has been the involvement of inmates in the various preparatory, technical, and performance phases of the repertory theater sponsored by your Theater for the Forgotten Workshop. We especially appreciate your generous contributions of time and talent in thus encouraging active participation of our prisoners in your fine presentations of superior dramatic works.

Your plays have brought great enjoyment to both Staff and inmates. For the latter, however, perhaps the greatest enjoyment lies in the thought that, by bringing this bit of the outside community to them inside the prison walls, you demonstrate that after all they are not forgotten. Please also extend my personal thanks to the Vice-President of your organization, Miss Beverly Rich, for her untiring creative efforts on behalf of this project, and to each individual member of your versatile company of actors, writers, directors, and lighting and stage technicians.

With every good wish for your continued success.

Sincerely yours,
GEORGE F. MCGRATH,
Commissioner.

ONLY 14 MORE DAYS TO GO

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. ASHBROOK. Mr. Speaker, in the CONGRESSIONAL RECORD of June 3, I inserted remarks concerning the issue of the mutilation of documents in the now famous Otto Otepka case. Briefly, the State Department accused Otepka of mutilating various documents which is a Federal offense under title 18, United States Code, section 2071. Otepka denied the charge and sought to have this issue aired before the Civil Service Commission with a view to exposing the actual perpetrators. The Commission ruled that only the first three charges made by State against Otepka—these did not include the mutilation charges—would be subject to review by CSC.

It is indeed ironic that the mutilation offense has been allowed to go unresolved for almost 5 years now. In fact, June 18 of this month, as I understand the case, will mark the end of 5 years, within which time the violators can be prosecuted. After this date, the 5-year statute of limitations will have expired and those responsible can no longer be tried. Only 14 more days to go.

From my acquaintance with the mutilation aspects of the Otepka case, all evidence points to a complete fraud on the part of State Department officials. The FBI was called in on the case in July 1963, and if the evidence pointed to Otepka as the offender, why were not charges referred to the Justice Department for prosecution? Why were these charge dropped just before the hearings got underway in late 1967, when Otepka would have an opportunity to question certain persons who were close to the case? Why is Otepka so anxious to fumigate this whole issue by means of an investigation?

Is it any wonder that hundreds of editorials and articles throughout the country have been written protesting the State Department role in this case. The Cincinnati Enquirer on May 28 ran an editorial which, I think, is typical of the resentment which has been generated by the Otepka case. I insert the editorial, "The Otepka Drama Thickens," in the RECORD at this point:

[From the Cincinnati Enquirer, May 28, 1968]

THE OTEPKA DRAMA THICKENS

One of these years, it is devoutly to be hoped, the public of the United States will be able to follow the ugly tracery of the State Department's seeming vendetta against one of its top security officers—Otto F. Otepka.

We say "years," because years it may be. The Civil Service Commission has just upheld the demotion of Mr. Otepka to a sort of card-shuffling routine job that was, quite frankly, given him to prevent his great talent as a security officer from being put to good use.

At the present time, it is just about as difficult for Communists to get into the United States as it is for salmon to go back to the headwaters of the Columbia River—and a fish ladder was built alongside the dam for their special convenience.

Mr Otepka's talent was rated very high in Washington until he began to inquire into the procedure of giving automatic clearance on an emergency or temporary basis to State Department personnel and others. It was his suggestion that such people should be checked later, as a matter of security, that started his downfall. When it was demonstrated that one of the opponents of a recheck was doing a bit of lying, the old State Department esprit de corps was challenged—and Mr. Otepka took it on the chin. The Senate Internal Security Subcommittee talked to Mr. Otepka (who said "Hello" first is really immaterial) and that did it. He was suspended and relieved of his duties, for "giving security information" to this high senatorial committee.

Later he was fired, then rehired in an obscure administrative job. He appealed, and the Civil Service Committee has just confirmed the demotion. He now may appeal his case to the commission's Board of Appeals and Review.

The record has to be straightened out by this or a subsequent administration. From the outset of the matter, the State Department's attitude on the security matter has been very redolent of the old joke: "Ain't nobody here but us chickens."

WAR PROMOTED BY U.N. IMPERIALISTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. RARICK. Mr. Speaker, parroting the racist "antiwhite" line of the Red-black power bloc, the United Nations continues its revolutionary conspiracy to attack and blockade peaceful free nations that do not succumb to its power politicians—the U.N. feudal state of forced colonialism.

Sounding like the Kerner report, in this year of international human rights celebrations, the U.N. dictated a role of aggression to all countries to author and prosecute organizations "disseminating propaganda for nazism, the police of apartheid, and other forms of racial intolerance."

By its own resolve, the U.N. Economic and Social Council indicted itself. No organization in the world has proven more racist and Nazi dictator-like than the U.N. and its Red tribal leaders.

This must go down in history as a tremendous vote of confidence—a victory for Rhodesia and Prime Minister Ian Smith. They must present a nonviolent threat to the Bolshevik takeover apparatus.

And what did the representatives of our great U.S. Government do? We abstained.

There is only one thing worse than having no vote and that is having a vote but lacking the courage to cast it. Why should the United States remain in the U.N. if we are not going to participate or vote? Merely to pay dues?

And the poor British who introduced the resolution and then abstained in voting do not seem aware that these same Red-black fiends of the U.N. have already started the movement to overthrow the English language as a "racist" language. Anti-American—anti-English appears the fancy of the hour.

Under unanimous consent I submit the AP and UPI releases of May 30 and June 1 for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Atlanta Constitution, May 30, 1968]

U.N. BEGINS RHODESIA TRADE BAN

UNITED NATIONS (UPI).—The Security Council Wednesday night unanimously imposed a total trade ban on white minority-ruled Rhodesia. It was the first such step in United Nations history.

The 15-member council gave its backing to a compromise resolution imposing a complete trade embargo on Rhodesia with the exception of medicines, news material and educational materials.

The resolution recommends that governments discourage emigration to Rhodesia and close down any remaining consulates there.

NO INVESTING

It bans all investments in Rhodesia and payments to the Salisbury regime of Premier Ian Smith with the exception of humanitarian needs, such as pensions.

The 5½-page resolution was drawn up in weeks of behind-the-scenes talks between British Ambassador Lord Caradon and the five Afro-Asian members of the council.

It calls on governments to prevent their airlines from flying to Rhodesia or to link up with any other airline operating out of the southern Africa country that declared independence from Britain in November 1965. London never has recognized Smith's government.

The resolution calls for a ban on travel abroad by holders of Rhodesian passports, regardless of their date of issue. The ban was applicable especially to those persons suspected of promoting the cause of what the United Nations has termed the "illegal" regime of Smith.

DEMANDS DROPPED

The five Afro-Asian nations—Algeria, Ethiopia, India, Pakistan and Senegal—had dropped their long-standing demands for the use of force by Britain or the United Nations to topple Smith.

They also withdrew demands to have Portugal and South Africa singled out as the two main countries which had continued trading with Rhodesia despite the imposition of partial mandatory sanctions 18 months ago.

Despite the partial sanctions, Rhodesia claimed it was weathering the crackdown well, particularly with help from neighboring white-ruled South Africa's "open-door" policy.

[From the Baton Rouge (La.) Morning Advocate, June 1, 1968]

U.N. COUNCIL URGES ACTION AGAINST RACISM

UNITED NATIONS, N.Y. (AP).—The U.N. Economic and Social Council recommended Friday night that the General Assembly call upon all countries to outlaw and prosecute organizations "disseminating propaganda for Nazism, the policy of apartheid and other forms of racial intolerance."

The council acted by a vote of 25–0 with the United States and Britain abstaining. The action stemmed from a debate in the council's social committee in which speakers condemned South African apartheid, or racial segregation, and described the West German National Democratic Party as neo-Nazi. The party has denied such charges.

Ending its 25-day, 44th semiannual session, the council also recommended that the assembly adopt a resolution calling upon countries to break off all relations with South Africa and Rhodesia, Britain's former African colony ruled by a white minority government.

[From the Washington (D.C.) Evening Star, May 30, 1968]

U.N. COUNCIL VOTES TIGHT BAN ON RHODESIA

UNITED NATIONS (UPI).—Backers of a U.N. trade ban that would cripple the economy of white-ruled Rhodesia if enforced began today the formidable task of making it work.

The ban, approved yesterday by the Security Council, must win the support of a substantial number of national legislative bodies before it can have any effect on Rhodesia. Diplomatic observers said the support would be slow in coming from many nations, notably Portugal and South Africa.

The Security Council action calls for U.N. member nations to end all imports and exports with Rhodesia except for medicine, news and educational materials; to bar Rhodesian passport holders from their borders; to sever all air links with Rhodesia and to halt all investment in the Rhodesian economy.

The resolution, sponsored by Britain, and passed unanimously, calls on all members to report by Aug. 1, 1968, on what they have done about applying the ban.

Britain sought the worldwide boycott as a means of toppling the regime of Premier Ian Smith who declared his nation independent of British colonial rule in 1965.

The break came over British plans for giving Rhodesia's black majority control of the government and eventual independence.

THE 120TH ANNIVERSARY OF THE CHICAGO BOARD OF TRADE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. PUCINSKI. Mr. Speaker, the Continental Illinois National Bank & Trust Co. of Chicago has published an excellent advertisement recognizing the 120th anniversary of the Chicago Board of Trade.

This advertisement underscores a firm conviction, as stated by Mr. James D. Walsh, vice president of the Continental Illinois National Bank & Trust Co., that the entire agricultural economy of the United States would slow down considerably if the Chicago Board of Trade and similar exchanges in Minneapolis and Kansas City did not provide the facilities for dealing in commodities.

At the conclusion of this ad I am inserting a letter from Mr. Walsh, which I think dramatically describes the impact of the Chicago Board of Trade on our Nation's entire economy.

I am sure my colleagues will read with interest the information provided by the Continental Illinois National Bank & Trust Co. of Chicago.

The ad and Mr. Walsh's letter follow:

KARL MARX AND THE CHICAGO BOARD OF TRADE HAVE ONLY ONE THING IN COMMON

The year. 1848.

It was the year Karl Marx published the Communist Manifesto.

It was also the year the Chicago Board of Trade was founded. But that's where the similarity ends.

Karl Marx went on to do as much as he could to destroy the market economy. The Chicago Board of Trade was formed to make the market economy work even better.

And it's done just that.

For 120 years now, the Chicago Board of Trade has offered a competitive, open market for our basic commodities.

By doing so, this organization has helped the farmer plan his crop. The food processor plan his production. The consumer plan his budget.

So Happy 120th Anniversary, today, Chicago Board of Trade from your neighbor across the street. Your neighbor, who also feels pretty strongly about our market economy.

CONTINENTAL ILLINOIS NATIONAL BANK & TRUST CO. OF CHICAGO.

CONTINENTAL ILLINOIS NATIONAL BANK & TRUST CO. OF CHICAGO,
Chicago, Ill., May 27, 1968.

Hon. ROMAN C. PUCINSKI,
House Office Building,
Washington, D.C.

DEAR MR. PUCINSKI: Perhaps you might be interested in seeing a reprint of our advertisement recognizing the 120th anniversary of the Chicago Board of Trade. The ad underscores a firm conviction of ours, which is that the entire agricultural economy of the country would slow down considerably if the Chicago Board of Trade and similar exchanges in Kansas City and Minneapolis did not provide the facilities for a country elevator operator, grain merchant, processor, or exporter to hedge the cost of his inventory and his forward purchases and sales. Certainly, inventory accumulation would be at a much lower rate. If such futures markets did not exist, a similar hedging or price insuring mechanism would necessarily evolve, or the flow of grain from the farmer to the ultimate consumer would be seriously affected.

One facet of the importance of a vital grain industry should be noted: In 1967 Illinois sold over two and one-half billion dollars worth of goods overseas and ranked as the nation's number-one exporting state. Three-quarters of a billion dollars of that total came from agricultural exports—10 per cent of the approximatley eight-billion-dollar total of all U.S. agricultural exports. This kind of aggressive export marketing is important to our unfavorable balance of payments position.

You are of course familiar with these facts and their relevance to the economy and our national interest, but they are well worth re-emphasizing in the light of many legislative decisions you are called upon to make during a session. Thank you for your continuing vigilance.

Sincerely,

JAMES D. WALSH.

THE TRADE EXPANSION ACT IS NECESSARY

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1968

Mr. McCARTHY. Mr. Speaker, in proposing the Trade Expansion Act of 1968, President Johnson has asked for the basic tools to, first, insure that our trade relations with other countries will be strengthened on a rational, cooperative basis; second, achieve the full promise of the Kennedy round trade negotiation for American exporters and consumers; and, third, insure that any burdens arising from our trade policies do not fall unfairly on any one segment of the population.

For three decades the United States has successfully led the world toward an increasingly open and liberal trade system. The future of the U.S. economy is intimately tied to our own trade policies and those of our major trading partners. Our progressive trading relations have become the lifeblood of the pattern of interdependence which has developed among the industrialized countries and particularly in the partnership between the United States and Europe.

European countries are in the process of developing a unified market that may one day approach, if not equal, that of the United States. The European Common Market is already the world's largest trading unit. Its completion this summer will open the prospect of a rapidly growing single market for U.S. products. Our steady adherence to constructive policies are of vital importance if we are to take advantage of these opportunities.

In the Kennedy round, the United States, Europe, Japan, Canada, and other major trading countries gave convincing evidence that they were more than ever united by the bonds of international trade. We must now reaffirm our commitment to trade expansion and to the policies that will keep our trade relations on an even keel.

The Trade Expansion Act of 1968 will accomplish their objectives and I urge support for this vital bill.

HOUSE OF REPRESENTATIVES—*Wednesday, June 5, 1968*

The House met at 12 o'clock noon.

Rabbi Kurt L. Metzger, Temple B'nai Israel, Olean, N.Y., offered the following prayer:

It hath been shown thee, O man, what is good, and what the Lord doth require of thee; to do justly, and to love mercy, and to walk humbly with thy God.—Micah 6: 8.

Our God, creator and ruler of all men, we pray Thee this day for our Nation that with Thy gracious help and our concerted efforts all hatred and malice, all indifference to the suffering of others, all narrow exclusiveness and selfish greed may speedily cease in our land.

Grant that the spirit of justice and love for our fellowmen, cooperation in service, and self-sacrifice for the welfare of all may ever increase among our people. In this hour of shock over the wounding of Senator ROBERT F. KENNEDY we beseech Thee to bestow upon him complete recovery from his injuries and to restore him to our country and to his family in renewed health and vigor. Cause, O God, the evils of violence to cease from the earth and the spirit of brotherhood and understanding to enter the minds and hearts of all men.

We also pray for ourselves that Thy hand forge us into tools for the service of our country. Help us to be among those who are willing to sweep away oppression and wrong, to uplift the weak and to give to every man, regardless of color or creed, the opportunity of a full life to be lived for Thy glory and for the service of mankind. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 752. An act to amend sections 203(b)(5) and 220 of the Interstate Commerce Act, as amended, and for other purposes.

SENATOR ROBERT F. KENNEDY

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, the cruel shooting down of Senator ROBERT F. KENNEDY has shocked the world and brought to all decent people heartfelt sympathy for him and his wonderful family. Some will probably say that this outrageous crime was the result of a divisive and troubled society. I do not know. Certainly this assault was due to the fact that a demented person had a loaded gun which he had no business having. Making America safe has become a major responsibility of every right-thinking person in our land.

I applaud President Johnson's plan to provide Secret Service protection to presidential candidates much as I regret that in our country, renowned for assuring free expression and movement to all, it should be necessary to protect those who campaign for this high public office, as well as those who hold it.

Our hearts go out to the Kennedy family, one of the most dynamic families of this generation and a family that has been the victim of so many tragedies that their burden seems at times to be unbearable.

I pray for Senator KENNEDY's recovery and for the courage and comfort of his family during their ordeal, as well as for all others who were shot during his attempted assassination.

Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I want to join the distinguished majority leader in his expression of prayer for Senator ROBERT F. KENNEDY, for the Senator's family and for the Nation.

It is typical of Senator KENNEDY that among the last words he spoke before he was cut down by the assailant's bullets were spoken so movingly and eloquently:

We are a great country. We are an unselfish people. We are a compassionate country.

These words—words that sum up Senator KENNEDY's profound and abiding faith in the United States—are the same as those often spoken by our late beloved President John F. Kennedy and repeated by Senator EDWARD M. KENNEDY.

The adjectives great, unselfish, and compassionate are the hallmarks of the Kennedy family itself as well as of the Nation. The Kennedys have given these attributes in abundance to the United States. They have, indeed, given of their lives and fortune to keep this country great.

As the majority leader has indicated, the Kennedy family is magnanimous and magnificent. Few families have borne such dreadful tragedy and still continued to give their brilliance, industry, and talent to the public service of the United States.

I know the great sorrow and shock that wells in this House of Representatives today—on both sides of the political aisle.

As one who is close to the Kennedy family, I extend my deep sympathy to them in this hour of sorrow.

Mr. ALBERT. Mr. Speaker, I yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the country is shocked at what happened in the early morning hours of this morning in the brutal and evil assault upon one of our most distinguished Americans and outstanding legislators.

I join with the majority leader in his remarks. We all hope and pray that God will look with favor upon Senator KENNEDY and bring about a complete recovery.

Every Member of this body is joined in extending to Senator and Mrs. Kennedy and children, and the Senator's parents and other loved ones, our deep feelings of sympathy and regret for the unexpected action that took place resulting in serious injuries to Senator KENNEDY. What has happened is all the more dramatic following the tragic death of the Senator's late brother, President John F. Kennedy. At that time I made the immediate observation, "My God, what are we coming to?" And that same observation applies to the evil, vicious, and dastardly assault upon Senator ROBERT KENNEDY.