# HOUSE OF REPRESENTATIVES—*Thursday, January 23, 1969*

The House met at 12 o'clock noon.

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

*He that handleth a matter wisely shall find good: and whoso trusteth in the Lord, happy is he.*—Proverbs 16: 20.

Almighty and everlasting God, who art always more ready to hear than we are to pray, and are wont to give more than we desire or deserve, pour out upon us an abundance of Thy mercy, cleansing us, forgiving us, and empowering us to do what is right and good for our country and our world.

Grant that what we say with our lips we may believe in our hearts and what we believe in our hearts we may practice with our lives, that in deed and in truth we may be doers of the word and not hearers only. In Thy light may we see life clearly and in Thy straight path may we not stumble. Through Jesus Christ, our Lord. Amen.

## THE JOURNAL

The Journal of the proceedings of Monday, January 20, 1969, was read and approved.

## RESIGNATION FROM HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 21, 1969.*

Hon. JOHN W. MCCORMACK,
*Speaker of the House of Representatives.*

SIR: I beg leave to inform you that I have this day transmitted to the governor of Wisconsin my resignation as a Representative in the Congress of the United States from the 7th district of Wisconsin.

MELVIN R. LAIRD.

## RESIGNATION FROM HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 21, 1969.*

Hon. JOHN W. MCCORMACK,
*Speaker, House of Representatives,*
*Washington, D.C.*

DEAR MR. SPEAKER: Please consider this my formal resignation from the House of Representatives of the Congress of the United States in which I have served for the past four years as the Member from California's 27th District. This resignation is to be effective at the close of business, January 21, 1969. As you know, the reason for this resignation is that I have accepted the position of the Lieutenant Governor of California.

At this time, I would like to take this opportunity to thank you and all of my colleagues for your kindnesses, for your cooperation, and above all for the privilege of knowing and working in this, the greatest legislative body in the world.

Kindest personal regards.

Sincerely,

ED REINECKE,
*Member of Congress.*

## THE LATE HONORABLE PAUL F. SCHENCK

(Mr. WHALEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WHALEN. Mr. Speaker, it is with very great regret that I rise to inform the House officially of the death of a distinguished former Member of Congress, the Honorable Paul F. Schenck, of Dayton, Ohio.

Congressman Schenck passed away at 2:30 p.m., Saturday, November 30, 1968, in the Miami Valley Hospital, in Dayton. He was 69 years of age. According to his family, death was caused by a heart ailment.

First elected to Congress in a special election in November 1951, Mr. Schenck served continuously for the succeeding 13 years and 2 months. His tenure is the longest on record for the Third Ohio District seat.

Congressman Schenck was a member of the House Interstate and Foreign Commerce Committee, rising to become the second ranking Republican. He made significant contributions during his service on that committee, especially in the development of antipollution legislation, which led to the addition of safeguards on automobile exhausts.

Congressman Schenck also was the ranking Republican on the House Administration Committee and the Standing Subcommittee on Health and Safety. In addition, he was a member of the Joint Committee on Printing and the Joint Committee on the Library.

The late esteemed Speaker of the House of Representatives, the Honorable Sam Rayburn, appointed Congressman Schenck as a member of the Franklin Delano Roosevelt Memorial Commission.

During his last term, he introduced a bill that had special significance for the Dayton area as the home of the Wright brothers and the birthplace of aviation. It was legislation granting a Federal charter to the Aviation Hall of Fame in Dayton, which President Johnson signed into law.

Mr. Schenck was a devoted Representative of the constituents of the Third Congressional District. He had a justly deserved reputation as a Congressman who worked for his people. He was unstinting in his efforts on behalf of all who sought his assistance and is well remembered by literally thousands of people in the Greater Dayton area for this service.

I might add, Mr. Speaker, that the Third Congressional District, during Congressman Schenck's tenure, was one of the most populous in the Nation. At that time, including both Montgomery and Butler Counties.

Before he became a candidate for Congress, Mr. Schenck was a member of the Dayton Board of Education for 9 years. Appointed to fill a vacancy on the board in 1941, he was elected in his own right in 1943 and 1947. During 7 of those 9 years, he served as the board president.

In 1935, Mr. Schenck established a business that bears his name today. It included real estate, general insurance, and mortgage loan services. He was the president of the Dayton Real Estate Board from 1947 through 1949.

Prior to that time, Mr. Schenck was the recreation director for the city of Dayton from 1929 to 1935. He also was a schoolteacher in Dayton for 8 years, serving also as faculty manager of athletics. He was the manager of Southwestern Ohio District basketball tournaments for 22 years.

Congressman Schenck was active in the Boy Scout movement. The various posts he held included scoutmaster, commissioner of Boy Scout Education and assistant Scout camp director. He also participated extensively in civic affairs and on civic committees. During World War II, he was the executive secretary of the Dayton Council for Defense. He was a member of the Grace Methodist Church of Dayton, Mystic Lodge 405, F. & A.M., Scottish Rite and Antioch Shrine.

Born in Miamisburg, Ohio, on April 19, 1899, Mr. Schenck moved to Dayton in 1908. He was a lifelong resident of Montgomery County, Ohio.

He graduated from Steele High School in June of 1917 and attended the University of Wisconsin.

Congressman Schenck is survived by his wife, the former Charlotte A. Rairdon, to whom he had been married for 47 years. Other members of the family include two sons, Richard R. and Thomas F., and five grandchildren.

Mr. Speaker, it was my very great honor to have known Paul Schenck personally and to have worked actively with him in politics. I was directly associated with him most closely during his 1952 campaign for Congress when I acted as his full-time campaign manager. This was immediately prior to my own start in elective office and much of what I learned is in large part the product of that stimulating experience and work with Congressman Schenck.

The Third Ohio District has lost a concerned and dedicated public servant as has the Nation he so deeply loved and for which he labored so long.

May God grant him eternal rest.

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

Mr. WHALEN. I am delighted to yield to the distinguished gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I am pleased to join with my colleagues in a tribute to my longtime, good friend, Paul F. Schenck. He was one of the first to recognize and sound the alarm of the dangers of air and water pollution and its damage to the public and its people. Always forward looking in communications of every kind in America, he made



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a contribution in solving the problems in that field, which will last far beyond the life of any man who served with him in Congress.

In addition, he had long, notable, and constructive service in the public schools of his home community and was long recognized as an authority in that field.

His widow, Charlotte, and the other immediate members of his family have our deep sympathy in the loss of such a husband, father, and friend to so many people.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield to me at this point?

Mr. WHALEN. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, let me reemphasize the observations and comments which have been made by the distinguished gentleman from Ohio (Mr. WHALEN) and the distinguished gentleman from Ohio (Mr. McCULLOCH).

Those of us who knew Paul and who served with him in the House of Representatives have lost a good friend. He was a most able Member of the House of Representatives. He served his community for an extended period of time, not only in the school system but in many other civic activities. Paul Schenck was not only a friend but one who was a devoted individual to the legislative process and one who had a great allegiance to the legislative branch of our Federal Government.

Mr. Speaker, we regret his passing and I extend to his family my deepest sympathy.

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

Mr. WHALEN. I yield to the distinguished gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, I commend the gentleman from Ohio (Mr. WHALEN) and thank him for arranging this time for us to pay tribute to the memory of our good friend and former colleague, Paul Schenck, who died November 30, 1968, in Dayton, Ohio.

Paul was one of my congressional classmates. We both were freshman Members of the 82d Congress. Incidentally, there are just 12 of us left in this House. Paul was first elected to fill a vacancy so did not take his seat at the beginning of the 82d but joined us later on during the first session in 1951.

During the years that followed I came to know Paul very well and to have great respect for his ability and diligence. I served with him on the Committee on Interstate and Foreign Commerce during all the time that he was a member of that committee. I know of no person on our committee who was more diligent or attentive to the duties assigned to him. I have personal knowledge of many instances where Paul Schenck's individual work produced legislation of outstanding value.

Here was a man of the highest integrity, a gentleman whose word you could count on any time. As we all know in the legislative process that is most important. Paul Schenck was possessed of an outstanding quality that went far beyond his work on both the Committee on Interstate and Foreign Commerce and the Committee on House Administration, on which he also did an excellent job.

The work Paul Schenck did in Congress cannot be measured in terms of his invaluable service to the Ohio district which he represented, but it was national in scope. He was the kind of man of whom it could truthfully be said, following his election defeat a few years ago, that we lost not only a Member who performed so well but also that this body lost a part of itself.

Mr. Speaker, I extend to his wife and his relatives my deepest sympathy in this loss of so great a man as Paul Schenck.

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

Mr. WHALEN. I yield to the distinguished minority whip.

Mr. ARENDS. Mr. Speaker, I am deeply distressed to learn of the passing of my good friend and former colleague, Paul Schenck. He represented the Third District of Ohio in six successive Congresses, which in itself bespeaks the high quality of his service.

Paul was a dedicated public servant in the fullest sense of the word. He was keenly interested in our youth. Early in his career he was a high school teacher and took an active part in the Boy Scout movement. For a number of years he was on the board of education in the city of Dayton as well as director of recreation of that city.

Any man active in the field of education and active in all manner of projects for the betterment of our young people cannot be other than a man of compassion, understanding, and love for his fellow man.

Paul will be remembered for the contribution he made during his service in the Congress. He may be well remembered for his outstanding work on the Interstate and Foreign Commerce Committee. But he will be remembered most of all by many of us as a man who sought little for himself but sought much for others. In the final analysis this is the mark of greatness. I express my sympathy to his fine wife and family.

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

Mr. WHALEN. I yield to the distinguished majority leader.

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

Mr. Speaker, I too desire to associate myself with the tributes that have been paid today to a man I consider an outstanding Member of this House, and a fine gentleman of the highest order, and a good friend. I extend to his loved ones my own personal sorrow over his tragic death.

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

Mr. WHALEN. Mr. Speaker, I yield to my colleague from Ohio.

Mr. DEVINE. Mr. Speaker, I thank the gentleman for yielding, and I would like to commend the gentleman from Dayton, Ohio, for taking this occasion to eulogize a great man, the Honorable Paul F. Schenck, a former Member from the Third Congressional District of Ohio.

Ten years ago, Mr. Speaker, when I came to Congress, I was appointed to the Committee on Interstate and Foreign Commerce, and Paul was our senior member on that committee. I have since replaced him as the second-ranking minority member.

Paul will always be remembered in the Congress as probably the most friendly and actually the jolliest of all Members of the Congress. Paul used to stand behind the rail on this side of the aisle and consult with all of the Congressmen, and I know they all held him in the highest regard.

Paul Schenck took great pride in his attendance record in this body, and rarely did he miss a day. He indeed rendered a great public service to the State of Ohio, and to our Nation as well.

I would like to join with my colleagues in their sorrow at his passing, and to pay tribute to his memory. I also wish to express my greatest sympathy to his wife, Charlotte, and to his family.

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

Mr. WHALEN. I yield to the gentleman from Ohio.

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

Mr. Speaker, it was my privilege to know our departed former colleague the Honorable Paul F. Schenck, who served the Third Congressional District of Ohio in this illustrious body for over 13 years.

Paul Schenck and I were not only colleagues, we were office neighbors and we enjoyed a very warm friendship. He worked intelligently and tirelessly, and while he was a friendly and congenial gentleman, he was likewise a serious and conscientious legislator. He justified the confidence his constituents placed in him by rendering the highest caliber of service in this body.

To Mrs. Schenck, his children and his grandchildren, I extend my deep and profound sympathy.

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

Mr. WHALEN. I yield to my colleague from Ohio.

Mr. BETTS. Mr. Speaker, I thank the gentleman for yielding, and I, too, would like to join with the gentleman from Ohio in eulogizing the Honorable Paul F. Schenck.

Mr. Speaker, Paul Schenck and I came to Congress together in the 82d Congress and from the day we first met we were close personal and political friends.

Paul was a diligent worker and spent long hours on behalf of his constituents. He constantly worked for the best interests of his district and no Member ever served with more dedication and high purpose in this respect. Furthermore, he was a tireless student of legislation. He was one who always sought the advice and counsel of colleagues so that his own views would be tempered with the thinking of others over the wide range of consideration which wise legislation demands. His remarks on the floor always reflected this careful approach to problems as well as his own solid views on the subject.

The House of Representatives was his great love and he gave it the devotion and respect which marked him as a great public servant. He was a gentleman and a patriotic American whose friendship I

shall always cherish. He was a devoted family man who represented the fine and noble qualities which people admire in their public servants.

Mrs. Betts and I were saddened by his passing and extend our sympathy to his wife and family.

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

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

Mr. MOSS. Mr. Speaker, I thank the gentleman for yielding, and I too would like to join with my colleagues in paying tribute to the memory of the late Paul F. Schenck, whom I regarded as a friend, and felt privileged to know and work with.

I served for a decade with Paul Schenck on the Committee on Interstate and Foreign Commerce. Paul Schenck was the type of man with whom you could differ, but it was always an impersonal difference of opinion. He was a delightful person, and always added to the enjoyment of any occasion where he was present.

Mr. Speaker, I thank the gentleman for yielding.

Mr. LATTA. Mr. Speaker, I am honored to join with my colleagues in paying special tribute to our esteemed friend and distinguished colleague, the late Paul F. Schenck, who passed away on November 30, 1968. As we pause in our deliberations to honor the memory of the gentleman who so ably represented the Third Congressional District of Ohio for 13 years in this historic Chamber, from 1951 to 1964, we recall the accomplishments of this very able legislator.

Representative Schenck served as a member of the House Committee on Interstate and Foreign Commerce and was credited with development of an antipollution law which forced safeguards on automobile exhausts. He served as a member of the Dayton Board of Education for nearly 10 years, and as president of the Dayton Real Estate Board for 3 years, as well as serving in many capacities in numerous civic activities.

I join my colleagues in extending deepest sympathy to Congressman Schenck's family and assure them he will long remain in our thoughts and prayers.

Mr. PATMAN. Mr. Speaker, it is most fitting and appropriate for the Democratic Members of this House to recognize the fine accomplishments of the Honorable Paul F. Schenck who was one of our most able colleagues from 1951 to 1964. For more than 50 years, Mr. Schenck was particularly noted for his dedication to the noble cause of enhancing the quality of education in general and for his many constructive contributions to enriching the community life of Dayton, Ohio, a city which was always the center of his thoughts. Mr. Schenck was a fine Congressman, resolute in his beliefs, conscientious in the performance of his duties, and deeply aware of the dignity of his office and his responsibilities to his constituents. It is by the earnest labor of men of sincere character such as Mr. Schenck that our Congress has so well bridged the differences of party and been able to unite for the common good of the people.

The demise of Mr. Schenck on the last day of November at the age of 69 is most deeply mourned by all who served with him over the years and by the many thousands who knew and respected his work and solid achievements. I am privileged to join with the present Member from the Third District of Ohio, the Honorable CHARLES W. WHALEN, JR., in honoring the memory of Paul F. Schenck, of Dayton, Ohio.

Mr. PELLY. Mr. Speaker, I rise to join in paying tribute to the life and service of our former colleague, Paul Schenck, who passed away last November in Dayton, Ohio.

When I came to Congress in 1953, Paul Schenck had served one term. He was elected to the 82d Congress and I to the 83d, and I came to know him rather well because we both served on the Committee on Interstate and Foreign Commerce. On account of that association I was to come to recognize his ability and the great contribution he made to important legislation which that great committee reported to the floor of the House.

Meanwhile, since he left Congress in 1964 I have vivid and pleasant recollections of Paul, and which his death brings to mind.

So today, Mr. Speaker, I join the gentleman from Ohio (Mr. WHALEN) and other Members in expressing our deep regret and sense of personal loss at the death of Paul Schenck. He was a fine man and an able legislator who leaves a record that all his friends and family can be proud of.

Mr. CORMAN. Mr. Speaker, I rise to join my colleagues today in honoring a warm and genuine human being who spent much of his life in the service of his fellow man and his country.

I was privileged to serve in the House with Congressman Schenck my first 3 years in the Congress. And, it was a privilege, for I knew him to be a humane and dedicated man, whose singular purpose as a legislator was to bring to his countrymen reforms that would enhance their daily lives and make our Government more responsive to their needs.

Congressman Schenck was among the most outspoken of the early fighters in the battle against air pollution. He firmly believed that the miracles of modern medicine should be available to all our people. He worked for a system of adequate health insurance for the aged. He supported the establishment of clinics for migratory workers. He was concerned with child research and human development and general medical sciences. His concern even reached into motor vehicle safety standards, which was indeed an innovative effort in those years.

Representative Schenck made a lasting contribution in the House to his country, to his State, and to his congressional district. His farsighted efforts in the areas of his interest have proven to be a base on which we are now building solid legislation. His work will not have been in vain, and he will not be forgotten in this House.

Mr. REIFEL. Mr. Speaker, I join with my colleagues in this time of sorrow in the loss of the Honorable Paul F. Schenck.

Paul was among the first of the Members of Congress whom I came to know personally when I came to this body in 1961. He was the type of individual to whom one felt free to turn in seeking advice and guidance.

I maintained a close association with him not only on account of his friendliness but because of his approachability, ready counsel and willingness to be of assistance.

When he did not return to the Congress after 1964, I felt his absence as a personal loss. Now that I shall not see him again the separation is even more distressing and sorrowful.

My heartfelt sympathies go out to his family and to the Ohio delegation. The loss to his family and to his community will leave a void, I am sure, as does his absence from the Congress.

Mr. FRIEDEL. Mr. Speaker, it is but fitting and proper that we pause from our legislative duties to pay our respects to the memory of one of our distinguished former colleagues who on November 30, 1968, passed away to his eternal rest.

I, therefore, wish to associate myself with the remarks of the previous speakers who so eloquently have paid just tribute to the late Paul Fornshell Schenck. It is with a feeling of sadness that I rise to say what is in my heart about this great and good man who graced this historic Chamber from 1951 to 1964 as the able and distinguished U.S. Representative of the important Third Congressional District of the great State of Ohio.

It was in 1953, when I took my seat here, that it was my pleasure to have first met our late former colleague. The fact that he and I were both assigned to the House Interstate and Foreign Commerce Committee brought us closer together and served to establish a genuine friendship between us. It especially was during that committee's hearings and investigations that he brought to full focus his special talents and outstanding ability.

It should be noted that our departed colleague came from Dayton, Ohio, a city that has taken a major part in the development of aviation. That city was the home of the Wright brothers and is also a center of aeronautical research and experimental work. Hence, his assignment to the House Interstate and Foreign Commerce Committee was both logical and beneficial. Nor should it be forgotten that his experience as vice chairman of the Dayton Safety Council was of particular assistance to the committee in its investigations. His knowledge of science was utilized by his community when he taught chemistry in one of its secondary schools.

The civic consciousness and commitment of our late colleague to the cause of education and help for youth can also be gauged from his activities as a member of the board of education of Dayton and as president of that board for 7 years. Small wonder then that Dayton's public school system is exceptionally well planned and among the best in the Nation.

It was, however, here in the Congress of the United States where the late

Congressman Paul F. Schenck achieved national stature. His contributions will long be remembered for they are recorded in the annals of this House.

For us, we will cherish his memory, as a distinguished statesman, an able legislator, an indefatigable worker, and a loyal friend.

To his family, we send our most heartfelt sympathy and feel comforted that his passing is but a prelude to a life everlasting.

Mr. SMITH of California. Mr. Speaker, I would like to join my colleagues in the House of Representatives in paying tribute to our late colleague, the Honorable Paul F. Schenck.

Paul Schenck made substantial contributions to the Congress and the Nation from 1951 to 1964 and was a most able representative of the Third Ohio District.

During our terms together, I found him to always be a gentleman, laboring hard in the interests of America. He shall not be forgotten by those of us who knew him.

Mr. BROWN of Ohio. Mr. Speaker, it is a sad task to speak in memory of former Representative Paul F. Schenck. I always felt very close to Paul throughout the years I knew him, for he and my late father, who served with him here in the House of Representatives for many years, were such good friends and neighbors. His wife, Charlotte, and my mother were also close friends.

During the years he served in the House, Paul was a hard-working and able legislator. He served his constituency diligently and well. He was always on the job and prided himself on his 100-percent voting record.

He was also a kindly man and had many interests and hobbies. He was well-known for his wit and humorous stories.

But most importantly, Americans, now protected by law from gasoline pollution from automobiles, can thank Paul Schenck as the pioneer in this field of legislation.

As a member of the Interstate and Foreign Commerce Committee, he authored the act which bears his name—Public Law 86-493—providing for a 2-year study and report to Congress to determine the effects of gasoline fumes from automobiles on human health. Subsequent to this law, other laws were passed and finally the National Emission Standards Act was included in the Clean Air Act of 1967 making antipollution devices on automobiles mandatory.

Paul's widow and his sons, Dick and Tom, and his five grandchildren can be very proud of him and take consolation in the fact that he served his Nation with distinction.

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## GENERAL LEAVE

Mr. WHALEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character and public service of the late Honorable Paul F. Schenck.

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

There was no objection.

## INAUGURAL ADDRESS OF PRESIDENT NIXON

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I am sure all of us were moved last Monday by the sincerity and simplicity of President Nixon's inaugural address. On this solemn occasion in our Nation's history, now as in the past, the newly chosen Chief Executive of this Republic spoke for all the people, and voiced their continuing as well as current concerns and their noblest aspirations.

President Nixon's primary themes of peace at home and abroad; of spiritual renewal and reconciliation; of freedom and opportunity and justice for all, have kindled new confidence and hope wherever his words were heard. I shall not try to capsule his address, but I commend it to my colleagues for a silent second reading. Not because there are hidden meanings between the lines, as some speeches contain, but because there is so much meaning in the lines themselves, meanings which might have been missed in the chill of the day. It was a warm speech, from a heart that greatly loves America; it was a wise speech, from a mind that has thought deeply about America; and it was a strong speech, drawing its power not from rhetoric or oratorical flourish but from faith in God and his fellow countrymen.

History will rank this inaugural address with those that came before and those that will follow in the context of the times and the achievements of this administration. In my judgment, President Nixon struck the precise chord the whole world was waiting to hear, and I pledge him full support in striving to gain the goals he set forth for all Americans.

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## PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

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

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

There was no objection.

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## TRIBUTE TO THE CHAPLAIN OF THE U.S. SENATE: FREDERICK BROWN HARRIS

(Mr. McCORMACK was granted permission to extend his remarks at this point in the RECORD.)

Mr. McCORMACK. Mr. Speaker, I know my colleagues in the House share my sentiments concerning the retiring Chaplain of the Senate, Dr. Frederick Brown Harris. He has been, for all of us in both Houses, a continuous source of inspiration and renewed faith during his many years of dedicated ministry to the Congress.

With insight, eloquence, sensitivity, and courage, Reverend Harris has brought consolation for the suffering and sorrowing in times of national tragedy or crisis, calm and reason in the excesses of heated debate, steadfastness in the face of the threats of our enemies, compassion for the downtrodden and oppressed of the world, and faith to uphold us in times of doubt and anxiety.

In our search for strength and wisdom in the conduct of the public affairs of our great Nation, the daily prayers of Dr. Harris have given each Member renewed faith in discharging his responsibilities for the good of all the people, have helped to keep us from indulgent complacency, and have served as constant reminders of the highest and most profound convictions and principles.

Dr. Harris has served as Senate Chaplain continuously since 1942, except for 2 years during the 80th Congress—26 years in all. Ordained in 1912, he was also the full-time minister of Foundry Methodist Church here in Washington for 30 years, until 1955.

Through the years he has been a dedicated spokesman, before audiences and in print, for the protection and preservation of liberty and freedom here and abroad. In sermons, addresses, and articles, he has aroused the admiration and gratitude of millions of citizens whose friends and relatives still suffer slavery and oppression in the captive nations. In moving phrases such as those that follow, he has expressed deepseated convictions on the nature of national and personal freedom:

> We are conscious that this is a world where tyrants still deal in fetters and chains as they attempt to shackle the free spirits of men made in Thy image. We praise Thee for the multitude in every land with whom we are joined, who cherish freedom of body and mind more than life itself.

What American could fail to be profoundly affected by his pleas that—

> In this day of global conflict for the bodies and minds of man, Thou wilt purge and cleanse our own hearts that we may be found worthy to march with the armies of emancipation which bring both liberty and release from the want and woe which beset so many millions of Thy children and grind them into the dust of poverty; that our hearts may be shrines of prayer and our free Nation a bulwark for the oppressed, a flaming beacon of hope whose beams shall battle the darkness in all the world.

I know that all of us in both houses who have received the great comfort of Dr. Harris' spiritual and personal guidance feel a great sense of loss at his departure. He is the gentlest and most generous of human beings, never too busy to come to the aid of those in need who call upon him. He has been a close personal friend to many of us and to our families. As a Member of the Senate once remarked:

> Dr. Harris could be called a nonvoting member of our group who, while elected by no constituency, serves all constituencies.

Through the Members of Congress, who represent nearly every religious creed, his spiritual inspiration has been felt throughout the country.

Yet, spiritual guidance and inspiration are only a part of Dr. Harris' great service and devotion to America. He has been in the forefront of those who have fought

to preserve and protect America's great treasure of natural resources, especially in the years before this was generally recognized to be a national trust and obligation. In articles and sermons he declared his conviction that there can be no genuine patriotic consecration without conservation. He declared:

Every intelligent citizen must be interested in conservation and we must alert and alarm the people of the devastated and desecrated land to stop waste.

He reminded the Nation of the warning from Isaiah 5:8:

Woe unto them that join house to house, that lay field to field, till there be no place where one may be alone in the midst of the earth.

The Nation owes a debt of gratitude to Dr. Harris for speaking out so courageously against water and air pollution when most Americans were still trying to ignore these unpleasant realities.

Dr. Harris has also rendered invaluable service to his country as both a private and an official emissary in Southeast Asia, because of his long personal friendship with President Syngman Rhee of South Korea. He was the pastor and close friend of President Rhee when the latter was a member of the congregation of Foundry Methodist Church during his years in Washington. As a political exile in Hawaii, Mr. Rhee requested Dr. Harris' companionship and counsel, and later, as a visitor to President Rhee's government, Dr. Harris helped work out some of the misunderstandings which had disturbed relations between the United States and Korea. Today Korea is a strong and independent nation, with a rapidly growing economy and an increasing dedication to the democratic system of government. I cannot help but think something of its nearly miraculous success is due to Dr. Harris.

Congress has not been the only body to benefit from the wisdom and inspiration of Dr. Harris. For many years, in his weekly column in the Washington Star entitled "Spires of the Spirit," he brought the message of the greatness that is America and counseled each of us to raise our sights for the betterment of all. These columns have been collected and published in a volume by the same name that is treasured by all who have read it. Dr. Harris is also in great demand as a speaker, and spends much time traveling throughout the country to fulfill these requests.

For his work through the years, Dr. Harris has received many honors, including four awards from the Freedoms Foundation. The citation on one of these awards sums up the high regard in which he is held by all who have come in contact with him. It reads as follows:

With esteem and affection to an American whose prayers, sermons, and editorial works have lifted the hearts of multitudes—

With regard and honor to him whose thoughts, far vision, and steadfast faith move all whom he touches to patriotism and love of country—

With matchless service to the cause of free men, he makes known the strength of prayer and iron will in language beautiful in his prayers in the Senate of the United States. Truly one who desires freedom for all under God, and asks nothing for himself.

I believe this citation expresses perfectly the feelings of myself and all my colleagues as we bid farewell to a true and valued friend and wish him health and happiness in his richly earned retirement years.

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## RETIREMENT OF ROBERT K. WALSH

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, it is with a great deal of personal regret that I call to the attention of the House the fact that my good friend, Robert K. Walsh, one of the veteran reporters of the Washington Evening Star, has retired after nearly 25 years of reporting national affairs on Capitol Hill.

Bob Walsh has been a familiar presence in the House Press Gallery and in the corridors and offices of this building. I know all of his many friends in the House are going to miss him and this is particularly true in my case.

Bob Walsh is an outstanding reporter and an excellent writer with a keen awareness of what is the "big story" in the events of each day. He has been fair. He has been objective. He has been accurate. The Press Gallery of the House of Representatives is blessed with many outstanding newsmen and women. Bob Walsh has been one of the best and we will indeed miss him.

Bob was born in my hometown in what was then McAlester, Indian territory in 1903. He attended the same high school that I attended in McAlester. Bob then attended and graduated from St. Louis University.

He went straight from college into the newspaper business, starting with the old St. Louis Star in 1924. He also worked on the Springfield, Ill., State Journal and the St. Louis Globe Democrat before moving to Providence, R.I., for a long stint—18 years—with the Journal and Evening Bulletin.

Walsh covered the Rhode Island State Legislature and was an editorial writer for 5 years before he transferred to the paper's Washington bureau in 1944.

On April 22, 1946, Bob Walsh joined the Washington Evening Star. On his very first day, he covered the first of many historic events, the death of Chief Justice Harlan F. Stone.

During his first 10 years on the Star, Walsh divided his time between the Supreme Court and the Capitol. And often his days would begin in the office on the rewrite desk, handling routine chores with the same cheerfulness and competence with which he approached the world-shaking events of the day.

He covered Supreme Court cases dealing with school segregation, restaurant segregation, the Rosenberg spy case and Truman's seizure of the steel mills—among others. He covered budgets, tax bills, civil rights annually. He covered the censure of Senator Joseph McCarthy and the House Un-American Activities Committee hearings in the Alger Hiss case.

Mr. Walsh also attended every Republican and Democratic National Convention since 1944. He has been secretary and chairman of the Standing Committee of Correspondents on Capitol Hill. He has been a member of the National Press Club since first coming to Washington in 1944 and is also a member of Sigma Delta Chi and the John Carroll Society in Washington.

Mr. Walsh married the former Anne G. Murphy of Providence on September 8, 1934. They live at 2222 Q Street, Northwest.

Mrs. Albert and I extend to Bob and his lovely wife our very best wishes for a happy and enjoyable retirement. We know he will not forget his old friends on Capitol Hill and hope he will come back to see us often. We certainly shall not forget him.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

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

Mr. GERALD R. FORD. Mr. Speaker, although I, from Michigan, cannot claim Bob Walsh was a constituent or a person born in my district or in my State, I can appropriately claim Bob Walsh as a friend. Bob Walsh epitomized objectivity and fairness in his work in the Press Gallery. Bob Walsh was a friend to the legislative branch. He criticized us when we were wrong, but he was glowing in his praise when we were right.

All of us extend to Bob the very best in his retirement. He will be missed. We welcome him back whenever he can find time to join his friends in the Chamber or elsewhere on Capitol Hill.

Mr. ALBERT. I thank the gentleman.

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

Mr. ALBERT. I yield to the gentleman from Louisiana.

Mr. BOGGS. I should like to associate myself with the remarks made by the distinguished majority leader and the distinguished minority leader. All of us who have known Bob Walsh for many years might agree immediately upon the use of the word "objective," because Bob Walsh has been objective and fair as well as perceptive in covering the activities of this body particularly. All of us will miss him. I am glad, however, that he is in very good health, and I am sure that he, his wife, and his family will have a very happy retirement.

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## GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the service of Bob Walsh.

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

There was no objection.

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## A DECLARATION OF FREEDOM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on January 23, 1966, just 3 years ago, a group of 1,500 patriotic Cubans living together in exile adopted a "Resolution of Free-

dom" at the San Carlos Club in Key West, Fla.

I have today introduced a resolution that expresses the sense of the House of Representatives—the Senate concurring—that that noble declaration should be earnestly considered by—and I hope supported by—all Cubans living in exile and all who wish to restore freedom and democratic government to the beautiful isle of Cuba.

Mr. Speaker, the text of the resolution is as follows:

H. CON. RES. 92

Whereas on January 23, 1966, a "Declaration of Freedom" was adopted by 1,500 Cubans in exile meeting in Key West, Florida; and

Whereas this declaration was written at the San Carlos Club from which the great Cuban patriot Jose Marti in 1898 turned the course of history by proclaiming the ideological basis of a free Cuba; and

Whereas Cuba once again has fallen victim to a totalitarian regime as embodied by Castro communism; and

Whereas the "Declaration of Freedom" reads as follows:

"DECLARATION OF FREEDOM

"In the city of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the martyr island, do say:

"That on January 1, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the 19th century, was resumed.

"That those responsible for this high treason to our fatherland and to our people are just a score of traitors who, usurpating the government of the country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our freedom and our dignity, also betraying the American hemisphere.

"That as a consequence of this high treason, those who are usurpating the power in Cuba (as they were never elected by the people), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being or the most elementary human rights.

"That in their hunger for power, these traitors, following the pattern of totalitarian regimes, are trying, within Cuba, to separate the family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

"That the rule of the law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who are acting under orders from their masters, the Sino-Soviet imperialists.

"In view of the aforegoing, we declare:

"First, That the actual Cuban regime is guilty of high treason to our fatherland and to the ideals of the freedom revolution which was started on October 10, 1868.

"Second, that this score of traitors who have committed treason against our fatherland, in case they survive the downfall of their regime, will have to respond, even with their lives before the ordinary courts of justice of Cuba.

"Third. That as the noble Cuban people will not ever surrender, because that nation was not born to be slave, we, the Cuban people, hereby make the present declaration of freedom.

"We hereby swear before God Almighty to fight constantly, until death comes to us, to free Cuba from communism.

"The fundamentals of this resolution for freedom are:

"First. God Almighty, above all things, in whom we believe as the essence of life.

"Second. The fatherland, with all of its laws, traditions, customs, and history as a spiritual value, only surpassed by the concept of God.

"Third. The family, as the cornerstone of the human society.

"Fourth. Human rights, for each and every citizen, regardless of race or creed.

"Fifth. The law, as the foundation for the proper development of the human society.

"Sixth. Democratic government, with its three independent branches: Legislative, executive, and judicial.

"Seventh. Representative democracy through the exercise of universal suffrage, periodically, free, and secretive, as the expression of popular sovereignty.

"Eighth. Freedom of worship, freedom of teaching, freedom of the press and free enterprise.

"Ninth. Private property and ownership, as the basic expression of liberty.

"Tenth. The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping in mind the legitimate interests of both labor and capital.

"Eleventh. The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of communism and any other form of totalitarian manifestation.

"Signed and sealed in Key West, Fla., on the 23d day of January, 1966."

Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the House of Representatives that this inspiring declaration should be patriotically considered by all Cubans in exile and by all who wish to end the tyranny of Castroism and communism in Cuba and that the "Declaration of Freedom" should serve to unite those pledged to restoring Cuban liberty and independence, and that it should be the objective of the United States to commend and encourage recognition and respect for the declaration.

## UNIFORM CREDIT CODE PROPOSES LEGALIZED USURY

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, this year, proposals to legalize usury will go before the legislatures of 48 of our 50 States.

Through a device known as the Uniform Consumer Credit Code, the lobbies for the banks and the small loan companies are attempting to have a maximum interest rate of 36 percent written into law. In short, the Uniform Code, if adopted, will legalize some of the highest interest rates ever imposed on the American consumer.

Mr. Speaker, when this code was being drafted by the National Conference of Commissioners on Uniform State Laws, the American Bankers Association raised a $75,000 fund to help finance the project. This proposed 36-percent interest rate makes it plain why the banks were so willing and so quick to pay for this project.

The proposed Uniform Consumer Credit Code not only would apply a 36-percent interest rate on small loans and installment purchases, but would allow department stores and others to charge 24 percent on revolving credit. Based on the charges imposed by most major department stores today, this Uniform Consumer Credit Code would mean an immediate increase of 33⅓ percent in the charge to the consumer.

Mr. Speaker, in coming days, I will discuss other parts of the Uniform Consumer Credit Code, but today I want to call attention to what I regard as the foremost evil of this proposed code—legalized usury.

Mr. Speaker, I am convinced that this move to legalize high and usurious interest rates must be stopped. Although this Uniform Code is being proposed to the 48 legislatures which meet this year, the U.S. Congress cannot dodge its responsibility in this area.

Through the passage of the Consumer Credit Protection Act—truth in lending—the 90th Congress wrote a magnificent chapter in the protection of the consumer in the area of credit. The 91st Congress now must make sure that the gains of this act are not wiped out by such things as a legalized interest rate of 36 percent.

I am convinced that we must take a long and hard look into this so-called Uniform Code to determine fully what it means to the consumer; and what it means to the Truth in Lending Act of the 90th Congress. We should determine just how some of these provisions were drafted and we should learn what effect the bankers' $75,000 contribution has had on this project.

## CHAIRMAN PATMAN INTRODUCES BILL TO INCREASE SBA LOAN CEILINGS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, today I have introduced a bill that would raise the ceiling on the amount of loans by dollar amount the Small Business Administration may have outstanding.

This bill does not provide money for SBA, but rather places a ceiling on the loans that may be made.

The bill would affect three amendments to the provisions of section 4 (c)(4) of the Small Business Act governing the amount of loans, guarantees, and other obligations or commitments which may be outstanding at any one time in the business loan and investment fund. The first of these amendments would increase from $1,900,000,000 to $2,200,000,000 the amount which may be outstanding from the fund at any one time under sections 7(a), 7(b)(3), 7(e), and 8(a) of this act, and title IV of the Economic Opportunity Act of 1964. The second amendment would increase from $300,000,000 to $500,000,000 the amount which may be outstanding at any one time under title V of the Small Business Investment Act of 1958. The third amendment would increase from $200,000,000 to $300,000,000 the amount which may be outstanding at any one time under title IV of the Economic Opportunity Act of 1964.

The reasons for the proposed increases in the specified limitations are to be found in the legislative history of Public Law 87-550, approved July 25, 1962. The

conference report accompanying the bill (S. 2970) which became Public Law 87-550 contains the following declaration of intent:

The combined increased authorization . . . is intended to meet estimated needs for a 2-year period (fiscal 1963 and 1964) . . . The agreement of the conferees upon this increased authorization was predicated upon their belief that SBA's business loan program should be reviewed at least every 2 years. In order to assure adequate time for consideration, the estimated business loan program needs for SBA for an additional 2 years should be submitted to the new Congress when it convenes in January 1963, and this process then should be repeated as necessary every 2 years as each new Congress convenes in order to provide for an orderly and recurring review of this program by the Congress and to avoid emergency appeals by SBA for additional authorization. (H. Rept. No. 1974, 87th Cong., 2nd Sess.)

In accordance with this expression of intent, a review has been made of the probable requirements of the section 7(a) business loan program through June 30, 1972, based on a straight-line projection of fiscal year 1970 budget estimates for this program. However, the amount of the limitation applicable to this particular program—$1,900,000,000—also limits in addition the maximum outstanding amount for displaced business loans under section 7(b)(3), trade adjustment assistance loans under section 7(e), prime contracting activities under section 8(a) and business loans under title IV of the Economic Opportunity Act of 1964.

Consequently, in order to determine the increased limitation amount adequate to cover the probable requirements for all of the cited activities covered by this one specific limitation, straight-line projections of the 1970 budget estimates through June 30, 1972, have also been made for the programs in addition to section 7(a) business loans, as identified above.

These projections indicate that a limitation of about $2,090,000,000 is needed for the combined activities. In order to provide a reasonable reserve for contingencies, the limitation would be increased from $1,900,000,000 to $2,200,000,000.

The projected amount outstanding at June 30, 1972, for business loans under title IV of the Economic Opportunity Act of 1964, as included in the figure of $2,090,000,000 cited above, is slightly in excess of $253,000,000. Allowing in this instance also a reserve for contingencies, the present limitation of $200,000,000 for title IV loans would be increased to $300,000,000.

Section 4(c)(4) provides a separate limitation of $300,000,000 on the amount of loans, guarantees, and so forth, which may be outstanding at any one time under title V of the Small Business Investment Act of 1958—loans to State and local development companies. The budget estimates for 1970 indicate that this limitation will have been reached prior to June 30 of that year. Accordingly, straight-line projections through June 30, 1972, of probable limitation requirements for these loans have been made also. These projections indicate a need for a limitation of $449 million, without any provision for contingencies. Including a relatively small reserve, the present limitation of $300,000,000 would be increased to $500,000,000.

Section 4(c)(4) provides an additional separate limitation of $450,000,000 on the amount of loans, guarantees, and so forth, which may be outstanding at any one time under title III of the Small Business Investment Act of 1958. Projections have been made of transactions for this program through June 30, 1972, also. These indicate that the current limitation is adequate.

SMALL BUSINESS ADMINISTRATION

ESTIMATED BUSINESS LOAN AND PRIME CONTRACT LIMITATION REQUIREMENTS, FISCAL YEARS 1969-72

[In millions of dollars]

| | | Budget estimates | | Projected | |
|---|---|---|---|---|---|
| | | Fiscal year 1969 | Fiscal year 1970 | Fiscal year 1971 | Fiscal year 1972 |
| Outstanding loans and commitments, start of year | | 1,321.6 | 1,514.9 | 1,781.3 | 1,975.8 |
| Plus new loan approvals: | | | | | |
| 7(a) business | | 444.1 | 578.0 | 578.0 | 578.0 |
| Economic opportunity | | 59.2 | 82.0 | 82.0 | 82.0 |
| Displaced business | | 43.0 | 45.0 | 45.0 | 45.0 |
| Trade adjustment | | 1.2 | | | |
| Total | | 547.5 | 705.0 | 705.0 | 705.0 |
| Minus repayments and cancellations: | | | | | |
| 7(a) business | | 327.1 | 397.1 | 455.0 | 520.0 |
| Economic opportunity | | 16.6 | 25.7 | 34.1 | 43.0 |
| Displaced business | | 10.5 | 15.8 | 21.4 | 27.2 |
| Trade adjustment | | | | | |
| Total | | 354.2 | 438.6 | 510.5 | 590.2 |
| Outstanding loans and commitments, end of year | | 1,514.9 | 1,781.3 | 1,975.8 | 2,090.6 |
| Plus contingency reserve | | | | 124.2 | 109.4 |
| Recommended limitation | | | | 2,100.0 | 2,200.0 |
| Memorandum: | | | | | |
| Outstanding by program: | June 30, 1968 | | | | |
| 7(a) business | $1,144.8 | 1,261.8 | 1,442.7 | 1,565.7 | 1,623.7 |
| Economic opportunity | 67.4 | 110.0 | 166.3 | 214.2 | 253.2 |
| Displaced business | 104.1 | 136.6 | 165.8 | 189.4 | 207.2 |
| Trade adjustment | | 1.2 | 1.2 | 1.2 | 1.2 |
| Sec. 8(a) prime contracts | 5.3 | 5.3 | 5.3 | 5.3 | 5.3 |

ESTIMATED DEVELOPMENT COMPANY LIMITATION REQUIREMENTS, FISCAL YEARS 1969-72

[In millions of dollars]

| | Budget estimates | | Projected | |
|---|---|---|---|---|
| | Fiscal year 1969 | Fiscal year 1970 | Fiscal year 1971 | Fiscal year 1972 |
| Outstanding loans and commitments, start of year | 205.8 | 256.8 | 322.5 | 396.6 |
| Plus: New loan approvals | 67.0 | 86.0 | 86.0 | 86.0 |
| Minus: | | | | |
| Loan repayments | 10.5 | 11.2 | 12.8 | 14.4 |
| Cancellations | 5.5 | 9.1 | 9.1 | 9.1 |
| Total | 16.0 | 20.3 | 21.9 | 23.5 |
| Outstanding loans and commitments, end of year | 256.8 | 322.5 | 386.6 | 449.1 |
| Plus: Contingency reserve | | 27.5 | 38.4 | 50.9 |
| Recommended limitation | | 350.0 | 425.0 | 500.0 |

ESTIMATED INVESTMENT COMPANY LIMITATION REQUIREMENTS, FISCAL YEARS 1969-1972

[In millions of dollars]

| | Budget estimates | | Projected | |
|---|---|---|---|---|
| | Fiscal year 1969 | Fiscal year 1970 | Fiscal year 1971 | Fiscal year 1972 |
| Outstanding loans and commitments, start of year | 276.3 | 290 | 290 | 290 |
| Plus new loan approvals | 43.7 | 40 | 40 | 40 |
| Minus repayments and cancellations | 30.0 | 40 | 40 | 40 |
| Outstanding loans and commitments, end of year | 290.0 | 290 | 290 | 290 |
| Plus contingency reserve | | | 160 | 160 |
| Recommended limitation | | | 450 | 450 |

## BANKERS TAKE OVER THE TREASURY DEPARTMENT

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, President Nixon today sent forward the nomination of another banker to be a high official in his administration.

This time it was Dr. Charles Walker, executive vice president of the American Bankers Association, to be Under Secretary of the Treasury. Dr. Walker, of course, is the chief lobbyist for the big

banks and, as such, has supported a variety of antipublic legislation through the years.

It is becoming painfully obvious that the Nixon administration is turning the Treasury Department over to the commercial banking industry. This is in total disregard for the vital public functions that must be carried out through the Treasury Department.

First, President Nixon nominates David Kennedy, chairman of the board of the Continental-Illinois National Bank, as Secretary of the Treasury. Now he follows it with the ABA's chief spokesman, and I understand more appointments of this nature are on their way to the Senate.

When the Walker appointment was first mentioned, I protested the proposed nomination in a letter to David Kennedy. Mr. Speaker, I place in the record a copy of this letter:

JANUARY 6, 1969.

Hon. DAVID M. KENNEDY,
*Secretary-designate of the Treasury, Care of Mr. John Whitaker, Secretary to the Cabinet, Office of the President-elect, the White House, Washington, D.C.*

DEAR MR. KENNEDY: Mr. Bill Timmons, a Deputy Assistant for Congressional Relations to President-Elect Nixon, has very kindly informed me of the fact that the incoming Administration has in mind nominating Dr. Charles E. Walker, Executive Vice President of the American Bankers Association, to the highly important position of Under Secretary of the Treasury. Dr. Walker, as I am sure you know, has for years directed the lobbying activities of what I consider to be, and I think the record will show, the most effective lobby in the United States. In my opinion the record will also show that seldom, if ever, has this lobby operated in the public interest. In the main, its activities as directed by Dr. Walker, have been for the sole purpose of preserving and fostering the growth and benefit of the commercial banks in the United States in general to the detriment of the public.

As Mr. Timmons was informed, it would be my duty, if presented with the opportunity, to oppose the nomination of Dr. Walker for the simple fact that, in my opinion, it would be impossible for him to divorce himself either consciously or unconsciously from his prior position as chief lobbyist for the American Bankers Association in order to carry out the job of Under Secretary of the Treasury as a public servant with the responsibility to operate exclusively in the public interest.

This nomination is, of course, entirely within the discretion of the Executive, subject to confirmation by the Senate, and while I would consider the advisability of making my views known to the Senate Committee with respect to any nominee for such a vital position, the purpose of this letter is to acknowledge and reciprocate the courtesy you have already extended to me in this matter.

Sincerely yours,

WRIGHT PATMAN,
*Chairman.*

Mr. Speaker, I also place in the RECORD a copy of a news release which I issued earlier today on the Walker appointment:

WASHINGTON, D.C., January 23.—Chairman Wright Patman (D., Tex.) of the House Banking and Currency Committee today charged that the Nixon Administration "has consciously embarked on a campaign to turn the Treasury Department over to the nation's commercial banking industry."

Mr. Patman described the nomination of Dr. Charles E. Walker for Under-Secretary of the Treasury as "incredible and in blatant disregard for the public interest responsibilities of the Department."

"Dr. Walker, Executive Vice-President of the American Bankers Association, has been and is today the Number One lobbyist for the nation's Number One special interest group—the commercial banking industry," Mr. Patman said. "In his role as spokesman for the nation's big banks, Dr. Walker has supported a multitude of anti-public legislation ranging from special tax favors for the banks and big corporations to attempts to gut anti-trust laws."

"Even in a Republican Administration, it seems incredible that the chief spokesman would be installed in office to regulate the very industry for whom he has lobbied. Regardless of one's feelings about the performance of the commercial banking industry, such a situation raises basic questions of ethics and public policy."

Mr. Patman said the seriousness of the Walker appointment was heightened by the fact that the Secretary of the Treasury, David Kennedy, likewise came directly from the commercial banking industry. Kennedy was the chief executive officer of the Continental-Illinois National Bank, the nation's eighth largest bank.

Mr. Patman noted that Dr. Walker had consistently supported higher interest rates including the removal of the ceiling on long-term Government bonds, and had plugged for huge tax cuts for corporations and had consistently sought the imposition of discriminatory taxes on competing financial institutions such as savings and loan associations and mutual savings banks. He also charged that Dr. Walker had "all but wrecked" the college student loan program through the insistence that the banks be guaranteed windfall profits from the program.

"President Nixon is now proposing that Dr. Walker be placed in a position of public trust that will allow him to implement these positions," Mr. Patman said. "The Senate should reject this nomination.

## LET THEM KNOW ABOUT TENDERS

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, I am today introducing a bill to provide for adequate notice to the management of the corporations involved, in the case of certain proposed bids for corporate takeovers.

For the past several years the subject of the conglomerate merger boom has been receiving increasing attention by the press, governmental officials, business spokesmen, and security shareholders. The seemingly unrestrained nature of the boom has raised justifiable alarm in many quarters. Last year, in response to the rising apprehension, Congress took steps to protect the interests of target company shareholders in takeover cases involving cash tender offers.

It is my view that the legislation of last year could be wisely amplified so as to provide further protection to target company shareholders and, no less important, to provide some degree of protection to the management of the target company.

As things now stand in the conglomerate merger field, target company management has a reasonable opportunity to scrutinize and—if deemed necessary—defend against a takeover bid when the merger offer involves an exchange of securities. Not so in the instance of a cash tender bid.

Under legislation enacted in 1968—Public Law 90–439, an act providing for full disclosure of corporate equity ownership of securities—a full disclosure of intentions with regard to the company being taken over must be filed with the Securities and Exchange Commission. But since cash tender offers can be consummated immediately upon the filing, target company management is often given no chance to avail itself of the information provided in the disclosure statement. Target company management is actually rendered defenseless by the secrecy factor which makes cash tender takeovers so advantageous to the bidder and, conversely, so disadvantageous to the bidder and, conversely, so disadvantageous to management.

My bill attempts to redress the balance by providing both the offeror and management an equal opportunity to present their cases to the stockholders of the target company. Disclosure requirements, in my opinion, are very much in the interests of legitimate business and economic stability. In this bill, a period of 30 days is required between the filing of a disclosure statement involving a cash takeover offer and the actual consummation of the offer; that is, the tendering of the shares by the stockholders. A 30-day period will give management sufficient time to study the takeover proposal but—since 30 days is not of excessive duration—will not serve to impair the economic advantages of the intended merger.

## OPPOSITION TO PROPOSED SALARY INCREASES FOR MEMBERS OF CONGRESS AND OTHER GOVERNMENT OFFICIALS

(Mr. ANDREWS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDREWS of Alabama. Mr. Speaker, I am unalterably opposed to the proposed salary increases for Members of Congress, as well as for top officials of both the executive and judicial branches of the Federal Government. I strongly opposed and voted against the pay increase bill of 1967 which created the Commission on Executive, Legislative, and Judicial Salaries and which said Commission recommended the salary adjustments. I do not feel that salary increases are economically feasible at this time due to the heavy national debt, and, in addition, I do not believe this is the proper way for Congress to consider salary measures. This should be done through the regular legislative process. Congress should not be given a 30-day time limit to consider a proposal of this importance. Furthermore, the proposal was presented to Congress before the committees had had time to organize.

I am told that the salary recommendations of the Commission will cost the Federal Government an additional $34 million each fiscal year. I cannot in good faith to myself and to my constituents, State and country support a measure that will add $34 million to our already

astronomical national debt. Had my votes in the House prevailed through the years, the national budget would be balanced at the present time or at least the Federal debt would be much smaller. Unfortunately, this has not been the case. Therefore, I rise in support of the resolutions that have been introduced in the House of Representatives disapproving the recommendations of the Commission.

According to information I have been furnished, the interest on the national debt in fiscal 1970 will be $16 billion, an unbelievable figure. Charity should begin at home—economy in the Congress.

## ESTABLISHMENT OF THE FEDERAL MARITIME ADMINISTRATION AS AN INDEPENDENT AGENCY

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, I introduce today H.R. 4129, the Federal Maritime Act of 1969. This bill, which amends title II of the Merchant Marine Act of 1936, is similar to the one in the 90th Congress which was favorably reported with amendments by the Committee on Merchant Marine and Fisheries and passed both the House and Senate but was not signed into law.

This bill would take the Federal Maritime Administration out of the Department of Commerce and set it up as an independent Federal maritime agency.

The past history of the maritime industry indicates that the American merchant marine has done better when its affairs were handled by an independent agency than when delegated to a department not primarily concerned with its well-being.

From 1936 to 1950, maritime affairs were in the hands of the U.S. Maritime Commission. During this period the merchant marine enjoyed a period of strength, both in terms of the number of ships in the fleet, and in terms of the percentage of our national cargoes carried by these ships.

The percentage of total U.S. cargoes carried by ships flying the American flag during the prewar years of 1937–40 rose from 26.5 to 30.5 percent. The figure stood at 42.5 percent in 1950 when the existence of the independent Maritime Commission was ended and its functions transferred to the Department of Commerce.

Since the Maritime Commission lost its independence two decades ago, we have seen the virtual disappearance of U.S. shipping in coastal trade. We have seen the decline in passenger trade as a result of tremendous strides in aviation. We have seen bulk cargo emerge as an increasingly important element of our foreign commerce, but we have seen at the same time, the device of "runaway flag" cut sharply into our share of that commerce. We have seen during this period, a surge in our foreign commerce not matched by an equal surge in our merchant fleet. We carry only 8 percent of the waterborne export and import foreign commerce of the United States. We have stood by and watched the United States drop from first position as a merchant maritime power to sixth place. We rank a tired 15th as a merchant shipbuilding nation. The U.S. Maritime Administration reports that as of January 1, 1969, the U.S.S.R. had 12 passenger ships either on order or under construction. The United States had no passenger ships on order or under construction.

The net result is that while the world merchant fleet has increased slightly more than 60 percent in the last 15 years, the fleet flying under the American flag has decreased by slightly more than 24 percent.

Today, the privately owned American merchant marine consists of about only 900 ships, and about three-quarters of these are 20 years of age, or older. In addition, only about 10 percent of these 900 ships have a speed of 20 knots or more. This is a record of neglect.

I do not want to dwell on the past—I am more interested in the future; I am more concerned about the next decades of merchant marine history.

The maritime industry is vital to our national economy in terms of high employment and a healthy balance of payments. It is of equal importance to our national defense and the success of our foreign policy. We must start now to develop a national maritime policy which will build modern and competitive ships in American shipyards, to be registered under the American flag, and to be sailed by American seamen. I believe such a policy of rebuilding our maritime industry can best be developed and administered by a strong, independent agency—one which is not subordinate to any other department of the Government.

## REDUCTION OF FEDERAL SPENDING

(Mr. ABERNETHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABERNETHY. Mr. Speaker, last year conservative Republicans and conservative Democrats, including myself, made a genuine and earnest effort to invoke some economies in Government and to reduce the Federal budget. I was among those who voted for every amendment, except one, to reduce Federal spending. And I voted against this because I felt it was without merit.

I had high hopes this spirit of economy would carry over into this session of the Congress. My hopes were leveled considerably this morning when I read a statement made yesterday by our Secretary of the Treasury. After taking the oath of his office, he issued a statement to the effect that it would be "very difficult to cut the budget substantially," and of course, he was speaking of the budget of the outgoing administration as submitted by the then President Johnson.

With all deference, I just do not understand how it is possible for the new Secretary of the Treasury to have determined so quickly that the Johnson budget was so tight and not amenable to substantial reductions. Unless he is a most remarkable person, he just could not have examined this near $200 billion budget close enough in this short period of time and determined for a certainty that it is so tight that it is not subject to substantial cuts.

I hope, Mr. Speaker, that the conservative bloc, made up of Republicans and Democrats, will be as dedicated and aggressive during this Congress and during this administration to reduce Federal spending as it was last year during the Johnson administration.

Please, at least let us wait and see what we can do before we start saying "can't."

## NATIONAL PREFERENTIAL PRIMARY ELECTION FOR THE PRESIDENCY AND VICE-PRESIDENCY

(Mr. MOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOSS. Mr. Speaker, I am today introducing a joint resolution designed to amend the Constitution in order to provide for a national preferential primary election to select candidates for the Presidency and Vice-Presidency.

Additionally, the amendment would provide for a popular vote election of the President and Vice President.

Much has been said concerning the need for reform and change in our current electoral college system. What better way for a democracy to respond to the will of the people than by the adoption of a direct election system?

The legislation is being cosponsored by eight of my colleagues from the State of California: Mr. ANDERSON, Mr. BROWN, Mr. HANNA, Mr. HAWKINS, Mr. LEGGETT, Mr. REES, Mr. ROYBAL, and Mr. WILSON. I know they join me in urging this body to consider legislation in this area at the earliest possible time.

## RESOLUTION ON BIAFRA

(Mr. FRASER asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. FRASER. Mr. Speaker, today I have joined with 103 other Members in introducing House Concurrent Resolution 97, a bill aimed at helping to alleviate the starvation and suffering brought about by the Nigerian-Biafran war.

The large number of cosponsors is a clear indication, I think, that there is strong support in Congress for expanding American relief efforts to this beleagured area of Africa. The support is bipartisan; joining me in obtaining cosponsors has been the distinguished gentleman from Massachusetts (Mr. MORSE). Similar bipartisan sponsorship is being obtained for a Senate resolution.

In brief, the resolution makes two proposals: First, for the administration to increase significantly the amount of food, money, and nonmilitary transportation vehicles needed for relief; and second, to seek international cooperation in the humanitarian effort.

The words "humanitarian effort" are especially significant, Mr. Speaker, be-

cause this resolution has been drafted only for the purpose of fulfilling our humanitarian obligations while avoiding military and political involvement. The conflict is complex and dangerous. Several other major powers already are supporting one side or the other militarily. The United States has, wisely in my opinion, avoided military assistance to either side, and should continue to follow this policy.

However, a clear distinction must be made between the political and military aspects of the situation, on one hand, and the humanitarian aspects, on the other. As the gentleman from Massachusetts (Mr. MORSE) and I pointed out in our letter to Members of the House, the United States has provided more than $22 million and eight aircraft to the relief agencies so far. With only 200 tons a day reaching a people whose minimum relief needs are estimated at 2,000 tons a day, it is obvious that much more must be done. The relief we are proposing would be furnished to the relief agencies operating in the area with the consent of Nigerian and Biafran authorities.

Apart from the rightness or wrongness of either side in the conflict, Mr. Speaker, our Nation should be doing all that it can to prevent the already appalling starvation in Nigeria-Biafra from becoming one of the major disasters of our time. Millions of lives are at stake.

The text of Concurrent Resolution 97 follows:

Whereas reliable reports indicate that there is a tragic loss of life in the Nigerian Civil War caused by starvation and disease in areas controlled by the Federal Government and under the control of the "Biafran" authorities;

Whereas present relief operations are inhibited by poor roads, bad weather, inadequate transport, and the inaccessibility of certain areas to overland supplies; and

Whereas increased shipments of food and medical supplies are needed to reduce the tragic rate of starvation; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress (1) that the President should act to increase significantly the amount of surplus food stocks, relief monies, noncombat aircraft, and such other vehicles of transportation as may be necessary for relief purposes; and this relief assistance should be made available to and at the request of the Organization of African Unity, UNICEF, the International Committee of the Red Cross, and such other suitable religious and charitable relief agencies now or hereafter operating in the area with the consent of the responsible authorities; and (2) the Government of the United States should solicit the cooperation of other nations in this humanitarian effort.

Following are the cosponsors:
BROCK ADAMS, of Washington.
JOSEPH P. ADDABBO, of New York.
JOHN B. ANDERSON, of Illinois.
LESLIE C. ARENDS, of Illinois.
THOMAS L. ASHLEY, of Ohio.
EDWARD G. BIESTER, JR., of Pennsylvania.
JONATHAN M. BINGHAM, of New York.
JOHN A. BLATNIK, of Minnesota.
EDWARD P. BOLAND, of Massachusetts.
RICHARD BOLLING, of Missouri.
JOHN BRADEMAS, of Indiana.
WILLIAM S. BROOMFIELD, of Michigan.
GEORGE E. BROWN, JR., of California.
JOHN BUCHANAN, of Alabama.
PHILLIP BURTON, of California.
DANIEL E. BUTTON, of New York.
SHIRLEY CHISHOLM, of New York.
BARBER B. CONABLE, JR., of New York.
SILVIO O. CONTE, of Massachusetts.
JOHN CONYERS, JR., of Michigan.
JAMES C. CORMAN, of California.
JOHN C. CULVER, of Iowa.
DOMINICK V. DANIELS, of New Jersey.
HAROLD D. DONOHUE, of Massachusetts.
JOHN J. DUNCAN, of Tennessee.
DON EDWARDS, of California.
MARVIN L. ESCH, of Michigan.
DANTE B. FASCELL, of Florida.
HAMILTON FISH, JR., of New York.
THOMAS S. FOLEY, of Washington.
DONALD M. FRASER, of Minnestota.
PETER FRELINGHUYSEN, JR., of New Jersey.
RICHARD FULTON, of Tennessee.
ROBERT N. GIAIMO, of Connecticut.
JACOB H. GILBERT, of New York.
WILLIAM J. GREEN, of Pennsylvania.
GILBERT GUDE, of Maryland.
SEYMOUR HALPERN, of New York.
LEE H. HAMILTON, of Indiana.
JAMES M. HANLEY, of New York.
JULIA BUTLER HANSEN, of Washington.
WILLIAM D. HATHAWAY, of Maine.
KEN HECHLER, of West Virginia.
MARGARET M. HECKLER, of Massachusetts.
FLOYD V. HICKS, of Washington.
LAWRENCE J. HOGAN, of Maryland.
FRANK J. HORTON, of New York.
ANDREW JACOBS, JR., of Indiana.
HAROLD T. JOHNSON, of California.
JOSEPH E. KARTH, of Minnesota.
ROBERT W. KASTENMEIER, of Wisconsin.
HASTINGS KEITH, of Massachusetts.
EDWARD I. KOCH, of New York.
DONALD E. LUKENS, of Ohio.
PAUL N. MCCLOSKEY, JR., of California.
JOSEPH M. MCDADE, of Pennsylvania.
MARTIN B. MCKNEALLY, of New York.
CATHERINE MAY, of Washington.
THOMAS J. MESKILL, of Connecticut.
ABNER J. MIKVA, of Illinois.
JOSEPH G. MINISH, of New Jersey.
PATSY T. MINK, of Hawaii.
CHESTER L. MIZE, of Kansas.
WILLIAM S. MOORHEAD, of Pennsylvania.
BRADFORD MORSE, of Massachusetts.
CHARLES A. MOSHER, of Ohio.
WILLIAM T. MURPHY, of Illinois.
LUCIEN N. NEDZI, of Michigan.
JAMES G. O'HARA, of Michigan.
THOMAS P. O'NEILL, JR., of Massachusetts.
RICHARD L. OTTINGER, of New York.
CLAUDE PEPPER, of Florida.
BERTRAM L. PODELL, of New York.
TOM RAILSBACK, of Illinois.
THOMAS M. REES, of California.
OGDEN R. REID, of New York.
HENRY S. REUSS, of Wisconsin.
HOWARD W. ROBISON, of New York.
PETER W. RODINO, JR., of New Jersey.
FRED B. ROONEY, of Pennsylvania.
BENJAMIN S. ROSENTHAL, of New York.
PHILIP E. RUPPE, of Michigan.
WILLIAM F. RYAN, of New York.
FERNAND ST GERMAIN, of Rhode Island.
HERMAN T. SCHNEEBELI, of Pennsylvania.
FRED SCHWENGEL, of Iowa.
ROBERT T. STAFFORD, of Vermont.
WILLIAM J. STANTON, of Ohio.
LOUIS STOKES, of OHIO.
ROBERT TAFT, JR., of Ohio.
CHARLES M. TEAGUE, of California.
FRANK THOMPSON, JR., of New Jersey.
ROBERT O. TIERNAN, of Rhode Island.
JOHN V. TUNNEY, of California.
MORRIS K. UDALL, of Arizona.
CHARLES A. VANIK, of Ohio.
JEROME R. WALDIE, of California.
LOWELL P. WEICKER, JR., of Connecticut.
G. WILLIAM WHITEHURST, of Virginia.
LAWRENCE G. WILLIAMS, of Pennsylvania.
CHARLES H. WILSON, of California.
LESTER L. WOLFF, of New York.
JOHN W. WYDLER, of New York.
SIDNEY R. YATES, of Illinois.

## BIAFRA

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RYAN. Mr. Speaker, today I am joining over 100 other Members of the House in introducing a concurrent resolution calling upon the President to increase significantly the amount of surplus food stocks and relief moneys to Biafra, as well as the number of airplanes and other vehicles of transportation, to several nonpartisan relief agencies which are presently operating in the area of the conflict. The resolution also urges that the Government of the United States solicit the cooperation of other nations in this humanitarian effort.

During the past several months conditions in Biafra have grown progressively worse. According to statistics released by the International Red Cross, about 12,000 persons in Biafran-controlled regions and about 4,000 in federally controlled areas are starving to death each day. Estimates for the total number of deaths attributable to starvation now range from 1.5 to 2 million people. Each month almost 500,000 people die for lack of adequate nutrition. The horror of these statistics makes clear the gravity of the present situation.

The lack of decisive action by the executive branch in dealing with this critical situation makes it imperative that Congress make its feelings clear to the President. To this date, the United States has provided $20 million and eight aircraft to relief agencies. This aid, according to State Department figures, provides about 100 tons of supplies a day. But the minimum relief needs of the people in this area have been estimated at 3,000 to 6,000 tons per day. The United States can and must do more.

We cannot wait for matters to resolve themselves. Conscience demands that the United States take those steps authorized in our resolution to provide relief to the millions of Biafrans suffering from malnutrition and disease. This relief should include food, medical supplies, and the transportation vehicles necessary to carry out adequate relief programs.

I recognize the complexity of the issues at stake in this conflict. But the humanitarian questions involved demand that immediate steps be taken to rescue millions of people from starvation.

## TRIBUTE TO APOLLO 8 CREW

(Mr. BURLISON of Missouri asked and was given permission to extend his

remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURLISON of Missouri. Mr. Speaker, the accomplishments and auspicious characteristics of our Apollo 8 crew have sundry ramifications. One of these is vividly illustrated by a letter written by the pastor and certain members of the congregation of the Lebanon Baptist Church. A number of these church members live in my district. I insert the letter and names of its subscribers at this point in the RECORD:

Members and friends of the Lebanon Baptist Church would like to take this opportunity to commend Air Force Col. Frank Borman, Navy Capt. James A. Lovell, Jr. and Air Force Lt. Col. William A. Anders on their recent moon flight. We especially commend Navy Capt. James A. Lovell, Jr. for the very appropriate scripture passages read from the Bible.

Our Church would like to express our appreciation for men of these positions who pray and read scripture voluntarily and of their own free will. There should be more commendations for this rather than criticism.

Mrs. Oliver E. Hayes, Mrs. Ora Parker, Mrs. Mary Pribble, Mrs. Betty Allen, Elbert R. Yarbrough, Sylvester Darby, Mrs. Bess Darby, Mrs. Maxine Spence, Glen Spence, Mrs. Lola Yarbrough, Paul D. McCrorey, Elmer Steffan, Mrs. Mary Steffan, Mrs. Delores McConn, Jeny R. Wiles, Mr. and Mrs. Ray Wiles, Rev. Bill McConn, Aline Myers.

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## REAR ADM. RICHARD EVELYN BYRD ENSHRINED IN AVIATION HALL OF FAME

(Mr. DANIEL of Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. DANIEL of Virginia. Mr. Speaker, Rear Adm. Richard Evelyn Byrd is the last of what is known as the romantic age of exploration, at least as far as our own planet is concerned.

His great expeditions included the first successful flights over the North Pole on May 9, 1926, and the South Pole on November 29, 1929.

To explorers themselves, he was known as a triple-threat explorer. More to the point he conceived his expeditions and used his tremendous organizational skill and energies to finance and build them. Third, he was the leader in the field.

Perhaps the principal reason for his success was his ability to maintain a perfect blend between his creative visionary nature with his scientific practical nature. Of equal importance was his well-known ability to motivate and lead men. It has been said few, if any men had greater powers of concentration. Admiral Byrd has been known to say:

We don't take chances, we do take calculated risks.

Preparation was the keystone to his astounding success.

Explorers who have accompanied Admiral Byrd have said:

No man ever penetrated the Arctic and Antarctic who inspired greater confidence and dedication on the part of his men than did this gallant naval officer.

A cardinal principle of the admiral was his constant concern for the safety and welfare of his men.

His expeditions are of lasting importance because the flights over the poles were only part of his objectives and accomplishments. His explorations contributed enormously to our knowledge of flight and of the scientific nature of our planet earth and the elements which control it.

His life will forever inspire men to lofty goals and his courage, character, and integrity will always strengthen men in their search for knowledge.

As is known to many, Admiral Byrd was the illustrious brother of Virginia's beloved late Senator Harry F. Byrd, and uncle of the now senior Senator from Virginia, Hon. HARRY F. BYRD, JR. I am confident, therefore, that Members of Congress, as well as many others, will be interested in the following account of an additional honor recently bestowed upon Admiral Byrd.

On Tuesday, December 17, 1968, Admiral Byrd was enshrined in the Aviation Hall of Fame. Impressive enshrinement ceremonies were conducted at the Sheraton-Dayton Hotel, in Dayton, Ohio, during which Vice Adm. Thomas F. Connolly, Deputy Chief of Naval Operations, Air, made the following address:

On behalf of the men and officers of the United States Navy, who valiantly serve this Nation on the sea and in the air, I am personally honored tonight to attend these ceremonies of Aviation's Hall of Fame and particularly to present the achievements of one of America's most distinguished flying explorers and the fifth Naval Aviator to be enshrined by this distinguished body.

Born in Winchester, Virginia, just eighty years ago, his early youth, and in fact his whole life, was filled with a great love of adventure and exploration. Even at the tender age of twelve, he begged his mother so insistently that she consented to his making a trip around the world all by himself. She had thought that after a few days he would become homesick and return. But she was wrong, for he was an adventurous lad and worked his way to the Philippines aboard a steamer. Then he traveled from one Asiatic port city to another, absorbing all that he could before he returned home, three years later.

After entering the United States Naval Academy in 1908, he became greatly interested in the epic tales of Arctic exploration and decided that he would be the one to discover the North Pole. But after Admiral Robert E. Peary's discovery of the Pole in 1909, after spending 23 years in the quest, he then resolved to be the second man to explore that vast uncharted region.

While a Midshipman at the Academy, he distinguished himself in scholastics and athletics. Upon graduation in 1912, he was commissioned an ensign and assigned to battleship duty. While serving aboard the battleship Washington, he twice rescued a man from drowning and received Letters of Commendation from the Secretary of the Navy, and Silver Life Savings Medals from the Treasury Department.

When the United States declared war on Germany in 1917, he helped organize the Navy's Commission on Training Camps. But such service was too confining and before long he secured a transfer to aviation training at Pensacola, Florida. A few months after he was designated Naval Aviator No. 608, he became the Commanding Officer of the U.S. Naval Aviation Forces in Canada, with two stations in Nova Scotia serving as operating bases for Navy seaplanes on submarine patrol over the sea approaches to the North Atlantic.

After the Armistice, he helped the Navy plan the first flight across the Atlantic. While he did not participate in the flight directly, he helped solve the many navigational problems and invented an improved sextant with a bubble level so that the navigators could take celestial sightings without having to also see the horizon. For this, he received a Letter of Commendation. Participating in the historic venture were Commander John Henry Towers and Lieutenant Commander Albert Cushing Read, both enshrinees in Aviation's Hall of Fame. The NC-4 flying boat, under Read's command, completed the epic flight across the Atlantic to Portugal, via the Azores, in May, 1919.

In the early 1920's, our distinguished pioneer went to England to take charge of the new dirigible, the ZR-2, being built there for our Navy. He arrived just after the huge dirigible had taken off on its maiden flight. Disappointed at first, he was suddenly stunned when the news was flashed that the ZR-2 had exploded in mid-air and all but one of the crew were killed.

After completing advanced studies in aerial navigation in England, Admiral Moffett asked him to help plan a flight by the Navy's dirigible, the "Shenandoah," from Alaska over the North Pole to the island of Spitsbergen. It was a fantastic personal challenge, but unfortunately President Coolidge canceled the project.

Now his interest in the Arctic was fully reawakened and he began planning a flight of his own over the North Pole. But before he could complete his plans, the Navy placed him in command of an eight-man Naval Aviation Arctic Unit that was to accompany a privately sponsored expedition to explore the sea and air approaches to the North Pole.

Let us turn now to the filmed story of the adventures that followed. (Eight minute film was then shown.)

When World War II broke upon the Nation, he was called to active duty and took part in special missions in the Pacific and European Theaters. He carried out these important and exacting missions with untiring energy, unusual foresight and a high order of professional ability, for which he received a Letter of Commendation With Ribbon from the Secretary of the Navy, as well as the Legion of Merit with a Gold Star.

With the war behind him, he helped the Navy plan "Operation Highjump," a massive expedition to Antarctica involving 4,000 men, 13 ships, numerous aircraft, and even an aircraft carrier and two aircraft tenders. The expedition operated in three separate groups and their explorations encircled the entire continent. A vast number of photographs documenting the nature of Antarctica and a great wealth of data in a number of scientific fields were obtained. He again flew over the South Pole, unseen since his flight over it in 1929, and dropped the United Nations flag at the site. "Operation Highjump" was a challenging project for him to lead and our Navy personnel received invaluable training and our ships underwent rigorous cold weather testing. Also, the political task of consolidating and extending our sovereignty over the largest practical area of the Antarctic Continent was completed.

In the years that followed, he became the founding chairman of the Iron Curtain Refugee Committee of the International Rescue Committee, assisting escapees from communist tyranny. He also was co-chairman of Operation Brotherhood, giving assistance to the anti-communist government of South Vietnam. Both of these activities were highly commended by the President and Department of State.

In 1955 he headed a new Antarctic expedition, "Operation Deep Freeze," and was in

charge of the United States Antarctic Programs, reporting and making recommendations to the Secretary of Defense on all political, scientific, legislative, and all operational activities pertaining to our Nation's interests. He arrived in Antarctica in December, 1955, and established two bases in preparation for our participation in the International Geophysical Year 1957–1959. Before he returned home in 1956, much new territory had been explored by air and the Navy Task Force had arrived to carry out additional explorations.

In recognition of his very great achievements and many contributions to polar science and geographic explorations, as well as his humanitarian contributions to the world, the Secretary of Defense awarded him the Medal of Freedom in 1957.

Thus came to an end an active career of unparalleled experiences in the last remaining unconquered regions of our world. His was an unique contribution to international scientific understanding and good will, consistent with promoting our Nation's interests in both polar regions. His was a lifetime of service which encompassed unequalled exploits of skill and daring in the air, including flights across the North and South Poles and five historic expeditions to Antarctica. His was a service in the highest traditions of a naval officer and of a citizen of our great Nation. His legacy to all of the peoples of the world will be remembered as long as man has the individual will to challenge the unknown—and the personal spirit to extend his pioneering deeds in the air—and now into space.

Rise now in his honor as we enshrine Rear Admiral Richard Evelyn Byrd into Aviation's Hall of Fame. (Portrait of Admiral Byrd was then unveiled, followed by presentation of Award Plaque.)

Ladies and Gentlemen, here to accept this honor on Admiral Byrd's behalf is his daughter, Mrs. William A. Clarke, Jr. of Swarthmore, Pennsylvania.

Mr. Speaker, following the introduction by Vice Admiral Connolly, a brief response, on behalf of her mother and her brother and sisters, was made by Mrs. Clarke.

## TRIBUTE TO SPEAKER McCORMACK

(Mr. JONES of Alabama asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include an editorial.)

Mr. JONES of Alabama. Mr. Speaker, the Florence Times-Tri-Cities Daily, published in Florence, Ala., has printed an editorial commenting on the election of the Speaker of the House of Representatives.

The editor, Mr. Louis Eckl, has long been an astute observer of Government affairs and a positive force for proper development of northwest Alabama and surrounding regions.

I want to include the editorial in my remarks at this point so that all of my colleagues can share its thoughts:

HOUSE RETAINS TVA FRIEND

A stanch friend of TVA, John W. McCormack of Massachusetts, has been re-elected Speaker of the U.S. House of Representatives.

Throughout his long service in the Congress, Speaker McCormack has been unfailing in his support for water resources development in this and other sections of the nation.

Although a city dweller, he understands the farm problems of an area like North Alabama. He is aware of the interdependence of the various sections of the country. He supports the people who walk behind the plows and drive the tractors to produce the food and fiber for the increasing urban population.

It is said that Speaker McCormack is patient, tolerant, and considerate of all the Members of the Congress. He is acquainted with the needs of all the people of this nation and alert to the nuances of the problems involved in their solution.

All these factors make of him a great parliamentarian. But probably more important to us is his willingness to receive Members of Congress to discuss legislation—its progress and its hopes. Speaker McCormack is a man who is not given to impulse and hasty action. All his moves are marked by high purpose.

He is among the most devout of Catholics, yet he has always maintained a Protestant as Chaplain in the House of Representatives.

Our own Congressman Bob Jones has remarked: "We have a great patriot and noble legislator in Speaker McCormack. He has an understanding and compassion for our problems of the South."

## ACTION URGED TO END BIAFRAN CRISIS

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, I should like to join with my colleagues who are urging further action upon our country with respect to what it should do in Biafra. We are facing there a situation which is no less than genocide, and one which warrants our sending, not military aid, but food, medical assistance, and joining with other countries which wish to assist in preventing further deaths.

I do not intend to pass judgment on the political morality of the civil war. For this internal problem, a settlement must be reached between the parties immediately concerned. Unilateral involvement by the United States could only serve as the vehicle for another Vietnam—a situation we clearly do not want to create again.

My concern is not for the political nor for the military. My distress is for the moral and the humanitarian.

The stark facts are almost beyond full comprehension: An estimated 2 million have died of starvation. The remaining Biafran population of 4 to 6 million face daily the problem of famine. The dimensions of this tragedy cannot easily be judged in this day of mass measurement. The holocaust can only be compared to the genocide in Germany when 6 million Jews were slaughtered and the genocide in Armenia, when 1 million Armenians were destroyed by the Turks.

How long can we stand aside while judgments are sought as to the efficacy of action? How much guilt can humanity bear until we are moved to help?

The U.S. Government has provided some $22.5 million in relief assistance of surplus food, medical supplies, and technical equipment to the International Red Cross and the Joint Church Aid Group. Some 2 to 2½ million Biafrans are receiving relief through the airlift operations of these organizations. The Red Cross is feeding another million in Nigeria. Since the terrible famine of last fall, the death rate has decreased somewhat with the harvest and the improved airlift operation, but February through April will be another crisis period of famine.

About two and a half weeks ago I had the pleasure and privilege of joining with the junior and senior Senators from New York and the Archbishop of New York, Archbishop Cooke, and Mrs. Nixon, on the steps of St. Patrick's Cathedral in New York City, to urge further assistance. Food and medical supplies were gathered on this day of public giving to load on the Biafra Christmas ship.

Food and transportation facilities are badly needed to combat further starvation. However, the events of recent weeks, with the limits imposed by the Guinean Government on flights, have severely hampered airlift operations. The International Red Cross has not been able to fly into Biafra for the last 10 days. Food is being used by both sides for political purposes, and its supply is tied in to the questions of the civil war.

Disaster of this magnitude transcends the political boundaries of either Nigeria or Biafra. Through the offices of the United Nations, we must with other nations bring pressure to bear and terminate the fighting to allow shipments of food and other badly needed supplies.

Vast numbers of human lives are hanging in the balance, dependent in large measure on pressures and actions beyond their control. The situation demands action, and time is of the essence.

## THE FUTURE OF U.S. PUBLIC DIPLOMACY—IV

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last week, on January 15, 16, and 17, I placed in the CONGRESSIONAL RECORD some information relating to a recent report of my subcommittee—the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs—entitled "The Future of United States Public Diplomacy."

On the first day, I described the purpose of our report and inserted in the RECORD its findings and recommendations.

On the second day, I listed the names of some 80 distinguished Americans—leaders of business and industry, executives of foundations and voluntary organizations, and academic specialists—who endorsed our subcommittee's call for a thorough review of our Government's overseas information programs.

On the third day, I quoted some of those leaders' reactions to our report—reactions which stressed the timeliness of our findings and the importance of our recommendations for a more effective implementation of our Nation's foreign policy.

Today I should like to place in the RECORD a few articles from American newspapers, commenting on the issues discussed in our report, and on its findings and recommendations.

Mr. Speaker, the proper handling of information activities—at home and abroad—by our Government, is of deep

concern to all thinking Americans. Our Government should be one of the strongest champions of freedom of information. At the same time, it should adapt its methodology—its information policies and programs—to the realities of our day: realities which are shaped largely by the ongoing revolution in communication technology.

We feel, and many persons in this country and abroad agree, that our Government has not responded fully and effectively to the challenge and the opportunity brought to us by the communication revolution.

It is for this reason that we have urged, and continue to urge, a thorough, systematic overhaul of our overseas information activities by a competent, high-ranking body appointed for that purpose by the President of the United States.

Mr. Speaker, the articles which I mentioned follow:

[From the Milwaukee (Wis.) Journal, Dec. 22, 1968]

U.S. IMAGE TERMED AT A 50-YEAR LOW

WASHINGTON, D.C.—World attitudes toward the United States are at a 50 year low, with many foreigners considering it "a violent, lawless, overbearing, even a sick society," a congressional subcommittee reported Saturday.

Even so, the nation still enjoys wide global popularity, the report of the house foreign affairs subcommittee added. It gathered testimony from experts in compiling the study.

The panel, headed by Rep. Dante Fascell (D-Fla.), said there was general agreement that the United States must push harder to set its domestic house in order.

"People abroad judge us on the basis of what we do rather than of what we say," is declared.

Basically, the report said, the United States needs a "propaganda of action"—maintenance of civil order, effective gun control legislation, "a serious attempt to persuade the mass media to stop making violence attractive."

The subcommittee also called for "a thorough, systematic reappraisal of the entire information policy of the United States government . . . preferably by a bipartisan commission of outstanding national leaders and experts in communication and in the social sciences."

GREATEST IMPACT

The Vietnam war has had the greatest impact on public opinion abroad, the subcommittee said, but the race problem, crime and lawlessness also contributed heavily and the most devastating impact . . . came from the assassinations of Sen. Robert F. Kennedy and Dr. Martin Luther King, Jr."

The report said: "Overseas opinion surveys indicated widespread misunderstanding and confusion about our purpose in Vietnam—and that United States actions in that country are strongly, at times passionately, disliked."

Such attitudes are found in countries which depend on the United States for protection against Communist agression, the report continued. It cited polls in four western European countries that favored United States withdrawal from Vietnam even at the cost of a possible Communist takeover.

The next most important factor in worsening the American image, the report said, was race relations.

"Foreign observers who looked upon the Americans as friendly, generous, openminded and progressive people, were profoundly shocked by the exposure of the conditons in American urban ghettos, by the massive Negro riots of the last three years, and by the specter of continuing racial conflicts in this country," it said.

The condemnation of crime and lawlessness in America derived, in part, the subcommittee said, from "other people's stereotyped conception of our national characteristics; from American movies, radio and television, and from violence in our streets."

In spite of the slump in international esteem, the report said:

"The United States has been and probably still remains the most popular major power in the history of the world, particularly when compared to foreign public attitudes toward the Soviet Union and Red China."

It said polls showed respect for the strength and technical accomplishments of this country, its intellectual and artistic achievements and the steadfastness of its foreign policy. Pollsters were told that foreigners would rather side with the United States than any other world power.

"According to polls cited in this document," the report went on, "the things which other free nations admire most about the United States are this country's generous idealism, willingness to help acceptance of the burdens of world power and desire to do good to others."

Foreign aid and the peace corps showed up as big contributors to a positive image.

The report summed up: "Ambivalence appears to be the keynote of popular attitudes toward the United States; we are both loved and hated, admired and envied, resented and emulated, rebelled against and followed."

Witnesses generally agreed that "the United States information agency is urgently in need of new directions, new dimensions, new duties and new emphases." The report continued:

"It is astonishing in some respects how little the United States government has done over the years to adjust its overseas information policy and operations to the new realities in international relations, realities fashioned largely by the ongoing revolution in communication technology."

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[From the Washington (D.C.) Sunday Star, Dec. 22, 1968]

U.S. IMAGE CALLED DIMMER

(By Edmond LeBreton)

World attitudes toward the United States are at a 50-year low, with many foreigners considering it "a violent, lawless, overbearing, even a sick society," a congressional subcommittee reported yesterday.

Even so, the nation still enjoys wide global popularity, the report added.

A House Foreign Affairs subcommittee summed up views of witnesses in these terms. It said also there was general agreement the United States must push harder to set its domestic house in order; "People abroad judge us on the basis of what we do rather than of what we say."

CALLS FOR REAPPRAISAL

But the subcommittee, on its own, called for "a thorough, systematic reappraisal of the entire information policy of the U.S. government . . . preferably by a bipartisan commission of outstanding national leaders and experts in communication and in the social sciences."

Subcommittee Chairman Dante B. Fascell, D-Fla., said more than 40 leaders in communications, commerce, industry, foundations and educational institutions, who were shown advance copies of the report, endorsed the idea of a bipartisan commission—which would be appointed by President-elect Richard M. Nixon to review U.S. overseas information programs.

CONFUSION ON WAR

The subcommittee said it found that the Vietnam war has had the greatest impact on public opinion abroad, but the race problem and crime and lawlessness also contributed heavily and "the most devastating impact . . . came from the assassinations of Sen. Robert F. Kennedy and Dr. Martin Luther King."

The report said "Overseas opinion surveys indicate widespread misunderstanding and confusion about our purpose in Vietnam—and that U.S. actions in that country are strongly, at times passionately, disliked."

The next most important factor in worsening the American image, the report said, was race relations:

"Foreign observers who looked upon the Americans as friendly, generous, openminded and progressive people, were profoundly shocked by the exposure of the conditions in American urban ghettos, by the massive Negro riots of the past three years, and by the specter of continuing racial conflicts in this country."

In spite of the slump in international esteem, the report said, "The United States has been and probably still remains the most popular major power in the history of the world, particularly when compared to foreign public attitudes toward the Soviet Union and Red China."

It said polls showed respect for the strength and technical accomplishments of this country, its intellectual and artistic achievements and the steadfastness of its foreign policy. Pollsters were told people would rather side with the United States than any other world power.

"According to polls cited in this document," the report said: "the things which other free nations admire most about our United States are this country's generous idealism, willingness to help, acceptance of the burdens of world power and desire to do good to others."

Foreign aid and the Peace Corps showed up as big contributors to a positive image.

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[From the New York Times, Dec. 22, 1968]

U.S. IMAGE ABROAD HIT BY HOUSE PANEL

WASHINGTON, December 21.—A Congressional panel expressed concern today over America's deteriorating image overseas, and supported more Government action to combat racial and other domestic problems.

A report by a foreign affairs subcommittee of the House of Representatives also urged a bipartisan committee be set up to reappraise thoroughly and systematically United States Government information programs.

The recommendations were made in a report entitled "Winning the Cold War: the U.S. Ideological Offensive" by the Subcommittee on International Organizations and Movements.

The panel held hearings in July during which a number of public opinion poll experts testified that the United States image overseas had deteriorated largely because of racial and other problems at home and the involvement in the war in Vietnam.

The report said the United States should "accept the fact that foreign policy begins with domestic conduct."

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[From the Christian Science Monitor, Dec. 31, 1968]

U.S. IMAGE STUDIED

WASHINGTON.—A House Foreign Affairs subcommittee—reporting America's image abroad at a 50-year low—has called for a systematic reappraisal of the government's entire information policy.

Many foreigners consider this country "a violent, lawless, overbearing, even a sick society," said a subcommittee report, even though America still enjoys wide global popularity.

The report said opinion surveys overseas showed United States Vietnam actions often confuse and sometimes repel many foreigners, that race and crime problems shock them, and that "the most devastating impact" came from the assassinations of Sen. Robert F.

Kennedy and the Rev. Dr. Martin Luther King, Jr.

The subcommittee proposed reappraisal of United States information policy by a bipartisan commission of experts and suggested among other things more personal contact abroad and better training of United States information personnel.

[From Broadcasting, Jan. 6, 1969]

STANTON BACKS REPORT URGING REVIEW OF USIA

CBS Inc. President Frank Stanton is one of 56 national business, foundation and education leaders who last week endorsed a congressional recommendation to reappraise the U.S. Information Agency (Broadcasting, April 1, 1968).

The recommendation emanated from the House Foreign Affairs Subcommittee on International Organizations and Movements, headed by Representative Daniel B. Fascell (D-Fla.). It was embodied in a report on "The Future of U.S. Public Diplomacy" released December 22 by the subcommittee.

The 175-page report calls attention to the recent deterioration of the "U.S. image abroad" and suggests that a thorough reappraisal of U.S. overseas information programs would be the logical first step in any effective remedy for that situation.

Dr. Stanton said of the report: "Your draft report is a most comprehensive document, and a truly amazing record to have been compiled in so short a time. I concur not only readily but eagerly to the conclusions set forth and hope they gain widespread currency among those who must deal with our country's public diplomacy in the future." Dr. Stanton is head of the U.S. Advisory Commission on Information.

## APPRECIATION FOR SERVICES OF CAPITOL EMPLOYEES IN CONNECTION WITH INAUGURATION DAY

(Mr. RIVERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RIVERS. Mr. Speaker, this inauguration drew one of the largest crowds ever to assemble in Washington. In my 29 years it was the largest crowd I have seen at an inauguration.

As a consequence, there were many hundreds of thousands of visitors and many functions being carried on on Capitol Hill. I asked the Superintendent of Restaurants just to find out what was done.

I think a word of appreciation should be extended to those employees who took care of the requests of Democrats as well as Republicans. In the Cannon Building there were 30 special services in offices, in Longworth there were 35, and in Rayburn there were 37 special services, as well as two banquets catered in Rayburn Building, and six special functions in the Capitol, all of which required many thousands of extra hours of service. Some of the employees worked all day Sunday and Sunday night, and they did an outstanding job. The Superintendent of the buildings did so also.

I, for one, and on behalf of Members, if they will permit me, extend a word of thanks to these people.

At this point, Mr. Speaker, I include a letter which I received from the assistant manager of the House restaurant:

U.S. HOUSE OF REPRESENTATIVES
RESTAURANTS, U.S. CAPITOL,
*Washington, D.C., January 21, 1969.*

Hon. L. MENDEL RIVERS,
*House of Representatives,*
*Washington, D.C.*

DEAR MR. RIVERS: In reference to our conversation this morning, we performed the following special services for the Congressmen on Inauguration Day:

| | |
|---|---|
| C.H.O.B. | 29 Room Service. |
| L.H.O.B. | 35 Room Service. |
| R.H.O.B. | 37 Room Service. |
| Rayburn Catering | 2 Banquets. |
| Capitol | 6 Special Functions requiring help in serving. |

All of this service would not have been possible without planning and foresight of our very able and dedicated General Manager, Mr. Kermit A. Cowan. One of the most important steps in preparing for the Inauguration was the printed rules and instructions sent to each Member concerning items we were preparing and delivering to the offices.

Also, without the full cooperation and hard work of the management and employees of each unit, none of the above would have been possible. Many long hours have been put in by all concerned in the past week preparing for this important event.

Another person who was very cooperative and showed much interest in seeing that Members and guests were well taken care of was Mr. Ridgell. He was very nice to loan us some of his help to use in delivering and cleaning up.

We also owe thanks to the Superior Coffee Company who flew in 28 coffee urns and Standard Brand Coffee who loaned us 10 coffee urns. A very special thanks to Mr. Ray Turek of Standard Brand Coffee who spent 7–8 hours of his own time in making coffee for us.

Sincerely yours,

JOHN L. DAMM,
*Assistant Manager.*

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I commend the gentleman for expressing this word of appreciation, and I join him in commending the employees of Capitol Hill.

I would like to add also that the police force did a grand job.

Mr. RIVERS. Mr. Speaker, I include them too. Also, the chairman of the program committee, who had jurisdiction over this, did a grand job. These people all did a good job. I know a word of thanks will encourage all of them.

## SOLVING THE PROBLEMS OF CRIME IN THE DISTRICT OF COLUMBIA

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which I believe will go a long way in solving the problems of crime in the District of Columbia.

This legislation has one principal objective: to bring the accused to trial as quickly as possible without jeopardizing his right to constitutional defenses and without jeopardizing the right of the prosecution to properly present its case against the accused.

To realize this goal of swift and judicious trials will require manpower, and additional manpower will cost money.

However, I firmly believe that the lives that will be saved from death and bodily injury, and the property loss that will be prevented is certainly worth the price.

The simple fact which confronts us is that there is not sufficient manpower in our judicial force here in the District of Columbia to deal properly with the crime situation.

We have undertaken to employ more law enforcement officers and this is most welcome and necessary. But, making more arrests is only part of the solution. We must be able to deal properly with these defendants in our courts and this we are not now able to do.

I have supported the strengthening of the law enforcement in the District, but this is not enough.

In the 90th Congress I introduced legislation to permit a judge to consider a defendant's potential danger to the community in determining whether to admit the person to bail.

I have again introduced this bill in the 91st Congress, H.R. 335, but this legislation, when passed, and I believe it will be, will not be enough.

We must move swiftly to clear our criminal court dockets of the backlog of cases, many of which have been 18 months awaiting trial.

The legislation which I am introducing today would do the following:

First, authorize an additional 10 judges for the U.S. District Court for the District of Columbia. It is this court which tries all felonies in the District of Columbia.

At the present time, there are 15 U.S. district judges authorized for the District of Columbia, and a backlog of cases going back well into 1967.

This is not justice, neither to the accused nor to society.

The estimated cost of these 10 more judges and the necessary supporting clerks, probation officers, and physical plant is $800,000.

Second, this legislation would increase the authorized appropriation ceiling for the District of Columbia Bail Agency from $130,000 to $350,000. This would enable the bail agency to properly enforce strict release conditions which are not now being imposed by the courts because they cannot be enforced. This increase in the authorization would enable the bail agency to increase its present staff of 13 full-time personnel to 35, and would enable the Agency to perform many more necessary functions such as: First, investigation and the furnishing of information to the court before bail restrictions are set; second, proper supervision of the accused, and, third, proper notice to the accused concerning his time for appearance in court.

Third, in a separate appropriation bill, I ask that the Congress act immediately to appropriate $264,000 to hire 22 additional assistant U.S. attorneys for the District of Columbia for the balance of the present fiscal year to strengthen the posture of criminal prosecution.

At present there are approximately

1.6 assistant U.S. attorneys for every criminal judge on the U.S. district court. This means each attorney has approximately 35 minutes to prepare for each case in court. As a result, many defense motions are granted to defense counsel simply because the prosecution has not had time to prepare its cases.

The appropriation bill that I am introducing would increase this attorney to judge ratio to the necessary 3.5 for the current complement of the U.S. district court, and I would hope that the Congress, in its consideration of the 1970 budget would see fit to again increase the number of assistant U.S. attorneys when the number of judges is increased.

The final bill that I am introducing would provide for a mandatory penalty of 5 years for anyone who uses a deadly or dangerous weapon in the commission of a crime in the District of Columbia. The present law provides only that a judge may impose such an additional penalty. I do not feel that this is sufficient, hence I offer this bill to make such a penalty mandatory.

I strongly urge my colleagues to join me in this attack on crime in the District of Columbia, in order to make the residents and the millions of visitors safe.

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## SUPPLEMENTAL APPROPRIATIONS FOR THE BILINGUAL EDUCATION ACT

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RYAN. Mr. Speaker, since the Bilingual Education Act was first authorized in the 90th Congress, the Department of Health, Education, and Welfare has lacked adequate funds to implement the objectives of the program. The administration's fiscal year 1969 budget request was cut by 75 percent from $30 million to $7.5 million. As an original sponsor of this legislation I am concerned about the fact that HEW has not yet approved any application under this program.

HEW's Office of Education has informed me that 310 preliminary applications for grants were received by the cutoff date of December 20. After both an in-house review by HEW and a nongovernmental review by a selected panel of experts in this field, those preliminary applications showing most promise will be approved for formal application and funding by early summer. However, the response of educators and interested parties throughout the country has been such that the Office of Education will be forced to disapprove many promising and necessary programs to aid our Spanish-speaking population.

The 310 preliminary applications represent a total request of $40.4 million compared to an appropriation by Congress of only $7.5 million for fiscal year 1969. These same applications project a total budgetary cost of $46.9 million for fiscal year 1970 and a 5-year total cost for the time period 1969–73 of $237.9 million. The figures show that there is a widespread demand for the bilingual education program. The National Education Association has urged, "that the full $30 million authorized by Congress be appropriated to implement the Bilingual Education Act, with emphasis on preschool education."

With such a demand as well as a large need for this program, I have introduced legislation to provide supplemental appropriations of $22.5 million for fiscal year 1969—H.R. 2793—and an appropriation level of $40 million for fiscal year 1970—H.R. 2794.

The Bilingual Education Act is a particularly tragic example of a desperately needed domestic program that has been doomed by the warped state of our national priorities. In the United States there are over 2 million schoolchildren who lack a command of even basic English. For a majority, their first language is Spanish. The bilingual education program is a program of compensatory education for both youth and adults to overcome the language handicaps which persons of limited English-speaking ability face in a society where the majority speak only English. For these people, language is a discriminatory barrier—for an inability to use the English language affects opportunities for educational attainment, and ultimately, the employability of the person. Unless we take prompt action to insure equality of opportunity for all Americans, including their ability to communicate with and understand one another, we cannot expect to achieve a humane, just, and equitable society. An individual, at this time in our history, is disadvantaged from the offset, if he is not able to speak the English language. The end result for such individuals often is under- and unemployment and poverty.

The bilingual education program provides a broad range of activities including research and pilot projects for improved techniques for the teaching of English, adult education programs, closer ties between home and school, and special training programs to prepare qualified persons to become teachers in bilingual education endeavors. In addition, the bilingual program stresses the importance of the history and culture of the minority participant. The program is designed to "impart to students a knowledge of the history and culture associated with their language" so that they will grow to appreciate their own heritage and realize its contributions.

Economic indicators, such as education and income levels, demonstrate that Spanish-speaking Americans are severely handicapped by present language barriers. A good example of this is in New York City, which has a Spanish-speaking population of three-fourths of 1 million and is the largest language minority in New York. The exclusive use of English in public schools presents the Puerto Rican child with an enormous handicap. Children who have spent their early years speaking Spanish are thrown, usually totally uninitiated, into a kindergarten or first grade, where all communication is in English. These children may suffer, as a result, a combination of reactions, all with detrimental implications.

In New York City, the board of education has found that fewer than 10 percent of Puerto Rican third graders were reading up to their grade level in 1966. Three out of 10 were already at least a year and a half behind the average level of attainment of their fellow students. By the eighth grade, reading disability had increased to such a degree that as many as two-thirds of the Puerto Rican children at the eighth grade level were more than 3 years behind. When one realizes that in New York City, 46 percent of the Puerto Rican population is under 20 years of age, the tremendous impact the bilingual education program could have on these Spanish-speaking children is clear.

Unless Congress acts promptly to fully and adequately fund the Bilingual Education Act, many Spanish-speaking children will grow into adult life with a serious language handicap which will ultimately impair their economic potential and their ability to function in a society where English is the predominant language. This program will do much to equalize the opportunity for achievement of the non-English-speaking student both in the classroom and in the employment market.

I urge immediate action to increase the appropriation for the Bilingual Education Act for fiscal year 1969 by $22.5 million to the level authorized by Congress and the 1970 fiscal year appropriation to its full authorization level of $40 million.

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## SECTION 236 INTEREST RATE REDUCTION PROGRAM URGED FOR EXISTING STATE AND MUNICIPALLY FINANCED HOUSING

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RYAN. Mr. Speaker, today 11 Members of the House have joined me in cosponsoring legislation which would make the section 236 interest subsidy and rent supplement benefits of the Housing and Urban Development Act of 1968 available to existing State or locally financed middle-income housing projects. Those Members joining me include Representatives MARIO BIAGGI, of New York; JOHN CONYERS, of Michigan; LEONARD FARBSTEIN, of New York; JOSEPH GAYDOS, of Pennsylvania; SEYMOUR HALPERN, of New York; HENRY HELSTOSKI, of New Jersey; CHARLES JOELSON, of New Jersey; EDWARD KOCH, of New York; RICHARD MCCARTHY, of New York; ROBERT NIX, of Pennsylvania; and BENJAMIN ROSENTHAL, of New York.

This legislation is offered as an extension of my amendments which were included last year in the Housing and Urban Development Act of 1968, which made interest subsidies and rent supplements available to State and municipally financed housing approved for such programs prior to construction or rehabilitation; the bill is idential to H.R. 49 which I introduced on the opening day of the 91st Congress. State and municipally financed housing projects completed before the enactment of the 1968 act are currently ineligible to apply for the reduction in interest rate down to 1 percent provided by section 236 and rent supplements.

Seven States—New York, Connecticut, Illinois, Massachusetts, Michigan, New

Jersey, and Pennsylvania—have programs which would benefit from this legislation. The purpose is to provide relief to State and local programs which have recently been severely undercut by spiraling interest rates. High interest rates have resulted in increased mortgage interest rates, carrying charges, and rents for publicly assisted middle-income housing programs. The consequences for many middle-income New York City families have been alarming. Rents in new Mitchell-Lama projects have recently been approved for as much as $48 per room per month, or $144 per month for a one-bedroom apartment.

Under the Mitchell-Lama program New York State floats bonds, the proceeds of which may be lent to sponsors of middle-income housing at the current rate of 5.7 percent. In order to borrow funds from the program, a sponsor has to agree to limit his rate of return on the housing facility. The abatement of real estate taxes has also helped to keep costs down.

New York City has a similar program for which average costs have risen steadily from $26 per room in 1961 to $38 per room in 1968. Last April New York City approved increases in carrying charges in 26 middle-income Mitchell-Lama projects; on August 22, 1968, 16 more projects experienced increases. In several middle-income projects increases in costs have led to conflicts between residents of the projects and city officials. In November of 1968 the city of New York took steps to foreclose mortgages on 14 cooperative apartment facilities housing 9,269 families who had refused to pay the 5- to 15-percent increase in charges ordered by the city last April. Thirteen of those cooperatives are now involved in litigation initiated by the city against them.

If relief is not promptly provided to housing programs currently threatened by skyrocketing interest rates, thousands of families may be forced to vacate their apartments. If middle-income families are to continue to live in New York City and other central cities, the cost of housing must remain within their financial ability.

Our bill makes limited-profit State and locally financed projects eligible for the interest rate reductions now authorized by section 236 of the Housing and Urban Development Act of 1968. For those projects approved for Federal assistance, it would help to keep carrying charges and rents at levels commensurate with the incomes of the tenants.

An important advantage of this proposal is that it would cost the Federal Government less to subsidize the interest rate on a Mitchell-Lama housing project down to 1 percent than to subsidize a privately financed project down to an interest rate of 1 percent interest. This is because interest rates for the Mitchell-Lima program are already at levels which are lower than the regular market rate. The Mitchell-Lama interest rate is 5.7 percent compared to a privately financed 7.5-percent market loan. Since the State does not finance the interest rate—but simply offers a below-market interest return to the holders of its bonds—the Federal subsidy would not constitute a "second subsidy."

When the Housing and Urban Development Act of 1968 was approved, it was hoped that the subsidies on market interest rates provided for in section 236 would stimulate the construction of more middle-income housing. Unfortunately, the Congress appropriated only $25 million for this program, which was $50 million less than the sum of $75 million authorized by the act.

Even if a fuller amount of money had been appropriated to carry out section 236, however, this would not have brought relief to existing State and locally financed programs which, because they were completed before the enactment of the act, are not eligible to apply for interest subsidies provided by that section. The aim of our bill is to allow these existing housing projects to apply for the relief they need to keep rents, carrying charges and interest rates within the reach of the middle-income residents whom the projects are designed to serve. It does little good to construct new projects if facilities already in existence cannot maintain costs that are commensurate with the means of their tenants.

Mr. Speaker, there is no problem in our cities today that is more acute than the continuing shortage of adequate housing. The bill I have introduced would bring relief to middle-income projects that may otherwise be unable to prevent costs from reaching untenable levels. If middle-income families are to remain in our central cities, the cost of housing must be kept within their reach.

## THE SPECIAL MILK PROGRAM SHOULD BE CONTINUED

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RYAN. Mr. Speaker, the President's budget recommends the termination of the special milk program, authorized under the Child Nutrition Act of 1966, at the end of this fiscal year. In the proposed budget for fiscal year 1970, only $14.7 million is requested by the Department of Agriculture compared to a $104 million appropriation for fiscal year 1969. The Department of Agriculture maintains that the special milk program is no longer needed because of the expansion of other programs such as school lunch, child nutrition, and special food service programs.

The special milk program was intended to increase the consumption of milk by schoolchildren at both the elementary and high school levels. It is available to child-care centers, summer camps, and similar nonprofit institutions. Under the provisions of the program letters of credit from the Federal Government are issued to State agencies to reimburse districts or institutions for a part of the cost of the fluid milk consumed. On the average, a student pays 3 to 4 cents for a half-pint carton of milk rather than the unsubsidized price of 6½ to 7 cents. In school districts, where there is a special need, the milk program provides for the entire cost of the milk consumed by children.

State agencies administer the program except in those circumstances where a State agency has not assumed responsibility for the program or where it is prohibited by law from disbursing funds for the milk program. In such cases, the program is directly administered by the localities. There are presently about 8,000 such cases.

The special milk program is now being utilized in some 96,000 schools throughout the country. In 1968 over 3.1 billion half-pints of milk were served to an estimated 17 million children.

The special milk program should make it possible for children from all walks of life to have a daily consumption of milk which is important for their growth and vitality.

It is regrettable that in some States it has been denied to some schoolchildren because of racial considerations. I have repeatedly urged the Department of Agriculture to enforce title VI of the Civil Rights Act of 1964 with respect to school milk and lunch programs.

The phasing out of this program will leave many children now benefiting from it without the nutrition which it provides. A hardship will be created by discontinuing this program which Congress should not countenance. Instead of reducing the budget level from $104 to $14.7 million, Congress should insist that the special milk program be funded at a level commensurate with the need.

## DESALINATION PLANT FOR ISRAEL

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, eight Members of Congress have today joined me in sponsoring legislation to provide assistance to Israel in the design, development, and construction of a dual purpose electrical power and desalination plant.

Those Members cosponsoring the bill are Representative JOSEPH ADDABBO, of New York; Representative PHILLIP BURTON, of California; Representative JAMES CORMAN, of California; Representative ROBERT GIAIMO, of Connecticut; Representative HENRY HELSTOSKI, of New Jersey; Representative JAMES SCHEUER, of New York; Representative LIONEL VAN DEERLIN, of California, and Representative LESTER WOLFF, of New York.

Under the provisions of the bill, the Secretary of the Interior would be authorized to enter into an agreement with the Government of Israel to share the cost of constructing a desalination plant which is capable of producing 100 to 150 million gallons of fresh water and 300,000 to 400,000 kilowatts of electricity daily. This legislation is identical to H.R. 587 which I introduced on January 3, the opening day of the 91st Congress. I had previously introduced this proposal in the first session of the last Congress.

On January 19, Premier Levi Eshkol told the Israeli public that President Johnson had asked Congress to help Israel build the desalination plant which she so badly needs. As one who has long advocated U.S. aid to Israel for the construction of such a plant, I am pleased that the Johnson administration asked

Congress to support this project. The draft bill which the Department of Interior, on behalf of the President, sent to Congress on January 17 is similar to my bill. As Assistant Secretary of Interior Max Edwards pointed out in his January 17 letter to the President of the Senate and the Speaker of the House of Representatives, the project, in addition to being "vital to Israel in terms of water supply and power," gives the United States an "opportunity to improve and advance science and technology in the field of saline water conversion and to contribute materially to the development of low-cost desalination processes."

Assistant Secretary Edwards goes on to urge the early enactment of legislation which would give the Secretary of the Interior authority to enter into a formal agreement with Israel to construct a desalination plant.

New incremental sources of water, as Assistant Secretary Edwards notes, "must be made available by the mid-1970's," if Israel is to maintain her industrial and economic growth. A desalination plant would make it possible for Israel to cultivate large portions of arid desert land which cannot now be utilized. The usable land and jobs that would be created by such a plant would make a significant contribution to the stability of the entire Middle East.

Mr. Speaker, the opportunity this bill presents to aid Israel in the development of water resources and the possibilities which the project holds for developing our technical ability to produce large amounts of fresh water at low cost lead me to believe that the development of a desalination plant in Israel should receive a high priority from Congress.

I hope that the Nixon administration will support the decision of the Johnson administration by also urging the Congress to authorize U.S. participation in this project.

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## THE ACTUAL DEFICIT FOR FISCAL YEAR 1970

(Mr. MARSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARSH. Mr. Speaker, I take the floor at this time to point out that the actual budget for the operation of the Federal Government, as proposed by the outgoing administration, in fiscal year 1970, does not have a surplus, but actually is in deficit by over $6 billion, according to the figures contained in budget documents of both the Bureau of the Budget and the Department of the Treasury.

It is overlooked that the Federal Government within the last 2 years went to a new budget concept which lumps together the tax revenues of the Federal Government with the trust fund receipts, which are largely social security funds, and run, in total, in excess of $40 billion, and the surplus of receipts over expenditures are valid only if the trust fund receipts are included.

Under the old administrative budget, which showed the operation of the Federal agencies and their programs, and the general tax revenues for these expenditures, we are in the red by $6,800 million dollars. In fact, it is planned that in order to make up this deficit, that funds will be borrowed from the trust funds by the Department of the Treasury.

The deficit figure that I cite above is clearly stated in the documents accompanying the budget sent to Capitol Hill, and may be found on page 20 in the "Special Analysis of the Budget" prepared by the Bureau of the Budget in cooperation with the Department of the Treasury and the former administration.

This figure of a deficit of $6,800 million is contingent on continuing the surtax, which is expected to yield about $9 billion. If the surtax is not continued, the budget deficit will be nearly $16 billion. The budget figures of the outgoing administration are also conditioned on passing the postal rate increase. If this does not occur, you can add $519 million more in the red.

Shortly over a week ago on the 15th day of January, the distinguished chairman of the Appropriations Committee, the gentleman from Texas (Mr. MAHON), took the floor to point out to Members substantially what I have just said, and I refer to his remarks on page 731 of the CONGRESSIONAL RECORD for January 15.

The gentleman from Texas (Mr. MAHON) has pointed out that the true budgetary problem, as it affects the Federal Government in its normal operating procedures, must include a full understanding of the trust fund income and outgo.

He further emphasized that the figures contained in the proposed budget are based on a number of conditions and legislative contingencies, even to obtain the most favorable picture of our financial situation. For example, it is conditioned on extending the excise taxes, and if this does not occur, you can add another half a billion dollars to the deficit.

Also a condition is adopting certain user charges for aviation, waterways, highways, and other user charges which, if they are not adopted, will make the deficit climb $410 million more.

Not only are there these contingencies that relate to collection of revenues which, if not implemented, will cause the deficit to soar, but the new budget for fiscal year 1970 has certain legislative contingencies that require the adoption of legislation that relates to programs which, if not enacted by the 91st Congress, will cause further fiscal and financial woes.

It should be noted that these budgetary figures that I have mentioned are contained in the proposed budget presented to Capitol Hill by the outgoing administration and at this time, it is impossible to determine what changes the incoming administration will make.

In all events, instead of patting ourselves on the back about the so-called surplus, we are going to have to dig deeper in our pocket.

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## SUPPLEMENTARY EDUCATIONAL PROGRAMS IN DAY CARE CENTERS

(Mrs. MINK asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. MINK. Mr. Speaker, I have today reintroduced a bill to provide Federal assistance to improve the education service in public and private nonprofit child day care centers. My bill is cosponsored by 50 of my colleagues, and others have indicated a willingness to join the sponsorship.

This bill was introduced in the 90th Congress as H.R. 10572, and extensive hearings were held on it.

My bill would provide funds for supplementing educational programs for preschool children who spend the day in child care centers, many of which now furnish primarily only custodial care. Most of these preschool children do not qualify for assistance under existing Federal programs because the income of their parents is greater than the criteria established for these programs. This gives rise to the same old familiar situation in which the parents earn too much to qualify for current programs, but not enough to provide their children with really meaningful preschool educational opportunities. And so the children end up spending 2 or 3 years, or more, in a kind of educational limbo where their physical needs are attended and their safety assured, but where they make no educational headway at all. We all know now that these early years could be productive years, not only for the child, but for society as well. The good habits of learning, implanted during these highly formative years would greatly enhance the child's later academic life to the benefit of everyone.

The Congress has already recognized the validity of this educational concept and the need of children in this age bracket. We did so by authorizing funds for Operation Headstart and by enacting the historic Elementary and Secondary Education Act of 1965. Those two programs are great programs as far as they go. But there is a gap between them—a kind of no man's land where millions of our children now simply wait, marking time—and wasting time—until their formal education can proceed a few years hence.

My bill, Mr. Speaker, would begin to close that gap and begin to provide for these children, their first lessons in learning. The funds authorized in my bill, Mr. Speaker, would enable many of these day care centers to become more than mere establishments for group babysitting: they would be able to upgrade their services to provide for these children, the first steps in basic education. A child's future is shaped by his early experiences and we must not overlook these young children already in day care centers.

The employment of mothers in our economy is increasing and that trend can be expected to continue. There are more than 26 million working mothers in our country right now and more than 2 million of them have children under 3 years of age. As more and more mothers take up jobs, the number of children in day care centers will increase; and since they will already be in the centers they can easily be reached with such educational services as will be provided by my bill.

This bill will not provide educational

opportunities for all our preschool children, and not even for all our preschool children who are now in day care centers. It will be but a beginning—and now is a good time to begin.

My bill, which is entitled "Preschool Centers Supplementary Education Act" would authorize for fiscal 1970 and each succeeding fiscal year, $300,000,000 to make grants available to the States. States participating in the program will designate a State agency broadly representative of these public and private child care centers and submit to the commissioner of education a State plan for participation. Priorities shall be given to centers with children in greatest need of such programs and which best demonstrate that they can achieve the objectives of this act, while still leaving maximum flexibility for the development of State plans and standards. These centers and groups to qualify must first be approved by State licensing agencies for safety and sanitary conditions and the projects they submit to the Commission must be approved by the designated State agency created under this act.

I urge my colleagues to support this bill and to urge its enactment in the present session of Congress for the thousands of youngsters whom this bill will help.

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## THE FEDERAL GOVERNMENT'S REMAINING JOB IN EDUCATION

(Mr. MEEDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MEEDS. Mr. Speaker, throughout American history, individuals have brought their creative talents and personal skills to bear in advancing the social goals of this country.

In the field of education, the departing U.S. Commissioner of Education, Harold Howe II, and the Deputy Assistant Secretary of Legislation, Department of Health, Education, and Welfare, Dr. Samuel Halperin, have contributed much to quality education. Their thought on the future direction and unfulfilled goals which this country should consider are interesting and very useful and merit the attention of any of us who are concerned about continuing the advances we have made in education over the past 5 years.

Both of these individuals were instrumental in shaping the initial education legislation now on the books, laws which are now advancing the course of education all across this country. I would like to call the attention of my colleagues to this tape-recorded conversation between these two individuals, which follows:

THE FEDERAL GOVERNMENT'S REMAINING JOB IN EDUCATION

(Transcript of a tape-recorded conversation, on July 31, 1968, between Dr. Samuel Halperin, Deputy Assistant Secretary for Legislation, Department of Health, Education, and Welfare; and U.S. Commissioner of Education, Harold Howe II.)

Mr. HALPERIN. Looking at the legislative authorities of the U.S. Office of Education as of August 1968 we see that this Federal agency is empowered to spend, if appropriated, some $8 billion annually under programs covering virtually every area of education. These authorizations affect, in a major way, higher education, educational research, elementary and secondary education, teacher training, vocational education, education of the handicapped, adult education, student financial aid, community services, library programs, and many other areas. Thus, it is no exaggeration to say that, with only slight modifications, the programs now on the statute books could address virtually any education problem in our society.

Except possibly in the education of the handicapped, these Federal undertakings are not what might be called general support programs. Instead they tend to be, in varying degrees, of a categorical nature. That is to say, the Congress has agreed upon particular national educational priorities which call for Federal resources and has enacted programs accordingly.

Mr. HOWE. It seems to me that the priority that most clearly reflects the educational thrust of the Johnson Administration has been the focus on disadvantaged people and on using education as the instrument to solve the problems of disadvantaged people. And I think the programs that you have been describing can be seen, in very large proportion, in that context.

The funds that have been appropriated for support of these programs are by no means adequate to do the job, nor has there been adequate time to complete that job. But a very effective start has been made, and it seems to me that there is need now for two major new directions in Federal education programs.

One of these directions can be suggested by the word "consolidation"—some kind of pulling together of existing programs so that they relate better to each other; so that they have more flexibility; so that they are more convenient for the people who use them; so that administrative problems that arise from multiple application forms, filing deadlines, and that kind of thing are simplified. Both administrative and legislative action are needed so that efforts in teacher training, for instance, are related to the efforts of local school districts in educating disadvantaged children and so that curricular reform and other measures by school districts to serve those children are reflected in the teacher training programs of the colleges and universities.

I think there is the possibility of bringing about more efficient combinations of these Federal programs. In saying this I do not mean to suggest that the relative degree of disorder which exists is anybody's fault. It has developed historically, growing out of the mechanisms by which the Congress enacts programs and the manner by which an administration formulates and proposes them. Apparently there are those who imagine that this disorderly picture justifies criticism of the Congress or the Administration. I don't feel that way about it at all. Rather, it is the natural result of historical development.

The second point I would make in regard to the Federal activities of the future has to do with the organization of the Federal establishment in education itself. The Johnson Administration, in introducing all these new programs, has introduced them across the board in the Federal Government. You find them in the Office of Economic Opportunity, in the Labor Department, in aspects of the Model Cities Program related to education, in the Arts and Humanities Endowments, in the National Science Foundation, in the Appalachia programs, in a whole variety of agencies. Whereas the Federal Government has looked at the complexities of transportation and organized a new Department to deal with them or the problems of the cities and organized the new Department of Housing and Urban Development, education has simply mushroomed all over the Government. It seems to me that one of the major tasks for the future is an organizational housecleaning and re-ordering of the Federal role in education.

There are many proposals around, and one of them is that there be a Cabinet-level Department of Education. Another is that the education function in HEW be escalated by the establishment in the Department of an Under Secretary for Education. Personally, I would lean toward the former.

Mr. HALPERIN. It seems to me that one can't do a very adequate job on the first problem—in the area of consolidation and coordination—without paying attention to the second. You can cut down the number of categorical grant programs, perhaps, and you can simplify forms. But you cannot ordinarily get any consistent, Government-wide policies for, let's say, fellowships or stipends, or for the Federal matching share for the construction of facilities, or for the problems of campus planning, without some rather fundamental changes. University administrators today are beside themselves trying to put together campuses with funds from NIH, the Office of Education, National Science Foundation, NASA, HUD, and so on. Therefore, I put a very high priority on a major reorganization across-the-board—not merely an elevation of the Office of Education, but a broad restructuring of Federal education enterprises in order to get at the problems of individual program improvements and consolidations.

It is important to note that the Federal budget for education has tripled under President Johnson to a current level of over $12 billion. Only about $3.7 billion of that sum is administered by the U.S. Office of Education. Therefore, I do not think you can get a really effective Federal policy in the field of education—one which maximizes the benefits of Federal investments for the recipients and for the Nation as a whole—unless you can coordinate both the planning and operations of the thirty or so major Federal agencies that now operate literally hundreds of education programs with little or no collaboration or communication among them.

Mr. HOWE. I think this is an important point, and I would add as a footnote that I don't believe you are advocating (nor would I) that all of the programs of all these various agencies be pulled together into a single Department of Education. I would foresee instead the development of an across-the-board planning capability that brings about some inter-relationship of these programs; so that when decisions affecting educational institutions are made unilaterally in NASA or the Atomic Energy Commission there is a knowledge about what other agencies are doing about the same matters.

A good example of this point is found in graduate fellowships. Last year several agencies had independent budgets for fellowships and dealt independently with the Bureau of the Budget on the matter. When their decisions were added to the decisions of other agencies acting independently in the same fashion, the result was severe impact on the colleges that none of the individual agencies intended.

Mr. HALPERIN. We should add, of course, that Congress legislates in the same relatively isolated and piecemeal fashion. For example, the cuts made by the Space Committee in fellowship and building programs in the educational area were not known to most of the Members of the Congress who preside over the Department of Defense's programs in the field of education, or to the Members of the Education and Labor Committee or the Labor and Public Welfare Committee who legislate in related areas.

Thus, there is a cumulative effect on the Nation's campuses, brought about not with malice and certainly not with forethought—a cumulative and unforeseen effect produced by a lack of knowledge of what other people

are doing and lack of overall policy and legislative cohesion.

I certainly do not favor gathering every education-related program together under a common agency. I do advocate a very careful study, followed by relatively swift Executive and Congressional action, of ways to pull together the major programs whose essential function is the strengthening and support of educational institutions, as distinct from the mission-oriented tasks that every Federal agency must necessarily carry out.

In this reorganization that we are both talking about one should look at education broadly. We are looking at manpower and we are looking at training of various types. We are also involved with overall science policy and with the humanities and the arts. We must consider education in a very catholic sense.

I would also add to your two top priority issues for future attention a third. In my mind, it is the third in time as well as in importance, but it needs to be looked at—and planned for.

As I said at the outset, our programs today are of a categorical nature. And while we want some pulling together and some greater simplification and a greater flexibility for these programs, we also have to ask ourselves about the extent to which the Federal role should ultimately be supplemented to include some sort of institutional aid in both higher education and in elementary and secondary education—institutional aid with relatively few Federal priorities, recognizing that educational costs are spiraling, recognizing that there is a limit to the fiscal capacity of the States and local communities that perhaps has not yet been reached but that is an increasing burden in both a political and an economic sense? Should the Federal Government do something in these areas to provide across-the-board aid?

Mr. HOWE. It seems to me we ought to address this broad topic you have introduced separately for elementary and secondary education on the one hand and higher education on the other.

Let's talk for a minute about elementary and secondary education.

Historically, there has been a sort of unsuccessful reach for some form of general aid to elementary and secondary education. A number of Presidents have brought this up. A number of Senators and Congressman from time to time have proposed bills, some of which have even passed one House of the Congress. But general aid has always foundered either on grounds of fear of Federal control or on anxieties about church-state relations, or both.

Mr. HALPERIN. Plus some related issues such as integration and the question of interstate equalization. The timing of any particular program may make a difference, too. Witness the fact that once upon a time you could get a great deal of support for classroom construction *per se*. Today, with the new militancy in the teaching profession, enthusiasm for general aid differs greatly among different educational groups. A school construction program, once viewed as "general aid" in most people's eyes, is clearly less acceptable today than it was just ten or fifteen years ago.

Mr. HOWE. The reason, of course, is simply that the militant teaching profession would want to be sure that any major new funding included the possibility of raising salaries with Federal funds—something which is not supported by existing programs.

But you introduced an idea that needs to be discussed in the context of general aid to elementary and secondary education, and that is the idea of equalization.

There is quite a bit of equalization in existing programs, particularly Title I of the Elementary and Secondary Education Act. It is not a major effect in terms of redressing balances; it just reaches in that direction.

Mr. HALPERIN. Nor was it a major intention in that legislation.

Mr. HOWE. That is of course true, but I think we still confront the fact that pre-pupil support in our more fortunate States—our more industrialized States, our States with higher levels of production and higher levels of employment and higher levels of income—that per-pupil expenditures there are more than double those in the poorer States.

Mr. HALPERIN. To be specific, the latest figures we have indicate a per pupil expenditure of $413 in Mississippi and $1,125 in New York.

Mr. HOWE. Close to triple. Those figures, of course, include existing Federal expenditures in both places. Without Federal funds the disparity would be even greater.

Such a difference by itself creates a lack of equal educational opportunity in places where expenditures are lower. And yet the youngsters in the low-expenditure States are citizens of the United States just as the children from the more affluent States are.

One of the general principles that the Johnson Administration has pushed into the Nation's thinking has been the idea that there should be equality of educational opportunity for citizens of the United States regardless of where they happen to be born and where they happen to live. And this disparity in expenditure denies that equality.

So it seems to me that any general aid program which may emerge has to run the political hazard of not providing much support in some places in order to provide a great deal of support in others. That is what equalization is all about. Obviously some kind of compromise will be necessary in a general aid program—a compromise that brings some support to all places but that redresses, at least in part, the imbalance we have been discussing.

I think also that a Federal program of general aid with an equalization feature in it cannot achieve its objectives if, within the States, Federal money is distributed through traditional channels in such a way as to deny pupils who happen to live in the central city the kind of special and additional compensatory support necessary to make their education successful. The Federal Government must concern itself not just with the distribution of Federal funds among the States but also with the way in which these funds are, in turn, distributed by the States.

Mr. HALPERIN. I certainly agree that we need not only inter-State equalization but also intra-State equalization. The Carnegie-funded Syracuse studies and others indicate that existing State equalization programs are worefully inadequate. To use Federal resources in the future merely to compound the injury would be an ironic climax to the excellent progress that has been made in education in recent years.

Besides inter-State equalization and intra-State equalization there is a third consideration I should like to add. It is the notion of somehow designing a Federal program in such a way that it would act as an incentive to greater State and local effort. This, of course, is an idea which has been around a long time. And yet it seems to me that we have to do more about it. The Intergovernmental Advisory Committee on Government Relations indicates that there is untapped fiscal capacity in the States and localities. I would hope we could design a general aid program to act as an incentive to tap these resources in return for larger amounts of relatively unfettered Federal funds.

This whole general aid approach is, of course, fraught not only with the political difficulties you mentioned but, it seems to me, with the possibility that we may have a new outbreak of bitter church-state conflict. The Johnson Administration, legislating on what some people have called the "child benefit" or the "public trustee" theory—in which all funds have flowed directly only to public schools—has avoided church-state confrontations by the corollary principle that non-public school students were entitled to certain types of benefits. This system of getting Federal funds to all pupils, both public and private, opened a new era of interfaith and inter-school cooperation. But this principle applies most easily to categorical programs directed by the Congress to particular purposes over and above the normal programs which schools provide.

When one talks about "general aid"—and if one wants to avoid religious and intercommunity strife—it is politically necessary to find a way to assure that some benefits—even if they are not always proportional or equitable—continue to flow to all the children in the community, regardless of whether the school they attend is public or private.

It is particularly difficult to accomplish this in a general aid bill because under such a program it is not feasible to maintain control over how the funds shall be spent—for books, for instance, or for equipment or for other programs in which non-public school children can participate. If, for example, the bulk of general aid funds flow, as intended, into teachers' salaries, it is difficult to see how private school students' interests can be served or protected.

Mr. HOWE. I quite agree, and I think that another qualification that needs to be made is that some people see general aid as the only form or the ideal form which Federal support of the schools should take. And it seems to me that this view is wrong—that while general aid should round out the picture of Federal aid, the rest of the picture should also remain. The broad categorical programs which address themselves to a whole variety of particular objectives which may not be met or even approached by the schools unless these categorical programs remain in place are in my view a first priority for Federal support.

So I think that in the future those who are designing general aid need to be very careful not to damage the categorical programs but to continue them at adequate levels and to move to general aid only in a budget which will allow the continuation of the categorical programs as general aid gets started.

Mr. HALPERIN. There are other reservations that need to be borne in mind in the design of a general aid program. Certainly we are painfully aware that many people look upon general aid not only as a convenient way to avoid the dictates of the Civil Rights Act of 1964 but also as a means to avoid having to come to grips with the problem of racial imbalance, particularly in our northern cities.

I don't really believe that we can design a general aid program that in and of itself does away with racial imbalance. To try to do so would involve a contradiction in terms. Unless one assumes that the money flowing to the recipients will generally be used for good purposes and good effects one shouldn't go in the direction of a general aid bill at all.

To get at the problems of racial imbalance, desegregation and genuine integration will probably require new types of categorical programs—or at least new provisions in existing categorical programs—which offer an incentive, a bonus or "carrot" if you will, for those school systems and those communities that wish voluntarily to move in the direction of true racial and economic integration.

Mr. HOWE. In line with this, it seems to me that a program for school construction, which we don't have at the present time except in a very small way through the School Assistance for Federally Affected Areas Program, could have an element of general aid in it and yet

also contain some of the characteristics you have just outlined.

A program for school construction could apply to all school districts in the country, but include provision for payments to school districts with very special problems, such as those in the big cities or those that are rurally isolated. Similiarly, such a new program could also place a premium on cooperation between, or among, several school districts, thereby introducing the possibility of a city cooperating with the suburbs around it to develop certain kinds of specialized facilities. Or as another option, regular school facilities which would have the effect of reducing racial isolation could be given premium levels of Federal support.

This kind of program would be tough to handle politically, but if it had a broad general component of a percentage of payment toward construction costs and then additional percentages of payments where these important public purposes are met, it would at the same time help all school districts and give special help where special needs exist and where there is a willingness to attack the problems the Kerner Commission has identified.

Mr. HALPERIN. I'd like to return to an earlier thought. We introduced this general aid discussion as a kind of third priority, or something to be done at a later stage.

In my view, the most important thing this Nation should do in the next several years is to put realistic and substantially greater funding into existing programs at the same time that we make them broader and more flexible and seek to consolidate them.

It seems to me that in the absence of sizable amounts of new money we can expect some erosion of these programs. Many school districts do not benefit substantially from the programs now, and for what they do get they have to go through a great deal of what they call "red tape and bureaucracy." Such grievances are intolerable when the payoff is relatively small. When these grievances are cumulated, I think there is a very real chance that regardless of the Administration in power, there will be a tendency on the part of the Congress and the political electorate to wipe out such programs and to replace them with some sort of undirected, block-grant or non-criteria-laden program.

Thus, I was particularly glad to hear your point about the necessity for general aid as a supplement to, rather than a replacement of, existing programs. In the short run, this requires a commitment to appropriate much more money, since an essentially *status quo* operation is not politically viable.

Moreover, it isn't viable in an educational sense either. We cannot really expect to reach and teach the disadvantaged, for example, under Title I of ESEA with only a little more than $100 per-pupil per year, which is about what we are spending today. We cannot really hope to make much of a dent in the high school dropout problem—thirty percent of our youth, a million young people a year—with the less than $10 million for an anti-dropout program which was appropriated by the Congress. We cannot really reach many of the young people who need to go on to post-secondary education with as few as seventy thousand Educational Opportunity Grants a year.

Everything we have been talking about has to be done on a substantially larger scale, both in order to have integrity in the programs and also to find out if they will truly work. At present we just don't really know. It is going to take time, but it is also going to take a substantially larger investment simultaneously.

Mr. HOWE. I thoroughly agree with the need for a substantially larger investment. And, being a realist, I am aware that a substantially larger investment in education on the domestic scene is going to be in competition, direct competition, with a whole galaxy of other important domestic causes. People today are expecting a great deal more from their government than they once did. They want greater effort toward control of the environment: conservation, air pollution, water resource management, and the like. They want government help in transportation and in housing and in the replanning and rebuilding of the cities. And they want it in education. And each of these has its own claim on new dollars that the American taxpayer may be willing to give to his government to serve him.

This means that education is going to be in tough competition. I think that education will meet that competition to the degree that it is able to make a strong case for success in what it is doing.

This in turn argues strongly for the investment of funds in research, for effective dissemination of existing knowledge, and for effective evaluation of the programs that we have. And, therefore, as perhaps a first priority in the investment of any new funds, I would seek funds for those activities and for beginning to get a feedback from them. I believe that over time that feedback will build the confidence which will bring additional funds into major areas of service such as those under Title I of the Elementary and Secondary Education Act.

And I believe that right now, by any reasonable measurement, the funding for research and demonstration and evalution in education by the Federal Government is minimal.

Mr. HALPERIN. Educational research and development, dissemination, and evaluation would be among my major priorities, too. I would like to follow up on your first priority in educational research by saying that I think in the years ahead a Federal goal should be stated as a percentage of our education budget.

We have all been talking in recent years—with justification, I think—about insufficient educational research. At the present time of the $12 billion spent by the Federal Government in education, substantially less than one percent is for educational research and related efforts. Of the Office of Education budget, only about 2.5 percent goes into educational research. I would like to suggest to an incoming Administration that, for the reasons you have stated so well, we ought to set a national goal of ten percent of our education budget for research, development, and evaluation; a goal to be reached in stages over, let's say, five years.

My second suggestion for a priority for investment of new funds is the whole area of teacher training, and inservice training broadly conceived to include the subprofessional aides, the administrators, the school board members, the supervisors, the directors—all of the policy-makers in the field of education. Obviously, people are the core of any system, and this is true in education as well as elsewhere.

The largest single professional group in the United States today is that encompassed by the field of education—almost 3 million persons. Yet we are training or retraining only a small fraction of these people each year. There is a tremendous turnover because of retirement and new job opportunities outside education. It seems to me that we ought to put a large investment into the teacher training area in the years ahead. And to hazard a goal or a target, I would suggest that we ought to aim at retraining ten percent of our teaching force annually. I think the current training level is about one to two percent through the various Federal programs. States and localities are unable to expand their commitments to the retraining of teachers because of the tremendous pressures for salary increases. But unless there is adequate retraining, the across-the-board salary increases may not be justified. So I think it's a reasonable goal to state specifically on the part of the Federal Government that we aim—through sabbaticals, fellowships, institutes, and other training programs—to provide ten percent of our teaching force with some kind of educational experience each year.

Mr. HOWE. That makes very good sense. And of course one of the great achievements of the Johnson Administration is the Education Professions Development Act, which provides most of the authority needed to do the job you have described, although one or two amendments might well be added to it. For example, school board members are not now included, contrary to the original suggestion by the Administration. Elements of added flexibility of this kind could advantageously be placed in this Act.

But the basic legislation is excellent. It has a very nice balance in it. It creates a Federal role, it creates a State role, and it addresses itself to a local school district role in the training of people to serve education, a desirable element omitted in previous legislation. A big window has been opened by this legislation, and there are all sorts of opportunities as a result.

I think one of the major administrative responsibilities of the Office of Education in the years ahead will involve making imaginative use of this new authority.

Mr. HALPERIN. With regard to your last comment on the imaginative use of that authority, it's interesting to note that most of us are very proud of the Teacher Corps. We feel that it has great promise and that the program should be expanded substantially.

But under the Education Professions Development Act many new kinds of "teachers' corps" are possible—new types of teacher training and retraining efforts. Thus, I hope that they will be generously funded in the years ahead.

I would like to add a footnote to an earlier point you made about dissemination: I feel very strongly—and many Members of the Congress do as well—that in this huge country of ours, with 21,000 operating school districts and more than 2,000 colleges, many, many things are going on right now that are effective, that are promising, that are adaptable by others. But communications in a country as large as ours are terribly difficult. I would hope that special efforts would be made in the years ahead to disseminate widely to the taxpaying public—to the lay policymakers, as well as to the professionals—the results of programs at all levels of education. We certainly have the authority to do this both in our new legislation and under the general charter establishing the Office of Education in 1867.

Mr. HOWE. The dissemination function includes a wide variety of activities, and not the least of them are the processes of letting the people know, of developing markets, of demonstration. Education hasn't thought this way enough.

Mr. HALPERIN. Possibly there might be an activity somewhat analogous to the system of agricultural experiment stations, and particularly to the work of the county agents. We of course have the regional educational laboratories, but it may be that we need to look more carefully at dissemination models that would reach all over the country, using non-educators and sub-professionals, as well as the more traditional groups.

Mr. HOWE. And now to give this conversation a balance I don't think it has at this point, let's have some general discussion about higher education. I think of one or two observations that can be made. First of all, higher education activity is widely dispersed throughout the Federal Government and therefore needs to be examined in the light of our earlier conversation about the need for planning capacity to get at the problem of impact of the many separate Federal programs on individual institutions.

Secondly, I'd say that the types of assistance provided by the Federal Government to higher education tend, to some degree, to be less change-oriented than the types of assistance the Federal Government provides to elementary and secondary education. Our scholarship grants, work-study funds, and similar support measures do help a different type of student to get into the higher educational institutions than the traditional college student from the upper economic stratum.

But programs like these, and the programs which build buildings, and those which promote research activity in our educational institutions—and these are the major components of support: buildings, research, and student aid—don't address themselves much at all to institutional change. We can speculate that perhaps it is because neither the Federal Government nor indeed other agencies have thought about this very much—or at least done much about it—that students around the country are themselves seeking institutional change in a variety of ways.

There are some small programs that do reach for change. Title III of the Higher Education Act could be described as addressing itself to improving quality and to bringing about institutional change. But I think the broad generalization still holds.

So I think it would be constructive if those people responsible for the future Federal role in education would explore something analogous to Title III of the Elementary and Secondary Education Act for higher education, a foundation-like function addressed to change, addressed to picking up the bright ideas that have surfaced in the world of higher education and giving them some backing from Federal sources.

That type of activity has been carried out in our society more commonly by private sources than by public sources, largely through foundations. And I think there is a promising Federal role here.

Then there is the whole broad question of what should be the shape of any general or operational aid to higher education. Higher education institutions are facing increasing unit costs. It costs more money to educate each student in every college every year. This is largely a function of rising faculty salaries, but other costs as well.

Mr. HALPERIN. And obviously enrollments are going to double.

Mr. HOWE. Enrollments are going up while this increasing cost is impinging on the institutions. And many of them are in deep trouble.

We don't know the exact dimension of this trouble. One of the constructive moves directed by President Johnson is a study to devise a long-range plan for the financing of higher education. None of us knows what will emerge from that. But obviously a major job for a future Administration is that of picking up the results of this study and doing something constructive with them. And I suspect that one of the results of the study may be some suggestion about how the Federal Government could encourage more private and State support for higher education and, at the same time, make a contribution to the operational costs of running a college or university. My own inclination is to suggest that the Federal Government give a priority to increases in student aid programs so that segments of the society now denied a higher education can have increased hope of receiving one. If the Government does this, then the way to provide operating aid to institutions might be to give an unrestricted grant for every student on a Federally supported scholarship. We do this already for graduate fellowships, and I think it would work in four-year colleges and community colleges.

Mr. HALPERIN. The difficulties that beset general aid in the elementary and secondary area, of course, are to at least some degree also present in the higher education area. To be sure you don't have the church-state issue to the same extent. But there is a tendency on the part of many policy-makers, both in and out of the Congress, to want to control the results of Federal aid. We can't have this. If we believe in the ability and the know-how of the institution, then we just have to go ahead and authorize some general aid at whatever time that is fiscally feasible, regardless of opposition from those who fear that general aid in any form, at any level, means "money down a rat hole," or other pejorative expressions. I do think this notion runs counter to the concept of grants for innovation.

Perhaps in the years ahead we must try to find an increased or new role for the Federal Government that couples the encouragement of innovation with an appropriate response to the increasing outcry of the institutions for operating money.

Mr. HOWE. I think there is a very good analogy hereto what we were saying about elementary and secondary education. We were saying there that the categorical programs should grow and should continue to be supported when general aid comes in. I think we ought to say exactly the same thing about higher education. Student aid programs should grow and continue. The programs that support special research of particular interest to the Federal Government ought to grow and continue. But at the same time, the Federal Government in the future needs to think about the problems of the institutions as such.

By and large the Federal Government has tended to look at the institution from the point of view of what purposes it can accomplish for the Government without worrying too much about what happens to the health of the institution while it is serving Federal ends.

Uncle Sam makes it possible for a lot more people in the United States to get a higher education, because that's a significant national objective. And we back a variety of specialties because they are needed either by the Federal Government or by the economy, or by some aspect of public service in the States and localities. But we have not thought enough about the capacity of the institution to keep its balance while doing all these things to serve important national objectives. It is into that picture that I would put the problem of operating costs of these institutions and the capacity to at least stay alive and healthy while picking up these categorical aid programs that the Federal Government provides.

Mr. HALPERIN. While we're talking about what might lie ahead for higher education, I wonder if your priorities and your sense of timing would match mine.

I would say that in the next couple of years, as more funds—hopefully—become available, my own set of priorities would emphasize continuing the thrust of the Johnson Administration to ensure equality of educational opportunity, particularly for minority groups and for the poor, regardless of their race.

I think that this can be stated in a kind of a declaration of rights: that any student of ability should be enabled to go on to the post-secondary institution of his choice, whether a technical institute or a business school or a college. And I think the goal ought to be stated in terms of some numbers. For example, for an additional one billion dollars a year we can help an additional two million students—the equivalent of some forty percent of those now enrolled in college—to go on to further education after high school.

I think that's the kind of a statement of a goal that we need. That would be my first priority.

Mr. HOWE. Yes, I fully agree. And, of course one must take into account the fact that higher education today is, to a degree, a segregated enterprise. Most of our high quality institutions have a relatively small proportion of minority group people in them, and there is an important job to do in somehow achieving throughout the higher education spectrum a better representation of minority group people.

Mr. HALPERIN. Speaking further about higher education, I would say that either simultaneously or as the next priority we ought to give attention to more adequate funding of some of our broader categorical programs, for example, the programs to improve college library and instructional resources. This is one way that you get at quality. This is one way you can change the institution. At the same time you exercise some Congressional discretion as to where the funds go.

I also think the Federal Government should do something special for graduate education. This is the fastest growing part of higher learning, and it's also the most expensive part. Here again, we do have on the statute books in a variety of Federal agencies the necessary tools, but we do not now have the funding in institutional aid or institutional development programs or institutional excellence programs—they are called different things in NASA and NSF and NIH. Hopefully, we will have a new program in the Office of Education under the pending Higher Education Amendments of 1968*. Particularly through the fellowship programs, with their accompanying cost-of-education allowances, we have an ideal mechanism to help graduate education simply by raising these allowances. Through these two mechanisms it seems to me we can do a great deal to help the graduate schools meet their financial crisis.

Mr. HOWE. Let me point out that some thinking has already developed about increasing the cost-of-education allowances. Many agencies have had a part in that thinking. It's ready to move. All that is necessary, really, is a planning move by the Bureau of the Budget to standardize these cost-of-education allowances at a higher level. And it could be done in many ways. For example, it could be phased in over a period of three, four, or five years by adding $500 a year to the allowance, which now runs around $2,500, and build it up to $3,500. In this fashion, an institution could get some funds for its own development as it takes in a graduate student but that can happen only if the amount is raised appreciably.

It's pretty important to point out that in the graduate schools, which indeed have the special problems you outline, the cost of education of an individual graduate student may run as high as $10,000.

Mr. HALPERIN. Perhaps five to ten times that of an undergraduate.

Mr. HOWE. Yes. So when an institution takes in a graduate student with Federal support and gets a $2,500 cost-of-education allowance, it may be losing as much as $7,500 on the deal.

Let's turn to other areas and consider the education of the handicapped, and then perhaps vocational education, which I think needs considerable discussion here.

Why don't you start with the handicapped?

Mr. HALPERIN. In the area of the handicapped we not only have a host of programs, but one particular program—Title VI of the Elementary and Secondary Education Act—which is, it seems to me, almost a true "general aid" program. It provides funds to the States to support the operating costs of virtually any educational service or program for the handicapped. One might therefore conclude that it would be possible to build

*Since enacted as Title X of the Higher Education Act; see Public Law 90-575, October 16, 1968.

upon existing authority to design programs that would reach particular target groups—for example, the deaf-blind or the multiply-handicapped.

Here, too, we ought to state an over-all goal for the next five to ten years, for example, that we will reach and teach and provide the necessary ancillary services to all of the handicapped children of the Nation.

One-tenth of all of our children are estimated to be physically or mentally handicapped and to need some sort of special attention. Yet, we are serving only about two million of these children today. Three million are not served at all. And among the two million who are receiving some sort of special service, the adequacy of service obviously leaves much to be desired.

So I would say that here again a useful device for the next Administration would be to set a specific numerical goal. Under the Johnson Administration we made fantastic progress in getting started in each and every one of these areas. Now I think we have to measure our objective and pace ourselves so that we are sure to reach it.

Mr. HOWE. Yes, not only has the Johnson Administration gotten some very effective legislation in place for the benefit of the handicapped, but it has also moved forward on funding for this legislation in very tight budget years, when money was hard to find because of all sorts of national commitments. There has been a significant move percentage-wise in what has happened in our appropriations for handicapped legislation.

The budget of the Office of Education in moving from Fiscal '68 to '69 has reflected close to a 50 percent increase in the money being made available for education of the handicapped. And although as we approach our Fiscal '70 budget we are not talking about that large an increase, we are nevertheless talking about some increase while the '70 budget for the Office of Education as a whole may remain rather stable or even decrease.

I would mention another point, too, which relates not just to the handicapped but more broadly to our earlier conversation about elementary-secondary education. That is the very great achievement of this Administration in getting the idea of early childhood education generally accepted around the country. The Head Start program supervised by the Office of Economic Opportunity and the focus of Title I of the Elementary and Secondary Education Act on early childhood education, as well as the Follow Through Program, are all evidence of this.

Mr. HALPERIN. And the various Day Care Programs, under Social Security and welfare legislation, too.

Mr. HOWE. Right. These efforts have awakened people and gotten them ready to move. There is now a real opportunity for a much broader program of early childhood education. What we know about children—about the way they grow and develop and achieve success in school—indicates that this is an eminently sensible move.

I bring this up in the context of the handicapped because I think that an effective move in early childhood education may lead to much earlier identification of physical and mental handicaps and a much higher percentage of solutions to those problems. The result in the long haul may be lower levels of investment in the handicapped if early identification and diagnosis and early treatment can be developed through Federal initiative working with States and localities.

I would tie early childhood education, first of all, to the disadvantaged population; secondly, to this notion of early identification of handicaps and thirdly, to service of the entire population. I think that future Administrations are in a firm position to move in these directions as a result of what has already been accomplished.

Let me add, finally, that adequate services to handicapped children (as well as to the disadvantaged) depend absolutely on categorical programs. There is little likelihood that general aid programs will help these children. Future planners of the education role of the Federal Government must keep this in mind.

Mr. HALPERIN. To go on now to a new subject—vocational education—this is the area in which the Federal Government was doing most before the advent of the Johnson Administration. The momentum was continued and, in 1963, important steps were taken to modernize and update vocational education programs. Since 1963 there has been a substantial increase in vocational enrollments. Now, in 1968, the Congress of the United States is about to pass the most far-reaching reworking, expansion and extension of vocational education in our Nation's history.[1]

Nevertheless, I would suggest that by and large we have been something less than completely sympathetic to the needs of our young people in this area.

We have been so strongly oriented to the colleges and to the disadvantaged very young in recent years that we have tended to understate the needs of the four-fifths of our young people who do not graduate from college, and the three-fifths of our young people who never see the inside of a college.

We know that vocational education has been and can be a dumping ground for young people. It can be a dead-end street. The new legislation brought into being under the Johnson Administration, and some of the funding which has begun to flow since 1964, does indeed provide substantial opportunities to make a meaningful bridge between the school and the first job, to bring industry and business into a partnership with the schools so that our young people will have a realistic understanding of the world of work outside of the classroom.

I would hope that using the new legislation, possibly with further developments in the area of guidance and counseling, we would move with more vigor in vocational and technical education. In other areas I have suggested a goal; I will suggest one here, too: We have about 7.5 million people enrolled in vocational education today. I think it is entirely realistic as well as important to suggest that in 1975 or so we should have tripled these enrollments—about 21 or 22 million Americans of all age groups in vocational and occupational education. This is going to require several billion dollars more than we are now putting into the enterprise. But considering the importance of the labor force in the growth of the American economy I can think of few better investments.

Mr. HOWE. I would like to make several comments on vocational education. I quite agree that the levels of investment need to be very much changed, as you suggest. But as they are changed I am concerned lest the United States develop two entirely separate systems of education, one labeled as vocational and the other labeled as the regular or general system of education.

It seems to me that both in legislation and in administration of the new Act that you cite, efforts have to be made to avoid this separateness. I think there should be an infusion of a major vocational component into the normal high school and junior high school education programs across the country and that the new money that comes into vocational education ought to encourage the pulling together of vocational education with the usual public school system rather than increasing their separateness.

I would also pick up your point about the wider involvement of business and industry and in finding ways to give them an input into the affairs of vocational education. I think it is really the job of industry and business to define the skills that are needed. That is where the people are going to be employed. And I don't see enough back and forth between industry and business and the world of education.

One of the problems we confront and that future Administrations will confront is that of somehow crossing this gap. Whenever we bring before the Congress proposals for allowing Federal grants to flow to business and industry for purposes of training teachers—for training them right within business and industry so that they will know what they should teach their students that will be pertinent to the jobs youngsters will have available to them—we run into a roadblock.

We find that a number of educational organizations are, as a matter of principle, opposed to Federal grants to private industry for purposes of this training function or for purposes of curriculum development, or really for purposes of any kind of constructive interaction. And I think a future Administration has got to find a way to persuade people that such arrangements are not a threat to the public schools in any sense but rather comprise an added resource to the public schools. The new vocational legislation as now written opens the door between business and education. I hope that it passes and that future administrations make vigorous use of it.

Third, I think we ought to use this conversation about vocational education to register our general concern for the community college and junior college. The fact that such institutions are in part avenues to the later years of college and the baccalaureate degree must be put against the fact you mentioned earlier that only twenty percent of the people are now getting this degree. In short, the communtiy college has open to it a role that goes far beyond being a half-way house to a four-year institution.

The two-year institution is the most rapidly growing component of the higher education spectrum in terms of new institutions being built and of the numbers of students going into post-secondary education.

Yet there are gaps in the Federal support of community colleges. I think the new Vocational Education Amendments of 1968 offer real opportunity to fill those gaps; so it is possible that with adequate funding we may have almost all the legislation we need.

The Higher Education Facilities Act offers opportunities for supporting the construction aspects of those new community colleges.

So far, however, we have neglected the curricular development side and teacher training aspects of community college operations. We have the legislation to do both these things, but we don't have the funds, and we don't have the leadership at the present. It seems to me that additional funds for vocational education over the next five years ought to be so planned and administered that they take account of those gaps and needs.

Mr. HALPERIN. I'm glad that you touched on the community college question because I think there is a bridge there to contemporary politics which can help win public acceptance for increased Federal aid to education.

There is at this moment in history what can only be regarded as an unfortunate tendency on the part of many people to reject Federal programs on the grounds that they are allegedly aimed only at the poor or the black or the neglected. And we hear grumblings like, "What do you have to do to get some of your own Federal money back from your Government?" I think Federal support, while it must necessarily give priority to the disadvantaged—regardless of whether that disadvantage is physical or mental or racial or educational or cultural—should also aim at making it clear that the Federal education programs are intended for all of the people of the country.

[1] See Vocational Education Amendments of 1968, Public Law 90-576, October 16, 1968.

It seems to me that vocational and technical education, particularly with a community of junior college component, touches a deep-rooted desire of the American people: better education for their youngsters as a path to a better job and a better economic future. If we build a closer alliance between our vocational and technical programs and the junior and community college movement, we will go a long way toward overcoming what I detect as a disaffection on the part of some members of the taxpaying public with programs they feel are not benefitting them. Apparently they either do not see their children as being candidates for the full baccalaureate degree or they do not see their children benefitting from programs addressed to the educationally and culturally disadvantaged. The community college-technical school movement can bridge this gap.

Mr. HOWE. I would add that higher levels of literacy are going to become an increasing requirement for vocational education. There is thus some likelihood that the production of those higher levels of literacy will increasingly become the job of the secondary schools and that this will tend to thrust a larger proportion of the vocational education component onto the community colleges.

I hope if that happens that those who are devising the new programs in these colleges, and those who are devising support for them on the Federal side, will keep in mind the need for flexibility. The great thing about the community college now is that it hasn't solidified. It can be all kinds of things at the same time. It can offer six-week courses to develop a very special skill. It can take in a person who needs literacy training and give him that, if he's an adult or if he has finished high school or if he has dropped out of high school. It can offer a specific two-year program leading to an intermediate degree.

There is a tendency among community colleges to see as the basic measurement of excellence the movement of a very high proportion of their graduates into four-year institutions. It seems to me that we need to help the community colleges to develop a concept of excellence in other sorts of services and to take pride in them; so that we avoid the danger that is now so evident among some community colleges of wanting to lose their identity as vocational and technical training places and transform themselves into four-year colleges. I suppose after they were four-year colleges for a period of years they would want a graduate school.

While I think we need well-planned, high-quality, widely-available services at the graduate level, we certainly don't need every community college to follow that course. We are going to need in the years ahead the service of a growing number of community colleges to a major proportion of the population.

I believe that the most recent prognosis I saw was something to the effect that in 1975 about 75 percent of the population would be graduating from high school.

Mr. HALPERIN. We're at about 71 percent now.

Mr. HOWE. We may be up to 80 or so by 1975. That means a very great demand for these new community colleges. That prospect raises the question of whether in the future the Federal Government won't have to find a more flexible method than it now has for helping institutions to get started.

Most of our legislation today is written to provide aid only to higher education institutions that already exist. This stipulation is, in fact, set in law by the Congress. Institutions either have to have received accreditation or provisional accreditation of some carefully defined kind. In any case, there are relatively few Federal resources to help the people lacking a vocational and technical college to get one established. They have to do it entirely on their own initiative, with their own resources. And frequently the places where such services are particularly needed have insufficient economic base to do the job.

Mr. HALPERIN. That point suggests another to me, namely, that we really do not now have a planning capability or a program that would enable us to know when, for example, support ought to be extended to an emerging new community college or emerging new graduate school because there was a genuine need or when, alternatively, the availability of Federal funds would merely proliferate programs, produce non-economic institutions, and cater to particular community whims which may not be soundly based in educational terms.

We hear a great deal, for example, about the desire of virtually any community of any size to have its own community college for reasons of "civic pride." That may be a caricature and exaggeration, but it is no exaggeration to say that at the present time we we have no mechanisms for deciding when scarce Federal funds ought to go to an institution and when they should not.

Mr. HOWE. We have reviewed the major aspects of the Federal role in education in our earlier conversation about elementary and secondary education and the relationship of categorical programs to general aid, then in our subsequent conversation about higher education in that same relationship, and then in these special thrusts into vocational education and education of the handicapped. One area we have missed is the very broad one, which, for want of a better phrase, I will call adult education, but which isn't really that. It's the idea that Americans in this complex society will need increasingly to be engaged in education all their lives.

The Federal Government is already involved in the support of a variety of enterprises which contribute to lifelong education opportunity. Contributions now made by the Federal Government include major support to public libraries and support for the development of a new kind of non-commercial or public broadcasting system which will be an education device although not institutionally based.

It occurs to me that the museums of the country are really in this same category, and have not captured major attention from the Federal Government. The President addressed a letter not long ago to the Council for the Arts and Humanities asking that group to advise him on what the Federal role might be in relation to museums. And I think one of the opportunities before the Federal Government in the years immediately ahead is to respond to the report that will be forthcoming shortly about this matter.

There are, of course, some very specific programs directed at adult literacy and the decreasing but still large proportion of adults who don't have adequate basic literacy to undertake vocational or other programs that will get them started.

I think the Federal Government at this point has moved in this area by bits and pieces rather than thinking about it as a total package.

Mr. HALPERIN. What might be called an Adult Opportunity Act has been suggested in this connection—something that would tie together the continuing needs for new forms of education, cultural development, recreation, and that would enhance the cultural literacy of our population.

The concept takes in some of the elements you mentioned, with possibly a specific recommendation for some sort of research and development institute that would push information science, communications science, ways to handle the information explosion, better non-commercial television, and library services of all types, particularly library services that would reach into homes and into disadvantaged neighborhoods.

It could also include mid-career development—ways in which the adult could change his job with appropriate training, possibly under a broadened Manpower Development and Training Act or some other type of adult education.

It could take in specialized needs, such as those of the housewife who has raised her children and wants to return to the labor force (not necessarily into education, where we now have the Education Professions Development Act, but somewhere else), some way that she can get the necessary retraining or continuing adult education; the needs of the retired, of senior citizens, of people who have finished one career as business executives or as Army officers and who need special resources and programs to help with the start of a new career.

Obviously, this is quite a major area. Thus far, we have inched into it. We now need to step up the pace considerably.

Another dimension of this subject occurs to me. We do have the program of adult basic literacy, of course. But to my way of thinking, we have not done what we should have done. We still have 23 million Americans with less than an eighth grade education. We have eleven million functional illiterates with less than a sixth grade education. And we are spending under $50 million a year on this particular social and economic problem. We ought to expand that commitment many fold.

Ultimately, we ought to look also at the sixty million or so Americans without a high school education. While they may not occupy the same priority as some of the things we've been talking about today, in developing a rounded picture we should ask ourselves whether high school equivalency programs and various other specialized opportunities might not be made available to this population, not only to bring about more gainful employment, but for personal satisfaction, for creative adjustment to society, for more satisfying relationships with their fellowman.

Mr. HOWE. To touch on another point in this look to the future and the job that remains to be done, I would raise the problem of the distribution of educational resources in the U.S.A. Although States are increasingly doing a more effective job of planning for new educational services in places where these are in short supply, it occurs to me that there are opportunities for the Federal Government to be of assistance in a number of different ways.

We know that more and more people are moving toward metropolitan centers and will continue to do so in the years ahead. Yet, the costs of providing such people with adequate educational services are much higher at all levels than are the costs in rural and suburban areas. One typical result is that we are getting more colleges in those places where there are fewer people while we confront a shortage of post-secondary education services in the cities, where land and buildings are expensive and operating costs higher.

Shouldn't the Federal Government devise a program to pay a larger percentage of central city construction costs than the percentage it pays outside the city? Shouldn't the Federal Government find the means to help new institutions get started in the places where the great concentrations of people are to be found?

These concentrations of people do not pose problems just for the States. More and more, the metropolis cuts across State boundaries. The economic and social pressures which cause the migrations that in turn create the metropolis are far beyond State control.

There clearly seems to be a need for the Federal role to include a planning and financing component to help meet the educational challenges created by these migrations. Some Federal programs, such as Title I of the Elementary and Secondary Education Act of 1965, already have this effect. But more remains to be done at all levels of education.

Finally let me mention a couple of items that have not been a part of our conversation but that must be kept on the agenda for the future:

(1) Forward funding—The Federal Government's fiscal cycle is badly out of phase with the planning cycle of the schools. As a result, States and school districts do not learn what appropriations they will actually get until long after they have had to make commitments for the use of the appropriations. If someone were to start out to design a system for the maximum inconvenience of the schools, he might well come up with the arrangement we now have. Forward funding, under which the President and Congress would consider funding of Elementary-Secondary programs a full year ahead, would solve this problem. Many higher education programs now have this arrangement. All education programs should have it.

(2) International Education—One of the failures of the past few years has been the inability of the administration to get Congressional backing for the International Education Act. This Act, growing from the President's Smithsonian speech of September 1965, holds great hope for improved training of all sorts of specialists vitally needed by American Government and by business—specialists with knowledge of language, economics, government, health, education, engineering, and a variety of other fields as they apply to the problems of particular parts of the world in which the United States has national interests. The study now underway at the direction of the Appropriations Committee may lead the way to favorable action in the future. The Act must be kept alive, and appropriations for it should be a high priority matter.

(3) Education in special fields—Particularly in health and in conservation, the years ahead will see major new manpower needs. Medical education requires a complete restudy to make it more efficient. New specialities will develop related to control of the environment. The Federal Government must take its share of responsibility in these areas of education.

## A DAY OF PRAYER FOR OUR NEW PRESIDENT

(Mr. JOELSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. JOELSON. Mr. Speaker, I am pleased to read to my colleagues an editorial from the front page of the Morning News, which is published in Paterson, N.J., in the congressional district which I represent.

I think that the recommendations of the editorial merit our favorable consideration, and that Mr. Harry B. Haines, the publisher of the newspaper, and Mr. Abe J. Greene, the associate editor, are to be congratulated for initiating this movement which can unify our Nation behind our new President.

Due to the fact that congressional committees are not yet fully organized, it will unfortunately not be possible for a resolution to clear both Houses of Congress in the early days of the Presidency of Richard M. Nixon. However, it is my earnest hope that congressional leaders of both parties will unite in urging a national day of prayer for Divine guidance for our new President in the difficult and dangerous decisions with which he will be faced in the days and years ahead.

The editorial follows:

America has a new President, chosen by its people. From this day on, he will speak for us in one voice. President Nixon is committed to a speedy peace and an end to the division among our own people. He has asked all Americans to pray for him, to work with him to achieve the goals ahead. Together, there is no task too great that Americans cannot achieve.

But, we need strength and character and resolve and we need Divine assistance in the difficult days ahead. We propose that Congress immediately proclaim next Sunday as a national day of prayer for strength and guidance for the new President to achieve his laudable goals. In every home, in every church and synagogue in the land, let our prayers rise to the heavens towards a new era in the world.

Let us pray!

## THE 51ST ANNIVERSARY OF THE RESTORATION OF UKRAINIAN INDEPENDENCE

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, January 22, 1969, is the 51st anniversary of the restoration of Ukrainian independence. I rise to speak in commemoration of those great people whose fatherland remains occupied by the Soviet Union.

I will not concentrate on the reasons why Ukraine decided to break with Russia, for they are too numerous. History tells us that for the 300 years of the Ukraine an opportunity to throw off the Pereyaslaw in 1658—the Russians continuously violated the treaty, occupied Ukraine militarily, exploited her economically and even forbade the Ukrainians to speak their own language in their own country.

Collapse of czarist Russia, in 1917, gave Ukraine an opportunity to throw off the Russian yoke, and renew her full independence.

When in the course of human events it becomes necessary for one people to dissolve the political bonds which have connected them with another, 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, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

These words, which were spoken in Philadelphia on July 4, 1776, were repeated by the leaders of the Ukrainian Nation on January 22, 1918, in Kiev, capital of the Ukraine, when Ukraine decided to dissolve her political bands with her arch-oppressor—Russia.

However, the imperialistic Russian Bolsheviks unleashed their hordes on the Ukraine, and after 4 years of bloody struggle, reimposed an iron-fisted military rule which exists up to today. But, Ukrainians have never given up in their fight to regain freedom from Russian occupancy:

In 1932–33, the Russians introduced compulsory collectivization of Ukrainian farms. Revolt broke out and as a result, 7 million Ukrainian farmers were systematically liquidated in 1 year by artificial famine imposed by the Russians as a retaliation.

In 1937–38, hundreds of thousands of Ukrainian intelligentsia were arrested and executed for their membership in the Association of Liberation of the Ukraine. As late as 1943, in Wynnytzia, central Ukraine, over 30,000 victims of this purge were exhumed from mass graves.

In 1941, when Hitler attacked the Soviet Union, Ukrainian leaders issued in Lviv—Lemberg—on June 30 a proclamation declaring Ukraine an independent state. Thousands of Ukrainians in the Red army surrendered to the Germans. Some pro-Soviet historians consider this a brilliant Nazi operation; however, those who fully understand those developments know that this was a refusal of the Ukrainians to fight for Stalin and his regime.

Even though the Iron Curtain does not permit the free press to report about the present situation in the Ukraine, free men the world over know that the struggle of the Ukrainian people with the Russian occupancy goes on and on.

Only recently, stories of unrest in the Ukraine and mass arrests and trials of Ukrainian writers and intellectuals reached us in the West.

Mr. Speaker, I am sure that there are some in this Chamber who would ask this question: "What is our concern with the situation in the Ukraine?"

For us Americans, Ukraine is not only a moral issue of the first magnitude, which we cannot any more ignore, but we must also realize that a free independent Ukraine could prove a valuable asset to the United States and the free world.

Needless to say, the present deplorable international situation is a direct result of our lack of understanding of the Russian issue and our misguided approach toward the Soviet Union, which must be reexamined.

I am wondering if it ever occurred to the architects of our foreign policy that during 25 years of the cold war with the Soviet Union, in which we have sacrificed over 100,000 boys, with over a quarter of a million more wounded, not one Russian died in Korea or Vietnam? Could anyone consider this an accomplishment for our side?

I hope that in this changing world, where our own approach also must be changed, all those who swallowed the party line that the Russians were mellowing are "cured" by the recent Soviet military invasion of Czechoslovakia, and continued suppression of the Czech people.

I am wondering—why free elections and freedom for South Vietnam and not for Ukraine—or other nations enslaved by the Russians? Why do we continue to use a deadly wrong and bankrupt policy toward the Soviet Union? Why not adopt a positive role to weaken this monstrous Soviet Union, who continues its goal to overthrow our Government by force; who continues war during peace by supporting riots, insurrection, and lawlessness in our country and throughout the world?

I do not advocate any preventive war or any military adventure, but there are peaceful weapons; that is, encouraging the aspiration to independence of the nations enslaved by the Russians, and self-determination for the minorities under Russian imperialism.

Mr. Speaker, I am sending a memorandum to our Department of State with a request to put on the agenda of the United Nations the issue of existing slav-

ery in this world's last colonial empire—the Soviet Union.

I am also requesting the Department of State to prepare a resolution which requests the right of self-determination, free election in the Ukraine and other nations, enslaved by the Russians, which elections should be supervised by the United Nations. There is already a unanimous resolution of the U.S. Congress from July 1959, which supports the aspirations of all nations, enslaved by Communist Russia and China.

On this January 22, 1969, the 51st anniversary of the restoration of Ukrainian independence, we salute you, brave Ukraine. You have paid perhaps the heaviest price to be free, and we pray with you for that day when you, too, will join the great family of free nations.

I take this stand because your liberty is our liberty.

## WE DISCOURAGE PRODUCTIVITY AND JOBS

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, as is usual at the beginning of a new Congress or new administration, there is much talk of tax reform. We are quite aware of the inequities that occur in the taxation of individuals, but we seem hesitant to discuss the inequities of corporate taxation. The corporations are the convenient "impersonal whipping boys" of our economy. Closer examination reveals that the ownership of these legal entities represents the savings and investments of over 24 million Americans. This ownership group is larger than the combined union membership, and includes many therein.

Mr. Henry Hazlitt, the noted economist, in a thought-provoking analysis, describes the unfairness of present corporate taxation and its effects upon the economy. This article appeared in the January 1969 issue of the Freeman, and is entitled "How We Discourage Investment."

Mr. Speaker, under unanimous consent, I insert this poignant, but short article in the RECORD:

HOW WE DISCOURAGE INVESTMENT

(By Henry Hazlitt)

Personal income tax rates that rise to the level of 77 per cent obviously discourage incentives, investment, and production. But no politician raises the point for fear he will be accused of defending the rich.

What is probably an even greater discouragement to new investment and increased production is the present income tax rate of 52.8 per cent on corporations. Yet this gets even less criticism than high personal income taxes. Nobody wants to defend the corporations. They are everybody's whipping boy. And yet they are the key productive element on which the nation's income, wealth, and economic growth depend.

There was at least some awareness of this until recent years. When the tax on corporation income was first imposed in 1913 it was at the very cautious rate of 1 per cent. It never got above 15 per cent until 1937. In the midst of World War II it was still only 40 per cent. It did not get to 52 per cent until 1952.

Today such a rate is taken for granted. Yet most of those who approve of it, and even suggest it could be a little higher, are the very people who have been complaining most loudly in recent years about the country's disappointing rate of economic growth.

The present average tax on all corporations is about 45 per cent. On successful corporations of any size, however, the average rate is close to 52 per cent. Broadly speaking, therefore, when anybody contemplates a new corporate investment, he will not make it unless the investment promises to yield before taxes at least twice as much as the return he would consider worthwhile. If, for example, a man would not consider a new investment worthwhile unless it promised a 10 per cent average annual return on his capital outlay, it would have to promise a return of 20 per cent on that outlay before taxes.

What is at least as important as reducing the incentive to investment is that the present corporate income tax reduces the funds available for investment. In the second quarter of 1968, according to estimate of the Department of Commerce, U.S. corporations were earning total profits before taxes at an annual rate of $92 billion. Out of this their corporate tax liability was $41 billion. This reduced their profits after taxes to $50.7 billion. Out of this sum, in turn, $24.4 billion was paid out in dividends while $26.3 billion was retained in undistributed profits.

This last figure represents the corporations' own reinvestment in working capital, inventories, improvement, new plant, and equipment. If there had been no corporate tax whatever, and there had been the same proportionate distribution of profits between dividends and reinvestment, the amount of money reinvested would have been $47 billion instead of $26 billion—about $21 billion, or 80 per cent, more a year.

By discouraging and retarding investment in new machinery and plant, the 52.8 per cent marginal corporation income tax shields existing obsolescent capacity from the competition of the new, modern and efficient plant and equipment that would otherwise come into existence, or come into existence much sooner.

It is obvious that a corporation income tax in the neighborhood of 50 per cent must drastically reduce both the incentive and the funds for new investment, and therefore for the consequent increase in jobs, productivity, real wages, and economic growth that the politicians are always calling for. By striking so directly against new investment, in fact, the present high corporate income tax slows down economic growth more effectively than almost any other type of tax.

## ORGANIZATIONAL MEETING OF UNITED STATES GROUP TO INTERPARLIAMENTARY UNION

(Mr. PIRNIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PIRNIE. Mr. Speaker, as President of the United States Group to the Interparliamentary Union I wish to advise my colleagues that the organizational meeting of the group for the 91st Congress will take place on Wednesday, January 29, 1969, in Senate reception room S-207, commencing at 10 a.m. One of the principal items on our agenda will be the election of officers. All Members of the House are welcome to participate.

## RETENTION OF JUDGE ADVOCATES AND LAW SPECIALIST OFFICERS IN THE ARMED SERVICES

(Mr. PIRNIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PIRNIE. Mr. Speaker, I have today introduced legislation authorizing professional pay and a continuation bonus for judge advocates in the uniformed services. The intent of the bill is to provide retention incentives for service legal officers similar to those presently received by doctors, dentists, and veterinarians in the Armed Forces.

The retention rate of legal officers by our services is now dangerously low and the situation will continue to deteriorate unless prompt action is taken to make legal careers in the military more financially acceptable. My bill is designed to do just that by providing a monthly professional pay allowance based on rank and a variable continuation bonus which the officer could earn by continuation in the service past his initial obligation and after he becomes eligible for voluntary retirement with pay.

Specifically, the legislation provides:

First. Retention incentives as follows: $50 per month through grade O-3—captain; $150 per month for grades O-4 and O-5—major and lieutenant colonel; $200 per month for grades O-6 and above—full colonel and above.

Second, a continuation bonus payable at the rate of 2 months' basic pay for each year for which the judge advocate agrees to remain in active service beyond any then outstanding active duty service obligation or service commitment. The contract would be for a minimum of 3 additional years and a maximum of 6 years. Judge advocates would be eligible for this bonus on two occasions; First, upon the completion of 4 years' active service; and second, at the time when they become eligible for voluntary retirement with pay. A provision is included which would allow the judge advocate to receive the bonus either at the beginning of the period or to have it prorated.

It should be noted that the problem plagues all the uniformed services and shows no sign of diminishing in the absence of affirmative proposals.

The seriousness of the retention problem was highlighted in a feature article contained in the April 8, 1967, edition of the Journal of the Armed Forces entitled "Career Legal Billets Go Begging."

At the outset, Journal Editor Lou Stockstill placed the problem in proper perspective:

The armed forces are having a tough time filling "lawyer" billets in their career ranks.

As a result, much of the legal workload of the Services is being handled by young and relatively un-tried officers whose diplomas still smell of wet ink.

In response to a Journal survey, all four Services say the problem is not one of obtaining sufficient numbers of law specialists and judge advocates—but of keeping them. The turnover rate is extremely high and the retention rate is very low.

In the intervening year and a half since the Journal article, the retention problem has worsened.

For example, within the Army during the 14-year period from 1951 through 1964, of the 3,020 military lawyers who entered active duty, only 380 remained as of 1968. This represents an overall retention rate of 12½ percent. Since 1960, in the Navy, the number of career

lawyers has steadily declined to the point where the situation is now critical. As recently as last October, the Navy had only 38 regular lieutenants out of some 630 lawyers on active duty. This amounts to an average yearly retention of 12 lawyers per year. To assure experienced lawyers in the overall career structure, the Navy must retain 30 lawyers in each year group. Without remedial action, it is anticipated that by July 1972, 75 percent of all uniformed Navy lawyers will have had less than 5 years' legal military experience.

The situation in the Air Force is likewise distressing. Since 1956 that service has been able to retain only 19 percent of its judge advocates, including recallees. If the recallees are excluded, the percentage drops to 14 percent. The Air Force estimates that between 40 and 45 percent retention is necessary to maintain the JAG Department at the desired level.

The situation I have just outlined demands and deserves our immediate attention, but it is important to realize that one further relevant factor must also be considered. During the past session, we passed and the President signed into law the Military Justice Act of 1968—a landmark proposal which extends to service personnel the right-to-counsel safeguards which the Supreme Court in recent years has granted to criminal defendants in civilian courts. In addition, this new law requires the services to provide qualified and experienced lawyers as military judges in trials by special and general courts-martial. The four services estimate they will need approximately 700 additional military lawyers in order to meet this requirement.

It is, therefore, imperative that Congress take steps to insure a higher lawyer retention rate in the Armed Forces. To do otherwise is to forsake the high standard of military justice we have long set. Last session, we affirmed our commitment to our men in uniform that they be afforded the same legal protection that our courts extend to civilians. We cannot now deny them the means of obtaining those safeguards through our failure to provide experienced and qualified military lawyers.

My bill should enable the armed services to substantially increase their lawyer retention rate thereby improving significantly the quality of legal advice and military justice in the services. The Judge Advocates Association and the American Bar Association have approved this type of legislation in the past. I am confident that it will have the support of this body.

## TAX REFORM

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, as we get down to the serious business of government now that the ceremony has been completed, I want to express a very specific hope for the 91st Congress: that it earnestly seek and achieve a comprehensive tax reform. The recent history of reform efforts here has not been a happy one. It was a disappointment that the 90th Congress did not achieve either election reform or any degree of congressional reorganization.

For some time it has been the tacit and explicit assumption by both taxpayers and Congressmen that one of the first orders of business by our tax writers in this new Congress would be sweeping income-tax review leading to reform. Congress had directed that President Johnson submit recommendations for reform last month under the terms of the surtax-spending cut legislation we passed in June. That President, for reasons that are not clear to me, did not make his recommendations public, although presumably the new administration has access to them and will be studying them.

I am not pushing for any tax panacea, or for any special type of reform, but I do not want to see this opportunity slip away from us for any reason. While I regret that the last administration did not pursue tax reform more vigorously, I believe a comprehensive set of recommendations developed by the Treasury Department is in existence and can form the basis for study and action by the 91st Congress. We should make this a matter of high priority, because nothing is more basic to the relation of the Government to the productive citizens of our country than the equity of our tax system. As our economy has changed, the equities have changed; a thorough review is again necessary.

## A BILL TO BAN ANY STATE FROM LEVYING INCOME TAXES ON NONRESIDENTS

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, I have introduced a bill which would prohibit any State from levying income taxes on nonresidents of the State.

My purpose in doing this is to strike down by means of legislation a decision by the Washington State Supreme Court making residents of the State of Washington liable for Alaska State taxes on income earned in Alaska.

This litigation has been in the courts for a long time and Alaska is now demanding back tax from 1960.

Most of the victims of this discrimination are maritime personnel who earn their living on ships that serve Alaska.

When the Alaska Statehood Act was enacted by the Congress of the United States, in the hearings and in the debate, full assurance was given that under the Constitution of the new State of Alaska, there would be no discrimination against nonresidents because much of the nature of employment in Alaska is seasonal.

But, now that promise is overlooked and persons living in the State of Washington who have no property or derive no benefits from the tax, who have no children in Alaskan schools must pay tribute as seamen because their source of income does business in Alaska.

This taxing of nonresidents is taxation without representation and works a tremendous hardship on the families of a few U.S. citizens who are unfortunate enough to earn their living with business concerns which serve Alaska.

Mr. Speaker, the courts have opened up a Pandora's box and the precedent is such that the American citizen anywhere in the United States will be in danger of having his earnings subject to taxation in two or even more States.

I hope my colleagues will join me in support of this important legislation.

## BIAFRAN STARVATION

(Mr. MORSE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, I am introducing a resolution today calling for a significant increase in U.S. relief efforts to stop the tragic starvation that has already taken the lives of thousands of innocent civilians in the Nigerian-Biafran conflict.

As early as August 1967 I warned that the military conflict in Nigeria had become a problem of significant international dimension that demanded our serious attention. Since then the situation has worsened, not only in political and military complexity, but especially in terms of the continuing human tragedy which is growing increasingly serious each day.

It has become clear that neither unilateral efforts, nor the regional efforts of the Organization of African Unity, have been sufficient to end the political stalemate and halt the growing threat of starvation, but our world organization, the General Assembly of the United Nations, has been kept from taking up its proper humanitarian role by the military-political involvement of a number of its members.

The political-military situation is a complex and dangerous one. It will take the continuing and careful efforts of the entire international community to work out the effective settlement that is necessary, and is far beyond the realm of a single resolution. It is because the humanitarian problem—the lives of thousands more innocent men, women, and children—cannot wait, however, that I am introducing this resolution today. The text is as follows:

H. CON. RES. 97

Whereas reliable reports indicate that there is a tragic loss of life in the Nigerian Civil War caused by starvation and disease in areas controlled by the Federal Government and under the control of the "Biafran" authorities; and

Whereas present relief operations are inhibited by poor roads, bad weather, inadequate transport, and the inaccessibility of certain areas to overland supplies; and

Whereas increased shipments of food and medical supplies are needed to reduce the tragic rate of starvation: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress—

(1) that the President should act to increase significantly the amount of surplus food stocks, relief moneys, noncombat aircraft, and such other vehicles of transportation as may be necessary for relief purposes; and that this relief assistance should be made available to and at the request of the

Organization of African Unity, UNICEF, the International Committee of the Red Cross, and such other suitable religious and charitable relief agencies now or hereafter operating in the area with the consent of the responsible authorities; and

(2) that the Government of the United States should solicit the cooperation of other nations in this humanitarian effort.

Over 100 Members of the House have indicated their support in this endeavor to Congressman DON FRASER and myself, as chief sponsors of this resolution in the House. It is our hope that, through this action, the United States can work toward fulfilling its humanitarian obligations while avoiding the diplomatic and military pitfalls of direct involvement in the war itself, and the cold war polemics that paralyze more effective action by the U.N.

I am pleased to announce that 52 Members of the Senate joined an identical resolution introduced into that body yesterday.

The House sponsors of the bill include:

BROCK ADAMS, Democrat, of Washington.

JOSEPH P. ADDABBO, Democrat, of New York.

JOHN B. ANDERSON, Republican, of Illinois.

LESLIE C. ARENDS, Republican, of Illinois.

THOMAS L. ASHLEY, Democrat, of Ohio.

EDWARD G. BIESTER, JR., Republican, of Pennsylvania.

JONATHAN B. BINGHAM, Democrat, of New York.

JOHN A. BLATNIK, Democrat, of Minnesota.

EDWARD P. BOLAND, Democrat, of Massachusetts.

RICHARD BOLLING, Democrat, of Missouri.

JOHN BRADEMAS, Democrat, of Indiana.

WILLIAM S. BROOMFIELD, Republican, of Michigan.

GEORGE E. BROWN, JR., Democrat, of California.

JOHN BUCHANAN, Republican, of Alabama.

PHILLIP BURTON, Democrat, of California.

DANIEL E. BUTTON, Republican, of New York.

SHIRLEY CHISHOLM, Democrat, of New York.

BARBER B. CONABLE, JR., Republican, of New York.

SILVIO O. CONTE, Republican, of Massachusetts.

JOHN CONYERS, JR., Democrat, of Michigan.

JAMES C. CORMAN, Democrat, of California.

JOHN C. CULVER, Democrat, of Iowa.

DOMINICK V. DANIELS, Democrat, of New Jersey.

HAROLD D. DONOHUE, Democrat, of Massachusetts.

JOHN J. DUNCAN, Republican, of Tennessee.

DON EDWARDS, Democrat, of California.

JACK EDWARDS, Republican, of Alabama.

MARVIN L. ESCH, Republican, of Michigan.

DANTE B. FASCELL, Democrat, of Florida.

HAMILTON FISH, JR., Republican, of New York.

THOMAS S. FOLEY, Democrat, of Washington.

DONALD M. FRASER, Democrat, of Minnesota.

PETER H. B. FRELINGHUYSEN, Republican, of New Jersey.

RICHARD FULTON, Democrat, of Tennessee.

ROBERT N. GIAIMO, Democrat, of Connecticut.

JACOB H. GILBERT, Democrat, of New York.

WILLIAM J. GREEN, Democrat, of Pennsylvania.

GILBERT GUDE, Republican, of Maryland.

SEYMOUR HALPERN, Republican, of New York.

LEE H. HAMILTON, Democrat, of Indiana.

JAMES M. HANLEY, Democrat, of New York.

JULIA BUTLER HANSEN, Democrat, of Washington.

WILLIAM D. HATHAWAY, Democrat, of Maine.

KEN HECHLER, Democrat, of West Virginia.

MARGARET M. HECKLER, Republican, of Massachusetts.

FLOYD V. HICKS, Democrat, of Washington.

LAWRENCE J. HOGAN, Republican, of Maryland.

FRANK HORTON, Republican, of New York.

ANDREW JACOBS, JR., Democrat, of Indiana.

HAROLD T. JOHNSON, Democrat, of California.

JOSEPH E. KARTH, Democrat, of Minnesota.

ROBERT W. KASTENMEIER, Democrat, of Wisconsin.

HASTINGS KEITH, Republican, of Massachusetts.

EDWARD I. KOCH, Democrat, of New York.

DONALD E. LUKENS, Republican, of Ohio.

PAUL N. MCCLOSKEY, JR., Republican, of California.

JOSEPH M. MCDADE, Republican, of Pennsylvania.

MARTIN B. MCKNEALLY, Republican, of New York.

CATHERINE MAY, Republican, of Washington.

THOMAS J. MESKILL, Republican, of Connecticut.

ABNER J. MIKVA, Democrat, of Illinois.

JOSEPH G. MINISH, Democrat, of New Jersey.

PATSY T. MINK, Democrat, of Hawaii.

CHESTER L. MIZE, Republican, of Kansas.

WILLIAM S. MOORHEAD, Democrat, of Pennsylvania.

F. BRADFORD MORSE, Republican, of Massachusetts.

CHARLES A. MOSHER, Republican, of Ohio.

WILLIAM T. MURPHY, Democrat, of Illinois.

LUCIEN N. NEDZI, Democrat, of Michigan.

JAMES G. O'HARA, Democrat, of Michigan.

THOMAS P. O'NEILL, JR., Democrat, of Massachusetts.

RICHARD L. OTTINGER, Democrat, of New York.

CLAUDE PEPPER, Democrat, of Florida.

BERTRAM L. PODELL, Democrat, of New York.

TOM RAILSBACK, Republican, of Illinois.

THOMAS M. REES, Democrat, of California.

OGDEN R. REID, Republican, of New York.

HENRY S. REUSS, Democrat, of Wisconsin.

HOWARD W. ROBISON, Republican, of New York.

PETER W. RODINO, JR., Democrat, of New Jersey.

FRED B. ROONEY, Democrat, of Pennsylvania.

BENJAMIN S. ROSENTHAL, Democrat, of New York.

PHILIP E. RUPPE, Republican, of Michigan.

WILLIAM F. RYAN, Democrat, of New York.

FERNAND J. ST GERMAIN, Democrat, of Rhode Island.

HERMAN T. SCHNEEBELI, Republican, of Pennsylvania.

FRED SCHWENGEL, Republican, of Iowa.

ROBERT T. STAFFORD, Republican, of Vermont.

J. WILLIAM STANTON, Republican, of Ohio.

LOUIS STOKES, Democrat, of Ohio.

ROBERT TAFT, JR., Republican, of Ohio.

CHARLES M. TEAGUE, Republican, of California.

FRANK THOMPSON, JR., Democrat, of New Jersey.

ROBERT O. TIERNAN, Democrat, of Rhode Island.

JOHN V. TUNNEY, Democrat, of California.

MORRIS K. UDALL, Democrat, of Arizona.

CHARLES A. VANIK, Democrat, of Ohio.

JEROME R. WALDIE, Democrat, of California.

LOWELL P. WEICKER, JR., Republican, of Connecticut.

G. WILLIAM WHITEHURST, Republican, of Virginia.

LAWRENCE G. WILLIAMS, Republican, of Pennsylvania.

CHARLES H. WILSON, Democrat, of California.

LESTER L. WOLFF, Democrat, of New York.

JOHN W. WYDLER, Republican, of New York.

SIDNEY R. YATES, Democrat, of Illinois.

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## UKRAINIAN INDEPENDENCE

(Mr. MESKILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESKILL. Mr. Speaker, the Ukrainian people form one of the oldest and largest of the Slavic ethnic groups. They are known as one of the most peace loving and industrious peoples in Eastern Europe, but for centuries they have not been allowed to live in peace, nor

have they been permitted to reap much benefit from their hard work. The reason for this misfortune is that, except for the short but happy 2-year period of independence in 1918–20, the Ukrainian people have been suffering under the alien Russian yoke for more than three centuries.

Up to the mid-17th century the Ukrainians were able to overcome and survive the onslaughts of invading Asiatic hordes. Then in the year 1654 the Ukrainian leaders signed a compact with the Russian czar by which they meant to unite the two countries. Soon Ukrainian leaders learned that they were tricked into a trap. Before long the wily autocrat of Russia succeeded in nullifying the terms of this compact and put an end to the Ukraine's independence. Nearly all of Ukraine's subsequent misfortunes seem to have stemmed from the deliberate misrepresentation of the terms of that compact by the Russians.

For some 250 years Ukrainians lived and worked under the oppressive yoke of the czars, but when the czarist regime in Russia was overthrown, the Ukrainians felt free and proclaimed their national independence on January 22, 1918. But the new state thus born was surrounded by foes, all of them prepared to pounce upon it and put an end to its existence. That cruel task was performed by the Red Army in 1920; the country was invaded and overrun, and its independence shattered. Thenceforth the Ukraine was incorporated into the Soviet Union and so it remains to this day. There Communist totalitarian tyranny reigns supreme and some 42 million Ukrainians are suffering under the grinding steamroller of the Kremlin. But the irrepressible free spirit of the Ukrainian refuses to be chained, and the people still long for their richly deserved freedom. On the observance of their 51st Independence Day let us all hope and pray for their eventual freedom and national independence.

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## RECENT DELIVERY OF SUPER-PLUSH GULFSTREAM II PRIVATE EXECUTIVE JET TRANSPORT TO THE U.S. COAST GUARD

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. THOMPSON of Georgia. Mr. Speaker, it would be interesting to observe the pronouncements of the press were the Congress to appropriate approximately $3,000,000 for a superplush "Flying Palace" executive jet aircraft to be used for travel of its Members. Obviously the chairman of the Armed Services Committee, Mr. RIVERS, could very well use this aircraft, as could the Speaker and other Members of Congress. However, the Congress has been very concerned about the expenses of running the Government and certainly has not authorized or contemplated the authorization of such an exorbitant expenditure for plush executive travel of its Members.

Yet, Mr. Speaker, the U.S. Coast Guard, whose mission is to protect our shores and save lives, has recently had delivered a superplush Gulfstream II private executive jet transport.

It is interesting to note, Mr. Speaker, that the cost of the interior furnishings of this flying palace, as provided in the original contract price was $162,181, enough money to build 10 $16,000 family dwellings. Yet, I was absolutely appalled to find that even $162,181 was not enough money to make the interior of the aircraft plush enough for the Coast Guard and Department of Transportation Federal employees who will be traveling in the aircraft. They felt it necessary to increase the spending for the interior of the airplane by an additional $41,848. This super-plush executive jet airplane with its original super-plush interior costing $162,181 was modified, at the Coast Guard's request for an additional $41,848 to provide more luxuries and the following changes in the interior of the airplane for the comfort of our DOT and Coast Guard executives:

First. Improved cabin and lavatory lighting.

Second. Relocated radio operator position from the cabin to the cockpit area.

Third. Added flight attendant seat to the galley area.

Fourth. Increased soundproofing material under the plush carpet.

Fifth. Improved the quality of materials on the bulkheads for better appearance and soundproofing.

Sixth. Increased carpet weight to improve appearance and soundproofing.

Seventh. Changed seating from one swivel and five nonswivel single 19-inch and three double 19-inch seats to six swivel single 21-inch seats and two double 21-inch seats and a two-place divan.

Eighth. Added one conference table and two foldout desks.

Ninth. Removed partition between forward four single berthable seats to provide more privacy.

What a waste of our taxpayers' money. I am absolutely appalled that our Government employees who will use this airplane would have the gall to spend an additional $41,848 after $162,181 was already spent on the interior furnishings, according to the GAO report.

In summary, inasmuch as DOT and the Coast Guard are so vitally interested in safety, it is curious to note that the money totaling $2,876,000 spent for this one airplane could provide installation landing systems for approximately 20 airports, or control towers at approximately six airports, or bright tube displays on control towers radar displays at approximately 85 locations, or approximately 115 visual approach slope indicators to provide visual glide slope guide for jets on runways not equipped with instrument landing systems or backup systems to insure service in high density areas when failures occur in power supply, radar and communications equipment, or air terminal area automation with alpha-numeric displays and associated equipment, or terminal area radar for approximately five airports—terminal area radar could probably have prevented the mid-air collision which cost the life of the Secretary of the Navy recently.

Mr. Speaker, if the Coast Guard and DOT are truly concerned in protecting and saving lives, perhaps they should not have such great concern for the physical comfort and luxury of their traveling executives in their own super-plush private jet liner but more concern about safety aids.

I include, in full, the General Accounting Office report to me confirming the above information:

COMPTROLLER GENERAL
OF THE UNITED STATES,
*Washington, D.C., January 6, 1969.*

Hon. FLETCHER THOMPSON,
*House of Representatives.*

DEAR MR. THOMPSON: As requested in your letter of October 11, 1968, the General Accounting Office has obtained information regarding (1) the purchase of a Gulfstream II "super-plush" executive jet transport aircraft by the Department of Transportation (DOT) and (2) executive aircraft owned by all agencies of DOT and based at Washington National Airport. You also stated in your letter that an evaluation of DOT's air transportation needs is warranted. We agree with your conclusion and, as discussed with your administrative assistant, Mr. Richard A. Ashworth, we will make an evaluation of DOT's air transportation needs at the earliest practicable time.

With regard to the purchase of the Gulfstream II, on April 3, 1968, the U.S. Coast Guard awarded a contract to the Grumman Aircraft Engineering Corporation, Bethpage, Long Island, New York, for the purchase of a long-range jet transport aircraft, Grumman Model G-1159, to be used primarily for executive transportation. The total contract price, as amended, is $2,876,486. According to the contract specifications, the aircraft was designed for the transportation of 12 passengers and a crew of four. At the time of our review, the aircraft was with a subcontractor—Atlantic Aviation Corporation, Wilmington, Delaware—for interior and exterior finishing and was scheduled for delivery to the Coast Guard in December 1968.

With regard to the interior of the aircraft, the April 1968 contract price included $162,181 for furnishings and their installation. Subsequent to the award of the contract, the Coast Guard revised the specifications for the interior of the aircraft. The revision resulted in increasing the contract price by $41,848. According to information furnished to us by the Coast Guard, these changes (1) "*** improved the cabin materials and hardware quality and arrangement so as to provide a functional interior of acceptable corporate aircraft quality and appearance" and (2) were made because the "*** originally proposed interior was considered to be functionally inadequate and austere for this type aircraft and its intended mission." The nature of the changes is shown in enclosure I. The original specifications for the flight deck and cabin accommodations and the interior lighting are shown in enclosure II. Subsequent revisions made to these specifications are shown in enclosure III.

The Coast Guard currently has three aircraft based at Washington National Airport—two Martin 4-0-4's and a Grumman Gulfstream I. Coast Guard officials have informed us that the primary mission of these aircraft is for executive travel. In addition, we have been informed that these aircraft are used for flight training needed to support this mission. The following schedule shows flight hours recorded for the three aircraft during fiscal year 1968.

| | Executive travel | Flight training | Total |
|---|---|---|---|
| Grumman Gulfstream I | 549 | 191 | 740 |
| Martin 4-0-4 (2 aircraft) | 806 | 420 | 1,226 |

Coast Guard officials have estimated that the Gulfstream II, which will eventually replace the two Martin 4-0-4's, will be flown about 800 hours annually. In justifying the procurement of the Gulfstream II during fiscal year 1968 appropriation hearings, Coast Guard officials stated that one modern turbine-powered aircraft instead of two 15-year-old aircraft would meet the agency's requirements for executive transport at a substantial increase in efficiency.

In addition to the three aircraft owned by the Coast Guard, the Federal Aviation Administration (FAA) operates nine aircraft based at its Hangar 6 facility at Washington National Airport. Eight of these aircraft are owned by agencies of DOT and the other aircraft is leased. FAA classifies these aircraft as job performance aircraft and considers, as job performance time, flight time expended in the following categories:

1. *Mission accomplishment.*—Flights in support of assigned agency programs and missions, i.e., air traffic evaluation, airport inspections, flights to scenes of accidents, etc.

2. *Pilot proficiency.*—Aircraft transition, and time utilized for preparation and accomplishment of annual and semiannual checks, performed in job performance aircraft.

3. *FAA programs familiarization.*—Administrative and similar flights for accomplishment of FAA programs.

4. *Flight test.*—Job performance aircraft only.

An FAA official informed us that any flight time for administrative travel would be recorded as program familiarization (item 3 above). The following schedule shows, for fiscal year 1968, flight time recorded in FAA's records as program familiarization and total flight time for each aircraft. We did not analyze the flight time recorded as program familiarization.

| Aircraft type | Flight hours | | Program of program familiarization flight hours to total |
|---|---|---|---|
| | Program familiarization | Total | |
| Lockheed Jetstar 1329 | 313.7 | 515.5 | 61 |
| Grumman G-159 | 244.7 | 677.3 | 36 |
| Douglas DC-3 | 299.6 | 535.4 | 56 |
| Beechcraft BE-90 | 158.1 | 364.2 | 43 |
| Beechcraft BE-55 [1] | 525.8 | 1,203.6 | 44 |
| Beechcraft BE-80 [1] | 609.2 | 1,380.8 | 44 |
| Piper PA 32-260 [2] | 29.2 | 214.9 | 14 |

[1] Includes 2 aircraft.
[2] Aircraft leased in February 1968.

We visited FAA's facility at Washington National Airport and found that four of the nine aircraft based at Hangar 6 were on various missions. The four aircraft which were not at the hangar during our visit included: (1) the Lockheed Jetstar 1329, being used by the Secretary of Transportation to attend the 24th annual meeting of the International Air Transportation Association in Munich, Germany, (2) the Douglas DC-3, being used for a program familiarization flight to Atlantic City, New Jersey, (3) a Beechcraft BE-80, being used for an annual flight check of an FAA pilot, and (4) the Piper PA 32-260, being used for a program familiarization flight to Hagerstown and Frederick, Maryland.

We trust that the information presented herewith will serve your purpose. We plan to make no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of the report.

Sincerely yours,

ELMER B. STAATS,
*Comptroller General of the United States.*

CHANGES TO INTERIOR OF AIRCRAFT

1. Improved cabin and lavatory lighting.

2. Relocated radio operator position from the cabin to the cockpit area.

3. Added flight attendant seat to galley area.

4. Added increased soundproofing material under carpet.

5. Improved quality material on bulkheads to improve appearance and soundproofing.

6. Increased carpet weight and quality to improve appearance and soundproofing.

7. Changed seating from one swivel and five nonswivel single 19-inch and three double 19-inch seats to six swivel single 21-inch and two double 21-inch seats and a two place divan.

8. Added one conference table and two fold-out-type desks.

9. Added removable partition between forward four single berthable seats to provide some privacy.

NOTE.—The above information was furnished by the U.S. Coast Guard.

ORIGINAL SPECIFICATIONS FOR INTERIOR LIGHTING AND FLIGHT DECK AND CABIN ACCOMMODATIONS

7.9 Interior Lighting: Space and power provisions for interior lighting and emergency lighting shall be provided.

(a) Entrance, Companionway and Life Raft Compartment Lights: A dome light shall be located in the companionway headlining. Three lights shall be located in the step risers of the main entrance air stair door. Lighting shall be provided in the life raft stowage compartment. The battery-operated exit light over the main entrance door shall be utilized. An aisle light shall be installed at the top of the main entry stairs.

(b) Main Cabin Lights: Reading lights shall be provided for each passenger place and the radio/navigator station. Indirect lighting, including controls with a dimming feature, shall be provided throughout the cabin. A flush down light shall be installed over the fold-down desk. Passenger ordinance lights (Fasten Seat Belts, No Smoking and Oxygen) shall be installed adjacent to each passenger place. A chime shall be added to the tone generator system to sound when the signs are activated. Impact exit lights shall be installed over each escape window and over the forward cabin door. Additional exit lighting shall be provided throughout the cabin, in accordance with attached Grumman drawing 1159F207 P. Adequate work lights shall be provided for the radio/navigator console. A light shall also be installed in the aft clothes compartment.

(c) Galley Lights: Adequate work lighting shall be provided in the galley.

(d) Lavatory Lights: A dome light shall be installed in the headliner. "Return to Seat" and "No Smoking" warning lights shall be installed above the vanity counter. Lights shall also be mounted on each side of the vanity.

(e) Baggage Compartment Light: An explosion-proof, protected dome light shall be installed in the headlining.

(f) Night Lights: Four near floor level aisle lights shall be distributed throughout the aircraft.

(g) Switches: Switches and controls for all lights shall be conveniently located.

13 FLIGHT DECK AND CABIN ACCOMMODATIONS

13.1 Flight Compartment: The flight compartment shall include a full complement of instruments and controls necessary to permit full operation of the aircraft by either pilot or copilot. See Section 12. Two fresh air outlets, two glass holders and two ash trays shall also be installed.

(a) Soundproofing and Installation: The flight compartment shall be soundproofed and insulated in accordance with attached Grumman Gulfstream II General Outfitting Specification No. AE-159-I-21. Briefly, this specification calls for an anti-vibration sound damping foam, which shall be applied to the inside surface of the skin. Fiberglass insulation panels, enclosed in vinyl-coated nylon material, shall be installed over the sound damping foam, completely filling all the bays in the cockpit. An inner sandwich acoustic liner, consisting of Scottfelt, fiberglass and Coustifab, shall be installed on the inboard side of all bell frames.

(b) Materials: Materials used to finish the cockpit interior shall be chosen for their durability and ease of maintenance, with weight also a major consideration, and shall conform to appropriate F.A.A. regulations. Sample color schemes and finish materials shall be submitted to the United States Coast Guard for approval.

(c) Headliner: A fabric-backed vinyl material shall be installed in panels in a manner facilitating removal for maintenance.

(d) Side Walls: A fabric-backed vinyl material shall be installed in panels below the windows and on the side walls. The panels shall be easily removable for maintenance.

(e) Floor Covering: A lightweight, vinyl-covered, aircraft-type floor covering (Durug or equivalent) shall be installed throughout the flight compartment along with a one-eighth inch foam underpad. The covering shall be removable independent of the seats.

(f) Night Curtain: A sliding night curtain shall be installed behind the cockpit entryway.

13.1.1 Crew Seats: The crew seats shall be covered with a soft, wear-resistant material, fabricated and installed in accordance with appropriate F.A.A. regulations.

13.1.2 Restraint System: The pilot and copilot seat shall be equipped with a restraint system consisting of a safety belt, shoulder harness and a harness reel with a control. The safety belt shall be adjustable and equipped with a quick-release-type buckle.

13.1.3 Crew Station Consoles: The equipment installed in the flight compartment is listed in Section 12 and arranged in accordance with Grumman drawing 1159F208 P.

13.1.4 Jump Seat: One jump seat, approved for take-off and landing, shall be installed under the radio rack just aft of the cockpit. A color-coordinated safety belt shall also be provided.

13.2 Lighting

13.2.1 Flight Compartment Lighting: Engine instruments shall be integrally lit with white natural lights. Edge light panels shall use white lighting. Instrument panel flood lighting shall be white. There shall be no direct glare and all controls shall be arranged for crew convenience.

13.2.2 Instrument Lighting: All primary engine instruments shall be integrally lit with white natural lights. The controls for these lights shall be installed in the forward sloping portion of the side consoles.

13.2.3 Instrument Panel Flood Lighting: The secondary illumination for the instrument panel shall be provided by a series of light fixtures installed in the glareshield. These lights shall be white and shall have individual controls for the pilot and copilot.

13.2.4 Edge Light Panels: The overhead control panels, the glareshield panel and the center console panel shall be white edge lighted. Controls for these lights shall be located on the side console control panels.

13.2.5 Map Light: A white adjustable map light shall be provided for each pilot. It shall be mounted on a flexible shaft located on the outboard window ledge.

13.2.6 Spare Lamps: A spare lamp container shall be provided and shall contain an adequate supply of spare lamps.

13.3 Main Cabin: The cabin interior shall be completed and arranged in accordance with Grumman drawing 1159F207 P. The materials used to finish the interior shall be chosen for durability and ease of maintenance, with weight also a major consideration, and shall conform to appropriate F.A.A.

regulations. Sample color scheme and finish materials shall be submitted to the United States Coast Guard for approval. All materials which do not inherently meet F.A.A. fireproofing requirements shall receive a permanent-type fireproofing treatment.

(a) Basic Construction Materials: All bulkheads, doors and cabinetry shall be fabricated from lightweight balsa core or aluminum honeycomb sandwich panels. The use of sheet metal screws shall not be permitted, unless approved by the customer.

(b) General Trim: Fine hardwoods, and anodized aluminum shall be used for trim. Silver, gold satin finish anodizing, plating, natural stainless steel or paint may be used as required.

(c) Bulkhead Coverings: A decorative treatment utilizing soft materials such as cork or padded fabrics shall be used on the bulkheads to provide supplementary soundproofing.

(d) Furniture Finish: All surfaces shall be 1/32" thick aircraft weight formica or equivalent. All molding and other wood parts shall be solid, fine hardwoods to match the predominant wood-grained formica.

(e) Soundproofing and Insulation: The main cabin area shall be soundproofed and insulated in accordance with Grumman Gulfstream II Specification No. AE-159-I-21, except that Coustifab (lead vinyl material) shall not be installed under the rug.

13.3.1 Passenger Area: The passenger area shall be arranged in accordance with Grumman drawing 1159F207 P and completed as follows.

(a) Headliner: A fabric-backed vinyl material shall be installed throughout the entire passenger area. The headliner in the entrance and companionway shall be installed in a transverse manner, either separate from, or attached to, the acoustic inner liner.

The headliner covering the overhead radio rack terminal panels shall be removable for easy access to the terminals.

The headliner in the cabin shall be installed in a longitudinal manner, extending from just above the duct on one side to the same point on the opposite side. The headlining material in the cabin area shall be installed separately and shall not include the inner liner. It shall be installed with typical aircraft extruded snap-in molding isolated from the aircraft structure. The overhead exhaust ducts shall be covered with identical material used in the cabin headlining.

(b) Side Wall: A fabric-backed vinyl material, similar to that installed in the headlining, may be installed on all side wall surfaces. The installation may be separate from, or attached to, the acoustic inner liner.

(c) Dado: A fabric-backed vinyl material similar to that described above shall be installed in the cabin. This installation may be separate from, or attached to, the acoustic inner liner. If the installation requires a hard-backed surface, these panels shall then be isolated from the aircraft structure.

(d) Floor Covering: A lightweight aircraft-type carpet (one half pound per sq. ft. max.) shall be installed in the airplane with provisions for removal independent of the seats. Three-eighths inch thick polyurethane foam shall be used as underpadding. The carpet may be retained by Velcro tape. Cutouts around all cabin blow out covers shall also be installed.

(e) Main Entrance: An acoustic folding door shall be installed, closing off the main entrance stair. This door shall be installed so as to preclude acoustic leaks along the sides, top, and bottom. Jacking fittings shall be stowed on the side of the air stair.

(f) Radio Rack Cover Panel: A radio rack cover panel shall be installed to close off the radio rack equipment. The panel shall be removable or shall be easy to open for the purpose of servicing the electronic equipment.

(g) Mid-Relay Compartment: The mid-relay compartment shall encompass that portion of the fuselage on the left side of the cabin between stations 169 and 181. A door shall enclose this area and swing aft. A portable oxygen bottle shall be stowed on the aft bulkhead.

(h) Survival Equipment Stowage Compartment: The survival equipment stowage compartment shall encompass that portion of the fuselage on the left side of the cabin between stations 181 and 202. Stowage and tie down provisions only shall be supplied for a life raft (19" diameter, 36" long) in the lower portion of the compartment. A shelf shall be installed above the life raft for stowing life vests for passengers and crew. A separate door with a positive latch shall be installed to prevent shifting of life jackets. A folding-type door shall close off this area from the aisle. The forward cabin door shall be located on the forward bulkhead of the compartment. The door will hinge on the right side and shall open forward. The door shall incorporate a lock and decompression blow out features. A portable oxygen bottle and a water fire extinguisher shall be installed on the aft side of the compartment.

(i) Radio/Navigator Station: The radio/navigator station encompasses that portion of the fuselage on the right side of the cabin between stations 181 and 221. The equipment therein shall be installed in a console against the forward cabin bulkhead on the right side. This equipment is listed in Appendix A and Section 12. Space and power for an ASR 32 teletypewriter and necessary controls shall be provided.

An intercommunication system shall be provided.

Space provisions and the necessary controls and indicators shall be provided for Loran. This equipment shall be covered with a ridged surface which folds down providing an 18 x 24 inch desk top. The teletypewriter shall be stowed forward of this surface and shall slide aft when required.

A 12 x 18 x 24-inch stowage space for books, charts and the like shall be provided below the desk surface. Additional stowage space for charts, maps, a cup holder, and an ash tray, shall be provided in an outboard console.

Provisions for instruments, controls, switches and circuit breakers shall be installed in the upper portion of the console. A pull-out drawer shall be installed on the lower inboard side of this console, near the floor. This drawer, when closed, shall be positively locked. It shall open into the aisle for easy access to a tool box attached to the lower portion of the drawer itself.

The radio/navigator seat shall be installed to allow proper operation of all controls, switches and instruments.

(j) Desk: A desk cabinet fabricated of the same materials specified in paragraph 13.3 (d), shall be installed just aft of the radio/navigator station on the right side, and shall be fabricated into a partition separating the two stations. The desk shall be of the pull-out type (providing a smooth surface of 18 x 24 inches), sliding into the cabinet when not in use. It shall include an ash tray and cup holder. A telephone shall also be incorporated at the radio/navigation station.

(k) Console Table: One console table shall be installed between the first and second windows on the left side of the cabin. The table shall be the pull out-type, sliding into a console when not in use. Incorporated in the console top shall be an ash tray and a cup holder for each occupant.

(l) Seating:

Swivel Seat: One upholstered swivel chair shall be installed behind the desk. It shall be capable of tracking fore and aft, and reclining. Both arm rests shall be made to stow into the seat cushion. A plug-in head rest and a seat belt shall also be incorporated.

Fixed Crew Seat: One single, fixed upholstered seat shall be installed behind the radio/navigator console. This chair shall have a maximum recline of 15° and both arm rests shall be capable of stowing into the seat cushions. A plug-in head rest, combination seat belt and adjustable shoulder harness shall also be installed. Both the shoulder harness and seat belt shall be locked into position by a single buckle attachment.

Aft Facing Seat: One upholstered, single aft-facing seat shall be installed in the forward end of the cabin, left hand side, adjacent to the first window. This chair shall have reclining features and both arm rests shall be capable of stowing into the seat cushion. A plug-in head rest and a matching seat belt shall also be provided.

Forward Facing Seat: Four single, forward-facing, upholstered seats shall be installed as shown on Grumman drawing 1159F207 P. These seats shall be fixed and shall have reclining features. All arm rests shall be capable of stowing into the seat cushion. Plug-in head rests and a matching seat belt shall also be provided with each chair. The single seats located on the right hand side, adjacent to the third and fourth windows, shall also have a folding food tray incorporated in the aft portion of the seat back. The seat adjacent to the third window shall be supplied with a food tray which will plug into the forward portion of the arm rests.

Double Seats: Three double forward-facing, upholstered seats shall be installed as shown on Grumman drawing 1159F207P. All these seats shall be fixed and shall have reclining features. All arm rests shall be capable of stowing into the seat cushion and shall be equipped with ash trays. Plug-in head rests and matching seat belt shall also be provided for each passenger place. The seats adjacent to the third and fourth windows shall have folding food trays incorporated in the aft portion of the seat back. The seat adjacent to the third window shall also be supplied with food trays which will plug into the forward portion of the arm rest.

All seats shall be approved for take-off and landing, and shall meet all F.A.A. requirements. The weight of these seats shall not exceed the weights spelled out in paragraph #3.

(m) Passenger Coat Closet: A coat closet shall encompass that portion of the fuselage on the right hand side of the cabin between station 458¾ and station 500¾. A removable shelf shall be installed in the upper portion of this compartment. Suspended from this shelf shall be a lightweight coat rod. An adequate number of quality coat hangers and adequate hat space shall be provided. A lightweight pull curtain shall be installed on the aisle side of the coat closet.

(n) Carry-on Baggage: A compartment for carry-on baggage shall encompass that portion of the fuselage on the left hand side of the cabin between stations 500¾ and 539¾. One shelf and retention netting shall also be provided. Two 114 cu. ft. passenger oxygen bottles shall be installed under the shelf of this compartment.

(o) Hand Rail: A hand rail shall be installed as part of a valance panel, and located just above the cabin windows. It shall run the entire length of the cabin on each side of the passenger area. The valance shall house recessed cold air outlets, reading lights, passenger oxygen stowage bins and the individual passenger ordinance lights. The valance shall also conceal the cabin indirect lighting and the top curtain track. Emergency exit lights and emergency exit instructions shall also be incorporated in this valance over each of the four exit windows.

(p) Window Curtains and Shades: Fixed window curtains shall be installed between all cabin windows. Tinted roll-up window shades shall also be installed to cover each cabin window.

(q) Window Frames: Window frames shall

be installed at each cabin window and shall be acuostically treated in accordance with Grumman Gulfstream Outfitting Spec AE-159-I-21.

(r) Aft Cabin Bulkhead: A lightweight honeycomb bulkhead door shall be installed at station 458¾. This door shall incorporate a lock and decompression blow out feature. The door shall be hinged on the left hand side and swing aft. A partition shall be fabricated forward of this bulkhead on the right side to stow the tow bar.

(s) First Aid Kits: A first aid kit shall be provided adjacent to the jump seat.

13.3.2 Galley: An "L" shaped step-in galley shall encompass that portion of the fuselage on the cabin between station 458¾ and station 500¾. This galley shall be equipped to serve hot or cold meals to 12 passengers and a crew of four.

(a) Liquid Containers: Two hot or cold one-gallon capacity tanks shall be included.

(b) Oven: One six-tray warming oven with thermostatic controls shall be installed.

(c) Hot Cups: Two hot cups shall be installed with typical timer controls.

(d) Tray Carriers: Dinner service trays, plastic dishes and stainless steel tableware shall also be provided for 16 passengers.

(e) Ice Container: One ice container shall be installed. It shall be self-contained and removable from the aircraft for servicing.

(f) Paper Cup and Towel Dispenser: One paper cup and towel dispenser shall be provided.

(g) Storage Area: Adequate drawers and shelves shall be provided for miscellaneous galley supplies.

(h) Sink and Drain: A sink, which can be manually drained overboard, shall be provided in the counter top.

(i) Control Panel: A control panel shall be installed for all component controls in the galley.

13.3.2 Lavatory: The lavatory shall encompass that portion of the fuselage on the right hand side of the cabin between 500¾ and the factory-installed bulkhead at station 539¾. A door shall be hinged on the forward end of this compartment and shall swing inboard.

(a) Toilet: A single flush-type chemical toilet shall be installed. This unit shall include a cover and a shroud and be easily removable for servicing. A vent to the overboard exhaust system shall be provided.

(b) Water Tanks: Two one-gallon capacity water tanks shall be provided and connected by flexible plumbing to a faucet assembly on the counter and over the sink.

(c) Sink and Drain: A sink, which can be manually drained overboard, shall be provided in the counter surface.

(d) Paper Dispensers: Papel Towel and self-contained toilet paper dispensers shall be provided.

(e) Trash Containers: One self-contained trash container with a spring-loaded access door shall be built into the vanity cabinet.

(f) Vanity Cabinet: A vanity cabinet and counter shall be installed in the lavatory. It shall contain the sink, paper and towel dispenser and the trash container and shall have adequate storage provisions for miscellaneous lavatory supplies. An oxygen mask stowage bin, a self-contained ash tray and a 28-volt electric razor and outlet shall also be provided.

(g) Mirror: A lightweight mirror shall be installed.

13.4 Baggage Compartment: The baggage compartment encompasses that portion of the fuselage between the bulkhead at station 539¾ and the pressure dome. It shall be finished in wear-resistant materials. A door shall be installed at station 539¾, opening hinging on the left hand side and swinging aft. Tie-down cargo provisions shall be installed in the floor. The floor shall be covered with a vinyl coated fabric such as Durug or its equivalent. A smoke detector system, comprised of an electrically-actuated air evacuation motor, shall be plumbed to an eyeball air outlet above the pilot's head in the cockpit. A circuit breaker for this system shall also be installed in the cockpit. Overnight engine plugs and an engine pressure oiler shall also be provided.

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REVISIONS TO SPECIFICATIONS

Preface

Following herein are amendments to the Grumman Model 1159 Detail Specification for the United States Coast Guard Long Range Transport, designated LRT-1, dated February, 1968. Each paragraph supersedes an identically-numbered paragraph in the basic specification or represents an item to be specifically added or deleted at the request of the U.S. Coast Guard. At no time are changes to be made unless specified in this addendum or the revisions thereto.

7.9 *Interior Lighting:* Lighting shall be provided as follows:

(a) Entrance and Companionway: An entrance light directed at the floor is located on the bulkhead inside the boarding door. A dome light shall be located in the companionway headliner. Three (3) step lights shall be installed in the airstair door. The battery-operated exit light over the main entrance door shall be utilized.

(b) Main Cabin Lights: Indirect incandescent lights shall be installed behind the service duct panels on both sides of the aircraft. These are controlled by a switch which allows off, low, or high intensity. Separate controls shall be installed for lighting the foremost cabin compartment. Fluorescent lights shall be installed in the galley, lavatory, and the afts decks. Passenger reading lights shall be provided at each passenger place. Passenger warning lights with chime (FASTEN SEAT BELTS and NO SMOKING) shall be located on the forward and aft bulkheads. These fixtures shall also include exit lights. Battery-operated, impact-actuated exit lights shall be located over each escape window and door. A flush spotlight shall also be provided over the conference table.

(c) Galley Lights: Adequate work lighting shall be provided in the galley.

(d) Lavatory Lights: Fluorescent lights shall be located on each side of the lavatory. A "Return to Seat" warning light shall be installed above the vanity cabinet.

(e) Baggage Compartment Light: An explosion-proof, protected dome light shall be installed in the headlining.

(f) Night Lights: Four (4) blue tinted night lights shall be distributed throughout the aircraft.

(g) Switches: Switches and controls for all lights shall be conveniently located, and shall be identified with a placard or engraving.

(h) Desk: Fluorescent lighting shall be provided for the desk.

13.0 FLIGHT DECK AND CABIN ACCOMMODATIONS

13.1.4 *Jump Seats:* Two jump seats shall be installed, one under the radio rack just aft of the cockpit, and one immediately behind the aft cabin bulkhead, left hand side. These seats shall be approved for take-off and landing. A fold out work table and chart stowage space shall be installed convenient to the operator at the forward jump seat.

13.3 *Main Cabin:* The cabin interior shall be completed and arranged in accordance with Grumman drawing 1159F217P "A". The materials used to finish the interior shall be chosen for durability and ease of maintenance, with weight also a major consideration, and shall conform to appropriate F.A.A. regulations. Sample color scheme and finish materials shall be submitted to the United States Coast Guard for approval. All materials which do not inherently meet F.A.A. fireproofing requirements shall receive a permanent-type fireproofing treatment. Burn test results on all material used shall be submitted to the customer.

(a) Basic Construction Materials: All bulkheads, doors and cabinetry shall be fabricated of lightweight materials equivalent in weight to honeycomb sandwich panels. One-quarter and one-half inch thickness shall be used as required, reinforced where necessary. The use of sheet metal screws shall be permitted only by approval of the customer.

(b) General Trim: Fine hardwoods and anodized aluminum shall be used for trim. Silver, gold satin finish anodizing, plating, natural stainless steel or paint may be used as required.

(c) Bulkhead Coverings: A decorative treatment utilizing wood-grained formica, as selected by the customer, shall be used on the bulkheads to provide supplementary soundproofing. Decorative emblems of the Department of Transportation and the U.S. Coast Guard shall be installed on either side of the bulkhead, as determined by protocol. Sample emblems shall be submitted. A decorative, twelve-hour clock shall be installed on the forward cabin bulkhead L. H. side. Provisions for a crew name plate shall be made on the R. H. bulkhead.

(d) Furniture Finish: All surfaces shall be ⅛" thick aircraft weight formica or equivalent. All molding and other wood parts shall be solid, fine hardwoods to match the predominant wood-grained formica.

(e) Soundproofing and Insulation: The main cabin area shall be soundproofed and insulated in accordance with Grumman Gulfstream II General Outfitting Specification No. AE-159-I-21, except that Coustifab (lead vinyl material) shall be installed under the rug between Stations 204 and 459 only.

13.3.1 *Passenger Area:* The passenger area shall be arranged in accordance with Grumman drawing 1159F217P "A" and completed as follows.

(a) Headliner: A fabric-backed vinyl material shall be installed throughout the entire passenger area. The headliner in the entrance and companionway shall be installed in a transverse manner, either separate from, or attached to, the acoustic inner liner. The headliner covering the overhead radio rack terminal panels shall be removable for easy access to the terminals. The headliner in the cabin shall be installed in a longitudinal manner, extending from just above the duct on one side to the same point on the other side. The headlining material in the cabin area shall be installed separately and shall not include the inner liner. It shall be installed with typical aircraft extruded snap-in molding isolated from the aircraft structure. The overhead exhaust ducts shall be covered with identical material used in the cabin headlining.

(b) Side Wall: A fabric-backed vinyl material, similar to that installed in the headlining, may be installed on all side wall surfaces. The installation may be separate from, or attached to, the acoustic inner liner.

(c) Dado: A fabric-backed vinyl material, similar to that described above, shall be installed in the cabin. This installation may be separate from, or attached to, the acoustic inner liner. If the installation requires a hard-backed surface, these panels shall then be isolated from the aircraft structure.

(d) Floor Covering: A lightweight aircraft-type carpet (¾ pound per sq. ft. max.) shall be installed in the airplane with provisions for removal independent of the seats. Three-eighths inch thick polyurethane foam shall be used as underpadding. The carpet may be retained by Velcro tape. Cutouts around all cabin blow out covers shall also be installed.

(e) Main Entrance: An acoustic folding door shall be installed, closing off the main entrance stair. This door shall be installed so as to preclude acoustic leaks along the sides, top, and bottom. Jacking fittings shall be stowed on the side of the air stair.

(f) Radio Rack Cover Panel: A radio rack cover panel shall be installed to close off the radio rack equipment. The panel shall be easy to open for the purpose of servicing the electronic equipment.

(g) Mid-Relay Compartment: The mid-relay compartment shall encompass that portion of the fuselage on the left side of the cabin between Stations 169 and 181. The same acoustic folding door used to close off the main entrance shall be used to close off this compartment. A portable oxygen bottle shall be stowed in this compartment on the bulkhead at Station 181.

(h) Storage and Coat Closets: Two areas shall be provided as closets. They shall be located between the bulkhead at Stations 181 and 204. The closet on the left hand side shall have a removable coat rack to enable the area to be used for survival equipment on overwater flights; mounting provisions only for three seven man rafts (P/N MR-7) shall be installed. A water fire extinguisher shall be installed on the aft side of this compartment.

(i) Seating: Seats shall be provided for a maximum of twelve (12) passengers and four (4) crew members as follows:

(1) Single Swivel Seats: Six (6) single swivel seats shall be provided in the cabin, four forward and two aft. They shall be manufactured by Custom Products and shall have recline and swivel provisions. The forward four-seat arrangement shall provide sleeping accommodations for two passengers, one on either side of the cabin. To accomplish this, the seats at Station 272½ shall be capable of tracking forward and aft with full berthable recline. The two seats aft in the cabin shall also be capable of tracking forward and aft and shall recline, though not to a berthable position.

(2) Double Seats: Two (2) double seats shall be installed, one forward-facing and one aft-facing. These seats shall be styled in the same manner as the swivel seats, and manufactured by Custom Products. They shall include recline provisions and removable, adjustable head rests.

(3) Divan: A two-place divan shall be installed on the right hand side opposite the conference table and shall be approved for take-off and landing. The consoles on both sides of this divan shall be an integral part of this installation. Stowage provisions for blankets shall be made under the divan.

All seats shall be upholstered with materials selected by the customer. The fabrication of this installation shall also be approved by the customer. All seats shall be approved for take-off and landing, and shall meet all F.A.A. requirements. Mounting and space provisions for life jackets (P/N AV-2A) shall be installed under each seat convenient to all passengers.

(j) Hand Rail: A hand rail shall be installed as part of a valance panel, and located just above the cabin windows. It shall run the entire length of the cabin on each side of the passenger area. The valance shall house recessed cold air outlets, reading lights, call buttons, and passenger oxygen stowage bins. The valance shall also conceal the cabin indirect lighting and the top curtain track. Emergency exit lights and emergency exit instructions shall also be incorporated in this valance over each of the four exit windows.

(k) Window Curtains and Shades: Typical pleated and lined curtains mounted top and bottom with nylon anchor tabs shall be fabricated and installed between each window. Tabs shall be snap mounted for ease of removal. A second set of curtains shall also be furnished by the Distributor. Each main cabin window shall be equipped with one roll-up shade. The shades shall be infinitely adjustable from full open to full closed, and when open shall be retractable to a concealed position. The shades shall be installed so that the soundproofing installation shall not be compromised.

(l) Window Frames: Window frames shall be installed at each cabin window and shall be acoustically treated in accordance with Grumman Gulfstream II Outfitting Specification No. AE-159-I-21, and shall be so installed as to preclude acoustic leaks.

(m) Aft Cabin Bulkhead: A lightweight honeycomb bulkhead door shall be installed at Station 458¾. This door shall incorporate a lock and decompression blow out feature. The door shall be hinged on the right hand side swing aft.

(n) First Aid Kits: A first aid kit shall be provided adjacent to the aft jump seat.

(o) Folding Tables: Two (2) folding tables shall be installed between the two sets of forward single seats. These tables shall pivot to a vertical recessed position against the dado when not in use.

(p) Fold Out Desks: Two (2) fold out desks shall be installed against the aft bulkhead. The writing surface shall pivot to a vertical position against the bulkhead when not in use. A side shelf, recessed in the dado, shall be incorporated. A fluorescent light shall flood the writing surface when in use. A handset shall be located in the right hand desk side console. A control panel, containing switches for the cabin indirect lights and a tape volume control, shall be installed in the left hand desk unit.

(q) Conference Table: One conference table shall be installed on the left side of the aircraft between the two double seats. Folding leaves shall permit easy access to the inboard and outboard seats. The underside of the leaves shall be especially padded so that the table will remain in place upon take-off and landing. Two glassholders and one ash tray shall be installed on both the inboard and outboard ends of the table. The surface of the table shall be finished with a decorative panel. A special formed leg shall be installed to support the inboard end of the table.

(r) Utility Cabinets: Utility cabinets shall be provided fore and aft of the two-place divan and shall form the enclosure for the divan. The forward section of the cabinet shall include storage drawers. The storage drawer shall be supplied with a lock and key. The aft cabinet shall include provisions for storage of liquid refreshments, soft drinks, glasses, ice and utensils and miscellaneous supplies. Access shall be through lift-up, slide-back lids. This cabinet shall also be supplied with a lock and key.

(s) Magazine Racks: Two (2) magazine racks shall be installed, one on each side below the second window.

(t) Ashtrays/Glassholders: Ashtrays and glassholders shall be conveniently located for each single seat; for double-seat occupants, they shall be installed in the conference table.

(u) Cabin Partition: A partition shall be installed at Station 297 between the four forward swivel seats and the grouping of double seats at the conference table. The lower portion of this partition shall be fixed to the aircraft and shall contain provisions for two (2) waste containers. The upper portion shall be a removable opaque decorative panel. A tight fitting curtain shall be installed over the opening.

13.3.2 Galley: An "L" shaped step-in galley shall encompass that portion of the fuselage on the cabin between Station 458¾ and Station 501¾ R. H. side. This galley shall be equipped to serve hot or cold meals to 12 passengers and a crew of four. All equipment required for galley service shall be located within this compartment unless otherwise specified.

Items (a) through (i) remain as in the Detail Specification.

13.3.3 Lavatory: The lavatory shall encompass that portion of the fuselage between 50/3/4 and the factory-installed bulkhead at Station 539¾. A door shall be hinged on the right-hand side of this compartment and shall swing aft. All equipment for the lavatory shall be located in this compartment unless otherwise specified.

(a) Toilet: A single flush-type chemical toilet shall be installed. This unit shall include a padded cover and a shroud, and shall have overboard service capabilities. A vent to the overboard exhaust system shall be provided.

(b) Water Tanks: Two one-gallon capacity water tanks shall be provided and connected by flexible plumbing to a faucet assembly on the counter and over the sink.

(c) Sink and Drain: A sink, which can be manually drained overboard shall be provided in the counter surface.

(d) Paper Dispensers: Paper towel and self-contained toilet paper dispensers shall be provided.

(e) Trash Containers: One self-contained trash container with a spring-loaded access door shall be built into the vanity cabinet.

(f) Vanity Cabinet: A vanity cabinet and counter shall be installed in the lavatory. It shall contain the sink, paper and towel dispenser and the trash container and shall have adequate storage provisions for miscellaneous lavatory supplies. An oxygen mask stowage bin, a self-contained ash tray and a 60-cycle AC razor and outlet shall also be provided.

(g) Mirror: A lightweight mirror shall be installed.

13.4 Baggage Compartment: The baggage compartment encompasses that portion of the fuselage between the bulkhead at Station 539¾ and the pressure dome. It shall be finished in wear-resistant materials such as rug. A door shall be installed at Station 539¾, hinging on the right hand side and swinging aft. Two shelves shall be installed, one against the pressure dome, the other on the right hand side extending from Station 539¾ back to the aftmost shelf. These shelves shall be approximately 18" from the floor. The outboard shelf shall be made removable for stowage of large equipment. A one-piece retention net shall be installed to contain all baggage. This net and attaching hardware shall be easily removable, and shall be capable of withstanding the required loads. The floor shall be covered with a vinyl coated fabric such as Durug or its equivalent. A smoke detector system, comprised of an electrically-actuated air evacuation motor, shall be plumbed to an eyeball air outlet above the pilot's head in the cockpit. A circuit breaker for this system shall also be installed in the cockpit. Overnight engine plugs and an engine pressure oiler shall also be provided.

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## PERSONS OVER 65 DESERVE UNLIMITED MEDICAL AND DRUG EXPENSE DEDUCTIONS

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TALCOTT. Mr. Speaker, the spiraling cost of medical care, including drugs, hospital care, and doctor bills, hits elderly and retired persons especially hard. Their incomes are fixed and do not increase with the cost of living to meet rising medical costs.

Under present law, only those medical expenses which exceed 3 percent of a taxpayer's adjusted gross income, plus 50 percent of health insurance premiums up to $150, are deductible expenses. Only those drug costs which exceed 1 percent of a taxpayer's adjusted gross income are included in determining the 3-percent medical care deductible expenses.

Persons over 65 previously could deduct all medical and drug expenses, but the law was changed by the 89th Congress to

impose the 3- and 1-percent floors on persons over 65, just as they apply to persons under 65.

I am today introducing a bill which would restore to persons over 65, the unlimited medical and drug deduction. The bill would also permit a taxpayer, under 65, who pays medical or drug bills for his dependent parents or spouse over 65, the same unlimited deduction for these items to be granted persons over 65.

Mr. Speaker, the persons over 65 who have contributed immeasurably toward making our country the great and bountiful Nation it is, deserve this tax relief. I urge my colleagues to support this measure and give it early approval.

## CURBING THE CENSUS BUREAU

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, I have joined with my colleague from Ohio (Mr. BETTS) in sponsoring legislation to curb the prying eye of the Census Bureau. I want to commend the gentleman for the fight that he has led so well against the all-inclusive census form Americans will face next year.

Mr. Speaker, the proposed census form that all Americans will face in 1970 is long. It is detailed. It is complex. It is all encompassing. Worst of all, answering is mandatory.

The proposed census questionnaire contains 67 categories and some 120 questions—all requiring answers under the threat of fine or imprisonment. The bill I have introduced repeals the jail sentence entirely and also removes the $100 fine from all but six categories of questions. Those categories—requiring answers under threat of fine—are the following: First, name and address; second, relationship to head of household; third, sex; fourth, date of birth; fifth, marital status; and sixth, visitors in home at the time of census.

Wading through the latest informational copy of the U.S. census makes me bristle. If I am merely to give my name and address and other vital information such as sex and date of birth—I do not mind in the least. But when I am told in a national census that I am forced, under threat of fine or imprisonment, to answer with whom I share my shower—that, Mr. Speaker, dampens my whole outlook.

When the census form, which to my way of thinking is basically a survey of the American home and its occupants, takes on the gargantuan proportions of an epistle requiring a great deal of time to go through, I think the emphasis has become misdirected. The American people are not going to have the interest or patience to answer the numerous and complex questions asked. I do not think either the type of questions asked on the census form, or their number, justifies making nonanswering a crime subject to fine and imprisonment. Questions relating to the value of the property, the equipment in the home and the appliances, do nothing but clutter the important and vital questions a census is supposed to answer.

If questions other than those six categories named in my bill are going to be asked, such as with whom I share my shower, how I enter my home, and where I lived in October of 1962, they should appear on a separate form and should be voluntary. If the Government, research organizations, and the academicians want a complete sociological survey done, let it be done at the convenience of the American dweller and not under force of law requiring a mandatory answer.

Plans for the 1970 decennial census are now being finalized, and the Census Bureau officials have ruled out changes in the form. This attitude forces the Congress to assert its hand in revising and reforming the mandatory features of the census form. I, for one, hope that when Census Day U.S.A.—April 1, 1970—rolls around, Americans will not be forced under threat of law to submit to these extensive questions. The progress of this legislation last session, when the Senate passed a bill repealing the jail sentence penalty on all questions, speaks well for the outlook of this bill. But Congress must act with dispatch to assure that the mandatory nature of the questions, on all but the six listed categories, will be removed.

I hope Congress will give this legislation early consideration.

## THE NIXON INAUGURAL ADDRESS

(Mr. MACGREGOR asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. MACGREGOR. Mr. Speaker, the inauguration of President Richard M. Nixon last Monday noon provided a most inspiring hour for all Americans. The quiet eloquence of our new President's address was the highlight of the historic ceremony. As the Minneapolis Tribune commented on Tuesday:

> The address was a spendid way for the 37th President to begin his administration. With peace at home and abroad its central theme, the speech reflected the idealism and spirit of conciliation Mr. Nixon has said he hopes to impart to the presidency.

The Minneapolis Star for January 21 reads:

> He was deliberately low keyed, refraining from the soaring promises which too often in the past have laid the foundations for future disappointments. There are limits to what the government can do, he said, and by saying this he should have laid to rest the fantasies of those Americans who believe miracles can be accomplished in Washington.
>
> And with his calm delivery, and his reference to a "fever of words," President Nixon attempted to quiet the loud and angry shouting of protesters and dissenters.

Mr. Speaker, the St. Paul Pioneer Press on Tuesday concluded its laudatory editorial on President Nixon's inaugural address with these words:

> How wonderful it could be—for a change—if we could meet some of these problems as exciting challenges, if we could become a rational society, if we could replace some of the present grimness with something close to an era of good feeling. As our new President suggested, we have the means; the will is there to be expressed; the heart of America is good.

Mr. Speaker, I ask unanimous consent that these three editorials be printed in full at this point in the RECORD.

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

There was no objection.

The editorials are as follows:

[From the Minneapolis Tribune, Jan. 21, 1969]

PRESIDENT NIXON: THE BEGINNING

The soft-spoken and eloquent inaugural address of Richard M. Nixon Monday was a splendid way for the 37th President to begin his administration. With peace at home and abroad its central theme, the speech reflected the idealism and spirit of conciliation Mr. Nixon has said he hopes to impart to the presidency. Absent were the slogans and catch phrases so common to his past speeches.

In his "summons to greatness," Mr. Nixon offered some pledges and challenges to the American people:

A pledge to give the highest priority to the cause of international peace.

A pledge to press urgently forward in pursuit of "full employment, better housing, excellence in education, in rebuilding our cities and improving our rural areas, in protesting our environment and enhancing the quality of life."

A pledge that government will listen "to the injured voices, the anxious voices, the voices that have despaired of being heard."

A challenge to Americans to listen more and shout less.

A challenge to Americans, individually, to reach out to their neighbors, "helping, caring, doing."

A challenge to Americans "to give life to what is in the law, to ensure at last that as all are born equal in dignity before God, all are born equal in dignity before man."

But the ideals and "the better angles of our nature" to which Mr. Nixon referred must also be translated, on many occasions in the next four years, into specific proposals to Congress and into specific executive decisions. It is one thing to talk of a willingness "to reduce the burden of arms"; it will be quite another to override the demands and pressures of the Pentagon and its allies in Congress and the military-industrial establishment of which Gen. Eisenhower warned in his farewell message. It is one thing to talk of "black and white together, as one nation"; it will be another matter to fund enforcement of anti-discrimination laws or to do away with the causes of ghettos.

To questions like these, another four years remain for Mr. Nixon to give his answers. Right now it is enough to say that our new President has begun well.

[From the Minneapolis Star, Jan. 21, 1969]

RICHARD NIXON'S INAUGURAL

The transition has been completed. The President-elect is now the President. And with the change has come a change in the tone and pace of the nation's leadership.

Richard Nixon set that tone in his inaugural address. He was deliberately low keyed, refraining from the soaring promises which too often in the past have laid the foundations for future disappointments. There are limits to what the government can do, he said, and by saving this he should have laid to rest the fantasies of those Americans who believe miracles can be accomplished in Washington.

And with his calm delivery, and his reference to a "fever of words," President Nixon attempted to quiet the loud and angry shouting of protesters and dissenters. There will be more listening to the voices of anguish and despair in his administration, he prom-

ised, and less "inflated rhetoric." This would be a welcome change from a period when too many voices have been raised—angry, unreasonable, empty voices—and too few people have really been listening.

The President will be a "listener," too, in the field of foreign affairs, he indicated. He called for open lines of communication to the rest of the world, hinting he would be willing to talk, and listen, to all nations. But as if to calm those who fear for the nation's safety, he pledged that the United States will be "as strong as we need to be for as long as we need to be."

It was, as Robert Finch, his long-time associate and Cabinet appointee, remarked, "pure Nixon." It was a pragmatic, deliberate inaugural message, with none of the emotional appeals characteristic of the Kennedy and Johnson speeches on the same occasion. That may be what the nation needs at this moment in history—a period of calmness that will permit the healing of wounds and an end to divisiveness.

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[From the St. Paul Pioneer Press, Jan. 21, 1969]

THE HEART OF AMERICA

That was the voice of the moderate, somewhat dismayed but hopeful and well-intentioned American heard throughout the nation Monday. That's what he is like. In a day of putting great emphasis on telling it like it is, and doing this with a throbbing-veined incoherence that betrays the intent, President Richard M. Nixon told it like it is and how it ought to be with a quiet eloquence that America—most of it—has been longing to hear.

In his short inaugural address, shielded by bullet-proof glass, the District of Columbia aswarm with police and other assorted security guards, the new President seemed determined to lay out a course toward a revival of "goodness, decency, love (and) kindness," the sort of thing that can't be legislated.

As homey as mom's apple pie? Well don't knock it until we've tried it for a while. Nixon used a particularly apt example to contrast the deflated spirit of today with that of a few generations ago.

"Standing in this same place a third of a century ago," Nixon said, "Franklin Delano Roosevelt addressed a nation ravaged by depression and gripped in fear. He could say in surveying the nation's troubles: 'They concern, thank God, only material things.'

"Our crisis today is the reverse.

"We have found ourselves rich in goods, but ragged in spirit; reaching with magnificent precision for the moon, but falling into raucous discord here on earth."

On the other hand, he wasn't giving up. "No people has ever been so close to the achievement of a just and abundant society, or so possessed of the will to achieve it."

And its achievement needn't be a grim task, he said, but could, instead, be "a high adventure—one as rich as humanity itself, and exciting as the times we live in."

Strangely, though the two men are at opposites on many matters of policy, one could almost imagine Hubert Humphrey reaching out with a similar plea to America. Particularly this:

"We have endured a long night of the American spirit. But as our eyes catch the dimness of the first rays of dawn, let us not curse the remaining dark. Let us gather the light."

Humphrey was bombed, of course, (not by Nixon) when he announced his candidacy last year, for suggesting that there was goodness in America and that its problems could be confronted with joy and verve. It has been the style to promote the notion that the nation is rotten. Such, in fact, is considered chic. If Nixon can succeed in turning this about, if he can cool down a country getting slightly unhinged, he will have earned a place as a great President, for the country does not need healing.

We have suffered, as he said, from a fever of words, from inflated rhetoric, from angry rhetoric that fans discontents into hatreds, this last passing these days as a thing called "dialogue."

"We cannot learn from one another," Nixon said, "until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices."

Very good. Very difficult. The problems, such as an unwanted war, inflation, well-intended social programs that are administrative nightmares, poverty, the increasing racial polarization, remain.

But how wonderful it could be—for a change—if we could meet some of these problems as exciting challenges, if we could become a rational society, if we could replace some of the present grimness with something close to an era of good feeling. As our new President suggested, we have the means; the will is there to be expressed; the heart of America is good.

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## PROGRESS IN VIETNAM

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, last week the newspapers and the outgoing Johnson administration in Washington conveyed definite optimism over what appears to be progress toward peaceful settlement of the Vietnam war.

And certainly all the world is happy that the Paris negotiators finally decided what kind of seating arrangement they could accept.

But last May when the Paris talks started, and again a few days before the November election, the hopes of Americans and the world were raised to high levels.

The impression was given that peace might be achieved soon. These hopes of course, gradually proved to be unrealistic. It would be a mistake to let the same thing happen again now.

It seems to me that the main message of the American people when they went to the polls last November was that they wanted a change in the way Washington is handling the Vietnam war.

The voters said, in effect, "We have taken the Government's word that the war is justified, and have given it enormous support. But we are not satisfied that enough is being done to get an honorable settlement. Maybe an early peace is not possible, but we have a right to know more about the plans for peace, and a right to know that progress is being made."

I very much hope that President Nixon will give the country greater satisfaction in this regard. It is very important that he do so.

We should know, for example, why during 1968 no fewer than 67 ships flying the British flag carried cargoes to North Vietnam. England ought to be able to bring a stop to this after all these years, or else the American people should know the reason why she cannot.

We should also end the official silence on the Russian ships and supplies going to Hanoi and the fact that the North Vietnam war effort is highly dependent on Russia's help.

Maybe there is little we could do to stop it, but to ignore it is to give tacit approval to a vital fact that by itself prolongs the war.

Washington should highlight this Russian supply program vigorously and often. We should inject it as an issue in the peace negotiations. I believe this would help to clear the air all the way around the world.

We should also coordinate our military activity in the field in Vietnam with the diplomatic effort at Paris. The other side can be made to want peace a little more if we plan our military action with that in mind.

Our operations to this time do not seem to have recognized that. In fact, they may have done just the opposite. Some people feel Hanoi will move faster at the peace table if we announce troop withdrawals. All the evidence I have points in the other direction.

We also have to remember that the Saigon government, whatever imperfections it may have, is not only our ally but is our main hope as the foundation for non-Communist stability in South Vietnam.

One of Hanoi's basic tactics, in fact perhaps her best hope, is to drive a wedge between Washington and Saigon. They know if they can succeed they could win their objectives whatever happens on the battlefield.

Therefore Washington officials cannot openly criticize Saigon.

We also have to keep a proper perspective on what we are trying to do in Vietnam. We seek no new colonies, no new real estate to put under the American flag. We do not even want guaranteed markets or permanent military bases.

We certainly do not want a country so devastated that it can survive only with massive American aid over a long period of time.

Mr. Speaker, all we want and need to do is demonstrate to the Communists that they cannot attack their neighbors and get by with it. We want an end to Communist terrorism and subversion in South Vietnam and in Laos so the people are not forced against their free will under the control of Hanoi.

We need to show that Hanoi cannot succeed with armed aggression. And when we do it will be in the interests of free people everywhere.

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## THE SO-CALLED PEACE PROTESTERS

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, the young people who over these past few days engaged in protests in connection with the inaugural are apparently very angry at what they feel is the stifling of dissent.

They wish to make their expression in opposition to what they feel is oppression of individual freedom, repression of free political organization, and the use of force in maintaining an unjust Government in power.

On the same day these people staged what they called a "counterinaugural" in Washington, a 21-year-old Czechoslo-

vak student died in Prague as the result of his own act protesting the political controls gradually being tightened in his country by its neighbor, the Soviet Union.

This young man, and a second young Czechoslovak who made the same kind of ultimate protest yesterday, and many thousands of their colleagues, know a great deal more about the stifling of dissent than those who demonstrated here in Washington.

I want to suggest, and I believe many of our colleagues in this Chamber will agree with me, that young Americans who really want to highlight political oppression will turn their attention to Czechoslovakia today.

If, for example, they should organize a rally or other meeting to bring the tragic Czechoslovak issue to public attention, and to pay honor to students and young workers who today are seeing their high hopes for greater freedom going down the drain—if they want to fight oppression where it exists in greatest measure—I am convinced they will have the enthusiastic support of many in this Government, and perhaps in this Chamber.

When the Russian tanks thundered into Czechoslovakia last August to put down the meager and hesitating steps of the Prague government toward political independence, we heard only muted reference to it from those in this country who profess such a deep commitment to this same cause.

That was in August, and today we hear nothing at all from these people. It is just as though Czechoslovakia had never happened.

Mr. Speaker, the cause of freedom of dissent is an important cause in which all of us have a vital stake. That cause, and all that it means, is being fought out today in Czechoslovakia, in East Germany, in Poland, and Rumania, and other oppressed countries where people are struggling against almost impossible odds for a measure of freedom.

Let those who believe in freedom of dissent stand up to fight oppression where it really exists, and I will give that effort my full support. But what we witnessed this past weekend from the so-called peace protesters was revolting.

## HOUSE SCHOLARS GALLERY

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHWENGEL. Mr. Speaker, in the 90th Congress I introduced a resolution which provided for the setting aside of 12 spaces in the Visitors Gallery for the use of certain scholars studying the operation of the Congress. As I pointed out at the time I introduced the resolution, many of the courses taught on our campuses fall short in their effort to familiarize the students with the functions and the operations of the Congress. This is not the fault of the faculty, but rather due to the absence of resource material which adequately deals with the operation of the Congress, particularly with respect to floor action.

It is encouraging to note the beginning of change in this respect, with a marked increase in the number of scholars studying the Congress. Also, there has been a good deal more acceptance of and cooperation with the scholars by the Members.

However, there is one significant problem area for the scholars, and that is the absence of adequate facilities for them to view the floor actions in the House.

Under present provisions they are required to abide by the same rules as the general public in the Visitors Galleries. This means, of course, that they are not allowed to take notes, and during the peak visitor season, they are rotated out of the gallery every so often. This is obviously very disruptive of any scholarly study of the floor actions in the House.

The resolution which I previously introduced and which I am reintroducing today offers a simple, inexpensive solution to this problem. The resolution would change the rules of the House to set aside 12 seats in the gallery for the use of scholars. The Speaker, with the aid of an advisory committee of political scientists would screen the applicants desiring to use these seats. The resolution does not call for the expenditure of any funds to implement its provisions.

This resolution will cost us nothing and it will be an effective method by which we can correct the present inequity. It is high time that Congress again became more aware of the need for a closer relationship with the academic community. This resolution will increase the interest of our scholars and make it much easier for them to better understand the legislative process and write more accurately and adequately about Congress.

In the past we have been too slow to recognize, and more important, make use of the talents of our political scientists and other scholars in this area. When we are struggling along in this modern age with 18th-century legislative machinery, we could well afford to have some of the scholars take very close looks at our operations and procedures. This resolution comes as close to "getting something for nothing" as we will ever come. I urge you to give your most serious consideration and support to this resolution.

## ORPHANS EDUCATIONAL ASSISTANCE ACT

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLACKBURN. Mr. Speaker, it is my privilege today to reintroduce the Orphan's Educational Assistance Act. This measure provides funds for the higher education of the children of civilians who are killed while assigned overseas as a result of war, insurgency, mob violence, or similar hostile action. As you are aware, the children of military personnel killed while overseas are covered under the War Orphans Educational Assistance Act. I feel that it is only fair that the children of civilian personnel who die in service to their country receive the same benefits as military personnel who die in the line of duty.

This entire matter was originally brought to my attention by one of my constituents. She informed me that her husband was one of the first civilians to be killed in Vietnam. The gentleman was a safety officer attached to the Agency for International Development who was training South Vietnamese police forces. While out on patrol in November of 1960, he was killed in an ambush. Presently, her two children are approaching college age, and, as a widow, she is finding it very difficult to finance the continuing education of her children.

In light of the fact that only 28 civilians have been killed in Vietnam, and of this number 10 were killed during the Tet offensive, I feel that no great cost for the Federal Government would be involved. Furthermore, this measure would cover civilians who could possibly be killed because of mob violence or similar hostile action in a foreign country where they serve as technical advisers or Embassy personnel.

When I introduced this measure during the last session, I had wide bipartisan support. Again, this time I find that many of my colleagues from both sides of the aisle are joining me in introducing this measure. The cosponsors of the bill are Congressmen HUNT, BROWN of Michigan, CARTER, TIERNAN, WHITEHURST, DENNY, QUIE, HORTON, EDWARDS, LUKENS, WILLIAMS, BUCHANAN, ADDABBO, WOLFF, PERKINS, FARBSTEIN, POLLOCK, HALPERN, SCHWENGEL, BINGHAM, BROWN of California, HELSTOSKI, OTTINGER, BUSH, FULTON of Pennsylvania, BROWN of Ohio, GRAY, PODELL, PRICE of Texas, RYAN, MCCLOSKEY, and Congresswoman HANSEN of Washington.

Today, I am calling upon the chairman of the Post Office and Civil Service Committee to immediately investigate this matter. I hope that the House will be able to consider this bill in the near future.

## SMALL BUSINESS COMMUNITY NEEDS HELP

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and to include extraneous material.)

Mr. McCULLOCH. Mr. Speaker, the small business community needs help. The small business that is marketing its product in interstate commerce is plagued with multiple, conflicting, and overlapping tax laws.

The Congress has recognized the problem. The Congress has studied the problem. The Congress now must complete its task.

Seldom is the need for legislation as thoroughly documented as this. Four volumes of hearings and a four-volume report eloquently argue the case for congressional action. Last year, the House agreed—agreed overwhelmingly, by a vote of 284 to 89—to place reasonable limits on interstate taxation.

But time ran out, and the work of the Special Subcommittee on Interstate Taxation never became law.

Lest 8 years of thorough study and the overwhelming endorsement by the House

all be in vain, I am reintroducing and cosponsoring the interstate tax bill together with the chairman of the Committee on the Judiciary and 12 other members of that committee. The fact that seven members of both parties have joined together to cosponsor this legislation is one more proof that this legislation has always enjoyed strong bipartisan support.

Moreover, I am glad to report that the junior Senator from Maryland, CHARLES McC. MATHIAS, JR., has today introduced identical legislation in the other body. He was an undaunted champion of the interstate taxation bill in this body and it is comforting to see him continue his efforts in the other body.

I will not attempt at this time to explain the intricacies of the problem. But I will try to bring into focus the overall picture.

At present, each taxing jurisdiction is seeking to reach beyond its own boundaries and impose its own nationwide tax system.

That system cannot be enforced. At the most, such interstate enforcement is erratic. The results are unfair and harsh.

The small businesses are not complying with the tax laws of jurisdictions outside of those in which the businesses are actually located. And why? Because it is impossible for small businesses to comply with that complex maze of tax laws and continue doing business.

Thus the interstate tax bill tells the States that they are no longer permitted to collect taxes that they are not in fact collecting. The States will not lose revenue but the businesses will be certain of their tax fate.

On May 21, 1968, Mr. Willis introduced a summary of the study of the Special Subcommittee on Interstate Taxation showing that the States would not lose revenues through the enactment of this legislation, which was H.R. 2158 in the 90th Congress. I again offer those facts here:

EFFECTS OF H.R. 2158 ON STATE REVENUES

Following is a summary of the estimated effects of H.R. 2158 on the relevant taxes of each of the states. The estimate for each tax is described as a percentage of gain or loss of the state's total revenues from all of its taxes. The estimates are based on an evaluation of: data on revenue described in Chapters 16, 19, 29, 32 and 36 of the four-volume study published by the Committee; data on compliance and enforcement described in Chapters 10, 24, 31 and 36; hearings held in 1961, 1962, and 1966; on subsequent correspondence with officials in some states, and on the most recent publications of the Bureau of the Census.

In the Income Tax area it is assumed that each state will apply the formula in Title II of H.R. 2158 to all of the corporations covered by that title.

In the Sales and Use Tax area a number of states will realize insignificant losses. However, for purpose of comparison and evaluation, 0.23% of sales and use tax revenues is considered to be the maximum loss possible. This figure is based on a study conducted by California's tax officials, and on their anticipated loss for the first year under current business practices. Since California has the most extensive administrative facilities, and maintains large audit staffs in other states, the relative loss to California would obviously be greater by far than that of the other states—most of which currently maintain no auditing staffs beyond their own borders, and do not have a vigorous enforcement program comparable to that of California.

In evaluating the "losses" set forth in the following estimates, it should be kept in mind that no consideration has been given to the increases in revenues realized as a result of the economic growth which will be stimulated by the removal of the trade barriers currently impeding interstate commerce. Likewise, no consideration is given to increases in state revenues realized as a result of the greater ease of enforcement and compliance which will be obtained under the uniform standards established by H.R. 2158.

ALABAMA

Corporate income tax: Insignificant loss of substantially less than 0.01%.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

ALASKA

Corporate income tax: 0.12% loss.
Gross receipts tax: No significant loss.

ARIZONA

Corporate income tax: 0.07% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.09%.

ARKANSAS

Corporate income tax: 0.06%.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

CALIFORNIA

Corporate income tax: Insignificant loss of substantially less than 0.01%.
Sales and use tax: 0.07% loss.

COLORADO

Corporate income tax: 0.07% gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

CONNECTICUT

Corporate income tax: 0.13% gain.
Sales and use tax: No significant loss.

DELAWARE

Corporate income tax: 0.3% gain.
Gross receipts tax: No significant loss.

FLORIDA

Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

GEORGIA

Corporate income tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.09%.

HAWAII

Corporate income tax: Insignificant loss of substantially less than 0.01%.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.1%.
Gross receipts tax: No significant loss.

IDAHO

Corporate income tax: No effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

ILLINOIS

Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.1%.

INDIANA

Corporate income tax: 0.08% gain.
Sales and use tax: No significant loss.
Gross receipts tax: No significant loss.

IOWA

Corporate income tax: 0.18% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

KANSAS

Corporate income tax: 0.02% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

KENTUCKY

Corporate income tax: Insignificant loss of substantially less than 0.01%.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

LOUISIANA

Corporate income tax: Insignificant gain.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.05%.
Gross recepits tax: No significant effect.

MAINE

Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.09%.

MARYLAND

Corporate income tax: Insignificant gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.05%.

MASSACHUSETTS

Corporate income tax: 0.04% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.04%.

MICHIGAN

Corporate income: No significant loss.
Capital stock tax: Insignificant gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.1%.

MINNESOTA

Corporate income tax: 0.08% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.06%.

MISSISSIPPI

Corporate income tax: 0.02% loss.
Capital stock tax: Insignificant gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.09%.

MISSOURI

Corporate income tax: 0.05% loss.
Capital stock tax: Insignificant gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.09%.

MONTANA

Corporate income tax: 0.06% loss.

NEBRASKA

Corporate income tax: No significant loss.
Sales and use tax: No significant loss.

NEVADA

Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.06%.

NEW HAMPSHIRE

This State does not impose any of the taxes covered by H.R. 2158.

NEW JERSEY

Corporate income tax: 0.06% gain.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.06%.

NEW MEXICO

Corporate income tax: 0.01% loss.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

NEW YORK

Corporate income tax: 0.1% loss.
Sales and use tax: No significant loss.

NORTH CAROLINA

Corporate income tax: Loss of substantially less than 0.01%.
Capital stock: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.05%.

NORTH DAKOTA

Corporate income tax: 0.04% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.06%.

OHIO

Capital stock tax: Insignificant gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

OKLAHOMA

Corporate income tax: Loss of substantially less than 0.01%.
Capital stock tax: No significant effect.

Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.05%.

OREGON

Corporate income tax: 0.01% loss.

PENNSYLVANIA

Corporate income tax: Insignificant gain of less than 0.01%.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

RHODE ISLAND

Corporate income tax: 0.03% loss.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

SOUTH CAROLINA

Corporate income tax: Insignificant gain.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

SOUTH DAKOTA

Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.08%.

TENNESSEE

Corporate income tax: 0.02% loss.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.09%.

TEXAS

Capital stock tax: 0.25% gain.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.05%.

UTAH

Corporate income tax: Insignificant gain of less than 0.01%.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.07%.

VERMONT

Corporate income tax: 0.06% gain.

VIRGINIA

Corporate income tax: 0.01% loss.
Capital stock tax: No significant effect.
Sales and use tax: No significant loss; maximum possible loss cannot exceed 0.1%.

WASHINGTON

Sales and use tax: No significant loss; maximum possible loss cannot exceed 1.01%.
Gross receipts tax; No significant loss.

WEST VIRGINIA

Corporate income tax: No effect.
Sales and use tax; No significant loss; maximum possible loss cannot exceed 0.05%.
Gross receipts tax: No significant loss.

WISCONSIN

Corporate income tax: No significant effect.
Sales and use tax: No loss.

WYOMING

Sales and use tax: No significant loss; maxiumm possible loss cannot exceed 0.07%.

The threat of tax laws which are impossible to obey does impose a burden on interstate commerce. But since no particular tax law is itself unconstitutional, the remedy must be legislative, not judicial. Congress is expressly empowered by the Constitution to regulate interstate commerce. It alone can overview the problem of multiple and conflicting State taxation and legislate to preserve the American common market.

## ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

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

There was no objection.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 18, 1969.

The Honorable the SPEAKER,
*House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 6:15 p.m. on Friday, January 17, 1969, and said to contain a message from the President wherein he transmits the first annual report of the Corporation for Public Broadcasting.

## FIRST ANNUAL REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce.

*To the Congress of the United States:*

I am pleased to transmit to the Congress, as required by law, the First Annual Report of the Corporation for Public Broadcasting.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 18, 1969.

The Honorable the SPEAKER,
*House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 6:15 p.m. on Friday, January 17, 1969, and said to contain a message from the President wherein he transmits the first annual report on national housing goals, as required by the Housing and Urban Development Act of 1968.

## FIRST ANNUAL REPORT ON NATIONAL HOUSING GOALS, HOUSING AND URBAN DEVELOPMENT ACT OF 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-63)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed.

*To the Congress of the United States:*

I am transmitting today the first annual report on National Housing Goals, as required by the Housing and Urban Development Act of 1968.

That Act affirmed the national goal of "a decent home and a suitable living environment for every American family." It determined that this goal can be achieved by constructing or rehabilitating 26 million housing units in the next decade, 6 million of which will be for low- and moderate-income families.

This report lays out a plan for housing production to meet this goal. It also identifies the potential problems that may be faced in the coming year.

—It notes the sensitivity of residential building to credit conditions.

—It reviews the long-run need for adequate labor, land and materials to maintain an increasing level of construction.

The housing goals of the 1968 Act are firm national commitments. I urge the Congress, State and local officials, and concerned individuals to give careful consideration to this report.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 18, 1969.

The Honorable the SPEAKER,
*House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 6:15 p.m. on Friday, January 17, 1969, and said to contain a Message from the President wherein he transmits the 1966 and 1967 annual reports of the Department of Housing and Urban Development.

## TRANSMITTING 1966-67 ANNUAL REPORTS OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-60)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed with illustrations:

*To the Congress of the United States:*

I am pleased to transmit the 1966 and 1967 Annual Reports of the Department of Housing and Urban Development.

The Reports record a number of important events in both years. They were momentous years in legislative enactments as well as in progress toward providing decent housing for all Americans and in the efforts to improve the quality of urban life.

In 1966, Congress enacted the legislation authorizing the Model Cities Program, one of the most important legislative events in the long chronology of Federal actions aimed at curing the physical and human blight in the Nation's urban areas.

During the period, the programs administered by the Department were continuing at an accelerated rate, while at the same time HUD was seeking and finding new directions and redirections in its programs.

We have developed good housing pro-

grams spanning the whole range of American economic life—from FHA insurance for moderate income families to rent supplements and low-rent public housing for the poorest families. Urban renewal programs are rebuilding vast sections of our cities. Programs are available and working for whole metropolitan areas to improve transportation and planning, to preserve and create open spaces, to install water and sewer systems.

The Nation can be proud of the beginning steps that have been taken in these past few years to deal with the serious problems of our urban areas. I commend these reports to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

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## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 18, 1969.

The Honorable the SPEAKER,
*House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 6:15 p.m. on Friday, January 17, 1969, and said to contain a Message from the President wherein he transmits the sixth annual report on activities and accomplishments under the Communications Satellite Act of 1962.

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## SIXTH ANNUAL REPORT OF ACTIVITIES AND ACCOMPLISHMENTS UNDER COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-61)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

*To the Congress of the United States:*

Under section 404 of the Communications Satellite Act of 1962, I hereby transmit the sixth annual report on this program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

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## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 20, 1969.

The Honorable the SPEAKER,
*House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 3:15 p.m. on Sunday, January 19, 1969, and said to contain a Message from the President wherein he transmits the fifth annual report on the status of the National Wilderness Preservation System.

## FIFTH ANNUAL REPORT ON STATUS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-58)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations:

*To the Congress of the United States:*

I am pleased to transmit to the Congress the Fifth Annual Report on the status of the National Wilderness Preservation System.

Wilderness is at the heart of America's heritage. It has had immeasurable impact on our nation's character, and on those who made its history. Its beauty and majesty have enriched the nation's spirit.

Forty-three years ago, conservationist Aldo Leopold said:

> Wilderness certainly can not be built at will, like a city park or a tennis court . . . Neither can a wilderness be grown like timber, because it is something more than trees . . . if we want wilderness, we must foresee our want and preserve the proper areas against the encroachment of inimical uses.

In 1964, Congress recognized this need and established 54 National Forest areas as the nucleus of he National Wilderness Preservation System.

During the 90th Congress, I submitted recommendations for 30 additions to the System. Action was completed on four of these during the last year. Another was added in connection with legislation for Washington's North Cascades. Altogether, some 800,000 acres were placed under the permanent protection of the Wilderness Act.

I am now sending to the Congress 13 additional wilderness proposals. One would designate about 323,000 acres within the Ashley and Wasatch National Forests of Utah as the High Uintas Wilderness. The remaining 12 proposals would create wilderness areas within several different wildlife refuges. I am also transmitting the results of Interior Department review of the Bear River Wilderness proposal. The Secretary of the Interior does not recommend wilderness status for this area, and I concur in that recommendation.

I urge early and favorable action on the new proposals as well as on those I submitted previously.

The future character of America depends on what constructive actions we take today. We can destroy our country by neglect, just as surely as we can save its great, God-given beauty by showing true concern.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 18, 1969.*

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## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 20, 1969.

The Honorable the SPEAKER,
*House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 3:15 p.m. on Sunday, January 19, 1969, and said to contain a Message from the President wherein he transmits the third annual report of the National Endowment for the Humanities.

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## THIRD ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor:

*To the Congress of the United States:*

I am pleased to transmit to the Congress this Third Annual Report of the National Endowment for the Humanities.

The Report describes the many ways in which the Endowment, though in operation for only three years, is helping scholars extend the knowledge and wisdom needed for human understanding, and helping teachers develop better ways of making the humanities meaningful to their students. The Report shows that in Fiscal Year 1968 the Endowment supported the Humanities with grants to individuals and institutions in 44 States and the District of Columbia.

I commend this Report to the Congress, with satisfaction that a real beginning has been made in increasing Americans' awareness of their priceless cultural heritage.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 18, 1969.*

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## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 20, 1969.

The Honorable the SPEAKER,
*U.S. House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 3:15 p.m. on Sunday, January 19, 1969, and said to contain a Message from the President wherein he transmits the annual report of the Appalachian Regional Commission for fiscal year 1968.

Sincerely,

W. PAT JENNINGS,
*Clerk U.S. House of Representatives.*

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## ANNUAL REPORT OF THE APPALACHIAN REGIONAL COMMISSION FOR FISCAL YEAR 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-59)

The SPEAKER laid before the House the following message from the President of the United States; which was

read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

*To the Congress of the United States:*

I am pleased to transmit to the Congress the Annual Report of the Appalachian Regional Commission for Fiscal Year 1968.

This marks the halfway point in a six-year development program intended to close the economic gap between the Appalachian Region and the rest of the Nation.

In many ways the Appalachian program has been an experiment. At the end of this third year, it is possible to say that that experiment has proven itself successful—even if it is not possible to fully measure the impact of all its provisions.

Throughout the mountains and valleys of the thirteen Appalachian States, the three-year results of this program are highly visible—not only on the landscape but in the new hopes of its people.

There are 116.5 miles of new highways completed, with another 357.4 miles under construction—drastically reducing isolation and opening up new opportunities to the people of the region.

There are 36 new or expanded airports, assuring many communities of the commercial and developmental advantages of the air age.

More than 160 vocational education schools are training thousands of students who might have been dropouts—giving them modern skills to secure employment.

Over 170 new or improved hospitals and health facilities are providing modern health care to a people who have long been denied the basic health service which most Americans have taken for granted.

There are 127 institutions of higher education which have been assisted—and they are on the way to giving the best education possible to the young people of Appalachia.

All this and more—libraries, low and moderate income housing projects, educational television stations, water and sewer systems: hundreds of separate projects are at work to reclaim lives and enhance the land that was ravaged by erosion, strip mining, underground mine fires and floods.

The story of Appalachia is a story of growing hope.

I hope the 91st Congress will continue and strengthen the Appalachian Program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 18, 1969.*

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 20, 1969.

The Honorable the SPEAKER,
*U.S. House of Representatives.*

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 8:45 a.m. on Monday, January 20, 1969, and said to contain the Manpower Report of the President.

Sincerely,

W. PAT JENNINGS,
*Clerk, U.S. House of Representatives.*

## MANPOWER REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–62)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

*To the Congress of the United States:*

It is with great pride that I submit this, the final Manpower Report of my Presidency. It describes the most favorable employment record in many years and the policies and programs that have made this progress possible. It also sets forth the agenda for further improvements in the use of the Nation's manpower and for continued economic prosperity.

This Report records the Nation's ability and continuing progress to meet one of the most basic needs of its people and represents a valid gauge of the Nation's essential strength.

The overriding significance of the Report is found in its concern for people, the most precious resource of this Nation—teenagers with futures to build, men and women with families to feed and house and educate, elderly citizens with productive years still ahead.

I commend this Report to your careful attention as the profile of America at work today. It is a record of promises made, of achievements and of hopes aroused. A new sense of dignity, a new chance for fulfillment, a new vision of the future have touched the lives of many millions because of what these pages tell.

Although there is ample cause for satisfaction in this Report, there is none for complacency. What we have accomplished helps to describe the dimensions of what is still undone. But those achievements, incomplete as they are, also serve to show us what *can* be done.

With a strong economy as the lifeline, special manpower programs—those we have tried and those still to be tested in the years ahead—can help men and women whom the economy would otherwise by-pass.

The road we are on is a long one. But the milestones we have already passed tell us it is the right road.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 19, 1969.*

## PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Mr. Speaker, can the Speaker tell us whether the President's economic report to the Nation has been filed and, if so, when?

The SPEAKER. In response to the inquiry, the Chair will state that the report has been received, and it has been referred to the Joint Economic Committee on January 16.

Mr. GROSS. Mr. Speaker, I thank the Chair.

## JAMES P. B. DUFFY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 30 minutes.

Mr. HORTON. Mr. Speaker, I want to take a few moments of our colleagues' time to recall and honor the service of a former distinguished Member of the House of Representatives.

James P. B. Duffy, who served in the 74th Congress as Representative from Rochester, N.Y., passed away earlier this month.

Jim Duffy was not a nationally known figure, in politics or government, but, perhaps more than any other man, he exemplified very real dedication to public service to the people of his community.

He died on January 8, at the age of 90, after a long, active, and useful life—useful to the legal profession, the community and his church. His list of unselfish services included 28 years on the Rochester School Board, a term in Congress, service as a New York State Supreme Court justice, as a member of the New York State Alcoholic Beverage Control Board, and the New York State Probate Commission.

He served in active trusteeships with the Rochester Chamber of Commerce for 52 years, the Rochester Community Chest for 35 years, the Rochester Chapter American Red Cross for more than 20 years, the Rochester Savings Bank for 30 years, and St. Patrick's Roman Catholic Church for 49 years.

In 1966, he received from the New York State Bar Association its distinguished service award.

His unselfish life represented the highest traditions of the legal profession and his example in public life as well as in his busy private law practice has been a constant source of inspiration to his brother lawyers and to the bench.

The Monroe County Bar Association expressed to me sorrow at the loss of one of its most distinguished, active, and loyal members.

Duffy, a bachelor, had made his home in the now closed Manger Hotel, on Clinton Avenue, South, in Rochester. He became a St. Anne's Home resident several months ago.

He was a member of the law firm of Duffy, Kaelber, Neville, & Juroe which he joined after being graduated from Harvard Law School in 1904.

Judge Duffy was a Democratic Congressman from 1934 to 1936 and a member of the State supreme court in 1937.

At the time of his death he was a member of the board of directors of the Automobile Club of Rochester and was a past president of the club.

He was a founder of the United Charity which later became Family Services of Rochester. He received his bachelor of arts degree from Georgetown University.

He served as a director and legal adviser of the local American Red Cross chapter for 10 years and was a commissioner of the Rochester Museum and Science Center.

Duffy is survived by a brother, J. Paul Duffy of Waterloo, N.Y., and a number of nephews and nieces.

A tribute to our late colleague appeared in a Brighton-Pittsford, New York Post editorial January 16. I would like to share it with my colleagues:

JAMES P. B. DUFFY

In an age of the anti-hero, an age in which we seem to see nothing except feet of clay on everything and everyone, the life of the late James P. B. Duffy has particular meaning, especially for youth.

Mr. Duffy, who died last week at 90, was, in a sense, a member of the established order in this metropolitan area. For many years he performed distinguished service as head of the Rochester School Board. He also served as a Congressman and as a Supreme Court justice, and he held a multitude of civic posts.

But if anyone were to suggest that these positions and responsibilities removed him from a warm and human concern for his fellow man, they just didn't know Jim Duffy.

What an unending amount of warmth and sensitivity this wonderful man had! What a desire to know what troubled and concerned other people, and what determination to do whatever he could to make their lives happier. What unreservedly honest a respect he had for every human being who crossed his path. And what never-failing grace and courtesy.

Can anyone remember an instance in which this man acted out of meanness, or bitterness, or selfishness? The answer, as true and clear as a church chime, is of course, no.

The word saint in our modern age is pretty square and old-fashioned. But as surely as the sun rises so did we have one among us during the 90 years that this remarkable man lived in Monroe County.

In a troubled time, in which everyone is blaming everyone else for the ills of society, we could learn much from Judge Duffy, if we would only take the time to learn the lessons he taught us so unassumingly.

Mr. Speaker, I am pleased to yield to my fellow New Yorker, Mr. CELLER, the senior Member of this House, who joins with me in paying honor to Mr. Duffy.

Mr. CELLER. Mr. Speaker, I remember well our former colleague, James P. B. Duffy, of Rochester, N.Y., who served with me on the Judiciary Committee while he was in the House of Representatives.

He was a dedicated public servant, both in and out of office, and devoted much of his life to humanitarian endeavors. He leaves a good and honorable name.

I join his many friends in extending to his family my sincere sympathy and condolences in their bereavement.

## HALT NORTH VIETNAM AID

The SPEAKER. Under a previous order of the House, the gentleman from New Mexico (Mr. FOREMAN) is recognized for 30 minutes.

(Mr. FOREMAN asked and was given permission to revise and extend his remarks.)

Mr. FOREMAN. Mr. Speaker, on November 14, 1967, the Foreign Assistance Act of 1961 was amended by Public Law 90–137. Section 620 of that law states:

No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as the regime in North Vietnam gives support to hostilities in South Vietnam.

The intent of Congress is clear in the Foreign Assistance Act, as amended. Yet, since November 1967, a total of 164 ships flying the flags of free-world countries have delivered goods to North Vietnam. All the while, of course, the war rages on. In the same 14 months, nearly 16,000 Americans have died in the hostilities, and, according to information furnished me by the Department of Defense, approximately 100,000 of our men have been wounded.

So long as hostilities in Vietnam continue, so long as Americans are fighting and dying in a foreign land, it is immoral—it is unconscionable—and it is un-American not to use every available means to stop vital supplies from reaching the enemy, and flowing through channels provided by countries receiving American tax dollars in aid and grants. That is why I am today introducing a concurrent resolution which calls upon our President to immediately halt all U.S. aid and trade with countries assisting North Vietnam.

I introduce this resolution—in addition to it being just plain, good commonsense—because even though the law has been on the books since November 14, 1967, it has not been effectively implemented to bring the flow of goods and supplies to the enemy to a halt.

Mr. Speaker, I appreciate the fact that a bipartisan group of our colleagues in this body have seen fit to join me in the introduction of this resolution. I include the resolution, and a listing of our colleagues joining me in the sponsoring of this resolution, at this point in the CONGRESSIONAL RECORD:

H. CON RES. 89

(Mr. Foreman (for himself, Mr. Baring, Mr. Derwinski, Mr. Lukens, Mr. Haley, Mr. Whitehurst, Mr. Collins, Mr. Grover, Mr. Smith of California, Mr. Watson, Mr. Lujan, Mr. Fisher, Mr. Waggonner, Mr. Price of Texas, Mr. Utt, Mr. Frey, Mr. Rhodes, Mr. Gross, Mr. Dowdy, Mr. Camp, Mr. Lipscomb, Mr. Dickinson, Mr. Kuykendall, Mr. King, Mr. Hunt, Mr. Hall, Mr. Sebelius, Mr. Landgrebe, and Mr. Langen.)

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the President of the United States shall abide by the Foreign Assistance Act of 1961, Sec. 620 (n), as amended by Public Law 90–137, and shall immediately terminate loans, credits, guaranties, or grants or other assistance under this or any other Act to any country which sells or furnishes to North Vietnam or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, or by any means gives any form of assistance to North Vietnam.

## GENERAL LEAVE

Mr. FOREMAN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days to submit their remarks in the RECORD in support of this resolution.

The SPEAKER pro tempore (Mr. CORMAN). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

## THE THREAT OF CONTINUED RELIANCE ON FOREIGN MEDICAL GRADUATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. CAHILL) is recognized for 20 minutes.

Mr. CAHILL. Mr. Speaker, today we are confronted with a crisis of fundamental importance to the health and well-being of every American. The need for greatly increased medical services and manpower to provide the highest quality medical care for every person commands our immediate attention. Between now and 1975, it is estimated that there will be an increase of approximately 25 percent in the demand for physicians' services. Population growth, changes in the age-sex distribution, urbanization, migration, rising levels of income, increased education, and medicare account for this tremendous increase.

The crisis America faces today is an overwhelming shortage of competent medical manpower to cope with increased demand for health care services. In simple terms, the number of highly qualified physicians available has not kept pace with the greatly increased needs. Based on figures available in 1960, the President's Commission on the Health Needs of the Nation indicated that if the entire country were to enjoy the high-quality medical services that it so desperately needs, almost 60,000 additional physicians must be found. However, knowledgeable estimates of the present medical manpower shortage indicate that in 1969 our Nation remains with a deficit of over 50,000 medical doctors.

The supply of physicians is augmented in two main ways: graduates of American medical schools and alien doctors admitted to this country to practice medicine. In recent years around 7,500 American medical students have graduated each year. In addition, over 2,000 foreign medical graduates have been added to the medical professions here each year. The American Medical Association indicates that in 1965, 11,474 interns and residents serving in approved hospitals in the United States were graduates of foreign medical schools. As such, these doctors account for 28% of all interns and residents employed in approved hospitals.

Even more startling is the fact that in fiscal year 1967, for the first time, the number of foreign medical graduate immigrants plus medical exchange admissions—approximately 8,000—exceeded the number of U.S. medical graduates—approximately 7,600.

Alien medical doctors enter this country in one of three ways. Physicians admitted to this country for permanent residence from the Eastern Hemisphere enter pursuant to section 203(a)(3) of the Immigration and Nationality Act. This section accords a third preference immigrant visa to certain qualified immigrants of exceptional ability in the sciences whose presence in this country will substantially benefit the welfare of the United States. Also, a labor certificate averring the absence of sufficient, able, willing, and qualified doctors in the place of the alien's intended employment is required by section 212(a)(14). At the

present time, alien doctors from the Eastern Hemisphere must wait at least 15 months time between the time their third preference petition is approved and the time their immigrant visa is issued.

Alien doctors entering the United States for permanent residence from the Western Hemisphere are admitted as "special immigrants" under section 201(a)(27). A "special immigrant" physician is also required to obtain a labor certification under section 212(2)(14). Currently, alien doctors from the Western Hemisphere experience a delay of approximately 2 months between the time their petition is approved and their immigration visa is issued.

In addition, temporary H-1, H-2, and J-1 visas for workers of distinguished merit and ability, workers performing services unavailable to the United States, and exchange visitors, are available under sections 101(a)(15)(H)(i), 101(a)(15)(ii), and 101(a)(15)(J), respectively. The temporary stay, envisioned by these visas, can be lengthened into permanent residence through an informal administrative practice of the Immigration and Naturalization Service. Under the logic of the immigration and nationality law, while a visitor, holding a temporary visa is in this country, he may not apply for permanent immigration visa because, the Service feels, such activities would be inconsistent with the purposes of his entry. However, medical doctors, in the United States for temporary purposes, are permitted to file a petition for a third preference visa and remain here until their quota number is reached. Presumably, this informal procedure would be available even if the doctor entered the country illegally.

In my judgment, this country's reliance on foreign medical graduates to fill the partial vacuum of medical manpower is a shortsighted, inadequate policy with dangerous ramifications for all of us. Tremendous risks are readily apparent from our continued reliance on these medical doctors. In the first place, the continued supply of the doctors is uncertain. Second, employment of these physicians represents a staggering manpower drain on foreign, and particularly, underdeveloped nations who, perhaps to an even greater extent, need medical personnel to provide health services. Moreover, continued reliance on foreign medical graduates could decisively undercut the effect of the millions of dollars of foreign aid which we annually provide these developing nations.

Another disturbing feature of this policy is the inferior quality of the medical and health services provided American citizens in American hospitals by these foreign medical graduates. In a comprehensive study recently completed by the American Medical Association, foreign medical graduates serving here as interns and residents were compared with their American counterparts. The physicians were evaluated in 15 main areas: acclimatization; discipline; general duties; history-taking; physical examination; basic medical sciences; doctor-patient relationship; doctor-staff relationship; personal relationship; libraries; supervision; learning processes; independent learning; teaching staff and house staff; potential for medical practice. The results were startling: whether viewed collectively or individually, the foreign medical graduate intern or resident manifests a level of professional knowledge and competence significantly below graduates of American medical schools. The only exception was in the ability to make effective use of the library where the foreign medical graduates were rated approximately equal to American graduates. Particularly in the four crucial areas of professional competence—knowledge of basic medical sciences; effect on hospital teaching staff; capacity for independent learning; and potential as practicing physicians—the great inferiority of foreign medical school graduates is manifest. In effect, they rated poorest in the most important aspects of medical knowledge critical for their development as physicians and for the service they render to the patients they encounter.

I am further convinced that another consequence of our reliance on foreign medical graduates has been to detract from the ability of our Nation's medical schools to produce practicing physicians. In short, by permitting our health care system to draw upon foreign medical manpower, medical schools in the United States have been relieved of public and government demands for an increase in the production of U.S. medical graduates. In the absence of such demands, it appears that U.S. medical schools have oriented their operations largely toward pursuit of Federal research grants. Paradoxically, the AMA and many schools have defended their preoccupation with research by the argument that intensive scientific research is necessary to maintain high caliber and quality standards of medical education.

Thus we are confronted with a terrible dilemma. We have a great shortage of well trained physicians. We have adopted a stopgap procedure of employing alien doctors to partially fill this vacuum. But experience has shown that these doctors have not and cannot give the public the quality of medical service which is desperately needed and expected. Moreover, it appears that this policy has actually deterred domestic production of medical graduates. In short, our stopgap procedure has been a failure with grave implications for the future if the practice is continued.

Mr. Speaker, in my judgment, we cannot permit perpetuation of the low grade medical care provided by these doctors, nor can we permit our Nations' medical schools to neglect their function of educating trained physicians. It is time to rethink our shortsighted schemes and formulate policies to insure long-term attainment of the high quality of medical care that we need. We should expand our present medical school facilities and enrollment to insure a ready reservoir of competent medical talent to meet the challenge of our ever increasing health needs. We must reevaluate the dangerous priorities accorded medical research in the perspective of the present threatening medical manpower shortage.

In the interim, I am convinced we should immediately stop the entry of foreign physicians into this country unless we can guarantee that they have the minimum standards of quality and potential that we expect of our own physicians. To implement this policy I urge that foreign medical doctors be admitted for permanent residence and ultimate citizenship only after they have passed an examination designed to indicate that they have the equivalent quality training and potential of graduates of medical schools in this country.

As recently pointed out by President Johnson's Advisory Commission on Health Manpower, the fundamental criterion of professional qualification in this country is graduation from an accredited medical school. Since it would be impracticable and costly to establish a system of accrediting foreign medical schools, no similar mechanism exists for evaluating the professional qualifications of foreign medical graduates.

However, at present, foreign medical graduates are required to pass a standard examination administered by the Educational Council on Foreign Medical Graduates, a body designated by representative groups within organized medicine, in order to become eligible for hospital training or for State licensure. I would emphasize:

First. That passage of this examination is not a prerequisite to issuance of an immigrant visa;

Second. That the examination is not sufficiently difficult to insure the American public of adequate quality medical care.

As reported by the President's Advisory Commission:

> Those who administer the examination consider it to be easier than that of the National Board (which must be taken by United States graduates). The quality of preparation of foreign medical graduates seeking to come to the United States is indicated by their scores on the Educational Council on Foreign Medical Graduates examination. On examinations which were passed by ninety-eight percent of United States graduates, only forty percent of the foreign medical graduates achieved a passing score. Furthermore, the scores of those who did pass were clustered just above the passing mark rather than spread out through higher scores like those of United States graduates.

I would therefore urge admission under immigration laws based on successful completion of an examination which will more adequately reflect whether a visa applicant has the equivalent quality training of U.S. medical schools.

I would further advise that I have today introduced legislation that makes issuance of an immigration visa to foreign medical doctors contingent upon satisfactory completion of such an examination.

In accordance with recommendations of President Johnson's Advisory Committee the examination is to be administered and formulated by the National Board of Medical Examiners. However, under my bill the Secretary of Labor would be authorized to waive this requirement where, because of their distinguished prior experience, aliens manifest sufficient competence to practice medicine in the United States.

In my judgment, this legislation is absolutely necessary to reverse a trend which has continued to shortchange our Nation's health and medical service needs.

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## MICHIGAN'S HOLLAND CHRISTIAN BAND PERFORMED MAGNIFICENTLY IN INAUGURAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. VANDER JAGT) is recognized for 40 minutes.

Mr. VANDER JAGT. Mr. Speaker, the performance of the Holland Christian High School Band from my Ninth Congressional District in the inauguration parade was magnificent.

Each band member reflected the goodness, decency, and unselfishness of a strong young America that will take up the torch of greatness to carry our Nation toward new glory in the challenging future.

I join the State of Michigan, the city of Holland, parents, schoolmates, and all those associated with the band in saluting the young musicians not only for their personal conduct but for a flawless performance as they marched into history along Pennsylvania Avenue on Inauguration Day, 1969.

In a heartwarming and swift response to the need for financing the band's trip, the community of Holland raised an estimated $15,000.

Henry P. Vander Linde, band director, expressed the gratitude of the band and others in this special message on the eve of the Washington trip:

The trip to the Inaugural Parade in Washington, D.C., is not only a great honor, but also a great responsibility. Many hours of planning, work, and money have gone into making this trip possible. Therefore, we should reward this with our very best effort and conduct.

We are now in the attention of the entire state as their representatives, and they expect from us the best.

It has been the desire of the Planning Committee and the Band and Orchestra Parents to make this historic occasion an unforgettable educational and musical experience. We are deeply indebted to every committee member, contributor, and worker on this project. The cooperation of the School Board, Administration, faculty, student body, parents, and community has been overwhelming. Their concern and prayers are with you.

Use this opportunity to be a witness of Christian Education and the best qualities of Christian citizenship.

The choice of Holland Christian High School Band to represent Michigan in the inaugural parade was a cooperative effort. I worked closely with the Michigan Republican State central committee and George Romney, Governor at the time and now Secretary of Housing and Urban Development.

The five-day journey was much more than a trip to Washington for the band. It was an action-packed, interesting, and lively experience.

En route to the Capital, the band visited Gettysburg for a tour of the historic battlefields.

Upon arriving in Washington at mid-afternoon on January 18, I welcomed the band in the House Chambers before taking them on a tour of the Capital, including a visit to the suite of Speaker JOHN MCCORMACK, whose staff was most helpful in arranging to permit the young visitors from Michigan a view of his personal office. It was a wonderful experience for the high school students, whose interest in government was deepened because of seeing the Speaker's office and much of the Capitol.

With members of my staff acting as guides, the buses toured Washington, including the Washington Monument, Lincoln Memorial, Jefferson Memorial, and the downtown area.

Midway during the tour the band saw motion pictures of the Apollo 8 flight to the moon. The Science and Astronautics Committee, of which I am a member, through its staff helped arrange the showing of the film in the Rayburn Building. Capt. Robert Freitag, field director for the manned space program of the NASA organization, was directly responsible for obtaining the film. He made an excellent speech to the band, which was applauded with youthful enthusiasm.

On January 19, the band traveled to Annapolis to attend chapel with the midshipmen. After dinner in a fine restaurant overlooking the Severn River, band members were taken on escorted tours of the area by members of the Annapolis Historical Society. A vesper service in the Reformed Presbyterian Church of Annapolis concluded a very special day for the visitors from Holland.

On Inauguration Day while the band was preparing for the parade, chaperones were guests for luncheon in my Longworth Building office. Also, they were my guests at the inaugural ceremonies.

Radio, television, and newspaper coverage of the band's trip was outstanding.

Holland radio stations carried many broadcasts prior to the band's departure and during the Washington trip.

Time-Life Broadcast in Washington recorded the band's tour of the Capitol for the televising next day.

The Holland Sentinel published page 1 stories of the band's activities in Washington with photographs.

A copy of one of the Sentinel's pre-trip stories follows:

CHRISTIAN BAND GETS PARADE RULES

Complete parade instructions for the Holland Christian High School band which will be Michigan's music entry in the Inaugural parade for President-Elect Richard M. Nixon on Jan. 20 were received today by Henry P. Vander Linde, director.

The 75-page instruction packet was prepared by the Department of the Army, headquarters military district of Washington which is in charge of arrangements, along with crowd control and medical supervision.

Holland Christian's 141 piece band will march early in the fifth division of the parade which is slated to get underway at 2 p.m. (EST). The order of march for the fifth division is headed by the United States Navy Commander and Staff, along with the U.S. Navy band. Following in order are the floats of Maine and Missouri, along with their bands. Then follows the Missouri and Arkansas units just ahead of the Holland Christian band. Following is the Michigan float and the units from Florida, Texas, Iowa, Wisconsin, Minnesota, Kansas and West Virginia to round out the fifth division.

The first division includes, parade personnel and marshalls, President and Mrs. Nixon, Vice President and Mrs. Spiro Agnew, Chief Justice and Mrs. Earl Warren, Senator and Mrs. Everett Dirksen, Congressman and Mrs. Gerald Ford of Michigan, former President and Mrs. Dwight Eisenhower and other party officials. Members of the new Cabinet and their wives complete the first division, along with the governors of the various states.

Then follows the one band and one float from each of the 50 states, marching in the order in which the states were admitted to the Union. The lone exceptions are the states of California and Maryland who will head the other states in honor of the new President and Vice President.

Vander Linde said that parade instructions call for all bands to maintain a cadence which will assure forward movement of 100 yards per minute. Bands must maintain their original formation throughout the parade and special formations are prohibited in the Inaugural parade.

Bands must maintain a formation such that the width will not exceed 17 yards and the overall length of the unit will not exceed 24 ranks. Vander Linde has done some shuffling of his 141 piece outfit in rehearsals in the new Christian High gym and reported that the Christian band will march 16 ranks including the majorettes, color bearers and drum major.

All bands will play while passing the Presidential reviewing stand in front of the White House. The Maroon band director reported that the local band will play, "The Victors," fight song of the University of Michigan while passing in review.

Only Armed Forces bands will render "Honors" in front of the Presidential stand. "Honors" consists of four ruffles and flourishes followed by appropriate military music.

The parade route will extend from the Capitol to the White House.

Plans call for the Holland Christian band to leave for Washington on Friday Jan. 17 and return home immediately following the parade with scheduled arrival at noon on Tuesday Jan. 21.

The Grand Rapids Press published a full page picture-text story the week before the band came to Washington. Text matter of the story follows:

NIXON INAUGURAL EAGERLY AWAITED—HOLLAND CHRISTIAN BAND HITS A HIGH NOTE

(By Bob Burns)

HOLLAND.—It was 29 degrees and the rain landing in front of the Civic Center on West 8th Street was coating the pavement with a sheet of ice.

Inside the building, all kinds of empty musical instruments cases were on the floor near the entrance.

Then you could see Henry VanderLinde in a maroon jacket. He would take a few steps along the aisle above the basketball floor, stop and comment:

"I'm not pleased with this at all."

Then he would strut and say:

"March into the rhythm. Da-Da-Da Da Da—then come back in."

BAND PLAYS ON

He would take a few more steps.

"You've got to be together," his voice would boom. "Okay, let's try 'The Victors' again."

Then the Holland Christian High School Maroon Marching Band blared away while VanderLinde, the director, looked and listened for more minor flaws.

The reason for practice during Christmas vacation is the band will represent the state at President-elect Richard M. Nixon's inaugural parade Jan. 20 in Washington, D.C.

"We started at 8 this morning and there's still plenty of work to do," VanderLinde said.

Suddenly the music stopped.

"You drummers had a little fiasco there," VanderLinde yelled in the direction of the 141-piece maroon-and-white clad band.

"One-two, now the chord. Now the last chord. Now, that's a good, full sound.

"Okay, let's try 'March America.' "

The band sounded off again.

After more pacing and more comments, VanderLinde said:

"At ease. Rest. Don't move out of place!"

VanderLinde, who was elected band director of the year in Michigan last January, took time out himself to talk about how the band became the only one selected to represent Michigan at the inaugural.

"It's really a long story," he said. "It started when the band played at a cracker-barrel rally several weeks ago. It was suggested to U.S. Rep. Guy Vander Jagt (R-Cadillac) that it would be an honor if the band could march at the inaugural.

"Finally, on Dec. 10, the school got a phone call. We had two hours to accept or reject the invitation, but the superintendent of schools, Mark VanderArk, made the decision to go. It was announced that night at a basketball game."

CAMPAIGN IS ON

In the last 19 days, a campaign has been waged to finance the trip for a party of 164 including chaperones.

"We need more than $10,000," VanderLinde said.

VanderLinde, who has been director of instrumental music in the Holland Christian schools for 18 years, is proud of the record his bands have achieved. "We have established a good reputation in state music festivals," he said. "Last year we were the only band given a unanimous rating by four judges in the festival."

VanderLinde is a strong believer of pride, spirit and loyalty. "Any boy or girl who has these qualities has the key to success," he said.

After talking with several band members, it is obvious that VanderLinde is a popular director.

Mary VanderHooning, a junior clarinet player, said, "Going to Washington will be a great experience for the band and an honor for Mr. VanderLinde and Holland." Mary said she is looking forward to "seeing everything" in the nation's capital.

Kris DeGraaf, a junior majorette, echoed Mary's sentiments about the band and the director. "He really deserves it," Kris said. "I've never been there before and I'm really looking forward to the trip, especially a chance to see President Nixon."

Tom Vreeman, only a sophomore but the fellow who will lead the band as drum major, is confident everything will turn out just fine. "I'm a little nervous," he said. "But we can handle it. All of us need a little more practice, but the nice thing is that everyone is willing to work. They listen to the director and I know everyone is going to do a good job."

Like Kris, Tom said he's anxious to see the next president. "And I'd like to see the monuments, too," he said.

PRESIDENT OF BAND

Steve VanderPloeg, a senior trombone player and president of the band, thinks the trip will be a good thing for the students and the school. "I hope I can see Arlington Cemetery and the Pentagon," he said.

Sue Hulst, a senior who plays the tenor saxophone and is the band librarian, also hopes to visit Arlington. "My sister's husband guards the Tomb of the Unknown Soldier," she said. Sue, who lives in East Saugatuck, said she hopes "we can represent Michigan as well as any other band could. That's why I don't mind practicing during Christmas vacation."

Ron Klynstra, a senior who resides in Zeeland and plays the tuba, may be a little more anxious to make the trip than most. "I've never been out of the state," he said. "It's a wondeful opportunity. I'm proud to go."

Hilda Berghoef, secretary of the band and a senior clarinet player, has a long list of places to visit during the four-day trip. "Let's see," she said, "there's the Pentagon, White House, Smithsonian Institution, Capitol and Lincoln Memorial. It's great, just great that this happened."

Randy Vogelzang, a junior coronet player, thinks the trip will be very educational. "There's the Capitol—just so much to see," he said.

Fred Sterenberg, a senior baritone player, said, "I haven't really thought much about the trip. But the visit to Gettysburg should be a lot of fun."

Craig VanderBie, a junior bass drummer, still can't get over being part of the band that was selected by Gov. Romney and Elly Peterson, state GOP chairman.

PICKED OVER UM

"When you realize that only a few high school bands in the country will be there and that we were picked over the University of Michigan band then it becomes more like a once-in-a-lifetime thing," he said. "And how often do you get to see a president inaugurated?"

Nancy Hietbrink, a junior trombone player, said, "It's more fun than Christmas. What else can I say?"

Sue Tinholt, a junior majorette, said she hasn't thought about too much other than seeing President Nixon.

"I'm just going to get in as much practice with the baton as I can," she said.

It was now a little past 10 a.m. and the last of the band members left the building carefully stepping over the ice.

During the parade, the band was seen by an international television audience as the musicians marched past the White House reviewing stand with President Nixon and others in his official party applauding the outstanding performance.

I have sent letters of appreciation to each band member. One of them follows:

Your band is a source of great pride for all of us. Congratulations for your performance in Washington during the Inauguration of President Richard M. Nixon.

I have spoken my praise in the House of Representatives. My comment is printed in the enclosed copy of THE CONGRESSIONAL RECORD, which you may want to keep as a memento of your trip.

The pictures were taken, as you may recall, in the Capital during our brief, but interesting, tour of the building.

We enjoyed your visit, your wonderful music and marching and the opportunity to be of service.

My staff and I thank you for your thoughtfulness in your gifts of honorary band member certificates and the wooden shoes.

Thank you for representing Michigan and your home city in a manner that brought applause and praise wherever the band appeared.

A letter thanking Mark Vander Ark, school superintendent, which I wrote follows:

Recall that President Nixon in his inaugural address said: "We see the hope of tomorrow in the youth of today."

Thanks to the dedication, hard work, imagination and skill of educators like yourself, the "hope" Mr. Nixon spoke of is stronger and brighter.

You brought a wonderful group of young people to Washington. They captured the hearts of everyone they met. The training and education they have received under your guidance were reflected in their attitudes, performance and personal conduct.

Thank you for all the help you gave my staff. We are very grateful for your cooperation and assistance.

It was a special pleasure to see you and the other adults who made the journey to Washington, which we hope was a pleasant and unforgettable one.

To express my appreciation to the nearly 500 members of the Band Parent Organization, I sent each one of them the following letter:

DEAR HOLLAND CHRISTIAN HIGH SCHOOL BAND PARENT: Time does not allow me to send personal letters to each of many hundreds of you. So, please accept my apology for using this form of communication.

I thought you might like to have this copy of the page in the CONGRESSIONAL RECORD on which my remarks praising the band for its outstanding performance in Washington were printed.

Thanks to hard work and support, the band had the backing it needed to make the trip. I congratulate you for a wonderful contribution.

I include herewith a list of the names of the talented young musicians who represented Michigan in the 1969 Inaugural Parade:

HOLLAND CHRISTIAN HIGH SCHOOL BAND PERSONNEL ROSTER 1969

FLUTE

Nancy Ribbens, Peggy Ribbens, Arlyn Dozeman, Bonnie Keen, Gayle Kamer, Marilyn Ver Hoef, Marcia Vander Ploeg, Nancy Todd, Mary Deur, Nancy Sikkel, Pat Hoffmeyer, Sandi Smith, Jane Voss, Audrey Raak, Kathy Plaggemars, Marcia Schout, Mary Overweg, Gretchen Otten, Linda Coornbos, Sandy Ter Horst, Evonne De Frell, Gwen Rypma, Lisa Vander Poppen, Luanne Vanden Bosch, Sheryl Van Kampen, Sara Vander Kolk, Evonne Deur, Peggy Vander Kool, Eileen Dozeman, Sandy Hop.

OBOE

Gay Kaashoek (Banner), Sheryl Huizenga (Banner), Phyllis Van Noord (Bells), Sally Wyngarden (Bells).

CLARINET

Bill Swieringa, Hilda Berghoef, Mary Vander Hooning, Evelyn Vander Kolk, Glenna Vander Bie, Helen Fredricks, Helen Dykstra, Vonnie Hekman, Linda Rooks, Linda Ter Horst, Nancy Ten Harmsel, Nancy Yff, Diane Kiekover, Sue Frieswyk, Ken Bos, Pate Brouwer, Wm. De Waard, Wanda Grotenhuis, Ena Berghoef, Bev Molder, Margo Van Slot, Sue Frens, Mark Van Zanten, Cherie Raterink, Charlene Rotman, Joan Manting, Mary Medema, Karen Den Bleyker.

BASSOON

Dawn Boerman (Cymbals).

ALTO CLARINET

Mary Peeks.

BASS CLARINET

Dorothy Hoekstra, Craig Wieringa.

CONTRA BASS CLARINET

Jeanne Boeve (Clarinet).

ALTO SAXOPHONE

Linda Oetman, Laurel Louwsma, Sheryl Deur, Beth Brinks, Bob Steenwyk, Rich Mosher, Pam Meyaard, Brian Boeve.

BARITONE SAXOPHONE

Curt Mans, Kirk Vander Ploeg.

CORNETS

Randy Vogelzang, Tim Leep, Terry Slenk, Glenn Homkes, Doug Zoerhoff, Steve Oostdyk, Dan Holwerda, Rick Kiekintveld, Rex Kiekintveld, Marge Gritter, Sally Brinks, Tom Smith, Rusty Michmerhuizen, Dan Boerman, Steve Brieve, Doug Nienhuis, Pete Hoekstra, Randy Schrotenboer, Chuck Tubergan.

TENOR SAXOPHONE

Sue Hulst, Maxine Ten Harmsel.

HORNS

Joann Houseward, Cal Vanden Brink, Ken Visser, Carl Bergman, Jack Heyboer, Chuck Steenstra.

TROMBONES

Steve Vander Ploeg, Bob Nienhuis, Dan Gritter, Nancy Hietbrink, Len Vogelzang, Roy Navis, Sam Greydanus, Tom Swieringa, Tom Vreeman, Ken Schierbeek, Tom Hoeksema.

BARITONES

Dave Den Ouden, Fred Sterenberg, Paul Keeps, (T.C.), Gary Schutten (T.C.), Jerry Phillips (T.C.), Mark Genzink, Rick Slenk, Joe Zwier, Brad Stephenson.

BASSES

Ron Klynstra, Mark Van Reken, Steve Hekman, Jim Vanderby, Cory Knoll.

STRING BASS

Jane Vreeman (Bells).

PERCUSSION

Rich Postma (Snare Drum), Mary Brouwer (Cymbals), Larry Klein (Snare Drum), Wayne Hop (Bass Drum), Jerry Hamberg (Snare Drum), Nancy Bartels (Bells), Craig Vander Bie (Bass Drum).

MAJORETTES

Peggy Van Wyke, Anita De Nooyer, Betty Kamer, Sue Tinholt, Kris De Graaf.

DRUM MAJOR

Tom Vreeman.

Accompanying the band was the following entourage of school officials, parents, staff, and specialists, all of whom are to be congratulated for their work:

SCHOOL BOARD

Rev. and Mrs. Steenstra, Mr. and Mrs. Jack Vannette, Mr. and Mrs. Kon Marcus.

ADMINISTRATION

Mr. Ray Holwerda, Mr. Mark Vander Ark.

BAND PARENTS

Mr. and Mrs. Jerry Van Noord, Dr. and Mrs. Frieswyk, Mrs. Elsie Teusink.

STAFF

Mr. Hero Bratt, Mrs. Marie Kruithof, Mr. Art Tuls.

SPECIALISTS

Mr. Don Stolts (Vander Jagt liaison), Mr. Art Wyma (moving pictures), Miss Kathryn Fredericks (treasurer), Mr. and Mrs. Clare Pott (news coverage), Mr. Gus Vanden Berge (photography), Mr. and Mrs. Henry Vander Linde (director).

In conclusion, Mr. Speaker, I quote from the inaugural speech of President Nixon:

> What has to be done, has to be done by government and people together or it will not be done at all . . . with the people we can do everything.
>
> To match the magnitude of our tasks, we need the energies of our people . . . we can build a great cathedral of the spirit—each of us raising it one stone at a time, as he reaches out to his neighbor, helping, caring, doing.

It was this spirit, Mr. Speaker, that came to Washington with the Holland Christian High School Band. It was the energy of those at home who helped make the trip possible.

Holland has a slogan, Mr. Speaker, that seems especially appropriate in saluting the band. According to the slogan:

> Half the fun of having something wonderful is sharing it with others.

## ELIMINATE FARM TAX ADVANTAGES TO WEALTHY NONFARMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. CULVER) is recognized for 15 minutes.

Mr. CULVER. Mr. Speaker, I am today introducing legislation in the House of Representatives to eliminate the tax advantages which benefit wealthy nonfarmers who enter farm loss operations to offset their nonfarm income.

Five of my colleagues in the House have joined me in sponsoring the measure—Mr. BINGHAM, Mr. EVANS of Colorado, Mr. HAMILTON, Mr. MCCARTHY, and Mr. REUSS.

The bill is similar to H.R. 19916 which we cosponsored in the 90th Congress, and identical to the measure which was introduced yesterday in the other body by a bipartisan group under the chief sponsorship of Senator METCALF, who has assembled extensive and convincing evidence as to the abuses which our present tax laws allow in this area.

Our existing tax structure encourages wealthy nonfarmers to invest in farm loss operations for the tax advantages they receive, and in doing so they distort the agricultural economy, at the expense of legitimate farmers and the average taxpayer. Not only do they bid up the price of farmland beyond that which would normally prevail, but they force the genuine farmer to compete in the marketplace with owners who may consider a farm profit unnecessary for their purposes.

The bill is written to assure that legitimate farmers are not penalized, even though many of them may be forced to hold jobs in town to supplement their farm income. A ceiling has been established which will permit farm losses to be offset in full against nonfarm income up to $15,000, for those whose nonfarm income does not exceed that amount. Taxpayers with higher nonfarm income may still use farm losses to offset that income, but at an amount reduced dollar for dollar for income over $15,000.

In addition, the bill contains carryover and carryback provisions which would be available to absorb large one-time losses, allowing losses to be offset against farm income for the prior 3 years and the subsequent 5 years.

In no event does the legislation prevent the deduction of farm losses as they relate to taxes and interest, since these are generally deductible whether or not they are attributable to income-producing activity. Nor does it include casualty losses or losses from drought, since these are clearly beyond the control of the farmer.

The limitation on farm loss deductions would not apply to the taxpayer who is willing to follow accounting rules which apply generally to other taxpayers; that is, if he uses inventories in determining taxable income and treats as capital items—subject to depreciation in most cases—all expenditures which are properly treated as capital items rather than treating them as expenses fully deductible in the current year.

Mr. Speaker, since this legislation was first introduced in the 90th Congress, it has gained steady support. The major farm organizations—the National Farmers Union, the National Farmers Organization, the American Farm Bureau, and the National Grange—all have endorsed the principles of the bill.

A seminar of more than 500 farm and church leaders from 30 States, meeting in Des Moines earlier this month, recommended passage of the legislation.

Both the Department of Agriculture and the Department of the Treasury have cited the need for this type of corrective action.

The Treasury Department has presented an analysis of internal revenue statistics which demonstrates the clear predominance of farm losses over farm gains among high-bracket taxpayers with income from other sources.

They found that in 1965, for example, taxpayers with income below $50,000 reported farm profits over farm losses at a ratio of 5 to 2. In the income bracket from $50,000 to $500,000 profits and losses were in an approximate 1-to-1 ratio. But among taxpayers with adjusted gross income over $500,000, the losses reported were 7 times greater than profits from farm operations.

At the request of Senator METCALF, the Joint Committee on Internal Revenue Service has prepared a table which gives further evidence of the extent of the problem. With unanimous consent I place this table at this point in the RECORD:

NET FARM LOSS, NUMBER OF RETURNS AND AVERAGE NET FARM LOSS, BY AGI CLASS, TAXABLE RETURNS, 1964, 1965, AND 1966

| AGI classes (thousands) | 1964 | | | 1965 | | | 1966 | | |
|---|---|---|---|---|---|---|---|---|---|
| | Number of returns | Net loss (thousands) | Average loss | Number of returns | Net loss (thousands) | Average loss | Number of returns | Net loss (thousands) | Average loss |
| $0 to $5 | 222,910 | $236,049 | $1,059 | 197,762 | $203,526 | $1,029 | 171,410 | $167,024 | $974 |
| $5 to $10 | 314,346 | 340,867 | 1,084 | 319,741 | 334,943 | 1,048 | 324,312 | 349,196 | 1,077 |
| $10 to $15 | 70,351 | 112,499 | 1,599 | 79,564 | 123,177 | 1,548 | 104,509 | 142,655 | 1,365 |
| $15 to $20 | 17,969 | 48,817 | 2,717 | 23,843 | 60,292 | 2,529 | 31,667 | 35,370 | 2,230 |
| $20 to $50 | 29,394 | 152,693 | 5,195 | 30,380 | 133,187 | 4,384 | 36,861 | 154,263 | 4,185 |
| $50 to $100 | 6,865 | 63,526 | 9,254 | 7,424 | 76,852 | 10,352 | 8,863 | 76,402 | 8,620 |
| $100 to $500 | 2,546 | 53,608 | 21,056 | 2,874 | 54,872 | 19,093 | [1] 3,241 | [1] 60,789 | [1] 18,756 |
| $500 to $1,000 | 145 | 5,295 | 36,517 | 170 | 6,625 | 38,971 | 193 | 7,566 | 39,202 |
| $1,000 and over | 76 | 4,500 | 59,211 | 103 | 7,630 | 74,078 | 88 | 3,555 | 40,398 |

[1] Greater detail available for 1966:

| AGI classes (thousands) | Number of returns | Net loss (thousands) | Average loss |
|---|---|---|---|
| $100 to $200 | 2,350 | $36,202 | $15,448 |
| $200 to $500 | 891 | 24,487 | 27,483 |

In other words, in 1966, the average farm losses reported by 88 millionaires were in excess of $40,000—that is seven times as much as the average Iowa farmer earned in total net income last year.

Last year, the Departments of Agriculture and Treasury submitted to the Senate Finance Committee their comments on an earlier version of this legislation, introduced by Senator METCALF as S. 2613 and by me as H.R. 17478.

Both Departments cited the need for the legislation, but each suggested changes to better carry out the purpose of the bill. Those changes have been incorporated into the measure which I am introducing today.

Because the departmental comments offer further insight into the problem and additional explanation of the legislation, with unanimous consent I include them at this point in the RECORD:

TREASURY DEPARTMENT,
*Washington, D.C., July 11, 1968.*

Hon. RUSSELL B. LONG,
*Chairman, Committee on Finance,*
*U.S. Senate,*
*Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the Treasury Department's views on S. 2613, a bill "To amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income", as it would be amended by Amendment No. 529. I note that S. 3443, while differing in many respects, is designed to deal with the same subject and has been referred to your Committee.

The objective of S. 2613 is to eliminate the provisions which presently grant high bracket taxpayers substantial tax benefits from the operation of certain types of farms on a part-time basis. These taxpayers, whose primary economic activity is other than farming, carry on limited farming activities such as citrus farming or cattle raising. By electing the special farm accounting rules—which were developed to ease the bookkeeping chores for ordinary farmers—these high bracket taxpayers show farm "tax losses" which are not true economic losses. These "tax losses" are then deducted from their other income resulting in large tax savings. Moreover, these "tax losses" frequently represent the cost of creating a farm asset (i.e., the cost of raising a breeding herd) which will ultimately be sold and the proceeds (including the part representing a recoupment of the previously deducted expenses) taxed only at lower capital gains rates. Thus, deductions are set off against ordinary income, while the sale price of the resulting assets represents capital gain. The essence of the bill is to deny high bracket part-time farmers the ability to use the generous farm tax accounting rules to reduce taxes on their non-farm income.

When a taxpayer purchases and operates a farm for tax purposes, it inevitably leads to a distortion of the farm economy. The tax benefits allow an individual to operate a farm at an economic breakeven or even a loss and still realize a profit. For example, for a top bracket taxpayer, where a deduction is associated with eventual capital gains income, each $1.00 of deduction means an immediate tax savings of 70 cents to be offset in the future by only 25 cents of tax. This cannot help but result in a distortion of the farm economy, especially for the ordinary farmer who depends on his farm to produce the income needed to support him and his family.

This distortion may be evidenced in various ways: For one, the attractive farm tax benefits available to wealthy persons have caused them to bid up the price of farm land beyond that which would prevail in a normal farm economy. Furthermore, because of the present tax rules, the ordinary farmer must compete in the market place with these wealthy farm owners who may consider a farm profit—in the economic sense—unnecessary for their purposes. Statistics show a clear predominance of farm losses over farm gains among high-bracket taxpayers with income from other sources.

The Treasury Department supports the objective of S. 2613, but suggests certain modifications in its operation. There is attached a memorandum which, in more detail, describe the problem involved, the reasons for the Treasury's position and its recommended changes.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the Administration's program to the presentation of this report.

Sincerely yours,

STANLEY S SURREY,
*Assistant Secretary.*

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AN ANALYSIS OF S. 2613 AND THE FARM LOSS PROBLEM

The objective of S. 2613 is to remove certain unjustified tax benefits available to high bracket taxpayers whose primary economic activity is other than farming through the operation of cattle and other farming activities on a part-time basis. This memorandum describes the general tax problem involved; and then discusses the remedy offered by S. 2613.[1]

The Treasury Department supports the objectives of S. 2613, but suggests certain modifications in its operation.

1. GENERAL BACKGROUND

*Methods of accounting*—There are two principal methods of accounting used in reporting business income for tax purposes. In general, those businesses which do not involve the production or sale of merchandise may use the cash method. Under it, income is reported when received in cash or its equivalent, and expenses are deducted when paid in cash or its equivalent.

On the other hand, in businesses where the production or sale of merchandise is a significant factor, income can be properly reflected only if the costs of the merchandise are deducted in the accounting period in which the income from its sale is realized. This is accomplished by recording costs when incurred and sales when made, and including in inventory those costs attributable to unsold goods on hand at year's end. Deduction of the costs included in inventory must be deferred until the goods to which they relate are sold and is not permitted when the costs are incurred. Thus, under this method of accounting, income from sales of inventory and the costs of producing or purchasing such inventory are matched in the same accounting period thereby properly reflecting income.

Farmers, however, have been excepted from these general rules. Even in those cases where inventories are a material factor, they have historically been permitted to use the cash accounting method and ignore their year-end inventories of crops, cattle, etc. This has resulted in an inaccurate reflection of their annual income since expenditures are fully deducted in the year incurred, notwithstanding the fact that the assets produced by those expenditures (inventories) are not sold, and the income not reported, until a later year.

[1] The sponsor of S. 2613 has also offered Amendment No. 529. The proposed amendment is a minor technical change which does not affect the substance of the bill. The amendment has been considered in this analysis.

*Capitalization of costs.*—Farmers are also permitted another liberal tax accounting rule. In most businesses, the cost of constructing an asset (including maintenance of the asset prior to its being used in the business) is a capital expenditure which may not be deducted as incurred but may be recovered only by depreciation over the useful life of the asset. In this manner, the cost of the asset is matched with the income earned by the asset. Farmers, however, have been permitted to deduct some admittedly capital costs as they are incurred. For example, a citrus grove may not bear a commercial crop until 6 or 7 years after it has been planted. Yet, the farmer may elect to deduct as incurred all costs of raising the grove to a producing state even though such expenditures are capital in nature. Similarly, the capital nature of expenditures associated with the raising of livestock held for breeding may be ignored and the expenditures may be deducted currently. These premature deductions frequently result in artificial tax losses.

*The problem.*—These liberal deviations from good accounting practices were permitted for farm operation in order to spare the ordinary farmer the bookkeeping chores associated with inventories and accrual accounting.

However, many high bracket taxpayers, whose primary economic activity is other than farming, carry on limited farming activities such as citrus farming or cattle raising. By electing the special farm accounting rules which allow premature deductions, many of these high bracket taxpayers show farm losses which are not true economic losses. These "tax losses" are then deducted from their other high bracket income resulting in large tax savings. Moreover, these "tax losses" which arise from deductions taken because of capital costs or inventory costs usually thus represent an investment in farm assets rather than funds actually lost. This investment quite often will ultimately be sold and taxed only at low capital gains rates. Thus, deductions are set off against ordinary income, while the sale price of the resulting assets represents capital gain. The gain is usually the entire sales price since the full cost of creating the asset has previously been deducted against ordinary income.

*Examples.*—Under the present rules, if the taxpayer has chosen not to capitalize raising costs and also does not use an inventory method of accounting, he may deduct as incurred all the expenses of raising a breeding herd. These include breeding fees, costs of feed, and other expenses attributable to the growth of the herd. During the development of the herd, there is relatively little income realized to offset these expenses with the result that "tax losses" are incurred which may be used to offset the taxpayer's nonfarm income. When the herd has reached its optimum size, a taxpayer seeking the maximum tax savings will sell the entire herd. If he does, he may report the entire proceeds of the sale as capital gain.

The dollars and cents value of this tax treatment can readily be seen through a simple example. Assume that the expenses of raising the herd are $200,000. If the taxpayer is in the top tax bracket, the current deduction of these expenses will produce a tax savings of $140,000. On the sale of the herd, however, the entire sales price, including the $200,000 representing the recovery of these expenses, will be taxable only at the 25 percent capital gains rate. The capital gains tax on $200,000 is $50,000; or less than half the tax savings realized in the earlier years. Thus, the taxpayer in this situation would realize a $90,000 tax profit from a transaction which economically is merely a break-even.

In the typical situation, the taxpayer will then begin the entire cycle again by starting a new breeding herd which produces more

losses and which is later sold at capital gains rates.

Similar advantages are available to one who develops citrus groves, fruit orchards, vineyards, and similar ventures. These assets require several years to mature; however, the development costs, such as the costs of water, fertilizer, cultivation, pruning, and spraying may be deducted as incurred and before the venture produces any income. When the operation has reached the stage where it is ready to begin producing on a profitable basis, the orchard, grove, or vineyard is frequently sold in a transaction which qualifies for the lower capital gains tax rates. Meanwhile, the expenses incurred in the years prior to the sale have been used to create "tax losses" which have been offset against high-bracket ordinary income from other occupations.

*Effect of tax benefits on farm economy.*—When a taxpayer purchases and operates a farm for tax purposes, it leads to a distortion of the farm economy. The tax benefits allow an individual to operate a farm at an economic breakeven or even loss and still realize a profit. For example for a top bracket taxpayer where a deduction is associated with eventual capital gains income each $1.00 of deduction means an immediate tax savings of 70 cents to be offset in the future by only 25 cents of tax. This cannot help but result in a distortion of the farm economy especially for the ordinary farmer who depends on his farm to produce the income needed to support him and his family.

This distortion may be evidenced in various ways: For one the attractive farm tax benefits available to wealthy persons have caused them to bid up the price of farm land beyond that which would prevail in a normal farm economy. Furthermore because of the present tax rules the ordinary farmer must compete in the market place with these wealthy farm owners who may consider a farm profit—in the economic sense—unnecessary for their purposes.

*Scope of the problem.*—Statistics show a clear predominance of farm losses over farm gains among high-bracket taxpayers with income from other sources. The simplest statistics are: In 1965 among taxpayers with less than $50,000 of adjusted gross income, total farm profits were $5.1 billion and total farm losses were $1.7 billion; about a five-to-two ratio of *profits* to losses. Among taxpayers with adjusted gross income between $50,000 and $500,000, profits and losses were in an approximate one-to-one ratio. However, among taxpayers with adjusted gross income over $500,000, total farm profits were $2 million and total farm losses were $14 million, a more than seven-to-one ratio in the other direction—that is, *losses* to profits.

*Conclusion.*—These data demonstrate the scope and seriousness of the problem. The fact is that our tax laws have spawned artificial tax profits and have distorted the farm economy. S. 2613 is one avenue to a solution to this problem. The Treasury Department supports its objectives and the general approach it takes. The bill does, however, present certain operational problems discussed below. Where appropriate, we have suggested an alternative to overcome the difficulty.

2. AN ANALYSIS OF S. 2613

The essence of the bill is to deny wealthy part-time farmers the ability to use the generous farm accounting rules to reduce taxes on their non-farm income. To accomplish this, the bill would add a new section to the Internal Revenue Code which, in the case of taxpayers who are not "bona fide farmers"[2] as defined in the bill, would disallow as an offset to other income in any taxable year, the excess of all deductions attributable to the business of farming over the aggregate gross income derived from the business of farming in that year.

A bona fide farmer is defined as an individual (A) whose principal business activity is the carrying on of farming operations or (B) who is engaged in the business of farming as the principal source of his livelihood or (C) who is the spouse of an individual who falls under (A) or (B). A corporation would be considered a bona fide farmer if 80 percent or more of its stock were owned by individuals who are also bona fide farmers.

*Definitional problems.*—The bill thus would limit the tax benefits of farm losses to a defined group. In the Treasury Department's opinion, this approach will lead to administrative difficulty because the meanings of the defining phrases such as "principal business activity" and "principal source of livelihood" are not susceptible of precise definition, and therefore, will inevitably lead to much controversy and perhaps litigation.

As an alternative, we suggest placing a ceiling on the amount of nonfarm income which could be offset by farm losses in any one year. If there were excess farm losses, they could be carried backward and forward to offset farm income, but no other income, of other years. If part of a taxpayer's income for a year consists of capital gains, his carryover of excess farm deductions would be reduced by the excluded half of his capital gains income. No matter what the source of the nonfarm income, excess farm deductions arising from the special farm tax accounting rules would not be permitted to offset it. On the other hand, the ordinary farmer incurring a loss would be protected under this approach in two ways: First, by allowing a limited deduction for farm losses, an ordinary farmer who must take part time or seasonal employment to supplement his income in a poor year in his farm operations would not be deprived of his farm loss deductions. Second, the carryover and carryback provisions would be available to absorb large one-time losses. In other words, the provision would, in operation, only affect taxpayers with relatively large amounts of nonfarm income, that is, individuals who do not have to depend on their farm income for their livelihood.

*Corporate farms.*—In his floor statement Senator Metcalf, the bill's author, noted that corporations were moving into farming at an increasing rate. While he was disturbed by this trend, he did not propose to prohibit corporate farming in this bill. Instead, the purpose was to "eliminate the possibility of corporations getting Federal tax rewards for engaging in loss operations in the farming field." The bill would achieve this goal by denying corporations the right to offset nonfarm income with farm losses unless 80 percent or more of the corporation's stock is held by bona fide farmers. CONGRESSIONAL RECORD, volume 113, part 23, page 30702.

The Treasury Department defers to the Department of Agriculture on the question of the desirability of corporate farming. However, whatever the decision on that matter, the corporate provisions in the bill do not appear to represent an effective approach to the issue. On the one hand they would deny the tax benefits of a farm loss on the basis of the make-up of the shareholders and not the nature of the corporation's activities. Thus, the farm loss abuse would still be available to a limited group of individuals who are able to arrange their farming and non-farming business so as to qualify as "farmers" based on their non-corporate activities although they would not be based on both their corporate and non-corporate activities. For example, if a taxpayer has two farming operations, but is primarily engaged in a non-farming business, he would not be entitled to deduct any farm losses (or, under the Treasury alternatives, only a limited amount). However, by transferring his non-farm business and one farm operation to a corporation and retaining the other farm business, he would qualify as a farmer since his only remaining business activity is farming. As a result, his corporation would be excused from the farm loss limitations. This result seems clearly inconsistent with the purpose of the bill.

On the other hand, as a discouragement to corporate farming, the provisions would affect only loss operations and not profitable ones which likewise seems somewhat inconsistent. Thus, it does not appear that a proposal concerning "tax losses" is an appropriate vehicle for dealing with the general issues of corporate farming. It is therefore suggested that, in lieu of the corporate rules in the bill, corporations be covered in the same manner as individual farmers and farms run by a partnership.

*Capital gains.*—Under the bill, a taxpayer would be permitted to measure the amount of his allowable farm expense deductions for a taxable year by the full amount of any long-term capital gains for that year arising from sales of farm assets although, in fact, he receives a deduction equal to 50 percent of these gains in computing his income subject to tax. Thus, in this situation, the taxpayer will in effect receive a double deduction against his capital gain farm income. This is an important problem because of the special capital gain treatment allowed on the sale of farm assets such as draft and breeding livestock, and citrus groves. This problem could be solved by providing for an adjustment that would limit the measure of allowable farm deductions to the taxable one-half of capital gains.

*Special treatment for certain losses and expenses.*—On the other hand, it would seem appropriate to except some kinds of farm expenses from the disallowance provisions. One category of farm expenses would include taxes and interest which are generally deductible whether or not they are attributable to an income producing activity. A second category would include casualty and abandonment losses and expenses and losses arising from drought. These events are generally not in the taxpayer's control and disallowance of the loss or expense could create an undue hardship to the taxpayer since they may be catastrophic. These same expenses and losses are now excluded from the operation of section 270 which excludes losses in connection with a hobby operation.

*Scope of the bill.*—As noted at the outset, the farm loss problems at which the bill is aimed arise from the use of accounting methods which do not properly match income and expenses, such as the failure to use an inventory method where goods on hand at year end are a significant factor. Consequently, there would seem to be no reason to subject a taxpayer who adopts a proper method of accounting and capitalizes expenses to the restrictive rules of this bill. There is, in fact, a positive advantage in encouraging the adoption of sound accounting practices. Therefore, we recommend that the scope of this bill be limited to those taxpayers who, with respect to their farming operations, do not elect to use inventories and to capitalize all expenditures which should be capitalized under generally recognized tax accounting principles.

* * * * *

As indicated, these are not changes that go to the heart of the bill. We thoroughly agree with its objective and general ap-

[2] Taxpayers who were not bona fide farmers when a farming enterprise was acquired but who became bona fide farmers by the end of the second taxable year following the year of acquisition would qualify as such from the time of acquisition. There are also exceptions for a farming enterprise acquired from a decedent, acquired by foreclosure, or acquired in the ordinary course of carrying on the trade or business or buying or selling real property.

proach. Our suggestions are generally to improve its efficiency.

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DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
*Washington, D.C., July 5, 1968.*

Hon. RUSSELL B. LONG,
*Chairman, Committee on Finance,*
*U.S. Senate,*
*Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request of November 2, 1967, for a report on S. 2613, a bill "To amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not qualified farmers may not be used to offset nonfarm income;" to your request of February 19, 1968, for a report on Amendment No. 529, a technical amendment to S. 2613; to your request on May 9, 1968, for a report on S. 3443; and to your request of June 20, 1968, for a report on Amendment 853 to S. 3443. S. 3443 has purposes similar to S. 2613 but differs in some of the details.

These bills are designed to capture some of the taxes avoided by some individuals with sizeable income from sources other than agriculture, who operate farm enterprises at a loss and deduct farm losses from their income from other sources. It would accomplish this objective by providing that taxpayers engaged in the business of farming, but who did not have farming as their principal business activity as defined in the law, could deduct farm expenses only to the extent of their gross farm income.

The Department of Agriculture is certainly in agreement with the objectives of these bills. We believe that there are serious problems in the area of the tax treatment of farm income, and that these problems can be remedied. However, we feel that certain modifications in these bills would help to achieve their objectives more effectively, and at the same time would minimize other potential problems.

Perhaps the most important problem under these bills would be the effect on low-income farmers. Many of these farmers also hold nonfarm jobs, and off-farm income is often their most important source of livelihood. Under the proposed legislation, it would appear that these farmers would not be permitted to offset farm losses against income from their nonfarm jobs in years in which they lost money on the farm. Such a provision would have serious effects on present efforts to ameliorate rural poverty.

We believe the objectives of this bill could be accomplished more effectively if certain modifications were made. We recommend placing a reasonable ceiling on the amount of nonfarm income which could be offset by farm losses in any one year. If there were excess farm losses, they could be carried backward and forward to offset farm income, but no other income, of other years. Thus, no matter what the source of the nonfarm income, excess farm deductions arising from the special farm tax accounting rules would not be permitted to offset it. The ordinary farmer incurring a loss would be protected under this approach in two ways: First, by allowing a limited deduction for farm losses, an ordinary farmer who must take part-time or seasonal employment to supplement his income would not be deprived of his farm loss deductions. Second, the carryover and carryback provisions would be available to absorb large one-time losses. In other words, the provisions would, in operation, affect only taxpayers with relatively large amounts of nonfarm income, that is, individuals who do not have to depend on their farm income for an adequate living standard.

It would seem appropriate, however, to exclude from the definition of farm losses some kinds of farm expenses. One group of such expenses would include taxes and interest, which are generally deductible whether or not they are attributable to an income-producing activity. A second group would include casualty and abandonment losses and expenses and losses arising from drought. These events are generally not in the taxpayer's control and disallowance of the loss or expense could create an undue hardship for the taxpayer. These same losses and expenses are now excluded from the operation of Section 270, which excludes losses in connection with a hobby operation.

The special position of farm losses for tax purposes which this bill is designed to change arise from the use of cash accounting procedures by individuals and corporations with large incomes from nonfarm sources who also engage in farming. The cash accounting method does not properly match income and expenses for these firms and individuals. For example, the failure to use an inventory method where goods on hand at a year's end are of considerable value can significantly overstate losses. However, the present farm tax advantages do not apply to a taxpayer who adopts an accrual method of accounting and capitalizes expenses. Therefore, we recommend that the scope of this bill be limited to those taxpayers who elect to use the cash accounting procedures.

This Department is now studying the problem of corporation activity in agriculture, with the objective of obtaining better information on both its extent and its probable effects. We do not believe, however, that it is necessary to wait for the completion of this study to recommend modifications in the tax treatment of corporations engaged in farming. Simple equity would seem to us to dictate that corporations be covered under this proposed legislation in the same manner as are individual farmers and farms run by a partnership. To do otherwise would be to open up new possibilities for tax avoidance through changes in legal form of organization, and raise the danger of attendant problems of distortions in our economic organization due solely to attempts to claim tax advantages.

This Department is informed that the Treasury Department is making similar recommendations with respect to changes in the language of S. 2613. We strongly urge passage of legislation which eliminates existing "farm tax havens" for individuals and corporations with substantial nonfarm incomes.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

ORVILLE L. FREEMAN,
*Secretary.*

Mr. Speaker, I urge my colleagues in the House to join in sponsoring this legislation, and, with unanimous consent, place it at this point in the RECORD:

H.R. 4257

A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 277. LIMITATION ON DEDUCTIONS ATTRIBUTABLE TO FARMING.

"(a) GENERAL RULE.—In the case of a taxpayer engaged in the business of farming, the deductions attributable to such business which, but for this section, would be allowable under this chapter for the taxable year shall not exceed the sum of—

"(1) the adjusted farm gross income for the taxable year, and

"(2) the higher of—

"(A) the amount of the special deductions (as defined in subsection (d)(3)) allowable for the taxable year, or

"(B) $15,000 ($7,500 in the case of a married individual filing a separate return), reduced by the amount by which the taxpayer's adjusted gross income (taxable income in the case of a corporation) for the taxable year attributable to all sources other than the business of farming (determined before the application of this section) exceeds $15,000 ($7,500 in the case of a married individual filing a separate return).

"(b) EXCEPTION FOR TAXPAYERS USING CERTAIN ACCOUNTING RULES.—

"(1) IN GENERAL.—Subsection (a) shall not apply to a taxpayer who has filed a statement, which is effective for the taxable year, that—

"(A) he is using, and will use, a method of accounting in computing taxable income from the business of farming which uses inventories in determining income and deductions for the taxable year, and

"(B) he is charging, and will charge, to capital account all expenditures paid or incurred in the business of farming which are properly chargeable to capital account (including such expenditures which the taxpayer may, under this chapter or regulations prescribed thereunder, otherwise treat or elect to treat as expenditures which are not chargeable to capital account).

"(2) TIME, MANNER, AND EFFECT OF STATEMENT.—A statement under paragraph (1) for any taxable year shall be filed within the time prescribed by law (including extensions thereof) for filing the return for such taxable year, and shall be made and filed in such manner as the Secretary or his delegate shall prescribe by regulations. Such statement shall be binding on the taxpayer, and be effective, for such taxable year and for all subsequent taxable years and may not be revoked except with the consent of the Secretary or his delegate.

"(3) CHANGE OF METHOD OF ACCOUNTING, ETC.—If, in connection with a statement under paragraph (1), a taxpayer changes his method of accounting in computing taxable income or changes a method of treating expenditures chargeable to capital account, such change shall be treated as having been made with the consent of the Secretary or his delegate and, in the case of a change in method of accounting, shall be treated as a change not initiated by the taxpayer.

"(c) CARRYBACK AND CARRYOVER OF DISALLOWED FARM OPERATING LOSSES.—

"(1) IN GENERAL.—The disallowed farm operating loss for any taxable year (hereinafter referred to as the 'loss year') shall be—

"(A) a disallowed farm operating loss carryback to each of the 3 taxable years preceding the loss year, and

"(B) a disallowed farm operating loss carryover to each of the 5 taxable years following the loss year, and (subject to the limitations contained in paragraph (2)) shall be allowed as a deduction for such years, under regulations prescribed by the Secretary or his delegate, in a manner consistent with the allowance of the net operating loss deduction under section 172.

"(2) LIMITATIONS.—

"(A) IN GENERAL.—The deduction under paragraph (1) for any taxable year for disallowed farm operating loss carrybacks and carryovers to such taxable year shall not exceed the taxpayers' net farm income for such taxable year.

"(B) CARRYBACKS.—The deduction under paragraph (1) for any taxable year for disallowed farm operating loss carrybacks to such taxable year shall not be allowable to the extent it would increase or produce a net operating loss (as defined in section 172(c)) for such taxable year.

"(3) TREATMENT AS NET OPERATING LOSS CARRYBACK.—Except as provided in regulations prescribed by the Secretary or his delegate, a disallowed farm operating loss carry-

back shall, for purposes of this title, be treated in the same manner as a net operating loss carryback.

"(d) DEFINITIONS.—For purposes of this section—

"(1) ADJUSTED FARM GROSS INCOME.—The term 'adjusted farm gross income' means, with respect to any taxable year, the gross income derived from the business of farming for such taxable year (including recognized gains derived from sales, exchanges, or involuntary conversions of farm property), reduced, in the case of a taxpayer other than a corporation, by an amount equal to 50 percent of the lower of—

"(A) the amount (if any) by which the recognized gains on sales, exchanges, or involuntary conversions of farm property which under section 1231(a) are treated as gains from sales or exchanges of capital assets held for more than 6 months exceed the recognized losses on sales, exchanges, or involuntary conversions of farm property which under section 1231(a) are treated as losses from sales or exchanges of capital assets held for more than 6 months, or

"(B) the amount (if any) by which the recognized gains described in section 1231 (a) exceed the recognized losses described in such section.

"(2) NET FARM INCOME.—The term 'net farm income' means, with respect to any taxable year, the gross income derived from the business of farming for such taxable year (including recognized gains derived from sales, exchanges, or involuntary conversions of farm property), reduced by the sum of—

"(A) the deductions allowable under this chapter (other than by subsection (c) of this section) for such taxable year which are attributable to such business, and

"(B) in the case of a taxpayer other than a corporation, an amount equal to 50 percent of the amount described in subparagraph (A) or (B) of paragraph (1), whichever is lower.

"(3) SPECIAL DEDUCTIONS.—The term 'special deductions' means the deductions allowable under this chapter which are paid or incurred in the business of farming and which are attributable to—

"(A) taxes,

"(B) interest,

"(C) the abandonment or theft of farm property, or losses of farm property arising from fire, storm, or other casualty,

"(D) losses and expenses directly attributable to drought, and

"(E) recognized losses from sales, exchanges, and involuntary conversions of farm property.

"(4) FARM PROPERTY.—The term 'farm property' means property which is used in the business of farming and which is property used in the trade or business within the meaning of paragraph (1), (3), or (4) of section 1231 (b) (determined without regard to the period for which held).

"(5) DISALLOWED FARM OPERATING LOSS.—The term 'disallowed farm operating loss' means, with respect to any taxable year, the amount disallowed as deductions under subsection (a) for such taxable year, reduced, in the case of a taxpayer other than a corporation, by an amount equal to 50 percent of the amount described in subparagraph (A) or (B) of paragraph (1), whichever is lower.

"(e) SPECIAL RULES.—For purposes of this section—

"(1) BUSINESS OF FARMING.—A taxpayer shall be treated as engaged in the business of farming for any taxable year if—

"(A) any deduction is allowable under section 162 or 167 for any expense paid or incurred by the taxpayer with respect to farming, or with respect to any farm property held by the taxpayer, or

"(B) any deduction would (but for this paragraph) otherwise be allowable to the taxpayer under section 212 or 167 for any expense paid or incurred with respect to farming, or with respect to property held for the production of income which is used in farming.

For purposes of this paragraph, farming does not include the raising of timber. In the case of a taxpayer who is engaged in the business of farming for any taxable year by reason of subparagraph (B), property held for the production of income which is used in farming shall, for purposes of this chapter, be treated as property used in such business.

"(2) INCOME AND DEDUCTIONS.—The determination of whether any item of income is derived from the business of farming and whether any deduction is attributable to the business of farming shall be made under regulations prescribed by the Secretary or his delegate, but no deduction allowable under section 1202 (relating to deduction for capital gains) shall be attributable to such business.

"(3) CONTROLLED GROUP OF CORPORATIONS.—If two or more corporations which—

"(A) are component members of a controlled group of corporations (as defined in section 1563) on a December 31, and

"(B) have not filed a statement under subsection (b) which is effective for the taxable year which includes such December 31, each have deductions attributable to the business of farming (before the application of subsection (a)) in excess of its gross income derived from such business for its taxable year which includes such December 31, then, in applying subsection (a) for such taxable year, the $15,000 amount specified in paragraph (2) (B) of such subsection shall be reduced for each such corporation to an amount which bears the same ratio to $15,000 as the excess of such deductions over such gross income of such corporation bears to the aggregate excess of such deductions over such gross income of all such corporations.

"(4) PARTNERSHIPS.—A business of farming carried on by a partnership shall be treated as carried on by the members of such partnership in proportion to their interest in such partnership. To the extent that income and deductions attributable to a business of farming are treated under the preceding sentence as income and deductions of members of a partnership, such income and deductions shall, for purposes of this chapter, not be taken into account by the partnership.

"(5) TWO OR MORE BUSINESSES.—If a taxpayer is engaged in two or more businesses of farming, such businesses shall be treated as a single business.

"(6) RELATED INTEGRATED BUSINESSES.—If a taxpayer is engaged in the business of farming and is also engaged in one or more businesses which are directly related to his business of farming and are conducted on an integrated basis with his business of farming, the taxpayer may elect to treat all such businesses as a single business engaged in the business of farming. An election under this paragraph shall be made in such manner, at such time, and subject to such conditions as the Secretary or his delegate may prescribe by regulations.

"(7) SUBCHAPTER S CORPORATIONS AND THEIR SHAREHOLDERS.—

"For special treatment of electing small business corporations which do not file statements under subsection (b) and of the shareholders of such corporations, see section 1379.

"(f) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

SEC. 2. (a) The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 277. Limitation on deductions attributable to farming."

(b) Section 172(1) of such Code is amended by adding at the end thereof the following new paragraph:

"(3) For limitations on deductions attributable to farming and special treatment of disallowed farm operating losses, see section 277."

(c) Section 381(c) of such Code is amended by adding at the end thereof the following new paragraph:

"(24) FARM OPERATING LOSS CARRYOVERS.—The acquiring corporation shall take into account, under regulations prescribed by the Secretary or his delegate, the disallowed farm operating loss carryovers under section 277 of the distributor or transferor corporation."

(d)(1) Subchapter S of such Code is amended by adding at the end thereof the following new section:

"SEC. 1379. ELECTING SMALL BUSINESS CORPORATIONS ENGAGED IN BUSINESS OF FARMING.

"(a) SEPARATE APPLICATION TO FARMING INCOME AND DEDUCTIONS.—Under regulations prescribed by the Secretary or his delegate, an electing small business corporation which is engaged in the business of farming during its taxable year (other than a corporation which has filed a statement under section 277(b) which is effective for such taxable year), and the shareholders of such corporation, shall apply the provisions of sections 1373 through 1378, separately with respect to—

"(1) income derived from the business of farming by such corporation and deductions attributable to such business, and

"(2) all other income and deductions of such corporation. In computing the taxable income and undistributed taxable income, or net operating loss, of such corporation with respect to the business of farming, no deduction otherwise allowable under this chapter shall be disallowed to such corporation under section 277.

"(b) SHAREHOLDERS TREATED AS ENGAGED IN BUSINESS OF FARMING, ETC.—For purposes of section 277—

"(1) each shareholder of an electing small business corporation to which subsection (a) applies shall be treated as engaged in the business of farming,

"(2) the undistributed taxable income of such corporation which is included in the gross income of such shareholder under section 1373 and is attributable to income and deductions referred to in subsection (a)(1), and dividends received which are attributable to such income and deductions and are distributed out of earnings and profits of the taxable year as specified in section 316 (a)(2), shall be treated as income derived from the business of farming by such shareholder, and

"(3) the deduction allowable (before the application of section 277) to such shareholder under section 1374 as his portion of such corporation's net operating loss attributable to income and deductions referred to in subsection (a)(1) shall be treated as a deduction attributable to the business of farming.

"(c) SPECIAL RULES OF SECTION 277(e) APPLICABLE.—For purposes of this section, the special rules set forth in section 277(e) shall apply."

(2) The table of sections for subchapter S of such Code is amended by adding at the end thereof the following new item:

"Sec. 1379. Electing small business corporations engaged in business of farming."

SEC. 3. The amendments made by this Act shall apply to taxable years beginning after the date of the enactment of this Act, except that for purposes of applying section

277(c) of the Internal Revenue Code of 1954 (as added by the first section of this Act) with respect to disallowed farm operating losses of any taxpayer for taxable years beginning after such date—

(1) such amendments shall also apply to the 3 taxable years of such taxpayer preceding the first taxable year beginning after such date, and

(2) in the case of a taxpayer to whom section 1379(b) of such Code (as added by section 2(d) of this Act) applies for any of his first 3 taxable years beginning after such date, section 1379 of such Code shall apply with respect to the electing small business corporation of which such taxpayer is a shareholder for the 3 taxable years preceding each such taxable year of such taxpayer, but only with respect to any such preceding taxable year for which the corporation was an electing small business corporation.

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## WILBUR COHEN AND THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 15 minutes.

Mr. COHELAN. Mr. Speaker, Secretary Wilbur Cohen this month completed 34 years of association with the Department of Health, Education, and Welfare and its predecessor agencies. It is fitting that he capped this outstanding record by serving as Secretary of this great Department, which so intimately touches our lives in so many important ways.

Those of us who have, over the years, watched the development of our social security system, of it medicare supplement, of Federal aid to education, and of our Federal welfare programs, know how significantly Wilbur Cohen has contributed to their formulation. His understanding of the problems in these areas, his sensitivity to the proper Federal role in meeting the needs, and his awareness of ways to secure the necessary Federal, State, and local cooperation—all of these have been vital factors in helping us meet our health, education, and welfare responsibilities to the people of our Nation.

Just prior to his departure, Secretary Cohen submitted to President Johnson the annual report of the Department for fiscal year 1968. This summary, together with the Secretary's recommendations for future action, deserve our careful attention. Some of us may not agree with all of the recommendations, but it will be hard not to agree with most of them. But in any case, I salute Wilbur Cohen's dedicated service to his country and I applaud his imaginative determination to seek new solutions for old and persisting problems.

With your permission, Mr. Speaker, I attach the first three sections of Secretary Cohen's report, including that on health, "The Last Health Hurdles," and urge their careful review by my colleagues. It is my intention to present the final sections—on education, welfare, and the financing of these programs—to the House next week.

The first three sections of the report follow:

ANNUAL REPORT OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FISCAL YEAR 1968

SECRETARY'S INTRODUCTION

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
*Washington, D.C., January 14, 1969.*

The PRESIDENT,
*The White House.*

DEAR MR. PRESIDENT: I transmit herewith, in accordance with law, the Annual Report of the Department of Health, Education, and Welfare for the fiscal year ending June 30, 1968.

The Report describes the major programs and activities of the Department and outlines some of the major recent accomplishments. It also touches on some of the important challenges which lie ahead.

With this report I complete 34 years of close association with the Department and its predecessor agencies. I have tried to summarize my experiences and observations in the initial section of the Report. I wish to acknowledge the strong support you have given to the work of the Department and the leadership you have shown in expanding the capacity of the Department to assist in improving the health, education, social security, and welfare of the American people.

There is much we have done in the last eight years; there is much yet to be done.

I have appreciated the honor you bestowed upon me in making it possible to have the responsibility of directing the work of this great Department this last year.

Sincerely,

WILBUR J. COHEN,
*Secretary.*

I—THE STEWARDSHIP

The Secretary of Health, Education, and Welfare holds a demanding, versatile, important, exciting and intensely human job. His is a splendidly rich and gratifying stewardship.

He is the only national official paid by all the people whose full-time job is to guard and strengthen the people's health, education and social opportunities. His Department handles the major portion of Federal grants-in-aid funds for social programs. He administers the largest insurance program in the world. So the shape, direction and style of Department programs in many ways set the course for State, local and non-governmental agencies.

The health, education, and welfare of the American people has become big—and urgent—business. As our Nation grows and expands, every sign points to its becoming bigger and more urgent business still.

In 1968 about $163 billion, or roughly 20 percent of our Nation's entire gross national product, went for health, education and social services. These were not, of course, all Federal dollars, but a mix of State, local, Federal and private funds. The Secretary of Health, Education, and Welfare is not charged with responsibility for all these funds and the programs they make possible. Far from it—HEW expenditures represent somewhat less than a quarter of our total national social effort in these fields. A large and growing population, and ever more complex social forces will—and should—combine to make this figure go up in the coming decade.

The Secretary is necessarily concerned with large, sensitive issues of public policy. The Constitution gives major policy responsibility to the President and to the Congress. The Congress is the Board of Directors of the Health, Education, and Welfare Corporation; the President is Chairman of the Board; the Secretary of Health, Education, and Welfare is the Executive Officer. Congress takes action by enacting laws. New needs constantly demand new laws; old laws constantly require repeal or change; programs demand efficient imaginative and dynamic administration. To achieve such administration, the Secretary of Health, Education, and Welfare must review and approve budgets, allocations, priorities. He must approve and issue innumerable reports and recommendations on topics ranging from prescription drugs, to smoking, to the desegregation of schools, to the payments made to people in need.

What's more, the Secretary must listen, must talk, and must consult about emerging national needs—with the President and with other Cabinet members, with the Director of the Budget, Civil Service Commission Chairman and members of Congress of both political parties. He must necessarily argue for increased appropriations because no budget is ever adequate to meet all the health, education, and welfare needs of a great and growing Nation. Many men and women, many young people concerned with social problems bring him their views. For him they are a valuable source of fresh approaches to existing problems, and a way of identifying emerging ones. His door and his mind must never be closed to new ideas, new priorities, new approaches.

As head of the Department which accounts for the largest part of the domestic budget, the HEW Secretary is one of the Nation's chief communicators. He must tell his fellow Americans about everyday health, education, and welfare problems—how to halt danger to their health—or how to improve their children's schooling—or how to restrain rising medical costs. They don't always listen—but they must have the chance to have the facts the Government obtains through their taxes. So the Secretary must be able to read and digest innumerable reports, memos, newspapers, and magazines, testify repeatedly before Congressional committees, answer all kinds of questions in letters, testimony and press conferences, propose new solutions to problems that have been with us since biblical times, and in general report to the American people he serves on his stewardship.

No one can fill this stewardship according to a public administration text.

The Secretary must see and react to physicians, scientists, and other men and women rendering brilliant service to mankind. He also sees and reacts to the narrow jealousies of professional groups as they vent their parochial views on large and important issues. He watches the efforts of Congress as it works hard to meet national needs. He also watches Congressional conflicts or misunderstandings which may delay action on programs and money affecting the very life blood of his Department—and of all Americans.

He must be deeply concerned with the pages of statistics he receives regularly reflecting gaps in the Nation's medical care, education, social security, and welfare. He must be just as deeply concerned with the pen and ink letter on lined paper from the sick man, the student or teacher, the retired widow, and the mother with six children on welfare. They write him when they do not receive help elsewhere.

Urgent telephone calls and letters from Governors and Mayors and business and labor leaders give the Secretary their needs and views. At the same time he hears each day from a husband who wants to know how to pay for his wife's medical bill, from a mother whose child has been in a dispute with school authorities, and from parents and husbands or wives who want their loved ones to enter the Clinical Center at Bethesda, in a last effort to save their lives. Sometimes these calls come to him in the middle of the night; his telephone never stops ringing.

The clock ticks fast in the United States—and at the Department of Health, Education, and Welfare. Every day almost 10,000 babies

are born, over 10,000 young persons turn 21, and over 4,000 men and women cross the mysterious line labeled "age 65." There are over 5,000 marriages and about 1,500 divorces. Each month the mail brings a social security check to over 24 million people and a welfare payment to 8,500,000 persons.

On an average day over 5,000 die, including over 200 infants. Almost 9 million persons are sick or disabled—2 million of them confined to hospitals or nursing homes. On an average weekday some 57 million boys and girls go to class in schools or colleges.

Every one of these people and every one of these events is of concern to the Secretary of Health, Education, and Welfare.

There have been seven Secretaries of Health, Education, and Welfare. I have served the shortest period—less than one year. But I have watched, and studied, and participated in the programs of this Department for over 34 years. When I first reported for duty in 1934, I was paid $1,540 a year. I have worked under five Presidents—Roosevelt, Truman, Eisenhower, Kennedy and Johnson—with different programs and different styles, or ways, of achieving these programs.

This report then, attempts to distill and bring together some of the results of this experience, some of the conclusions reached and recommendations arrived at. It is submitted with humility, and with full respect for the complexities and demands of public office in a Democratic society. It is submitted in partial repayment of the opportunity to have learned, and to have participated in the leadership of this society.

II—IS HEW MANAGEABLE?

In the early days of the Republic, the settlers hungered for the great freedoms—to speak, to think, to write as they pleased. This brought about a society unmatched in ability to learn, and to earn. Today, we strive to add to individual freedom by creating fuller opportunities in which it can be exercised.

The mission of this Department is the creation of these fuller opportunities for individual Americans. This mission calls for a unified approach to the problems of individuals, individual families, and individual neighborhoods. You cannot consider a child's health apart from his education, you cannot further a family's welfare apart from its health—or education. Fragmenting the Department would only fragment its capability to deal with whole human problems.

Most of the vastly expanded health, educational and welfare services that are now provided by government—Federal, State and local—are designed to supplement and to strengthen the family. Government now provides the education services that each family once provided for itself—and government provides infinitely richer and better education. Government provides a wide variety of health services—health education, health research, the elimination of pollution, the construction of hospitals, the administration of Medicare—and thus greatly adds to what each family can buy for itself. And government provides that security of income—either through social security or public assistance—that assures the welfare of the family. The family is the basis of American society and its well being is the central objective of government social programs.

Still, from time to time, outstanding leaders in Congress or the different professions tell us that the Department of Health, Education, and Welfare is unmanageable and should be "broken up."

Broken up how? A separate, cabinet Department of Education has its ardent advocates. So does a cabinet Department of Health, a Department of Human Conservation, and a Department of Consumer Protection.

I do not share the view that the Department should be broken up.

Those who would split HEW into separate parts feel their field of interest—education or health—is so vital to the national interest that it deserves more visibility and prestige. They want to have a voice in the highest councils of government. But if cabinet offices of narrower compass were created, each with its separate constituencies, the President would have to do work now performed by the HEW Secretary—balancing priorities, weighing alternatives, and making decisions about various programs for people. This would add burdens to an already overburdened Presidency.

If more cabinet offices were set up, the President would have more top officials reporting to him, and would have to add more staff in the White House to deal with them and coordinate their views and problems. Anonymous staff in the President's office or the Bureau of the Budget—no matter how able or how experienced—should not be and cannot be responsible to the Congress and the public for major policy decisions. So it might eventually become necessary to elect an Executive Vice President to work directly with Cabinet members and other high ranking officials in the administration of domestic programs.

Those who argue for a Departmental umbrella covering more, not less, territory, stress that HEW's interests range far and wide. I think suggestions for a Department of Human Conservation—or something like it—are valid and should be carefully considered. The Department of Health, Education, and Welfare—often referred to as the Department of the People—should in any case operate in a larger orbit of total concern for human needs.

We must beware of endless quests for different, cleaner separations and neater classifications for the formidable problems of human welfare. The trouble is that such problems do not yield to easy compartmentalization. They won't go away just because you put them in a separate box on a new organization chart. Like executive departments and agencies, Congressional committees find it harder and harder to maintain jurisdictional niceties when they are considering health and welfare legislation.

*Scope, size, diversity*

To support the view that the Department of Health, Education, and Welfare is unmanageable, one would have to argue that the General Motors Corporation is unmanageable, or that the Governors of New York and California cannot possibly manage their states.

The operations of the Department of Health, Education, and Welfare compare favorably with those of any large enterprise, public or private. Social security is administered as efficiently as any private insurance company. The National Institutes of Health fund difficult research as efficiently as any business or university. The Rehabilitation Service has a return of $35 for every $1 it spends on a rehabilitated person.

It is not the size or number of products of an institution which makes it manageable or unmanageable. It is the lack of common purpose. It is the lack of competent staff. It is the lack of intelligent, able leadership. It is the lack of flexibility. It is the lack of a constant flow of new ideas and people willing to change, to experiment, to try new ways.

The Department of Health, Education, and Welfare has a unifying purpose, and has a cohesive concept pulling its several parts toward a common end—improving the quality of life for all Americans, increasing their options and so their freedom.

The Department has able and dedicated staff: including a Nobel Prize winning geneticist; a half-dozen Rockefeller Public Service Award winners; and innumerable winners of other national awards. There is no doubt that as their programs grow, HEW's personnel can handle increased responsibilities. I do not believe there is any substantial merit in the argument that the scope, size, or diversity of the Department make it unmanageable. But the Secretary and his staff need additional help to lead and manage HEW effectively. I recommend:

That the Secretary of Health, Education, and Welfare be selected by the President from among men and women who do not intend to seek other elective public office or judicial appointment. The decision-making responsibility for health, education, and welfare (including such matters as civil rights) is so important that it should not be based even in part upon possible impact on the Secretary's political future.

That the Secretary of Health, Education, and Welfare not be a professional specialist in one of the fields of the Department's work. He should be a well-informed generalist who does not lean toward any individual specialty or group.

That the Secretary have enough staff assistants so that he can realistically carry out his important responsibilities. The Secretary's capability was much improved with the addition of three Assistant Secretaries in 1965. But the Department's top management is still inadequate. The Department needs:

Three Under Secretaries to deal with substantive program matters in health, in education and in social opportunities.

A new Under Secretary for Management, skilled in managing large enterprise, who should be a permanent career official. He would give the Department continuing managerial competence through political transitions. The present position of Under Secretary should be retained to provide the Secretary with a top level assistant and to aid him in handling policy matters.

Two more Assistant Secretaries: one for Public Affairs; another for International Programs.

That the Congress substantially increase the salary scale for senior personnel if the Department is to attract and retain qualified and able scientists, physicians, actuaries and administrators. Since these men and women can get much higher incomes outside of government (often for jobs with much less responsibility), the Department cannot compete fairly for them in the economic marketplace. This is an urgent need.

*The need for flexibility*

The Secretary must be able to organize and run his own shop.

Every Secretary faces pressure from organized groups outside the Federal establishment. If there is a special unit in the Department which deals with its concerns, that pressure group usually wants to raise the unit up the status ladder, to report directly to the Secretary or an Assistant Secretary. Children's groups want the Children's Bureau reporting to the Secretary, and senior citizens want the same for the Administration on Aging. Mental health advocates have urged that the Secretary move the National Institute of Mental Health out of the Health Services and Mental Health Administration, to report directly to the Assistant Secretary for Health and Scientific Affairs. This internal competition is based on the notion that the more "visible" a unit, the more money it will get from Congress, and the more time and attention it will get from the Secretary.

All these proposals have merit within their individual narrow domains. But no group of professionals, or advocates of any one program—no matter how worthy—should be able to freeze HEW's structure. If he is to do his job, the Secretary must be able to organize the whole Department so it can work in coordinated, effective and balanced ways, in the entire public interest. After all, the Secretary's decisions are subject to review and revision by the President, the courts, the press, and various committees of

both Houses of Congress—legislative, investigative, and appropriations.

Public policy should not be determined by a bureaucratic pecking order. Priorities should be set by the Secretary, the President, and the Congress in terms of national needs. Substituting administrative rigidity for flexibility hampers the Department's ability to deal with changing situations as they arise.

Just as the Secretary should not have his organizational hands tied by outside pressure groups, so he must not be tied lock, stock and barrel by the legislative branch. Over 200 specific limitations and directions on spending in the HEW appropriation act this year limit his discretion. Many more such directions in committee reports and legislative history of debates limit it further. Some directions specifically concern minor details, others broadly delegate policy decisions.

Congress must always have the last say. Realistically, the Executive Branch of Government must share with the Legislative Branch the broad responsibility for directing programs. But the very least that Congress could do to make this sharing process work is to give the Secretary needed flexibility to meet changed circumstances, emergencies, or new priorities.

What's more, the Secretary himself must not have his hands tied by his own bureaucracy. He must be able to continue strengthening the Department's regional offices—out where the people are. The nine regional HEW directors serve as his personal representatives in the communities where Americans live, and where their problems proliferate. Regional offices should have more authority and more responsibility for decison-making, more power to earmark funds, and to make certain grants and contracts for vital projects. Our best men in Washington should take pride in accepting assignments in the field. A field command is regarded as an asset to the career of any army officer, and a post abroad is an asset to any diplomat. So work in the field should be the mark of a well-rounded HEW employee.

Therefore, I recommend:

That the Secretary have authority to organize and reorganize the Department internally from time to time. In doing so, he would aim for efficiency, economy and efficacy. He should not be stymied by organizational entities required by existing laws—the 1912 laws relating to the Children's Bureau, for instance, or the 1965 law relating to the Administration on Aging.

The return of the Elementary and Secondary Education program to regional decentralization, and more regional staff of all kinds so that the regional offices can work closely with city and State officials, empowered to help them strengthen grass roots government.

Legislation which would authorize the Secretary to use up to $25 million of unexpended appropriations under existing laws to meet needs which are not specifically provided for in the Appropriation Act, and which arise from emergencies, or changing circumstances. Instead of 200 appropriation items, there should be no more than 100 groupings—leaving both the Congress its proper role in money matters and more flexibility for the Secretary.

*Relationships with the Office of Economic Opportunity*

The Office of Economic Opportunity has pioneered with a number of bold and important anti-poverty programs. Now good management and efficient administration demand that those poverty programs that have been tested and proved should be tied in more closely with ongoing programs in the Cabinet Departments. This is the only way they can enter into and affect our systems of government.

As administrator of the Nation's largest anti-poverty programs, the Department of Health, Education, and Welfare will naturally fall heir to many OEO programs. Therefore, I recommend:

That Head Start be administered along with the day care programs administered by the Children's Bureau; that the Neighborhood Health Services and family planning services be administered along with the health activities in HEW; and that OEO programs for senior citizens be put in HEW's Administration on Aging.

That OEO remain as an overall unit watching and reporting on all programs affecting the poor, starting new programs and initiating new approaches. It should get out of the day-to-day business of running large-scale programs.

*Model cities*

The Model Cities program, administered by the Department of Housing and Urban Development, has become an important and effective part of our anti-poverty efforts. Under it neighborhood residents have joined with city officials in planning to improve their destinies. State, regional and national officials have helped. In Washington, a genuine and strong Model Cities interdepartmental effort is underway. This effort should be strengthened. The Model Cities program offers great promise for progress in our inner cities.

*Minor thoughts about major relationships*

No report of this size and nature could possibly cover all HEW's managerial problems. Just as the Department does not cause all of these problems, so they are not all within its ability to resolve.

Some of the kinks in the HEW-Congressional relationship could be ironed out by reorganization of the Congress itself—no means task. Expansion and improvement of Congressional committee staff, for instance, could improve HEW programs.

Many shorthanded Committees allow members and staff to charge their official travel to the Department's budget. The Congress should avoid this practice, which may result in troublesome obligations. Congressional committees should have sufficient travel funds and should observe normal accounting practices.

The Congressional practice of announcing the release of Department grants to the public usually works out reasonably well. Occasionally, a senior member, or important Committee member with special influence gets a jump on his colleagues—or "scoops." This may simply annoy his colleagues. Or in the case of politically evenly divided State delegations, or future rivals for political office, it may result in disputes which the Department cannot handle to the satisfaction of all concerned.

Members of Congress who vote Federal funds should be able to get some of the credit for those projects they make possible. Sole credit should not go to those of our fellow citizens who are always wailing about Federal expenditures and supposed Federal waste, but support strongly the Federal appropriations and expenditures which help their narrow constituency, their favorite interest group, or their special purpose program. Therefore, I recommend:

That the announcement of every construction grant and every project financed even in part by Federal funds, should show the public conspicuously that this is so, and that when the project is underway, the public continue to be informed that it is operating because of Federal financing.

HEW cannot move to strengthen the hands of its masters in the Congress. But it can and must move to strengthen hands in State and local government, if it is to meet rising expectations and demands for social services.

That State and local governments throughout the country vary widely is a truism. That they are often weak is a harsh, but fair generalization. City after city finds that because it is completely dependent on the property tax as a source of revenue, it has not the funds to pay for its children's schooling, or to meet its welfare bill. State and city governments have not historically been able to attract and hold enough highly qualified people. The administration of health and welfare programs by many state departments in many states makes for fragmented service delivery.

The grants-in-aid mechanism has given the Department a tool to use in working toward solutions to national problems, while maintaining a valuable dispersion of national power. But only solid capable State and local governments can assure the gains made by the HEW programs of the past years. Without city and State organizations capable of guiding social planning operations, HEW programs will fail. Therefore, I recommend:

That new forms of financing be developed to free local communities from their reliance on the outmoded, inefficient and unproductive property tax. The property tax should be reduced and eventually eliminated as a basis for financing education and local government services.

That HEW—working through its regional offices—give cities more help in breaking down artificial barriers to dealing with air and water pollution, or waste disposal on a regional basis.

That HEW build on a constructive practice already begun: helping State and local government recruit and keep highly qualified staff.

Modernization of State and local civil service laws to provide more flexible procedures for selecting able people and to assure greater opportunities for poor and disadvantaged men and women.

That State agencies be reorganized to group their activities in a more rational and coordinated way with special consideration to a single State health and welfare agency such as those in Wisconsin, Utah, and California.

The revision and strengthening of the State merit personnel standards established by Congress in 1939 in the Social Security Act in the light of recent experience and new needs. Further consideration should be given to the recommendations in the Report of the Secretary's Advisory Committee on Merit System Standards which reported in January 1969, to the Secretary. For instance, employment opportunities for culturally, economically, educationally and physically disadvantaged people should be expanded in State and local programs. Educational requirements should be reviewed and revised to permit State and local agencies to employ creative and innovative men and women.

III—THE LAST HEALTH HURDLES

In the past two or three years our Nation has emerged from a necessary—a pioneering—period of concentration on medical research. Looking up, bemused, from our microscopes, we have found great numbers of eager, waiting patients.

As a Nation, we have realized that medical research is a first step only, and gone on to apply ourselves to the difficult task of delivering the results of that research to people. We have realized, too, that good medical care depends not only on scientific knowledge, but on trained men and women, up-to-date hospitals and clinics, sound planning and organization, and proper financing.

Every one of these elements has been strengthened, and we have arrived at the point where large numbers of Americans can indeed get good health care. Yet the HEW Secretary spends a great portion of his time pondering and dealing with the complexities of modern health problems, technological, social and economic: The more people there are, the longer people live, the more income they earn, and the more they know about the astounding possibilities medicine offers, the more their demand for high quality

health care. They will not be satisfied with run-of-the-mill care when society can produce the best. The woman with a kidney disease who watches someone else being treated with an artificial kidney on her television screen will not face death without recourse, nor will her family. The man who reads about heart surgery over his morning coffee will not deny it to his child because he can't afford it. He feels the best health care is not a luxury, but a right.

As demanded for such "best" health care rises, so does the pressure on our understaffed hospitals and clinics, on our doctors and nurses. Trained health workers are in short supply. Medical costs spiral. The Nation invests more than $50 billion—six percent of its gross national product—on health each year, but it doesn't get a high enough return. What's more, only an infinitesimal fraction of this investment goes toward improving the way our whole system of health care works.

It will not be easy to leap such health hurdles; we may have to climb over them slowly. Current needs point in separate, but overlapping directions. While sustaining and increasing efforts in basic medical and biological research, we must improve methods of delivering and paying for health care. And while we perfect essential programs for the elderly, we must emphasize the neglected needs of children—in health care as in other fields. We must take every possible step to hold down health care costs, including enlarging incentives for efficiency. We must remove obstacles to the efficient use of health resources.

*Medicare—medicaid*

Medicare has lifted a crushing financial burden from the backs of older people and their families. No longer do our older men and women have to delay vital medical attention; no longer do families have to pauperize themselves to get it. Without interfering with the doctor-patient relationship, without burdensome administrative machinery, Medicare is working well and helping to raise the quality of all health care. For this Secretary, who argued its case so long, the proven success of Medicare has been a source of great personal satisfaction. I recommend:

That Medicare now be extended to totally disabled people, no matter what their age. The disabled are faced with the same problem as the aged: heavy medical expenses at a time when their income and earning power are very low. Permanently and totally disabled social security beneficiaries can be included in the Medicare program on a sound basis.

That the doctor bill part of Medicare be put on the same social insurance pre-payment basis as the hospital part. This would make it unnecessary for older and disabled men and women to pay $4.00 a month for medical insurance out of their retirement incomes.

That at least part of the cost of prescription drugs, which can be unusually heavy for an older or disabled person be covered under Medicare.

That a reasonable cost range for all drugs should be used in all federally supported programs.

The crushing burden of sickness falls most heavily on the poor, who can least afford it, and who suffer it more frequently and more severely than other groups. Poverty helps cause ill health; ill health helps cause poverty. Medicaid, which became law in 1965, has made a start at helping to break the cycle of poverty and ill health among 8 million Americans.

It has also been the tip of the iceberg opening our eyes to the terrible need for health care among the poor. We must not precipitately restrict the program because the costs have been more than were estimated. There have been a number of problems in the administration of the Medicaid program. To ascertain their scope and implications I arranged for public hearings to be held in nine major cities on the Medicaid program. I have transmitted the record of these hearings to the Congress. I urge they be studied carefully before taking action. Based on my review of these hearings I recommend:

That Medicaid be amended to increase its coverage substantially, so that all who need, but cannot afford, decent health care may have it.

That the recommendations of the National Advisory Committee on Medical Assistance for the revision of Medicaid be followed to tighten up the program, moderate increased costs, and prevent lax operation in some States.

That health insurance coverage be expanded to reduce the need for Medicaid.

*The cost of illness*

Most Americans carry some form of voluntary insurance, covering at least a part of hospital care. Medicare has substantially increased this coverage, Medicaid has helped the indigent. Still, long-run serious illness with all its high—and rapidly rising—costs, can spell economic disaster for the millions of persons who are not covered, and for those who are inadequately covered.

All American families should be free from fear of such disaster. They should be financially protected against catastrophic illness, and should be able to afford revolutionary and expensive treatments. The economic risks of illness should be spread further through comprehensive insurance protection.

One way in which this could be achieved is through comprehensive health insurance legislation covering all persons who work and their families. Employers and employees would be required to contribute to such comprehensive insurance protection. If the Nation decided to take a Federal-State approach to this problem, the Federal Government could levy a national payroll tax, against which a State would receive a 90 percent offset if it had an approved State health insurance plan. The Federal Government would establish standards for such State plans. Unemployed and non-employed men and women would be covered with Federal aid.

American families should not have to pay exorbitant prices for comprehensive protection. The Nation could save additional amounts if those for whom hospital treatment is not mandatory were treated at home, or in nursing homes, or through periodic visits to their doctors' offices. It has been estimated that if the average cost of general hospitals could be brought down by only 10 percent, savings would total almost $1 billion each year—and $3 billion by 1975.

In order to find ways to reduce unnecessary medical costs I have appointed an Advisory Council on Health Protection and Disease Prevention. This Council will study the problem of preventing disease and disability and make recommendations to the Secretary. This should be an important step in conserving scarce resources preventing the unnecessary utilization of medical services.

The Social Security Amendments of 1967 provide for experiments to assure the fiscal health of the hospital system and at the same time to give purchasers of services full value for their dollars. The Amendments of 1967 provide for experiments with "incentives for economy while maintaining or improving quality in the provision of health services" in connection with reimbursement under such programs as Medicare. Most hospitals and hospital groups are eligible to submit proposals for incentive reimbursement experimental plans.

Therefore, I recommend:

That a Commission on Health Care Insurance, consisting of distinguished representatives of the consuming public, the health professions, and insurance carriers be appointed to recommend the precise form of comprehensive protection against the economic burdens of catastrophic illness which would result in all persons being covered on an economical and efficient basis.

That while this Commission is completing its study, most of the available private, as well as public, insurance coverage be broadened to provide coverage for a full range of preventive, ambulatory, and diagnostic care, and to cover such health problems as alcoholism or mental illness. If public and private third party payers fully covered preventive and diagnostic services (like outpatient services), patients would use less costly health resources outside of hospitals more and the long-run costs of Medicaid would be reduced.

That hospital incentives to reward efficiency without compromising medical care be rapidly expanded. Once effective means of controlling hospital costs have been demonstrated, they could be extended in Medicare, Medicaid, and Maternal and Child Health Programs. Successful businesses must provide high quality services at the lowest reasonable costs. We should help our hospitals do the same.

That physicians and hospitals should voluntarily restrain price increases in order to avoid restrictive controls.

*Kiddicare; family planning*

In the next ten years, the Nation must place as much emphasis on the health needs of its children as it put in the last decade on the needs of its older people.

Thousands of women in low-income groups do not now have adequate access to comprehensive health services. Tragic results include great numbers of unwanted children—of mentally retarded children—of children with avoidable physical and emotional defects. Competent pre-natal care and competent health care during the earliest part of life can mean the prevention and control of many crippling handicaps. So the case for fuller child health opportunities does not rest alone on present comfort, or hardship, or even damage to the human spirit. It rests on possible irreparable, physical damage to the brain and body. I recommend:

That comprehensive pre-natal care be extended to all women of low-income families, so that, as far as possible, all children be born well.

That family planning be included as a part of comprehensive health care to these women so that every child is born a wanted child. Family planning should no longer be the quiet privilege of the well to do. It must be an integral part of our efforts to reduce poverty, raise educational levels and so give people great freedom of choice. Out of about 5 million medically indigent women who want family planning services, only 500,000 now receive such services. About 450,000 large families would no longer be poor if they had only three children to support.

That medical care for all children in low-income families be provided during the first year of life, placing special emphasis on nutrition, on the prevention or early correction of crippling disabilities and on dental care. Once this program—which we call "Kiddicare"—is established, that it be stretched over a five-year period, so that the children covered would be assured of medical care until they reach the age of six.

That the health activities of the Children's Bureau and the Medicaid program be transferred to the Public Health Service and coordinated with the Neighborhood Health Centers and Family Planning programs to assure unified delivery and financing of medical services.

*Nutrition and health*

It is intolerable that there is even one hungry child in America. We have the ability to wipe out hunger and malnutrition, but we have not yet demonstrated the will.

We are only beginning to discover how widespread malnutrition is among the poor,

the aged, the sick, and the young. But we know enough to say forthrightly that there is malnutrition in the United States, and that it is highly correlated with poverty. We know that food assistance programs do not reach some 14 million of the 22 million poor, and that even when communities have such programs, local administrative barriers often prevent food and funds from reaching those who need them most.

Poverty is the basic, underlying cause of hunger; the changes I have recommended in the social security and welfare systems would go far toward alleviating it. But we need to go beyond this, and even beyond the nutrition problems of the poor. We need to know a great deal more about general relationships between nutrition and health, and the broadest considerations of human development.

Responsibility for nutrition activities has been fragmented throughout the Government: within the Department of Health, Education, and Welfare, within the Executive Branch of the Federal Government, and within the Congress. Within the Department, I have directed the establishment of a new interdepartmental committee to coordinate at least HEW's nutrition programs.

In 1946, the Nation adopted a new goal: the creation of maximum possible employment. It is now time to establish the elimination of malnutrition as a national goal. To further that end, I recommend:

That the Congress enact legislation declaring the eradication of malnutrition to be a national responsibility, and giving appropriate officials in the Executive Branch the authority and responsibility to carry out this mandate.

The creation of a Federal Interagency Nutrition Council, headed by the Secretary of Health, Education, and Welfare, to outline national policies in all areas of nutrition and to coordinate the activities of the individual departments and agencies.

The creation of the Human Nutrition Administration within the Department of Health, Education, and Welfare, with responsibility for research and evaluation, and expanded and revised food stamp and food distribution programs, including school feeding and other relevant medical-nutrition programs.

That this new Human Nutrition Administration distribute food stamps on a nationwide basis, with eligibility based upon family income determined by the Social Security Administration's national poverty standards, rather than local welfare standards.

*Mental health and mental retardation*

The record of the past years in dealing with the tragedy of mental illness is one of great achievement and great promise. Measured in terms of dollars, we are investing about $367 million this year in the field of mental health as compared to $68 million ten years ago. Measured in terms of accomplishments, we can look to a record of expansion in research, the training of skilled manpower, and the development of a new approach to treatment through community mental health centers. I recommend:

That we accelerate our research effort to provide better understanding of mental illness, how it can be prevented and treated.

That we redouble our efforts to provide the trained personnel needed in the fight against mental illness.

That we seek to reach the goal of 500 community mental health centers in operation by 1972.

That we explore methods of providing expert examination of school age children to discover those who may fall victim to mental or emotional illness, so that they can receive needed counseling and treatment at the earliest possible time.

That HEW encourage industry to intensify its efforts to hire mentally retarded as well as other handicapped men and women; that it encourage its fellow government agencies to adopt similar employment policies.

*The way services are delivered*

Comprehensive group practice—particularly group practice with pre-payment—has proven to be an efficient way of delivering health care. In such plans groups of physicians, working together within the framework of our private health system, can see up to ⅓ more patients, and these patients can get individual care of high quality for 20 to 30 percent less cost. As the President's Advisory Commission on Health Manpower has pointed out, such organizations reduce the use of our overtaxed hospitals and make more efficient use of health personnel.

Other new organizations and reorganization of health services have shown that they can promote good medical care at low prices. *"New Careers"* programs—training men and women who haven't had enough education or other advantages, for health occupations—offer great promise. In such programs, the poor skillfully fill needed jobs, benefiting themselves and our whole society.

*Neighborhood health centers* offer a full range of services right in the communities where people live. Some of the hospital outpatient departments now serving as "family doctors" to our inner cities are pioneering in offering comprehensive *family-centered care* instead of impersonal, episodic, emergency treatment.

Whole communities, under the national Partnership for Health program, have intensified their *health service planning*. They are beginning to answer questions like how many hospital and nursing home beds they need—or what steps they must take to clean their water supplies—or what rural health needs have priority, far better than Washington officials could.

Therefore, I recommend:

That financial incentives be offered to encourage the development of prepaid group practice groups, expanded community hospital outpatient services, and other plans offering promise of greater efficiency, more comprehensive service and the like; and that the reimbursement policies of public and private insurers reflect the increased efficiencies of such providers.

That overly restrictive State laws now impeding the use of new kinds of health manpower be substantially revised so we can properly use the talents of technicians and aides in medicine, dentistry, nursing, and pharmacy.

That Federal help be focused on our big cities' urgent need for construction and rehabilitation of medical facilities, whether they be built as central complexes or in the neighborhoods; and that comprehensive State planning be required as a condition for Federal aid, with priority given a full range of inpatient, outpatient and extended care services serving large numbers of people.

That the programs to combat alcoholism be intensified and expanded.

*Cigarettes and health*

Five years after the American people received their first official warning on smoking and health, cigarette consumption in the United States had dropped by over one billion cigarettes in 1968. Though we number two million more adults, we have increased evidence that more and more adults are giving up smoking and fewer teenagers are taking it up. Still, smoking, a grave problem in 1964, is graver today. To some extent it can be said that cigarette smoking has canceled many of the health gains made in recent years.

Deaths and diseases associated with cigarette smoking continue to rise. In 1964 there were nearly 46,000 deaths from lung cancer; this year there will be over 59,000. Five years ago emphysema and chronic bronchitis killed 20,000 Americans; twice that number will die this year of these respiratory diseases. Cigarette smoking contributes to coronary heart disease: in 1964 there were 545,000 deaths from this disease; in 1959 the number is expected to be 590,000. What's more, the Nation's workers who smoke cigarettes spend over a third more time away from the job because of illness than those who do not smoke.

Three main obstacles bar our way to reducing the number of persons now smoking, encouraging young people not to start and urging those who continue the habit to use less hazardous cigarettes and less hazardous ways of smoking.

One is economic, involving public revenues, agricultural income, and industrial profits. A second is social acceptability of cigarette smoking and its near addictive hold on many people. A third is the posture of those who insist that the health hazards of cigarette smoking have not been proved, despite the evidence.

Public education, news coverage of smoking and health developments, anti-smoking messages on radio and television, increased concern and activity by health professionals, and health education in schools—all these reduce cigarette smoking. But although the Public Health Service has a total annual budget of $2.8 billion, only about $2 million goes for cigarette smoking behavioral research and education.

Last July, I submitted to Congress a report on the Health Consequences of Smoking, as required by the Federal Cigarette Labeling and Advertising Act of 1965. The report confirmed or strengthened the conclusions of two previous reports published by the Department in 1964 and in 1967. With the 1968 report, I sent four recommendations to strengthen the Department's program. These are included in the following recommendations I now submit:

That the warning statement required by the Federal Cigarette Labeling and Advertising Act be strengthened, as recommended in 1967 by the Federal Trade Commission to become: " 'Warning' Cigarette Smoking Is Dangerous to Health and May Cause Death from Cancer and Other Diseases." This warning should be moved from the side of the package to the front and the back of the package, and the text should be clearly legible, and should be required to accompany all cigarette advertisements, including those on television, radio, and the press.

That levels of "tar" and nicotine in cigarette smoke be published on cigarette packages, on cigarette vending machines, and in all advertisements. Authorization should be given to add other harmful agents to this listing.

That formal liaison between the government and the tobacco industry, begun by the HEW Secretary in 1968, be supported. It is essential to strengthen such cooperation to deal with the smoking and health problem.

That increased appropriations be made to support research, both basic and behavioral. We must learn more about what elements in tobacco cause harmful effects on human health and how; we must at the same time learn more about why people smoke, how those who want help may be helped to resist the habit, and we must work toward the discovery of a non-hazardous cigarette.

That increased appropriations be made to broaden and expand programs of public information and education. Special efforts are needed to take advantage of improved methods of teaching children about the effects of smoking. The Department should support the training of classroom teachers and the preparation of teaching materials to accomplish this.

That Federal taxes on cigarettes be substantially increased and made uniform throughout the Nation. When the national economy suffers excess illness, disability, work loss and premature death among ciga-

rette smokers, surely a greater use of Federal taxing authority is justified, to help finance necessary research and educational programs.

*Intensified research on service delivery*

In every health program we undertake, we should intensify research on the delivery of services. It is useless to learn the results of cigarette smoking, or to find a new vaccine or surgical technique, if people can't learn about and use them. Research discoveries in the laboratory, until they are applied, save mice, not men.

A Nation which can invent machines to keep a man alive can invent ways of getting man and machine together—and keeping them together as long as necessary. A Nation which knows how to treat alcoholics, or narcotic addicts, can devise ways of getting that treatment to those who need it. A Nation on its way to the moon can overcome the barriers to good health care suffered by the woman who must, to get a doctor, walk five to ten blocks to the nearest bus line—then change buses and pay two or three fares to get to the hospital—then sit for hours in a clinic waiting (and sometimes forego a day's pay).

Failure to deliver services resulting in isolation, the absence of hospitals and clinics—impersonal scattered services, ignorance and lack of understanding of preventive measures, of symptoms and available treatments—misuse and underuse of our resources—and above all high costs—these are the health hurdles before us now.

## UNCLOUDED VISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, the current condition of strife, discord, and confusion afflicting our Nation is the subject of countless highly publicized and highly paid commentators and columnists. Their assessments, their diagnoses, and their prescriptions fill the big city newspapers and get prime time on TV networks. Each has a different view of the situation, and each has a pet idea on which he harps. It might even be surmised that he would prefer to have the country go to the dogs if his own predictions do not come to pass. Myopia is a word which denotes unclear vision. Our commentators may suffer from it.

As has happened in so much of our past, we need to get out of the dust of the city if we want to see clearly. In my opinion, a rural editor, R. H. Ralston, Sr., of the Buckhannon Record, Buckhannon, W. Va., has no dust in his eyes. He rejects all complicated explanations and excuses, and points his finger at the real and only solution to our problems. I believe, Mr. Speaker, it will do us all good to read what he says:

DO WE KNOW WHAT WE WANT?

The principal thing that may be said of 1968 is that it was not a particularly felicitous year. It was a year of tragedy, strife, confusion and contradiction. We had continuing prosperity for most people—accompanied by growing domestic dissension. In Vietnam, U.S. observers spoke optimistically about the military situation. At the same time, the patience of the American public with the war appeared to come to an end. For better or for worse, this country's armed opposition to communism in Southeast Asia may be terminated in the not-too-distant future.

It will seem to many, in looking back over the past year, that much of our trouble stems from a confusion of philosophies and labels—a confusion that has existed for a long time, but in 1968 reached a climax. The confusion is well typified in the career of Mr. Johnson as President. He went into office with the near unanimous support of the people. He carried out his pledge. An unprecedented wave of social legislation became law. Untold billions of federal dollars have been committed to programs of health and welfare, education, urban rehabilitation, a broad war on poverty and environmental improvement. All of these things have been produced under the label of liberalism. In fact, liberalism has become nearly synonymous with the outpouring of governmental tax funds and broad expansion of government powers. This in itself is perhaps the most confusing and contradictory phenomenon of our times. Historically, liberalism is the antithesis of authoritarian government.

Many reasons have been given for Mr. Johnson's eclipse in popularity, of which the Vietnam war ranks high. Yet, he brought into full flower the highly popular philosophy of government responsibility for solving social and economic problems. Some call it the welfare state. There is no reason to doubt that Mr. Johnson was sincerely striving to give the people what they thought they wanted. Measured by legislation, he was largely successful. Logically, he should have looked forward to tranquility and strong support. Instead, he got riots. Before the end of his first full term as an elected President of the United States, he fell so low in popular esteem he was compelled to announce that he would not be a candidate for reelection.

It is difficult to believe the Vietnam war is wholly accountable for the quick reversal of Mr. Johnson's political fortunes. His misfortune—if it may be called that—could be a symptom of national confusion in a day when love of country is considered juvenile by many, patriotism corny, and Presidents are chosen on the strength of their ability to keep everybody happy. The decline in Mr. Johnson's popularity accelerated when the cost, both in inflation and taxes, of the government's increasing dominance began to be felt.

As a new President prepares to take office, we hear a great deal about the task before him of "bringing the country together." Judgment is being withheld until people can see how he performs. Perhaps it might be well in the coming months for the people to look inward and judge themselves. Our country will become what the people make it. Unless we are ready to accept a dictatorship, we should cease expecting the President of the United States to be all things to all men. He is a fellow citizen filling one of the world's toughest and most dangerous jobs.

In the long run, the President can but reflect the philosophy and purpose of the people. We should not ask the new President to perform like a monkey on a stick. We should ask, what is our philosophy? Do we believe in a government of laws? Do we believe in local initiative? Do we believe in the responsibilities, as well as the rights and liberties of the individual? Do we believe in the American system? The future of the country depends on our answers to these questions. The man in the White House cannot answer them for us. Nineteen hundred and sixty-nine may prove to be a year of testing of people, not a President—people who sadly need a renewed sense of purpose based on the ideals and principles of self-government.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. VANIK, on January 27 and January 28, on account of official business.

Mr. PELLY, for the week of January 27, on account of official business.

Mr. BUCHANAN (at the request of Mr. GERALD R. FORD), from January 21, 1969, through February 2, 1969, on account of official business.

## SPECIAL ORDERS GRANTED

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

Mr. FOREMAN, for 30 minutes, today; to revise and extend his remarks and to include a concurrent resolution.

(The following Members (at the request of Mr. HORTON) and to revise and extend their remarks and include extraneous matter:)

Mr. CAHILL, for 20 minutes, today.

Mr. VANDER JAGT, for 40 minutes, today.

Mr. BELCHER, for 1 hour, on January 29.

Mr. HORTON, for 1 hour, on January 30.

(The following Members (at the request of Mr. CHAPPELL) and to revise and extend their remarks and include extraneous matter:)

Mr. CULVER, for 15 minutes, today.

Mr. COHELAN, for 15 minutes, today.

Mr. STAGGERS, for 5 minutes, today.

Mr. BINGHAM, for 60 minutes, on January 28, 1969.

## EXTENSIONS OF REMARKS

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

Mr. JOELSON.

Mr. ANDERSON of Illinois and to include extraneous matter.

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

Mr. CONTE.

Mr. BROOMFIELD.

Mr. FINDLEY in two instances.

Mr. WINN in two instances.

Mr. GUBSER.

Mr. MORSE in two instances.

Mr. ESCH.

Mr. ASHBROOK in two instances.

Mr. WHALEN.

Mr. NELSEN in two instances.

Mr. MIZE.

Mr. CAHILL.

Mr. GOODLING.

Mr. WEICKER.

Mr. BUTTON.

Mr. STEIGER of Wisconsin in two instances.

Mr. KLEPPE.

Mr. DEL CLAWSON.

Mr. CARTER.

Mr. BOB WILSON in two instances.

Mr. MILLER of Ohio.

Mrs. DWYER in three instances.

Mr. HORTON in five instances.

Mr. ARENDS.

Mr. ZWACH.

Mr. SHRIVER.

Mr. HOSMER in two instances.

Mr. LANGEN.

Mr. DAVIS of Wisconsin in two instances.

Mr. BOW in three instances.

Mr. KUYKENDALL.

Mr. ANDERSON of Illinois.

Mr. WYMAN in three instances.
Mr. STEIGER of Arizona.
(The following Members (at the request of Mr. CHAPPELL) to revise and extend their remarks and include extraneous matter:)
Mr. EVANS of Colorado.
Mr. RIVERS in two instances.
Mr. GONZALEZ in three instances.
Mr. HAMILTON in 10 instances.
Mr. OTTINGER.
Mr. MATSUNAGA in two instances.
Mr. WILLIAM D. FORD in two instances.
Mr. BINGHAM in three instances.
Mr. HENDERSON in four instances.
Mr. TEAGUE of Texas in 12 instances.
Mr. RODINO.
Mr. OLSEN in three instances.
Mr. ANNUNZIO in two instances.
Mr. JACOBS in two instances.
Mr. EVINS of Tennessee in two instances.
Mr. FRASER in four instances.
Mr. REES in two instances.
Mr. DADDARIO in five instances.
Mr. O'NEILL of Massachusetts in two instances.
Mr. THOMPSON of New Jersey in two instances.
Mr. ROONEY of New York.
Mr. GILBERT in three instances.
Mr. ST. ONGE.
Mr. ASHLEY in two instances.
Mr. DANIELS of New Jersey in two instances.
Mr. RARICK in four instances.
Mr. FRIEDEL.
Mr. BENNETT.
Mr. BOLAND in four instances.
Mr. FEIGHAN in five instances.
Mr. HUNGATE.
Mr. NICHOLS in four instances.
Mr. MOORHEAD in two instances.
Mr. MIKVA in three instances.
Mr. UDALL in two instances.
Mr. DULSKI in two instances.
Mr. ROGERS of Florida in five instances.
Mr. HAMILTON in two instances.
Mr. ZABLOCKI in two instances.

## ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes p.m.) under its previous order, the House adjourned until Monday, January 27, 1969 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:

381. A communication from the President of the United States, transmitting a proposed budget amendment for the fiscal year 1970 (H. Doc. No. 91–65); to the Committee on Appropriations and ordered to be printed.

382. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting a copy of the proceedings of the 69th national convention held in Detroit, Mich., August 18–23, 1968, pursuant to the provisions of Public Law 88–224 (H. Doc. No. 91–64); to the Committee on Armed Services and ordered to be printed with illustrations.

383. A letter from the Secretary of Agriculture, transmitting the first annual report on operations under the Food Stamp Act of 1964, pursuant to the provisions of Public Law 90–552; to the Committee on Agriculture.

384. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for insured operating loans, including loans to low-income farmers and ranchers, and for other purposes; to the Committee on Agriculture.

385. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report listing appropriations which have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriations, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 664); to the Committee on Appropriations.

386. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Health, Education, and Welfare for grants to States for maintenance payments for the fiscal year 1969, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

387. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Health, Education, and Welfare for grants to States for medical assistance for the fiscal year 1969, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

388. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report of a need for an additional supplemental estimate of appropriation for the Department of Agriculture, Forest Service, for the fiscal year 1969; to the Committee on Appropriations.

389. A letter from the Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act (sec. 3679, Revised Statutes); to the Committee on Appropriations.

390. A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

391. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a proposal to transfer the submarine *Drum* (AGSS–228) to the U.S.S. *Alabama* Battleship Commission, pursuant to title 10, United States Code, section 7308(c); to the Committee on Armed Services.

392. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to carry out the recommendations of the Joint Commission on the Coinage; to the Committee on Banking and Currency.

393. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report relative to the export expansion facility program for the quarter ending December 31, 1968, pursuant to the provisions of Public Law 90–390; to the Committee on Banking and Currency.

394. A letter from the Commissioner, government of the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate the employment of minors in the District of Columbia," approved May 29, 1928; to the Committee on District of Columbia.

395. A letter from the Assistant to the Commissioner, the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate the hours of employment and safeguard the health of female employees in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

396. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of a study of Federal programs regarding educational activities aimed at improved international understanding and cooperation, pursuant to the provisions of Public Law 90–132; to the Committee on Education and Labor.

397. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and improve programs of assistance for education, and for other purposes; to the Committee on Education and Labor.

398. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend, strengthen, and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

399. A letter from the Chairman and Vice Chairman, President's National Advisory Council on Supplementary Centers and Services, transmitting the first report of the Council for 1968, pursuant to the provisions of section 309(c) of the 1967 amendments to the Elementary and Secondary Education Act of 1965; to the Committee on Education and Labor.

400. A letter from the Acting Administrator, Agency for International Development, Department of State, transmitting an amendment to the draft of proposed legislation entitled, "Foreign Assistance Act of 1969"; to the Committee on Foreign Affairs.

401. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of disposal of excess property in foreign countries for calendar year 1968, pursuant to the provisions of section 404 of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

402. A letter from the Comptroller General of the United States, transmitting a review of Washington internal audit activities of the Agency for International Development; to the Committee on Government Operations.

403. A letter from the Comptroller General of the United States, transmitting a review of financing of community facilities by the Department of Housing and Urban Development; to the Committee on Government Operations.

404. A letter from the Comptroller General of the United States, transmitting a report on need for improvements in the automated central payroll system of the Department of Health, Education, and Welfare; to the Committee on Government Operations.

405. A letter from the Secretary of the Interior, transmitting a summary of 1968 activities in the desalting of sea or brackish waters, pursuant to the provisions of Public Law 82–448; to the Committee on Interior and Insular Affairs.

406. A letter from the Secretary of the Interior, transmitting a copy of the Bonneville Power Administration's annual report for fiscal year 1968, including a consolidated financial statement, pursuant to the provisions of Public Law 89–448; to the Committee on Interior and Insular Affairs.

407. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

408. A letter from the Assistant Secretary of the Interior, transmitting the first annual report of the Alaska Power Administration for fiscal year 1968; to the Committee on Interior and Insular Affairs.

409. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to approve an order of the

Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon; to the Committee on Interior and Insular Affairs.

410. A letter from the Acting Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract for passenger carrying service for the public on Lake Mead, Lake Mead National Recreation Area, Ariz. and Nev., for a period of approximately 10 years, pursuant to the provisions of 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

411. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend the duration of the Solid Waste Disposal Act and the Clean Air Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

412. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to provide for a U.S. Compendium of Drugs; to provide for a uniform system of coding for the identification of prescription drugs and provide for related label information; to provide for records and reports on experience with respect to articles subject to the act, for improved factory inspection authority, and for authority to require production of evidence; to assure the safety, reliability, and effectiveness of medical devices; and for other purposes; to the Committee on Interstate and Foreign Commerce.

413. A letter from the Secretary of Health, Education, and Welfare transmitting a draft of proposed legislation to amend the Public Health Service Act and related laws to extend and improve the provisions relating to comprehensive health planning and public health services, the construction of hospitals and other medical facilities, and the construction and operation of mental health and mental retardation facilities, to assist in the development of group practice plans providing comprehensive health care, to assist in providing safe drinking water, to improve the provisions relating to advisory councils, and for other purposes; to the Committee on Interstate and Foreign Commerce.

414. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to improve the provisions relating to assistance to medical libraries and related facilities in the field of health communications, and for other purposes; to the Committee on Interstate and Foreign Commerce.

415. A letter from the Secretary of Health, Education, and Welfare, transmitting the second report on progress in the national effort to prevent and control air pollution, pursuant to the provisions of section 306 of Public Law 90–148; to the Committee on Interstate and Foreign Commerce.

416. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on measures being taken by Federal agencies to control the emission of air pollutants from Federal facilities, pursuant to the provisions of title I, section 111(b), of Public Law 90–148; to the Committee on Interstate and Foreign Commerce.

417. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the control of aircraft engine emissions, pursuant to the provisions of title II, section 211(b) of Public Law 90–148; to the Committee on Interstate and Foreign Commerce.

418. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to arm his employees, and for other purposes; to the Committee on Interstate and Foreign Commerce.

419. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend section 406(b) of the Federal Aviation Act of 1958 to make certain air carriers ineligible for subsidy payments; to the Committee on Interstate and Foreign Commerce.

420. A letter from the Chairman, Federal Power Commission, transmitting a report of a study relative to the massive Northeast power failure of November 9 and 10, 1965; to the Committee on Interstate and Foreign Commerce.

421. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation authorizing the Secretary of the Interior to provide for the commemoration of the 100th anniversary of the establishment of Yellowstone National Park, and for other purposes; to the Committee on the Judiciary.

422. A letter from the Comptroller General of the United States, transmitting a draft of proposed legislation to authorize the Comptroller General of the United States to administratively settle tort claims arising in foreign countries; to the Committee on the Judiciary.

423. A letter from the Acting Comptroller General of the United States, transmitting a report and recommendation concerning the claim of the American Journal of Nursing, New York, N.Y., against the United States, pursuant to 45 Stat. 413; to the Committee on the Judiciary.

424. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to unify and consolidate the rules for navigation on the waters of the United States; to the Committee on Merchant Marine and Fisheries.

425. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

426. A letter from the Secretary of the Interior, transmitting a report on the national requirements and costs of meeting the water quality standards and the economic impact of such expenditures on affected units of government, pursuant to the provisions of section 16(a) of the Federal Water Pollution Control Act; to the Committee on Public Works.

427. A letter from the Secretary of Transportation, transmitting the 1969 annual report on highway relocation assistance, pursuant to the provisions of section 33 of the Federal-Aid Highway Act of 1968; to the Committee on Public Works.

428. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

429. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to provide for the determination of drug costs under the medicare, medicaid, and child health programs, and for other purposes; to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 21. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; with amendment (Rept. No. 91–5). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 47. Resolution to authorize the Committee on Veterans' Affairs to conduct an investigation and study with respect to certain matters within its jurisdiction; with amendment (Rept. No. 91–6). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 66. Resolution creating a select committee to conduct studies and investigations of the problems of small business. (Rept. No. 91–7). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 76. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the government of the District of Columbia; with amendment (Rept. No. 91–8). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 93. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; with amendment (Rept. No. 91–9). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 105. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services (Rept. No. 91–10). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. H. Res. 116. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction (Rept. No. 91–11). 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. BENNETT:

H.R. 4128. A bill to provide for a national cemetery in Duval County, Fla.; to the committee on Veterans' Affairs.

By Mr. ANDERSON of California:

H.R. 4129. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BERRY:

H.R. 4130. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mitchell unit, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 4131. Voluntary Military Service Act; to the Committee on Rules.

By Mr. CAHILL:

H.R. 4132. A bill, the threat of continued reliance of foreign medical graduates; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 4133. A bill to provide for the appointment of additional district judges for the eastern and western districts of Kentucky; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 4134. A bill prohibiting the use in

the District of Columbia of firearms in the commission of certain crimes; to the Committee on the District of Columbia.

H.R. 4135. A bill to amend the Immigration and Nationality Act to authorize, in the national interest, restrictions on travel by nationals of the United States in certain designated areas of the world; to the Committee on the Judiciary.

H.R. 4136. A bill that section 481(a) of the Internal Revenue Code of 1954 be amended; to the Committee on Ways and Means.

H.R. 4137. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

H.R. 4138. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 4139. A bill to amend the Internal Revenue Code of 1954 to increase the amount allowed as a child-care deduction, and to eliminate the income ceiling on eligibility for such deduction; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 4140. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 4141. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under criminal penalty in the decennial censuses of population, unemployment, and housing; to restrict the application of the criminal penalty of fines, and eliminate the criminal penalty of imprisonment, in connection with censuses under such title generally; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DAWSON:

H.R. 4142. A bill to amend section 5724(e) of title 5, United States Code, with respect to the payment of travel and transportation expenses of civilian employees who transfer from one agency to another after satisfactorily completing an agreed period of service outside the continental United States; to the Committee on Government Operations.

By Mr. DICKINSON:

H.R. 4143. A bill to amend the Internal Revenue Code of 1954 to increase the maximum amount of living expenses which may be deducted for income tax purposes by a Member of Congress; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 4144. A bill to provide Federal assistance to States for establishing and strengthening consumer protection programs; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 4145. A bill to provide for the disposition of estates of intestate members of the Cherokee, Chickasaw, Choctaw, and Seminole Nations of Oklahoma dying without heirs; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of Alabama:

H.R. 4146. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 4147. A bill to amend section 2(3), section 8c(2), and section 8c(6)(1) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. FALLON (by request):

H.R. 4148. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. FLOOD:

H.R. 4149. A bill to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. FRELINGHUYSEN:

H.R. 4150. A bill to establish a National Commission on Libraries and Informative Science; to the Committee on Education and Labor.

H.R. 4151. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 4152. A bill to authorize appropriations for certain maritime programs of the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

H.R. 4153. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

H.R. 4154. A bill to provide for the licensing of personnel on certain vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT:

H.R. 4155. A bill to amend section 2401 of title 28 of the United States Code to toll the running of the statute of limitations against tort claims of persons under legal disability or beyond the seas at the time their claims accrue; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.R. 4156. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 4157. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 4158. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 4159. A bill to provide for the free entry of limestone imported to be used in the manufacture of chemical and industrial lime; to the Committee on Ways and Means.

By Mr. HAMILTON (for himself, Mr. HALPERN, Mr. HATHAWAY, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HORTON, Mr. KARTH, Mr. KOCH, Mr. KYROS, Mr. LONG of Maryland, Mr. MCCARTHY, Mr. MATSUNAGA, Mr. MIKVA, Mr. MURPHY of Illinois, Mr. NEDZI, Mr. PEPPER, Mr. PODELL, Mr. REID of New York, Mr. RIEGLE, Mr. ROONEY of Pennsylvania, Mr. ROSENTHAL, Mr. ST. ONGE, Mr. SCHWENGEL, and Mr. STEIGER of Wisconsin):

H.R. 4160. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. HELSTOSKI:

H.R. 4161. A bill to assure every American working man and woman, without exception, a minimum wage of $2 an hour, and for other purposes; to the Committee on Education and Labor.

H.R. 4162. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

H.R. 4163. A bill to prohibit certain tampering with speedometers on motor vehicles used in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4164. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

H.R. 4165. A bill to protect consumers, homebuilders, building material suppliers, lumber manufacturers, and others against false grade marking of lumber, to promote interstate commerce in lumber, to strengthen the standards program of the lumber industry, and to promote the general welfare; to the Committee on Interstate and Foreign Commerce.

H.R. 4166. A bill to provide compensation for totally disabled local firemen or survivors of local firemen killed or disabled while performing their duties in an area of civil disorder; to the Committee on the Judiciary.

H.R. 4167. A bill to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4168. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 4169. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 4170. A bill to repeal percentage depletion; to the Committee on Ways and Means.

H.R. 4171. A bill to amend the Internal Revenue Code of 1954 to provide that the credit for foreign taxes shall not be allowed in the case of oil royalties paid in any form to a foreign government; to the Committee on Ways and Means.

By Mr. KASTENMEIER (for himself, Mr. REUSS, and Mr. ZABLOCKI):

H.R. 4172. A bill to authorize the Secretary of the Interior to provide additional financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LIPSCOMB:

H.R. 4173. A bill to provide for the issuance of a special postage stamp to commemorate the 200th anniversary of the San Gabriel Mission; to the Committee on Post Office and Civil Service.

H.R. 4174. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 4175. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 4176. A bill to amend the Internal Revenue Code of 1954 to allow a credit

against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 4177. A bill to provide for the establishment of a Commission on Federal Taxation; to the Committee on Ways and Means.

By Mr. McCULLOCH (for himself, Mr. CELLER, Mr. DONOHUE, Mr. EDWARDS of California, Mr. FEIGHAN, Mr. JACOBS, Mr. KASTENMEIER, Mr. MACGREGOR, Mr. MESKILL, Mr. RAILSBACK, Mr. SANDMAN, Mr. SMITH of New York, Mr. ST. ONGE, and Mr. WIGGINS):

H.R. 4178. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 4179. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia; to the Committee on the District of Columbia.

H.R. 4180. A bill to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on loans to be repaid in installments; to the Committee on the District of Columbia.

H.R. 4181. A bill to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property; to the Committee on the District of Columbia.

H.R. 4182. A bill to authorize voluntary admission of patients to the District of Columbia institution providing care, education, and treatment of mentally retarded persons; to the Committee on the District of Columbia.

H.R. 4183. A bill to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits; to the Committee on the District of Columbia.

H.R. 4184. A bill to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability; to the Committee on the District of Columbia.

H.R. 4185. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 4186. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. MEEDS:

H.R. 4187. A bill to authorize the purchase, sale, exchange, mortgage, and long-term leasing of land by the Tulalip Tribes of Washington; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California:

H.R. 4188. A bill to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study; to the Committee on Science and Astronautics.

By Mr. MILLER of Ohio (for himself and Mr. FISH):

H.R. 4189. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mrs. MINK (for herself, Mr. ASPINALL, Mr. BROWN of California, Mr. BYRNE of Pennsylvania, Mr. DANIELS of New Jersey, Mr. DENT, Mr. WILLIAM D. FORD, Mr. GILBERT, Mr. HANLEY, Mr. MATSUNAGA, Mr. MOORHEAD, Mr. MOSS, Mr. O'NEILL of Massachusetts, Mr. PERKINS, Mr. RYAN, Mr. SCHEUER, Mr. ZABLOCKI, Mr. FEIGHAN, Mr. WHITEHURST, Mr. HALPERN, Mr. LEGGETT, Mr. HATHAWAY, Mr. JOHNSON of California, Mr. CHARLES H. WILSON, and Mr. FARBSTEIN):

H.R. 4190. A bill to provide Federal assistance to improve the educational services in public and private nonprofit child day care centers; to the Committee on Education and Labor.

By Mrs. MINK (for herself, Mr. CONTE, Mr. FRIEDEL, Mr. ROONEY of Pennsylvania, Mrs. HANSEN of Washington, Mr. WOLFF, Mr. CAREY, Mr. BURKE of Massachusetts, Mr. MIKVA, Mr. KOCH, Mr. CORMAN, Mr. BOLAND, Mr. MILLER of California, Mr. BURTON of California, Mr. HICKS, Mr. MEEDS, Mr. HAWKINS, Mr. FRASER, Mr. JACOBS, Mr. POWELL, Mr. ADAMS, Mr. EDWARDS of California, Mr. THOMPSON of New Jersey, Mr. DINGELL and Mr. HOWARD):

H.R. 4191. A bill to provide Federal assistance to improve the educational services in public and private nonprofit child day care centers; to the Committee on Education and Labor.

By Mr. O'KONSKI:

H.R. 4192. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

H.R. 4193. A bill to amend title 5, United States Code, to provide a minimum civil service retirement annuity of $100 a month, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4194. A bill to amend title II of the Social Security Act to provide a minimum primary benefit of $100 a month (with corresponding increases in the benefits payable to certain uninsured or insufficiently insured individuals); to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 4195. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Jefferson-Whitehall unit, Missouri River Basin project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATTEN:

H.R. 4196. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

H.R. 4197. A bill to amend title II of the Social Security Act to increase from $1,680 to $2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 4198. A bill to prohibit any State from levying income taxes on nonresidents of the State; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 4199. A bill to amend the Railroad Retirement Act of 1937 so as to increase the amount of the annuities payable thereunder to widows and widowers; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 4200. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

H.R. 4201. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 4202. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROBERTS:

H.R. 4203. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 4204. A bill to amend section 6 of the War Claims Act of 1948 to include prisoners of war captured during the Vietnam conflict; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 4205. A bill to increase the authorization for appropriations for the District of Columbia Bail Agency; to the Committee on the District of Columbia.

H.R. 4206. A bill to increase the penalty applicable to the commission of a crime of violence in the District of Columbia when armed with a dangerous or deadly weapon; to the Committee on the District of Columbia.

By Mr. ROONEY of Pennsylvania (for himself and Mr. CHARLES H. WILSON):

H.R. 4207. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 4208. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 4209. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 4210. A bill to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324); to the Committee on the District of Columbia.

By Mr. SKUBITZ:

H.R. 4211. A bill to amend the Public Health Service Act to provide for the establishment of a National Lung Institute; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 4212. A bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

H.R. 4213. A bill to amend the Federal Trade Commission Act by providing for temporary injunctions or restraining orders for certain violations of that Act; to the Committee on Interstate and Foreign Commerce.

H.R. 4214. A bill to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 4215. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without re-

gard to the 3-percent and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 4216. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 4217. A bill to consent to the New Hampshire-Vermont Interstate School Compact; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 4218. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 4219. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 4220. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their market for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer; to the Committee on Agriculture.

By Mr. BARRETT:

H.R. 4221. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. BATTIN:

H.R. 4222. A bill to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. BELCHER:

H.R. 4223. 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. 4224. A bill to name the authorized lock and dam No. 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham; to the Committee on Public Works.

By Mr. BENNETT:

H.R. 4225. A bill to amend title 10, United States Code, to confer jurisdiction on U.S. district courts to try certain civilians who are or have been connected with the Armed Forces; to the Committee on Armed Services.

By Mr. BERRY:

H.R. 4226. A bill to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. BLACKBURN (for himself, Mr. HUNT, Mr. Brown of Michigan, Mr. CARTER, Mr. TIERNAN, Mr. WHITEHURST, Mr. DENNEY, Mr. QUIE, Mr. HORTON, Mr. EDWARDS of Alabama, Mr. LUKENS, Mr. WILLIAMS, Mr. BUCHANAN, Mr. ADDABBO, Mr. WOLFF, Mr. PERKINS, Mr. FARBSTEIN, Mr. POLLOCK, Mr. HALPERN, Mr. SCHWENGEL, and Mrs. HANSEN of Washington):

H.R. 4227. A bill to provide educational assistance to children of civilian employees of the United States killed abroad as a result of war, insurgency, mob violence, or similar hostile action; to the Committee on Post Office and Civil Service.

By Mr. BLACKBURN (for himself, Mr. BINGHAM, Mr. BROWN of California, Mr. HELSTOSKI, Mr. OTTINGER, Mr. BUSH, Mr. FULTON of Pennsylvania, Mr. BROWN of Ohio, Mr. GRAY, Mr. PODELL, Mr. PRICE of Texas, Mr. RYAN, and Mr. MCCLOSKEY):

H.R. 4228. A bill to provide educational assistance to children of civilian employees of the United States killed abroad as a result of war, insurgency, mob violence, or similar hostile action; to the Committee on Post Office and Civil Service.

By Mr. BOGGS:

H.R. 4229. A bill to continue for a temporary period the existing suspension of duty on heptanoic acid; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (for himself, Mr. POFF, Mr. SCOTT, Mr. WAMPLER, Mr. WHITEHURST, Mr. ABBITT, Mr. DOWNING, Mr. MARSH, Mr. SATTERFIELD, and Mr. DANIEL of Virginia):

H.R. 4230. 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. BROOMFIELD:

H.R. 4231. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers; to the Committee on Ways and Means.

H.R. 4232. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 4233. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 4234. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for a dependent who is mentally retarded; to the Committee on Ways and Means.

H.R. 4235. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 4236. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 4237. 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.

H.R. 4238. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow who has minor children, and is entitled to mother's insurance benefits, may earn without suffering deductions from the benefits to which she is entitled thereunder; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 4239. A bill to amend item 802.30, Tariff Schedules of the United States, so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside of the United States; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. CORMAN, Mr. BURTON of California, Mr. EDWARDS of California, Mr. MIKVA, Mrs. HANSEN of Washington, Mr. JACOBS, Mr. STOKES, Mr. TIERNAN, Mrs. CHISHOLM, Mr. KOCH, Mr. BOLAND, and Mr. KARTH):

H.R. 4240. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself and Mr. CORMAN):

H.R. 4241. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 4242. A bill to amend the Federal Regulation of Lobbying Act, and for other purposes; to the Committee on the Judiciary.

H.R. 4243. A bill to authorize appropriations for the Civil Rights Commission; to the Committee on the Judiciary.

H.R. 4244. A bill to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations; to the Committee on the Judiciary.

H.R. 4245. A bill to amend title 18, United States Code, relating to conflicts of interest, with respect to the members of the District of Columbia Council; to the Committee on the Judiciary.

H.R. 4246. A bill to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees; to the Committee on the Judiciary.

H.R. 4247. A bill to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress; to the Committee on the Judiciary.

H.R. 4248. A bill to amend title 5, United States Code, to authorize civilians employed by the Department of Defense to administer oaths while conducting official investigations; to the Committee on the Judiciary.

H.R. 4249. A bill to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices; to the Committee on the Judiciary.

By Mr. CELLER (for himself, Mr. BARRETT, Mr. BLATNIK, Mr. CONYERS, Mr. CORMAN, Mr. DONOHUE, Mr. WILLIAM D. FORD, Mr. FULTON of Tennessee, Mr. HUNGATE, Mr. JACOBS, Mr. KLUCZYNSKI, Mr. MIKVA, Mr. MOLLOHAN, Mr. PHILBIN, Mr. ROGERS of Colorado, Mr. ROGERS of Florida, Mr. RYAN, and Mr. STOKES):

H.R. 4250. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CLARK:

H.R. 4251. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

By Mr. CLEVELAND:

H.R. 4252. A bill to amend title II of the Social Security Act to increase from $1,680 and $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 4253. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 4254. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4255. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 4256. 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.

By Mr. CULVER (for himself, Mr. BINGHAM, Mr. EVANS of Colorado, Mr. HAMILTON, Mr. MCCARTHY, and Mr. REUSS):

H.R. 4257. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. DENNEY:

H.R. 4258. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 4259. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 4260. A bill to restrict the shipment of unsolicited credit cards in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. DUNCAN:

H.R. 4261. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. ERLENBORN:

H.R. 4262. A bill to amend the act entitled "An Act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work," approved August 24, 1935 (49 Stat. 793); to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 4263. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 4264. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. GILBERT:

H.R. 4265. A bill to amend the Tariff Schedules of the United States with respect to the classification of certain parts for fuel injection pumps for compression-ignition engines; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 4266. A bill to require congressional approval before a license may be granted for the construction of any facility for the commercial generation of electricity from nuclear energy; to the Joint Committee on Atomic Energy.

By Mr. GRAY (for himself and Mr. CORMAN):

H.R. 4267. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 4268. A bill to amend the Internal Revenue Code fo 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 4269. A bill to amend title 39, United States Code, to provide that third-class bulk mail matter be presented for mailing, at the expense of the sender, at the post office of delivery or, if presented for mailing at the post office at the point of origin, be subject to fourth-class mail rates in addition to third class bulk mail rates; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS:

H.R. 4270. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 4271. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 4272. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 4273. A bill to permit retired personnel of the Armed Forces to receive benefits under chapter 81 of title 5, United States Code, relating to compensation of Federal employees for work injuries; to the Committee on Education and Labor.

By Mr. JONES of North Carolina:

H.R. 4274. A bill to authorize the filling of vacant positions in the National Park Service; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 4275. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. KYL:

H.R. 4276. A bill to retrocede a portion of the District of Columbia to the State of Maryland; to the Committee on the District of Columbia.

By Mr. LANDRUM:

H.R. 4277. A bill to amend the Appalachian Regional Development Act of 1965 to extend its coverage to certain additional counties; to the Committee on Public Works.

By Mr. LATTA:

H.R. 4278. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MCFALL:

H.R. 4279. A bill to provide for the establishment of a national cemetery within the boundaries of the San Luis unit of the Central Valley project (California); to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.R. 4280. A bill to provide increases in annuities paid under the Civil Service Retirement Act, matching wage and salary increases paid to employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MEEDS:

H.R. 4281. A bill to amend title 39, United States Code, to provide for the refusal by the the addressee and return to the sender of third-class bulk mail at a charge to the sender prescribed by the Postmaster General; to the Committee on Post Office and Civil Service.

By Mr. MESKILL:

H.R. 4282. A bill to make certain additional uninsured individuals eligible for hospital insurance benefits; to the Committee on Ways and Means.

By Mr MILLER of California:

H.R. 4283. A bill to authorize appropriations for activities of the National Science Foundation, and for other purposes; to the Committee on Science and Astronautics.

H.R. 4284. A bill to authorize appropriations to carry out the Standard Reference Data Act; to the Committee on Science and Astronautics.

By Mr. MONAGAN:

H.R. 4285. A bill providing for adequate notice to the management of the corporations involved in the case of certain proposed bids for corporate takeovers; to the Committee on Interstate and Foreign Commerce.

By Mr. NEDZI:

H.R. 4286. A bill to amend section 273 of title 10, United States Code, to provide that members of the Armed Forces who are members of the Senate or House of Representatives of the United States shall be transferred to the inactive status of the Standby Reserve under certain conditions; to the Committee on Armed Services.

H.R. 4287. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4288. A bill to amend the Social Security Act to provide that women who are 62 years of age or over and are eligible for cash social security (or railroad retirement) benefits shall also be eligible for hospital insurance benefits (and supplementary medical insurance benefits); to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 4289. A bill to amend title II of the Social Security Act to provide minimum monthly benefits thereunder at age 72 for all uninsured individuals, without regard to the time at which such age is attained; to the Committee on Ways and Means.

By Mr. NELSEN (for himself, Mr. FRASER, Mr. O'KONSKI, Mr. WINN, and Mr. ZWACH):

H.R. 4290. A bill to provide for the election of a delegate from the District of Columbia to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. PATMAN:

H.R. 4291. A bill to amend the Small Business Act, and for other purpose; to the Committee on Banking and Currency.

H.R. 4292. A bill to authorize additional appropriations to the Small Business Administration for economic opportunity management assistance and for other purposes; to the Committee on Banking and Currency.

By Mr. PATMAN (for himself and Mr. ASHLEY):

H.R. 4293. A bill to provide for continuation of authority for regulation of exports; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 4294. A bill to assure safe and healthful working conditions for working men and women; to assist the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes; to the Committee on Education and Labor.

By Mr. PERKINS (for himself, Mr. FLOOD, Mr. SAYLOR, Mr. YATRON, Mr.

SLACK, Mr. OLSEN, Mr. KEE, Mr. MORGAN, Mr. DENT, Mr. WAMPLER, Mr. CLARK, Mr. PRICE of Illinois, Mr. GRAY, Mr. MOORHEAD, and Mr. STAGGERS):

H.R. 4295. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

By Mr. PIRNIE:

H.R. 4296. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. POFF:

H.R. 4297. A bill to amend the act of November 8, 1966; to the Committee on the Judiciary.

H.R. 4298. 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.

By Mr. POLLOCK:

H.R. 4299. A bill to provide for the payment or reimbursement, on a one-time basis, of the expenses incurred by a Member of the House of Representatives for the round-trip transportation of his dependents and household effects between his home State and Washington, D.C.; to the Committee on House Administration.

By Mr. RHODES:

H.R. 4300. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4301. A bill to amend the Internal Revenue Code of 1954 to exclude from income certain reimbursing expenses; to the Committee on Ways and Means.

By Mr. ROGERS of Colorado:

H.R. 4302. A bill to amend title 28 of the United States Code, section 753, to authorize payment by the United States of fees charged by court reporters for furnishing certain transcripts in proceedings under the Criminal Justice Act; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 4303. A bill making appropriations for an additional number of assistant U.S. attorneys for the District of Columbia; to the Committee on Appropriations.

H.R. 4304. A bill to increase the number of district judges for the U.S. District Court for the District of Columbia; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 4305. A bill to amend the Supplemental Appropriation Act, 1969, to increase to the full authorized amount the maximum annual interest reduction payments which may be contracted for through the fiscal year 1969 under section 236 of the National Housing Act; to the Committee on Appropriations.

H.R. 4306. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. RYAN (for himself, Mr. ADDABBO, Mr. BURTON of California, Mr. CORMAN, Mr. GIAIMO, Mr. HELSTOSKI, Mr. SCHEUER, Mr. VAN DEERLIN, and Mr. WOLFF):

H.R. 4307. A bill to authorize participation by the United States in the construction of a dual-purpose electrical power generation and desalting plant in Israel; to the Committee on Foreign Affairs.

By Mr. RYAN (for himself, Mr. BIAGGI, Mr. CONYERS, Mr. FARBSTEIN, Mr. GAYDOS, Mr. HALPERN, Mr. HELSTOSKI, Mr. JOELSON, Mr. KOCH, Mr. MCCARTHY, Mr. NIX, and Mr. ROSENTHAL):

H.R. 4308. A bill to authorize assistance under the FHA section 236 program and the rent supplement program with respect to qualified rental and cooperative housing projects financed with aid under State or local programs even though construction or rehabilitation was completed prior to approval for such assistance; to the Committee on Banking and Currency.

By Mr. SISK:

H.R. 4309. A bill to provide for the establishment of a national cemetery within the boundaries of the San Luis unit of the Central Valley project (California); to the Committee on Veterans' Affairs.

By Mr. STEIGER of Arizona:

H.R. 4310. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California (by request):

H.R. 4311. A bill to amend title 5, United States Code, to provide for the reclassification of employees of Federal agencies in positions of nursing assistant who are licensed as practical nurses, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Georgia (for himself, Mr. ESHLEMAN, Mr. BLACKBURN, Mr. POLLOCK, Mr. RARICK, and Mr. UTT):

H.R. 4312. A bill to permit American citizens to hold gold when there is no requirement that gold reserves be held against currency in circulation, and for other purposes; to the Committee on Banking and Currency.

By Mr. THOMPSON of New Jersey:

H.R. 4313. 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. THOMPSON of New Jersey (for himself, Mr. PERKINS, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMAS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. REID of New York, Mr. ERLENBORN, Mr. DELLENBACK, and Mr. STEIGER of Wisconsin):

H.R. 4314. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees; to the Committee on Education and Labor.

By Mr. VIGORITO:

H.R. 4315. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 4316. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 4317. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 4318. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 4319. A bill to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas; to the Committee on Interior and Insular Affairs.

By Mr. BATTIN:

H.J. Res. 278. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. BUSH:

H.J. Res. 279. Joint resolution directing the Secretary of Labor to make recommendations to Congress to increase employment opportunity for young people and the handicapped; to the Committee on Education and Labor.

By Mr. CASEY:

H.J. Res. 280. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 281. Joint resolution proposing an amendment to the Constitution of the United States to grant to the Congress the power to establish uniform laws for the loss of nationality and citizenship; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 282. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. CORMAN:

H.J. Res. 283. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. FLOOD:

H.J. Res. 284. Joint resolution to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management, and control of the water and related natural resources of Susquehanna River Basin, for the improvement of navigation, reduction of flood damage, reduction and control of surface subsidence, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat, and public recreational facilities, and other purposes, and defining the functions, powers, and duties of such agency; to the Committee on the Judiciary.

H.J. Res. 285. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. FLOOD (by request):

H.J. Res. 286. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GOODLING:

H.J. Res. 287. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. GRAY:

H.J. Res. 288. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. HELSTOSKI:

H.J. Res. 289. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 290. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 291. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. ANDERSON of California, Mr. BROWN of California, Mr. HANNA, Mr. HAWKINS, Mr. LEGGETT, Mr. REES, Mr. ROYBAL, and Mr. CHARLES H. WILSON):

H.J. Res. 292. Joint resolution proposing and amendment to the Constitution of the United States to provide for a national preferential primary election to select candidates for the office of the President and Vice President and to provide for the election of the President and Vice President by the popular vote of the people of the United States; to the Committee on the Judiciary.

By Mr. NELSEN (for himself, Mr. BROYHILL of Virginia, Mr. O'KONSKI, Mr. WINN, and Mr. ZWACH):

H.J. Res. 293. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 294. Joint resolution commending the Cuban "Declaration of Freedom"; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H.J. Res. 295. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. STAGGERS:

H.J. Res. 296. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. TEAGUE of Texas:

H.J. Res. 297. Joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications and tenure in office of Federal judges; to the Committee on the Judiciary.

By Mr. DINGELL:

H.J. Res. 298. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. FOREMAN (for himself, Mr. HALL, Mr. SEBELIUS, Mr. LANDGREBE, and Mr. LANGEN):

H. Con. Res. 89. Concurrent resolution expressing the sense of the Congress that aid to and trade with any country which extends any aid or assistance to North Vietnam shall be prohibited; to the Committee on Foreign Affairs.

By Mr. FOREMAN (for himself, Mr. BARING, Mr. DERWINSKI, Mr. LUKENS, Mr. HALEY, Mr. WHITEHURST, Mr. COLLINS, Mr. GROVER, Mr. SMITH of California, Mr. WATSON, Mr. LUJAN, Mr. FISHER, Mr. WAGGONNER, Mr. PRICE of Texas, Mr. UTT, Mr. FREY, Mr. RHODES, Mr. GROSS, Mr. DOWDY, Mr. CAMP, Mr. LIPSCOMB, Mr. DICKINSON, Mr. KUYKENDALL, Mr. KING, and Mr. HUNT):

H. Con. Res. 90. Concurrent resolution expressing the sense of the Congress that aid to and trade with any country which extends any aid or assistance to North Vietnam shall be prohibited; to the Committee on Foreign Affairs.

By Mr. MILLS:

H. Con. Res. 91. Concurrent resolution expressing the opposition of the Congress to the proposed consumption taxes of the European Economic Community on oilseed products; to the Committee on Ways and Means.

By Mr. PEPPER:

H. Con. Res. 92. Concurrent resolution expressing the sense of the Congress with respect to the elimination of the Castro-Communist regime of Cuba; to the Committee on Foreign Affairs.

By Mr. SISK:

H. Con. Res. 93. Concurrent resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments; to the Committee on Foreign Affairs.

By Mr. STEIGER of Arizona:

H. Con. Res. 94. Concurrent resolution to amend the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. Con. Res. 95. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; to the Committee on House Administration.

By Mr. MORSE (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. ANDERSON of Illinois, Mr. ARENDS, Mr. ASHLEY, Mr. BIESTER, Mr. BINGHAM, Mr. BLATNIK, Mr. BOLAND, Mr. BOLLING, Mr. BRADEMAS, Mr. BROWN of California, Mr. BUCHANAN, Mr. BURTON of California, Mr. BUTTON, Mrs. CHISHOLM, Mr. CONABLE, Mr. CONTE, Mr. CONYERS, Mr. CORMAN, Mr. CULVER, Mr. DANIELS of New Jersey, Mr. DONOHUE, and Mr. DUNCAN):

H. Con. Res. 96, a resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian Civil War; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. EDWARDS of California, Mr. ESCH, Mr. FASCELL, Mr. FISH, Mr. FOLEY, Mr. FRELINGHUYSEN, Mr. FULTON of Tennessee, Mr. GIAIMO, Mr. GILBERT, Mr. GREEN of Pennsylvania, Mr. GUDE, Mr. HALPERN, Mr. HAMILTON, Mr. HANLEY, Mrs. HANSEN of Washington, Mr. HATHAWAY, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. HICKS, Mr. HOGAN, Mr. HORTON, Mr. JACOBS, Mr. JOHNSON of California, and Mr. KARTH):

H. Con. Res. 97. Concurrent resolution expressing the sense of the Congress to the furnishing of relief assistance to persons affected by the Nigerian Civil War; to the Committee on Foreign Affairs.

By Mr. MORSE (for himself, Mr. KASTENMEIER, Mr. KEITH, Mr. KOCH, Mr. LUKENS, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MCKNEALLY, Mrs. MAY, Mr. MESKILL, Mr. MIKVA, Mr. MINISH, Mrs. MINK, Mr. MIZE, Mr. MOORHEAD, Mr. MOSHER, Mr. MURPHY of Illinois, Mr. NEDZI, Mr. O'HARA, Mr. O'NEILL of Massachusetts, Mr. OTTINGER, Mr. PEPPER, Mr. PODELL, Mr. RAILSBACK, and Mr. REES):

H. Con. Res. 98. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian Civil War; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. REID of New York, Mr. REUSS, Mr. ROBISON, Mr. ROONEY of Pennsylvania, Mr. ROSENTHAL, Mr. RUPPE, Mr. RYAN, Mr. ST GERMAIN, Mr. SCHNEEBELI, Mr. SCHWENGEL, Mr. STAFFORD, Mr. STANTON, Mr. STOKES, Mr. TAFT, Mr. TEAGUE of California, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. TUNNEY, Mr. UDALL, Mr. WALDIE, Mr. WEICKER, Mr. WHITEHURST, Mr. WILLIAMS, and Mr. CHARLES H. WILSON):

H. Con. Res. 99. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian Civil War; to the Committee on Foreign Affairs.

By Mr. MORSE (for himself, Mr. WOLFF, Mr. WYDLER, Mr. YATES, Mr. RODINO, Mr. VANIK, Mr. BROOMFIELD, and Mr. EDWARDS of Alabama):

H. Con. Res. 100. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian Civil War; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H. Res. 144. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. FISHER:

H. Res. 145. A resolution disapproving the recommendations of the President relative to the rates of pay of certain Federal officials; to the Committee on Post Office and Civil Service.

By Mr. HENDERSON:

H. Res. 146. A resolution providing for the consideration of House Resolution 136, a resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Rules.

By Mr. LATTA:

H. Res. 147. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H. Res. 148. A resolution providing funds for the Committee on the District of Columbia; to the Committee on House Administration.

By Mr. NELSEN:

H. Res. 149. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. NELSEN (for himself and Mr. LANGEN, and Mr. ZWACH):

H. Res. 150. A resolution relative to consideration of House Resolution 133; to the Committee on Rules.

By Mr. NIX:

H. Res. 151. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 152. A resolution authorizing the Committee on Banking and Currency to conduct full and complete investigations and studies of all matters within its jurisdiction under the rules of the House or the laws of the United States; to the Committee on Rules.

By Mr. ROGERS of Florida:

H. Res. 153. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H. Res. 154. A resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

By Mr. ZWACH (for himself, Mr. NELSEN, and Mr. LANGEN:

H. Res. 155. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

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## 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. 4320. A bill for the relief of Filomena and Marie Alferi; to the Committee on the Judiciary.

H.R. 4321. A bill for the relief of Carmelo Bari; to the Committee on the Judiciary.

H.R. 4322. A bill for the relief of Francesco Biondo; to the Committee on the Judiciary.

H.R. 4323. A bill for the relief of Lucia and Domenico Cortina; to the Committee on the Judiciary.

H.R. 4324. A bill for the relief of Domenico DiPalo; to the Committee on the Judiciary.

H.R. 4325. A bill for the relief of Filippo and Lilla Galletta and minor child, Antonina Galletta; to the Committee on the Judiciary.

H.R. 4326. A bill for the relief of Domenica Girgenti; to the Committee on the Judiciary.

H.R. 4327. A bill for the relief of Gianni and Rosa Girgenti and minor children, Madalena and Vincensa Girgenti; to the Committee on the Judiciary.

H.R. 4328. A bill for the relief of Maria Rosa Girgenti; to the Committee on the Judiciary.

H.R. 4329. A bill for the relief of Mary Roberts McFeely; to the Committee on the Judiciary.

H.R. 4330. A bill for the relief of Suzanne Pantaleo; to the Committee on the Judiciary.

H.R. 4331. A bill for the relief of Domenico Pezzano; to the Committee on the Judiciary.

H.R. 4332. A bill for the relief of Roslyn Piper; to the Committee on the Judiciary.

H.R. 4333. A bill for the relief of Andrea Ribaudo; to the Committee on the Judiciary.

H.R. 4334. A bill for the relief of Giovanna Salvo; to the Committee on the Judiciary.

H.R. 4335. A bill for the relief of Antonio Sguera (also known as Tony Galante); to the Committee on the Judiciary.

H.R. 4336. A bill for the relief of Filippa and Giovanni Valchiusa; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 4337. A bill for the relief of Domenico Lo Brano; to the Committee on the Judiciary.

H.R. 4338. A bill for the relief of Giuseppe Noto; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 4339. A bill for the relief of Nunzia Platinia; to the Committee on the Judiciary.

H.R. 4340. A bill for the relief of Domenico Sbraccia; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 4341. A bill for the relief of Maria LoCicero Shone; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 4342. A bill for the relief of Giuseppe Aiello; to the Committee on the Judiciary.

H.R. 4343. A bill for the relief of Emanuel Alaimo; to the Committee on the Judiciary.

H.R. 4344. A bill for the relief of Dr. Araceli R. Ancajas; to the Committee on the Judiciary.

H.R. 4345. A bill for the relief of Giuseppina Angeloti, also known as Giuseppina Angeloti Dall 'Agnul; to the Committee on the Judiciary.

H.R. 4346. A bill for the relief of Vito Barone; to the Committee on the Judiciary.

H.R. 4347. A bill for the relief of Carlo Bassanini; to the Committee on the Judiciary.

H.R. 4348. A bill for the relief of Antonio Beninati; to the Committee on the Judiciary.

H.R. 4349. A bill for the relief of Walter V. Biagiolini; to the Committee on the Judiciary.

H.R. 4350. A bill for the relief of Salvatore Bonavolonta and his wife Maria Bonavolonta, to the Committee on the Judiciary.

H.R. 4351. A bill for the relief of Pietro Cacciatore; to the Committee on the Judiciary.

H.R. 4352. A bill for the relief of Natale Cangialosi; to the Committee on the Judiciary.

H.R. 4353. A bill for the relief of Stephen O. K. Chen and Ching Nun Ho; to the Committee on the Judiciary.

H.R. 4354. A bill for the relief of Nicola Cianci; to the Committee on the Judiciary.

H.R. 4355. A bill for the relief of Antonino Como; to the Committee on the Judiciary.

H.R. 4356. A bill for the relief of Angelo Conteduca and his wife Marianna Conteduca; to the Committee on the Judiciary.

H.R. 4357. A bill for the relief of Guiseppe Antonio Correnti and his wife Francesca Di Gregorio Correnti; to the Committee on the Judiciary.

H.R. 4358. A bill for the relief of Carmine D'Apruzzo; to the Committee on the Judiciary.

H.R. 4359. A bill for the relief of Giuseppe Di Froscia; to the Committee on the Judiciary.

H.R. 4360. A bill for the relief of Giovanni Di Maggio; to the Committee on the Judiciary.

H.R. 4361. A bill for the relief of Salvatore Favella; to the Committee on the Judiciary.

H.R. 4362. A bill for the relief of Luciano Ferrarello; to the Committee on the Judiciary.

H.R. 4363. A bill for the relief of Antonio Ferraro; to the Committee on the Judiciary.

H.R. 4364. A bill for the relief of Giuseppe Fico; to the Committee on the Judiciary.

H.R. 4365. A bill for the relief of certain Filipino nurses; to the Committee on the Judiciary.

H.R. 4366. A bill for the relief of Maria Garbaz and her daughter Nathalie Garbaz; to the Committee on the Judiciary.

H.R. 4367. A bill for the relief of George Georgiadis; to the Committee on the Judiciary.

H.R. 4368. A bill for the relief of Mario Gesuale; to the Committee on the Judiciary.

H.R. 4369. A bill for the relief of Brenda Gill; to the Committee on the Judiciary.

H.R. 4370. A bill for the relief of Vincenzo Grassadonia; to the Committee on the Judiciary.

H.R. 4371. A bill for the relief of Francesco Guglieri; to the Committee on the Judiciary.

H.R. 4372. A bill for the relief of Dr. Erol Gursel, his wife, Sevgi Gursel, and their daughter, Sumru Gursel; to the Committee on the Judiciary.

H.R. 4373. A bill for the relief of Giuseppe Iacona; to the Committee on the Judiciary.

H.R. 4374. A bill for the relief of Miss Delia Itro; to the Committee on the Judiciary.

H.R. 4375. A bill for the relief of Gina Iurato; to the Committee on the Judiciary.

H.R. 4376. A bill for the relief of Dionisia C. Japco; to the Committee on the Judiciary.

H.R. 4377. A bill for the relief of Masahiko Kuromoto; to the Committee on the Judiciary.

H.R. 4378. A bill for the relief of Sister Angelina Landolfi; to the Committee on the Judiciary.

H.R. 4379. A bill for the relief of Benedetta Larca; to the Committee on the Judiciary.

H.R. 4380. A bill for the relief of Antonino La Spesa; to the Committee on the Judiciary.

H.R. 4381. A bill for the relief of Choon Ja Lee; to the Committee on the Judiciary.

H.R. 4382. A bill for the relief of Pao Kung Lee; to the Committee on the Judiciary.

H.R. 4383. A bill for the relief of Miss Santosh I. Magon; to the Committee on the Judiciary.

H.R. 4384. A bill for the relief of Calogero Mannino; to the Committee on the Judiciary.

H.R. 4385. A bill for the relief of Cosimo Marchesano; to the Committee on the Judiciary.

H.R. 4386. A bill for the relief of Giorgios Markopoulos; to the Committee on the Judiciary.

H.R. 4387. A bill for the relief of John Markopoulos; to the Committee on the Judiciary.

H.R. 4388. A bill for the relief of Daniele Marmo and his wife, Anna Marmo; to the Committee on the Judiciary.

H.R. 4389. A bill for the relief of Amor Nazareno Marquez; to the Committee on the Judiciary.

H.R. 4390. A bill for the relief of Raffaele Mazzariello and his wife, Teresa Mazzariello; to the Committee on the Judiciary.

H.R. 4391. A bill for the relief of Remedios De Guzman Mislang; to the Committee on the Judiciary.

H.R. 4392. A bill for the relief of George Niskopoulos and Amalia Niskopoulos; to the Committee on the Judiciary.

H.R. 4393. A bill for the relief of certain nurses; to the Committee on the Judiciary.

H.R. 4394. A bill for the relief of Nunzio Occhipinti; to the Committee on the Judiciary.

H.R. 4395. A bill for the relief of Alessandro Panella; to the Committee on the Judiciary.

H.R. 4396. A bill for the relief of Filippo Passantino; to the Committee on the Judiciary.

H.R. 4397. A bill for the relief of Benedetto Pezzino; to the Committee on the Judiciary.

H.R. 4398. A bill for the relief of Antonino Raccuglia; to the Committee on the Judiciary.

H.R. 4399. A bill for the relief of Franco Rinaldi; to the Committee on the Judiciary.

H.R. 4400. A bill for the relief of Angela Antonia Rizzo; to the Committee on the Judiciary.

H.R. 4401. A bill for the relief of Gaetano Rizzo; to the Committee on the Judiciary.

H.R. 4402. A bill for the relief of Giuseppe Rizzo, Angela Rizzo, Vincenzo Rizzo and Antonio Rizzo; to the Committee on the Judiciary.

H.R. 4403. A bill for the relief of Joe Mendes Robalo; to the Committee on the Judiciary.

H.R. 4404. A bill for the relief of Salvatore Rubino; to the Committee on the Judiciary.

H.R. 4405. A bill for the relief of Salvatore Rusotto; to the Committee on the Judiciary.

H.R. 4406. A bill for the relief of Guiseppe Sereno and Orsola Mannino Sereno; to the Committee on the Judiciary.

H.R. 4407. A bill for the relief of Keh-Hsin Shen; to the Committee on the Judiciary.

H.R. 4408. A bill for the relief of Maria Antonietta Storino; to the Committee on the Judiciary.

H.R. 4409. A bill for the relief of Perlita S. Tagle; to the Committee on the Judiciary.

H.R. 4410. A bill for the relief of Lidia Tagliaferro; to the Committee on the Judiciary.

H.R. 4411. A bill for the relief of William Tsarouchis; to the Committee on the Judiciary.

H.R. 4412. A bill for the relief of Miss Lucia Varon; to the Committee on the Judiciary.

H.R. 4413. A bill for the relief of Gino Volpi; to the Committee on the Judiciary.

H.R. 4414. A bill for the relief of Ionnis Yakalos; to the Committee on the Judiciary.

H.R. 4415. A bill for the relief of Miss Maria Aida Yap; to the Committee on the Judiciary.

H.R. 4416. A bill for the relief of Ancilla Zeni; to the Committee on the Judiciary.

H.R. 4417. A bill for the relief of Lillo Zicari; to the Committee on the Judiciary.

H.R. 4418. A bill for the relief of Giovanni Lo Zito; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 4419. A bill for the relief of Raghunath Deshpande; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 4420. A bill for the relief of Helene Albilia; to the Committee on the Judiciary.

H.R. 4421. A bill for the relief of Francesco Ambrosio; to the Committee on the Judiciary.

H.R. 4422. A bill for the relief of Ferruccio Bertulli; to the Committee on the Judiciary.

H.R. 4423. A bill for the relief of Michael Bono; to the Committee on the Judiciary.

H.R. 4424. A bill for the relief of Calogero Caruso and Salvatore Caruso; to the Committee on the Judiciary.

H.R. 4425. A bill for the relief of Francesco Castello; to the Committee on the Judiciary.

H.R. 4426. A bill for the relief of Filippo Carrito; to the Committee on the Judiciary.

H.R. 4427. A bill for the relief of Filippo Ciaravino; to the Committee on the Judiciary.

H.R. 4428. A bill for the relief of Agatina D'Aloisio; to the Committee on the Judiciary.

H.R. 4429. A bill for the relief of Leonardo DiMaria; to the Committee on the Judiciary.

H.R. 4430. A bill for the relief of Francesco Di Stefano; to the Committee on the Judiciary.

H.R. 4431. A bill for the relief of Pietro Filippazzo; to the Committee on the Judiciary.

H.R. 4432. A bill for the relief of Francesco Fiordilino; to the Committee on the Judiciary.

H.R. 4433. A bill for the relief of Salvatore Lamendola; to the Committee on the Judiciary.

H.R. 4434. A bill for the relief of Salvatore Leone; to the Committee on the Judiciary.

H.R. 4435. A bill for the relief of Giuseppe Mannino; to the Committee on the Judiciary.

H.R. 4436. A bill for the relief of Domenico Musso; to the Committee on the Judiciary.

H.R. 4437. A bill for the relief of Pietro Pepe; to the Committee on the Judiciary.

H.R. 4438. A bill for the relief of Joseph Pirrone; to the Committee on the Judiciary.

H.R. 4439. A bill for the relief of Carmelo Pistone; to the Committee on the Judiciary.

H.R. 4440. A bill for the relief of Graziano Randazzo; to the Committee on the Judiciary.

H.R. 4441. A bill for the relief of Ignacio Sutera; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 4442. A bill for the relief of Carmine Corrado; to the Committee on the Judiciary.

H.R. 4443. A bill for the relief of Nello Giarelli, Rosa Cafagno Giarelli, Marcel Giarelli, and Isabel Giarelli; to the Committee on the Judiciary.

H.R. 4444. A bill for the relief of Marcello Mallegni, his wife, Lea Nieves Mallegni, their son, Marcello Mauro Mallegni, and their son, Dante Alberto Mallegni; to the Committee on the Judiciary.

H.R. 4445. A bill for the relief of Ubalda Mazzacani and Giorgio Mazzacani; to the Committee on the Judiciary.

H.R. 4446. A bill for the relief of Giacomo F. Pettito; to the Committee on the Judiciary.

H.R. 4447. A bill for the relief of Ross F. Sage; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 4448. A bill for the relief of Roshan Rohani; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 4449. A bill for the relief of Fahim Nimri; to the Committee on the Judiciary.

H.R. 4450. A bill for the relief of George W. Payne and Jo Nan Payne; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 4451. A bill for the relief of Wain Yoke Fong, Siu Jane (Fung) Fong, and Vincent Fong; to the Committee on the Judiciary.

H.R. 4452. A bill for the relief of Anastase Politopoulos; to the Committee on the Judiciary.

H.R. 4453. A bill for the relief of Giovanni Salvatore Surdo; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 4454. A bill for the relief of Calvin Williams; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 4455. A bill for the relief of Dr. Sophocles Sakellariou; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 4456. A bill for the relief of Matteo Scaduto; to the Committee on the Judiciary.

By Mr. CRAMER (by request):

H.R. 4457. A bill for the relief of Francesco Giuliani; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 4458. A bill for the relief of Victor Naar; to the Committee on the Judiciary.

H.R. 4459. A bill for the relief of Giuseppe Parisi, Carmine Parisi, Rita Leanor Parisi, and Franco Nicholas Parisi; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 4460. A bill for the relief of Benjamin Marcel Shalom, Andree Shalom, Marietta Shalom, and Silvana Shalom; to the Committee on the Judiciary.

H.R. 4461. A bill for the relief of Maria and Andreas Tselos; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 4462. A bill for the relief of Miss Avelina Enriquez; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 4463. A bill for the relief of Francis X. Tuson; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 4464. A bill for the relief of Dr. Gopal Das; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 4465. A bill for the relief of Janice Bowman; to the Committee on the Judiciary.

H.R. 4466. A bill for the relief of Giuseppe Caruso; to the Committee on the Judiciary.

H.R. 4467. A bill for the relief of Vincenzo Di Martino; to the Committee on the Judiciary.

H.R. 4468. A bill for the relief of Joseph Perez; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 4469. A bill for the relief of Sabastiano Bella and Elena Bella; to the Committee on the Judiciary.

H.R. 4470. A bill for the relief of the Cuban Truck & Equipment Co., its heirs and assigns; to the Committee on the Judiciary.

H.R. 4471. A bill for the relief of Chung Suk Kim; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 4472. A bill for the relief of Maj. John E. Doran, USAF; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 4473. A bill for the relief of Salvatore Cascone; to the Committee on the Judiciary.

H.R. 4474. A bill for the relief of Ciro DeFlora; to the Committee on the Judiciary.

H.R. 4475. A bill for the relief of Carmine Serleti; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 4476. A bill for the relief of Giuseppe Cannata; to the Committee on the Judiciary.

H.R. 4477. A bill for the relief of Mrs. Ismay Paulina Mack; to the Committee on the Judiciary.

H.R. 4478. A bill for the relief of George Philpotts; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 4479. A bill for the relief of Raymond P. Guzman; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 4480. A bill for the relief of John W. Watson, a minor; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 4481. A bill for the relief of Harold Gilbertson, Raymond Nelson, Lawrence Powell, Marvin Holland, Erling Ellison, Haakon Pederson, Marvel Blix, all of Cathlamet, Wash., and Charles F. Gann, of Westport, Oreg.; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 4482. A bill for the relief of Sang Yong Kim; to the Committee on the Judiciary.

H.R. 4483. A bill for the relief of Jose Martin Ruano; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 4484. A bill for the relief of Dr. Pedro Jara Obregon and his wife, Raquel Arceno Obregon; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 4485. A bill for the relief of Dr. Pablo Cordero; to the Committee on the Judiciary.

H.R. 4486. A bill for the relief of Rosa P. Goncalves; to the Committee on the Judiciary.

H.R. 4487. A bill for the relief of Royden P. Goodwin, his wife, Mavia J. Goodwin, and his children, Donna and Cheryl Goodwin; to the Committee on the Judiciary.

H.R. 4488. A bill for the relief of Caerina Frattoletto Petitto; to the Committee on the Judiciary.

H.R. 4489. A bill for the relief of Alberico Suriano; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 4490. A bill for the relief of Meheri Amiri; to the Committee on the Judiciary.

H.R. 4491. A bill for the relief of Dr. and Mrs. Ahmad Farhoody; to the Committee on the Judiciary.

H.R. 4492. A bill for the relief of Dr. Mirjam Mathe; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 4493. A bill for the relief of Maria Irene Bascio and her son, Richard Francesco Bascio; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 4494. A bill for the relief of Carmelo Intili; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 4495. A bill for the relief of Dr. and Mrs. Manuel A. Cacdac; to the Committee on the Judiciary.

H.R. 4496. A bill for the relief of Dr. Ivan Dimich and his wife, Dr. Alexandra Bajsanski Dimich; to the Committee on the Judiciary.

H.R. 4497. A bill for the relief of Dr. Lourdes T. M. Rao; to the Committee on the Judiciary.

H.R. 4498. A bill for the relief of Branka Mardessich and Sonia S. Silvani; to the Committee on the Judiciary.

H.R. 4499. A bill for the relief of Konstantinos Skanavis; to the Committee on the Judiciary.

H.R. 4500. A bill for the relief of Peter Wenzke; to the Committee on the Judiciary.

H.R. 4501. A bill for the relief of Victoria Wong; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.R. 4502. A bill for the relief of Madona Cudjoe; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 4503. A bill for the relief of Onofrio Binanti and Mrs. Rosa Binanti; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 4504. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the District of Columbia.

By Mr. MAHON:

H.R. 4505. A bill for the relief of Paul Joseph Harph; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 4506. A bill for the relief of Mrs. Goze Nakama; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 4507. A bill for the relief of Franciszek Malinowski; to the Committee on the Judiciary.

H.R. 4508. A bill for the relief of Ricardo Musci, his wife Carmela Arton Musci, and their daughter Giovanna Musci; to the Committee on the Judiciary.

H.R. 4509. A bill for the relief of Mark and Michael Myszka; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 4510. A bill for the relief of Antonio Ruocco; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 4511. A bill for the relief of Crisologo Redondo Campos; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 4512. A bill for the relief of Mr. and Mrs. Joseph D. Hilbert; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 4513. A bill for the relief of Rocco DeCiantis; to the Committee on the Judiciary.

H.R. 4514. A bill for the relief of Benedetto Dimaggio; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 4515. A bill for the relief of Vincenzo Argiro his wife, Anna Maria Argiro, and their minor children, Natalino Argiro, Aldo Argiro, and Concetta Argiro; to the Committee on the Judiciary.

H.R. 4516. A bill for the relief of Maria La Valle Arrigo; to the Committee on the Judiciary.

H.R. 4517. A bill for the relief of Eulogio Navasca Bayna, and his wife, Ligaya Nicanor Bayna; to the Committee on the Judiciary.

H.R. 4518. A bill for the relief of Raquel Fainsztein; to the Committee on the Judiciary.

H.R. 4519. A bill for the relief of Dr. Giorgio Ingargiola; to the Committee on the Judiciary.

H.R. 4520. A bill for the relief of Clifton Oliver Johnson; to the Committee on the Judiciary.

H.R. 4521. A bill for the relief of Rosalinda Misagal; to the Committee on the Judiciary.

H.R. 4522. A bill for the relief of Patrocino Morales and his wife, Divina Morales; to the Committee on the Judiciary.

H.R. 4523. A bill for the relief of Gaetano Nazzareno Pellicciotta and his wife, Teresa Pellicciotta; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 4524. A bill for the relief of Philip D. Jang; to the Committee on the Judiciary.

H.R. 4525. A bill for the relief of Kam Oy Jung; to the Committee on the Judiciary.

H.R. 4526. A bill for the relief of Henry Louie; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 4527. A bill for the relief of Milton Sang; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 4528. A bill for the relief of Antonio Arena, his wife, Anna Arena, and their daughter, Anna Nicoletta Arena; to the Committee on the Judiciary.

H.R. 4529. A bill for the relief of Gaetano Favuzza and his wife, Tommasa Favuzza; to the Committee on the Judiciary.

H.R. 4530. A bill for the relief of Mariano Scavuzzo; to the Committee on the Judiciary.

H.R. 4531. A bill for the relief of Amnon Kahane and his wife, Galia (Paritski) Kahane, and their two minor sons, Hillel Kahane and Lior Kahane; to the Committee on the Judiciary.

H.R. 4532. A bill for the relief of Giovanni Tavano and his wife, Natalina Tavano; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 4533. A bill for the relief of Dimitrios P. Tassios; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 4534. A bill for the relief of Angelo DiStefano; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 4535. A bill for the relief of Herbert Chan, Szeto Wing Ha Chan, and son, Frank Chan; to the Committee on the Judiciary.

H.R. 4536. A bill for the relief of Mrs. Ana Horvat and children, Josephine and Ksenija Horvat; to the Committee on the Judiciary.

H.R. 4537. A bill for the relief of Efstathios (Stephen) Kaunoupios; to the Committee on the Judiciary.

H.R. 4538. A bill for the relief of Michael F. Mouzakis; to the Committee on the Judiciary.

H.R. 4539. A bill for the relief of Dr. Angelo Zosa; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 4540. A bill for the relief of Nicola and Maria Lerario, Vincenza Lerario Favia and Luigi Lerario; to the Committee on the Judiciary.

H.R. 4541. A bill for the relief of Mrs. Helena Wojcik; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 4542. A bill for the relief of Estrella B. Viray; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 4543. A bill for the relief of Vuong Thi Bick Tuan; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 4544. A bill for the relief of Fortunato Armindo Arias-Maldonado; to the Committee on the Judiciary.

H.R. 4545. A bill for the relief of Francesco Costanzo; to the Committee on the Judiciary.

H.R. 4546. A bill for the relief of Anna Del Baglivo; to the Committee on the Judiciary.

H.R. 4547. A bill for the relief of Pietro and Gabriella Bianco; to the Committee on the Judiciary.

H.R. 4548. A bill for the relief of Michele Bovenzi; to the Committee on the Judiciary.

H.R. 4549. A bill for the relief of Dr. Paulino A. Claridades and Dr. Lydia A. Claridades; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 4550. A bill for the relief of Henry Joseph Condron; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 4551. A bill for the relief of Dr. Delfina M. Iballo; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 4552. A bill for the relief of Carl Aiello; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 4553. A bill for the relief of A. J. Fredrickson; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 4554. A bill for the relief of Dr. Sin San Yang; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 4555. A bill for the relief of Mrs. Tullio Zanella Cacioppo; to the Committee on the Judiciary.

H.R. 4556. A bill for the relief of Mihalj Mesaros, his wife, Rozalija, his daughter, Lioija, and his son, Robert; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 4557. A bill for the relief of Peh-An Chang; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 4558. A bill for the relief of Gordon Pak Man Gartner-Chan; to the Committee on the Judiciary.

H.R. 4559. A bill for the relief of Rosa Marigliano; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 4560. A bill for the relief of Sa Cha Bae; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 4561. A bill for the relief of the estate of Capt. John N. Laycock, U.S. Navy (retired); to the Committee on the Judiciary.

H.R. 4562. A bill for the relief of Cosimo Damiano Ranauru; to the Committee on the Judiciary.

## PETITIONS, ETC.

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

32. By the SPEAKER: Petition of Jesse Earl Brown, Atlanta, Ga., relative to redress of grievances; to the Committee on the Judiciary.

33. Also, petition of Henry Stoner, Portland, Oreg., relative to the right to petition; to the Committee on the Judiciary.

34. Also, petition of Arlie K. Rudel, Sterling, Colo., relative to salary increases; to the Committee on Post Office and Civil Service.

# SENATE—*Thursday, January 23, 1969*

*(Legislative day of Friday, January 10, 1969)*

The Senate met in executive session at 11 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who has made and preserved us a nation, prosper the consultations of these Thy servants for the honor, safety, and welfare of this Nation and all mankind. Keep us from easy discouragement or weariness, from giving up or giving in too soon.

Grant us this day the grace which is generous, the determination which is steadfast in decision, the perseverance which endures in all that is good and pure and true.

Through Jesus Christ, our Lord. Amen.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, January 22, 1969, be approved.

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

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

## DEPARTMENT OF THE INTERIOR

The Senate resumed the consideration of the nomination of Walter J. Hickel, of Alaska, to be Secretary of the Interior.

Mr. MANSFIELD. Mr. President, I turn over the time allotted to me to the distinguished Senator from Utah (Mr. Moss).

Mr. MOSS. Mr. President, I understand that we are now operating on controlled time.

The ACTING PRESIDENT pro tempore. The Senator is correct. How much time does the Senator yield?

Mr. MOSS. I yield myself 15 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized for 15 minutes.

Mr. MOSS. Before I begin, I should like to suggest the absence of a quorum, in order to let absent Senators know that we have started this discussion.

The ACTING PRESIDENT pro tempore. To whom is the time to be charged?

Mr. MOSS. To my time.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOSS. 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.

Mr. MOSS. Mr. President, yesterday the Senate engaged in what I consider a historic debate concerning the qualifications of a nominee of the President of the United States to assume the office of Secretary of the Interior. I listened attentively to the debate because, as a member of the Committee on Interior and Insular Affairs, I heard the testimony of the nominee and others before that committee, and I asked some questions during the hearings; and I thought I had better listen to the comments of my colleagues on the floor. I heard most of the debate that took place yesterday, and I have had an opportunity to scan the RECORD this morning to fill myself in on portions I did not hear because of my absence from the Chamber for a time. Today we are beginning the final discussion, because we have agreed to controlled time.

I believe we all agree that this matter should be disposed of without further delay. If Governor Hickel's nomination is to be confirmed, certainly he should get on with the job and there should not be a hiatus. In some ways, it is regrettable that we must have any delay at all. On the other hand, I believe the tenor of the speeches in the Senate and the information divulged during the hearings before the committee indicate that some very grave doubts remain about the qualifications of the nominee.

I wish to say, in advance, that my doubts have never centered on the integrity, the honesty, or the innate ability of Governor Hickel. My questions have arisen simply as to his philosophy and his understanding of the position he is about to assume—if he is confirmed by the Senate—and stems from the fact that in his responses, he did not exhibit to me what I felt was a comprehension of the position he had to take over and the position he would have to maintain. What I heard yesterday did not change my mind, so I shall vote today in the Senate, as I did in the committee, against confirmation of the nomination of Governor Walter J. Hickel to be Secretary of the Interior.

I do this with some regrets, because, as was said frequently in the Chamber yesterday, a President, particularly an incoming President, should have wide latitude in the selection of the members of his Cabinet. As a general proposition, I support this view. The President selects those who are to work with him and under his direction. He must depend upon them to do certain things, and ultimately he will take the responsibility for the acts of his Cabinet members. As a former President once said, "The buck stops here," speaking of the President's office; and certainly the President will assume the ultimate responsibility for acts that are taken by Cabinet members. Therefore, he should be given very wide latitude in his selection. But this does not detract from the constitutional obligation of the Senate to examine his nominations with care. If we simply rubberstamp through every name the President submits, then the words of the Constitution are a futility, and we simply are shadowboxing.

Consequently, I have given much thought and attention to the 4 days of testimony at the hearings and the previous statements that have been made by Governor Hickel, together with the debate in the Senate yesterday, and it is my considered opinion that the nominee does not now possess the needed qualifications for this office. Let me stress again that I do not question his integrity. My opposition is neither personal nor political, but is based solely on the questions of what I consider national interest.

For example, time and again before our committee Governor Hickel assured the committee that he would do what the committee wanted done in relation to many decisions he would have to make as Secretary of the Interior. Of course, this is reassuring to the committee to a degree, because we all feel that we know what should be done, and we are all flattered to be consulted and to be told that the Secretary would not move without consulting the committee.

But I submit that it raises a question as to just what the assurance given by Governor Hickel can mean. First, he is a member of the President's Cabinet, and he is not always free to do what the committee wants, even if he wants to do so. He is, after all, the President's man. His loyalty must be to the President who appointed him. Moreover, his decisions must be submitted to the Bureau of the Budget in most instances. They certainly have to be submitted to the White House or some arm of the President before they can be submitted to Congress if they are decisions that come within the purview of Congress.

The policies of this administration concerning conservation and natural resources are not yet clear, and under these conditions Governor Hickel's assurance may mean very little. I refer to his assurance of submitting to the committee matters that will come up for him to decide.

The Committee on Interior and Insular Affairs speaks for the Congress only to a limited degree, and on some issues it may be impossible for the Secretary to determine what Congress wants. The committee itself may be divided. Most committees do have divisions within the committee. By saying that a proposition is going to be submitted to the committee, is it meant that the proposition is to be submitted only to the chairman or to the entire committee? If it means the entire committee, it is going to be a consensus decision as to what the committee wants to do, when the committee itself might be divided; and it might stretch out for a long period of time trying to get an answer or a consensus from the committee.

In the hearings and discussions on the nomination of Governor Hickel the views of the House Committee on Interior and Insular Affairs have not been heard. We must remember that Governor Hickel appeared only before the Senate committee. This is so because only the Senate is involved in the confirmation of Cabinet appointments and consequently this procedure was inevitable. However, the views of the House committee are of as great importance as those of the Senate committee in establishing the position of Congress on conservation and resource development.

Beyond these considerations, in the view of Congress any Secretary of the Interior must take a position and initiate action on many highly controversial questions. In some substantial segments of the community Congress may be strongly opposed to any view he takes, no matter which side of the issue he comes out on.

Moreover, environmental problems become more complex and of more significance with every passing year. As the Senate knows, I do not believe we are keeping pace with the momentum of resource deterioration imposed by our expanding population and our mounting production of goods. That is why I advocate substantial changes in the organization of the Federal departments which manage resources. We are falling behind in the development of water resources. We have failed thus far to appropriate enough money to construct water pollution abatement works at a rate that will clear up our contaminated lakes and streams. Examples of this kind could be multiplied almost endlessly.

The vital interests of this Nation require a redoubled effort, wisely to develop and conserve actual resources upon which life itself, as well as the prosperity of the United States, depends.

Believing Governor Hickel to be a man of integrity and ability, it nevertheless is my firm conviction that President Nixon should have made use of his talents in a position to which he was more fitted by experience and by viewpoint. However, the question is before us, the nomination has been made, and, therefore, it must be measured by the position he would hold as Secretary of the Interior.

One thing that troubled me in committee, which I do not believe was discussed on the floor of the Senate yesterday. I would like to point out in emphasizing my point that I did not think that Governor Hickel had a real comprehension of the magnitude or philosophy of

the position he is to undertake. This was brought out by the questions I asked him about his trust agreement.

As the Governor of Alaska, he entered into what he called a trust in regard to his personal assets in the State of Alaska. That trust, he said, was still in effect until he terminated his duties as Governor of Alaska. He, of course, stated before the committee that he would place in trust his assets while he is Secretary of the Interior, if he is confirmed. However, our examination of Governor Hickel in committee indicated that what he called a trust in Alaska was not a trust at all. It was really a power of attorney and the manager for his properties and he consulted on it at regular intervals, or maybe it was irregular intervals; but he consulted with his trustee who was really the manager of his property. He intervened at times with respect to decisions on what should be done, and in so doing his trust amounted to simply a convenience for someone else to have some of the managerial duties.

Governor Hickel responded that he understood that the trust he would enter into, assuming he becomes Secretary of the Interior, would exclude him from managerial decisions and, indeed, his trust would be irrevocable during the term of his office and during that period of time he could not make any decisions as to his personal assets.

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

Mr. MOSS. Mr. President, I yield myself 5 additional minutes.

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

Mr. MOSS. Mr. President, it seems to me and, of course, we assume, that what Governor Hickel responded will be the case. He will enter into an irrevocable trust. He will not be involved in the management of the property. But the fact that he set up and had a trust as Governor, showed that he understood what was required of a public officer; but it indicated to me that he did not have a conception of what he would have to do with his assets if he became Secretary of the Interior.

The committee has gone into this matter. He made an agreement to divest himself of certain interests that might present a conflict of interest as Secretary of the Interior; but it will mean an entirely different situation to Governor Hickel if he becomes Secretary of the Interior. It underlines again to me his lack of understanding and appreciation that he, as Secretary of the Interior, and a member of the President's Cabinet, is the prime officer of the United States charged with the management of our natural resources. This means the preservation of our environment. During the last 6 to 10 years in this country there has come a great awakening in this area. We must look to the Secretary of the Interior to be a militant guardian of the environment. He must understand that the problems he faced in Alaska, while they are relevant, are now multiplied many, many fold because this new position takes in the entire United States, and it also takes in the heavily populated areas of our country and the areas now suffering the greatest impairment of the environment that must be restored.

In so doing he must be a strong leader because, of course, the economic pressures and the pressures of past precedents for utilizing, despoiling, and grabbing various of our natural resources for economic reasons not be concerned with preservation of the purity of our air, water and lands, bear very strongly against policies he must follow as Secretary of the Interior.

Let me say, finally, that I think Governor Hickel may well develop into a good Secretary of the Interior. I certainly hope that he will. If he is confirmed by the Senate today, as it would appear that he will be, then I want to cooperate in every way with him that I can. I certainly hope that no one feels there is any trace of personal animosity in the position I felt I must take. I hope that he will grow into the job, as many men do. He is a man of ability. He made a great mark in the business field before he became Governor of the State of Alaska. Perhaps, as he assumes this obligation, he will come to this realization, but on the present basis of the record, I must cast my vote against confirmation of Governor Hickel to be Secretary of the Interior.

Mr. ALLOTT. Mr. President, I yield 3 minutes to the Senator from North Dakota (Mr. YOUNG).

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 3 minutes.

Mr. YOUNG of North Dakota. Mr. President, I have been following quite closely the rather lengthy questioning of Gov. Walter Hickel, with reference to the confirmation of his nomination as Secretary of the Interior. In view of the objections made by some groups and individuals, this questioning was appropriate.

I can find nothing in these hearings, however, that would in any way disqualify him, or cause me to oppose his confirmation. As a businessman and Governor of Alaska, Governor Hickel has demonstrated that he is an able, conscientious, and highly competent person. Since Alaska is the biggest State in the Union, with most of the same problems that he will encounter as Secretary of the Interior, I think he is uniquely qualified for this high position.

Alaska has many Indians, Eskimos, and Aleuts. I know of nothing in Governor Hickel's record, in working with these people, and helping them, that is adverse in any way.

Alaska has a huge amount of Government-owned land. Oftentimes this presents problems, and especially in the case of Alaska in its development as a State.

Governor Hickel's intimate knowledge of Alaska, with its vast forests, rich with wildlife, and its tremendous mineral deposits and recreational resources of all kinds, particularly qualifies him for this important assignment as Secretary of the Interior.

Mr. President, I have visited with Governor Hickel and I find him to be very personable, intelligent, and the kind of a person I believe the people of this country would like to work with as Secretary of the Interior.

Mr. President, for these and many other reasons, I will vote to confirm the nomination of Gov. Walter Hickel as Secretary of the Interior.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. JACKSON. Who controls the time supporting this nomination?

The PRESIDING OFFICER. The Senator from Colorado (Mr. ALLOTT) and the Senator from Utah (Mr. MOSS).

Mr. JACKSON. I thank the Chair.

Mr. MOSS. Mr. President, I yield 5 minutes to the Senator from Indiana (Mr. HARTKE).

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

Mr. HARTKE. Mr. President, the Senate recognizes that conservation, water, and wildlife areas are legitimate objectives of the Department of the Interior.

I personally will continue to cooperate with President Nixon whenever I believe he is acting in the best interests of all the people. To that end, I have voted to confirm the 11 members of his Cabinet, and have just returned from the Finance Committee where I voted to endorse two of his sub-Cabinet members for the Treasury Department.

However, frankly, I cannot support Governor Hickel for the position of Secretary of the Interior, I believe that he would be miscast as Secretary of the Interior. The Secretary of the Interior must lead in the field of conservation. That duty may not be included in the Secretary's job description, but leadership in the field of conservation has rested with the Interior Secretary. Governor Hickel does not appear, on the record, so far, to have what I would call the "conservation spirit."

His conflicting statements cause me to wonder just what he does believe about conservation. Shortly after he was nominated, he spoke out against "locking up public lands for any special purposes," and he was critical of the conservation policies which we have pushed forward in a bipartisan spirit in the Senate.

He said he thought "we had a policy of conservation just for conservation purposes." But, in his apparent eagerness to gain Senate approval, Governor Hickel has now reversed himself on many of his earlier statements. His unclear position causes me to wonder whether he favors development that will benefit all the people and not just a few. The development and control of the natural resources of the whole Nation will have a major effect on the future of this country and to the future of my State of Indiana.

Mr. President, the Secretary of the Interior must take a look at the Great Lakes region, the Wabash River, the Ohio River, and the wooded areas that must be developed for the benefit of all citizens of Indiana. I believe that finally we have given conservation the attention it requires. To maintain the momentum of the conservation movement, we need a true conservationist as Secretary of the Interior. Governor Hickel is not that man.

This country seems to have developed

a massive capacity for doing things in the nature of promoting the materialistic part of life. We Americans have promoted the mass movement for loving mother which is, of course, promoted by the sellers of gifts. We also have the mass movement for the appreciation of dad. We have another mass movement for remembering the dead. We have the movement for cleanup week, where everyone buys paint and lumber. We have garden planting week with all sorts of advertisements from people who want to sell shrubbery. We have special weeks for careful driving—even though we are still killing in excess of 50,000 Americans every year. All we have done, it seems to me, is to add to the barrenness of life, instead of developing a life of enthusiasm for the beauty there is in life.

I believe that we must add sweetness, warmth, and grace to our national life, and try to make it more fluid, instead of taking off the glow, as though America were interested only in the material side of life. As Americans we should have real love of beauty and of nature and its many blessings.

Mr. President, I believe that Governor Hickel would be miscast for this part. It would be much better to find someone else who can take such a role and get America rolling in its totality in the field of conservation.

Mr. President, it is with some hesitancy that I would want to oppose any Presidential nomination. I do intend to oppose the nomination, but I would have preferred that the President nominated someone else to this position.

Mr. JACKSON. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. JACKSON. Mr. President, to clarify the record, I want to point out that the committee did not require Governor Hickel to enter into an irrevocable trust or any other type of trust for the management of his assets. The committee requirements are set out in his letter of January 19, 1969, to the committee. I shall read it into the RECORD, even though it was placed in the RECORD yesterday. For the purpose of clarification, I think it should be repeated.

DEAR SENATOR JACKSON: Based on the decision of your Committee, I will accomplish the following within a reasonable time and not later than six months after taking office:

(1) My stock in Transamerica Corporation, Alaska Interstate Company, and Wakefield Seafoods, Inc., will be sold.

(2) To the extent that I may have an interest in the placer mining claims and Koslosky Development Company, referred to in my letter to you of January 19, I will sell, quit-claim, or relinquish the same.

(3) Mountain Mining Company will be dissolved and its sole asset distributed to the shareholder, La Vake Renshaw.

In addition to the above, I have under active consideration the divestiture of all assets except undeveloped real estate and those relating to the hotel, motel, and shopping center business.

Any assets located through the continuing efforts of my counsel and accountants will be reported to you and, where appropriate, promptly divested.

Sincerely yours,

WALTER J. HICKEL.

The point is, Mr. President, all that the committee asked was that he undertake the necessary steps to implement the policy decisions of the committee on real and potential conflict-of-interest problems. This he agreed to, in accordance with his letter. That can be done either by a trust arrangement, by a management contract, or by other appropriate arrangement, but there was no requirement of an irrevocable trust. I do not think the terminology has any magic in it. The point we were making was that, to protect the public interest and to protect his own integrity as Secretary of the Interior, he should undertake the steps just referred to in the letter.

I believe we have gone further in connection with this nomination than we have gone in connection with any other nomination that I can recall in recent history.

One other observation in connection with the trust agreement Governor Hickel entered into when he became Governor: It should be pointed out that, under Alaska law, such an arrangement was not required by law. One can argue about what constitutes a trust agreement, or a power of attorney. But I am not concerned about definitions. The point is, he was not required to enter into a trust agreement. He, nevertheless, did enter into an agreement to divorce himself from the operations of his business, and he had a lot of business. I think that point is paramount in this debate and discussion. I say it in fairness to Governor Hickel.

I want to conclude by saying that, as chairman of the committee, I can report that he has complied fully and in good faith, as far as the committee is concerned, with every suggestion and every request we made in connection with any matter relating to a possible or potential conflict of interest.

Mr. MOSS. Mr. President, I yield myself 3 minutes on this point.

I am sure the chairman of the committee made it clear that it was not a mandatory requirement of the committee that Governor Hickel put in trust his assets, but the Governor himself volunteered. I would like to read just two of his answers to the questions I asked during the hearing.

I said:

Getting back to the trust that you proposed to set up, if confirmed as the Secretary of the Interior, is it your understanding that this would be a genuine trust, in which you would really have no power at all to intervene in any of the affairs of the trust?

Governor HICKEL. I understand.

Senator MOSS. It is irrevocable during the period that you hold office, and that your trustee makes all of the decisions without any reference to you?

Governor HICKEL. Yes; I understand that. Sure, if it is the wish of the committee for me to sell whatever they want me to sell, or make the kind of a trust that is going to have to be acceptable to you, and whatever that is, I will do it.

So the Governor himself had said that he had had a trust as Governor and that he was going to have his affairs in trust while he was Secretary of the Interior. What we explored was whether it would be the kind of trust in which he would not intervene and would not have control of his property and assets, as he was able to do with the kind of trust he had while he was Governor of Alaska.

Mr. ALLOTT. Mr. President, I yield myself such time as I may need.

I again want to bring all of these things in context. I call the attention of the junior Senator from Utah (Mr. Moss) to the fact that he was a member of the Interior and Insular Affairs Committee at the time of the confirmation of Mr. Kelly's nomination. I have raised this matter only to bring the whole subject matter within perspective, because Mr. Kelly did act as Assistant Secretary for Minerals. I state again, as I have on at least a dozen occasions, he performed that job with credit to himself, to the Government and to his State. The Senator from Utah voted to confirm Mr. Kelly.

As appears on page 4 of the hearings, I asked Mr. Kelly this question:

Senator ALLOTT. Now, you have stated that it is your intention to continue to operate your business as a driller—at least operate a drilling and exploration business with respect to State owned—leases that you own which are leased from the State of New Mexico?

Mr. KELLY. I operate as an individual mainly, Senator, and my holdings include State, Federal, and fee lands. I will dispose of my holdings on Federal lands, and will continue the operations of the holdings on State and fee lands.

My staff in New Mexico will continue to operate those holdings as they are doing now.

The other end of his business he put into a trust. He conveyed his stock in Elk Oil Co., to his minor children, and appointed as guardian thereof his own personal attorney, a Mr. Jennings.

We questioned him. The whole questioning of Mr. Kelly and the whole hearing occupied less than 11 pages. I think I would like to read into the RECORD one thing said at that time, which appears on page 10:

Senator ALLOTT. I think we have a typical example of a situation which arises. If Mr. Kelly came up here for appointment he would probably have to come up here under one of two situations, either having a minimum of background which would very doubtfully qualify him, or come up as he does with a wealth of background which undoubtedly qualifies him. And we all are interested in this question of interest and conflict of interest. I suppose the point could be made that the custodian of the Elk Oil Co. stock is his personal attorney. I do not regard the matter in this way. I do not think that the Congress can enact laws which are going to keep dishonest men from avoiding the law and taking advantage of the law. I personally feel that he takes this office with the idea that he is going to do it in an objective and fair way. But it seems to me that the best criteria that the Congress can take with respect to these people is that, having divested themselves of the main interest to the best of their ability, that then we hold them to the strictest standards of their office. I am sure that Mr. Kelly will do so, and I am sure that he knows that this is the attitude of the committee.

Now, Mr. President, I think we have here a similar situation. The distinguished chairman of the committee has covered it very fully. Governor Hickel has filed with the committee, and we have had an opportunity to examine, not

only the trust agreement that he had while he was Governor—which he was not obliged to make, but in which he turned over the management of his business to trustees—but we have the proposed agreements in this case.

Mr. President, unless some Senator should seek to invoke the rule—I hope none will—I wish to continue a few moments longer.

As I have looked at this matter, I believe the reasons people have given for their opposition fall into three categories:

Some say that he does not understand conservation. I think the remarks of the distinguished senior Senator from Alaska yesterday, and the information placed in the RECORD, show that on the contrary, he has a greater sense of conservation and preservation of natural resources than almost anyone I can think of. Surely any State would be proud to have had a Governor who had exerted the efforts that he has to protect its natural resources. I shall not review those efforts again, because they are all in the RECORD.

Second, he has been described as having had ties too close to the oil and gas interests to be objective.

Let us put this to rest once and for all. In the Pearson column, it was alleged that Mr. Robert O. Anderson paid a visit to Mr. Nixon, I believe at the Hotel Pierre in New York, urging the appointment of Mr. Hickel, and that he was seen coming down the service elevator of the hotel.

There is a telegram in the hearing record at page 177 from Mr. Anderson, addressed to me, furnished at my request, in which he stated as follows:

Confirming our conversation of this afternoon regarding certain allegations in Drew Pearson's column of December 23, 1968 and subsequently, I wish to confirm my statement that these allegations are completely without fact.

I have not seen or talked to President-Elect Nixon since the November election, and am completely mystified about how such a statement could have been made. Mrs. Anderson and I have an apartment in New York at the Hotel Pierre, and I can only assume that there has been some confusion regarding identity. Furthermore, I am not given to riding freight elevators.

Best wishes.

ROBERT O. ANDERSON.

To clear this matter more fully, he has never been engaged in the oil business as such. He did have some oil leases. Those were all terminated before he was Governor of Alaska. His interests in those all expired before he became Governor, and the only interest that he has now, which is a very remote one, and of which he has agreed to divest himself, is the Koslosky overriding royalty of 1¼ percent. He has one seventy-eighth of 1¼ percent, and of this he has agreed, before the commitee, to divest himself. I might add, that this is not a producing property and never has been.

In an attempt to squelch once and for all these continuous and repeated statements, which are made without any basis in fact, I ask unanimous consent to have printed in the RECORD a list of all of the activities in this area to which he has been a party.

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

WALTER J. HICKEL, HICKEL INVESTMENTS, AND ERMALEE HICKEL OIL LEASES OR APPLICATIONS

State of Alaska lands: One non-competitive, lottery-type lease covering 4 sections, 2560 acres, issued May 1, 1962, terminated May 1, 1965, due to nonpayment of rental.

Federal Lands in Alaska: One lease was issued on April 11, 1956 (A-025122), a portion of that lease was segregated and a new lease was issued on June 12, 1962, (A-058593)—both the original and the segregated lease were terminated on March 31, 1963.

Lease Applications: Ermalee Hickel filed lease offer A-030906 on 1,385 acres on July 28, 1955. The application was rejected and file closed on October 17, 1955.

Hickel Investment Co. filed 17 oil and gas offers (A-060211, 13, 14, A-060370-378, A-060391-395) on Sept. 30, Oct. 24, and Oct. 28, 1963. All these applications were withdrawn Jan. 8, 1964 without leases being issued. These were top-filings, and were substituted with Hickel filings as an individual on Nov. 19, 1963.

Walter J. Hickel filed 23 applications A-060487-509 on Nov. 19, 1963—these top-filed all, or the majority of the Hickel Investment Co. filings listed above, and were in themselves top-filings on existing leases. When the Tallman case was decided as to the validity of the existing leases on the Kenai Moose Range all these offers were withdrawn on June 23, 1965, and the case was closed.

Mr. ALLOTT. The Anchorage Natural Gas Co., which he helped organize, with other entrepreneurs, is nothing but a distribution company. They bought gas and distributed it within the city of Anchorage and the Anchorage area. Later, that company was merged with the company which had a pipeline to distribute the gas there, and also a pipeline to transport oil to private companies.

The only conflict of interest that could possibly arise here is that some time the rights-of-way for the pipeline over public lands could again come up for renewal; and because of that possibility, he has agreed to divest himself completely of this asset. But it must be clear by now that this does not constitute connection with an oil company. If it is a connection with an oil company to have purchased its products, then everybody who buys gas or oil from an oil company has close ties to the oil business.

Third, I wish to say this: He would not be pressured into making a commitment with regard to the Machiasport free trade zone proposal. I can understand why some in the East would be concerned about that. But I say, Mr. President, that I would think much less of him if he were to commit himself on such an important matter, when he has not had access to the files of the Department of the Interior, when the outgoing administration which, according to one of the Senator's statements yesterday, has had this matter under consideration for 5 years, refused to grant it. I am proud of Governor Hickel for refusing to commit himself on this matter, because, in my opinion, if he had done so before he had access to all the facts, and before consultation with all the other departments of the Government which are involved in the matter, he would have been stultifying himself.

The questioning in committee on this matter was not exactly easy. To withstand the tremendous pressure brought upon him under these circumstances, in my opinion, is eloquent evidence that here is a man who will be able to stand up against the pressures of special interest groups, and it indicates to me that he will require that all factors have been analyzed and carefully weighed, to insure that the national interest will be preserved.

Referring again to the Machiasport matter, I say it is common knowledge, from the newspapers, that one particular oil company stands to gain tremendously, economically, from this proposal. The stock of that oil company has been subjected to some violent gyrations during the last year or so, for obvious reasons.

Mr. President, I ask unanimous consent to have printed in the RECORD in behalf of the Senator from Kentucky (Mr. COOPER) a statement he has prepared relative to this matter.

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

STATEMENT BY SENATOR COOPER IN SUPPORT OF THE HONORABLE WALTER J. HICKEL TO BE SECRETARY OF THE INTERIOR

I shall be unavoidably absent on Thursday, January 23 when the vote on the confirmation of Governor Walter J. Hickel of Alaska to be Secretary of Interior is scheduled to take place.

I make this statement to announce that if I were present, I would vote for the confirmation of Governor Hickel.

I am deeply interested in conservation, and I am pleased that Governor Hickel has pledged himself to use his office to conserve the nation's resources and to support conservation programs that are now in operation.

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

Mr. MOSS. Mr. President, I yield 25 minutes to the distinguished junior Senator from Wisconsin.

Mr. NELSON. Mr. President, my opposition to the confirmation of the nomination of Governor Hickel is based upon my conviction that he does not have the background, the depth of understanding, or that kind of view about the cause of conservation in its broadest sense which is so urgently necessary at this stage in our history.

Mr. Hickel is quite obviously a man of ability and has demonstrated his qualities of leadership and dedication both in business and in politics. During the 4 days of hearings, he came through as a man of good will and conviction, no doubt well qualified to hold many high positions, but, in my opinion, not this one.

I have commented on my impression of his obvious attributes as a successful man, because I do not intend my remarks to be interpreted as reflecting upon him. They do not.

The views and understanding of the status of our resources and the quality of our environment may very well be representative of a majority in Congress and outside it, but that certainly is not good enough for the Secretary of the Interior, who is the single most important custodian of our resources and who

bears the responsibility of being the Nation's philosophical spokesman and spiritual leader in this cause.

In this position, as in many others, successful, creative leadership requires special knowledge of the subject, a special sensitivity to its vast ramifications, and a deep involvement in it.

A careful perusal of Governor Hickel's general observations in the past and his testimony at the hearings compels one to the conclusion that he does not appreciate his truly colossal responsibility as the chief conservationist for the Nation. World-renowned ecologists, biologists, naturalists, and scientists from every other discipline are alarmed by the rapidly accelerating deterioration of our environment. Every thoughtful conservationist shares this alarm. They are not alarmed at man's activities threatening to destroy his habitat and that of most other living creatures but that he, in fact, has already done irreparable damage, and that our most urgent current business is to stay the trend and then to reverse it.

In the long pull, no other matter before us is as important. We hope we might banish the bomb, wipe out poverty, and achieve peace in the world, but that will avail us little if we so degrade our environment that living in it is hardly worth while. We are moving rapidly on a course toward that end now, and the obvious elements of approaching disaster are all around for anyone to see if he wants to look.

There is a glimmering of hope that man will abate his assault on the natural scheme of things if he understands what he is doing. That understanding can come only from education, which itself comes from strong and thoughtful leadership.

We have had that leadership under Mr. Udall and two Presidents for the past 8 years. Mr. Udall, I think, has been the greatest conservationist ever to serve as Secretary of the Interior. There is now a stirring in the conservation movement and a momentum to it that must not be lost. The thrust and drive it needs can come only from a Secretary who has this cause as his foremost concern and senses the urgency of it all. It is not likely that anyone can grasp this issue in its entirety and advance it effectively who has not been deeply involved and committed in the past.

This, I think, is what is at stake. This is the heart of the matter. It is far too important for us to risk a gamble on the kind of leadership we shall have.

Mr. President, as I have said, the status of the environment in its broadest sense is the classic contemporary issue that confronts us now and will confront us, I think, for all time to come: what man is doing to his environment and that of all other creatures. To lead the Nation on this issue is the most profound and fundamental responsibility of the Secretary of the Interior. In my judgment, it is abundantly clear from the testimony that Mr. Hickel's grounding in this area is simply inadequate. As I have said previously, this is not a reflection on him as an individual, but it is a fatal flaw in his qualifications to manage the duties of the Secretary, who is the major conservationist in this country. As a matter of fact, there is no necessary reason why Mr. Hickel as an individual should have any special expertise in this area, particularly since his adult life has been spent in Alaska, where the problem is less visible than it is elsewhere.

I questioned Mr. Hickel for 2 hours solely on the issues that confront us on the environmental front. At the conclusion of 2 hours of questioning and exploration of Governor Hickel's views on specific conservation projects and different elements in the environmental crisis, I wanted him to have the opportunity to give us his philosophy about the whole area of man and his environment. So I shall quote my question and his answer from pages 174 and 175 of the hearings. I began by saying:

The final question I would like to ask you to comment on is this: The leading scientists in the field of ecology and biology particularly and in almost every other discipline, have been warning us now for several years that due to a vast number of intrusions of man on nature, whether it is pollution aspects and so forth, that this country is directly, specifically, this country and the world, specifically and quite rapidly heading toward what many of them describe as simply an environmental disaster.

I think any study of what we are doing will tell us that, whether it is a study of what we have done to the water or to the air or what we have done to animals and what we have done to insects and creatures with pesticides and herbicides in the soil.

So just to understand some of your philosophy as Secretary of Interior, I would like to have you direct yourself to that. Over the past 8 years, I think one of the critically important things that Secretary Udall did was to provide an imaginative leadership as a spokesman, addressing himself to the whole total environmental question.

We are on our way, I think, to destroying all the oceans of the world. You don't have to destroy them where they are 10 miles deep or 20 miles deep. All you have to do is destroy all the estuaries in the bay, we are doing that off every city, and you destroy a major portion, the productivity of that vast body of water.

Every knowledgeable scientist is alarmed. He is not mildly alarmed. He is alarmed.

I just wonder if you would sort of give us your concepts, your philosophy, your ideas about the breadth and depth of this environmental problem, what you think about it, what is involved in it, what kind of leadership you would give as a spokesman for the most important position in this country respecting this problem, so that I would understand better your feelings and philosophy.

It was my intention to give him the opportunity to range as broadly as he pleased, so that we would understand the philosophy of the chief custodian of our resources and what he viewed as the crucial environmental problems that confront us, and what he would do about it. His answer was, I think, totally insufficient. Let me read it.

Governor HICKEL. Thank you, Senator, I am not at all deeply versed in the subject you are talking about. I know the problems. I know the problems, for example, like the State of Florida. I know somewhat the problems of the areas in California. Obviously I know the problems that we have in the thousands of miles of coastline in Alaska.

I think it is a real problem, especially in the great bays where the estuaries are located. I think beyond that I would say that one of the things we should push for the most is for advanced research and knowledge of the potential not only of our oceans but more specifically our continental shelves.

I think in there lies the real salvation of feeding the underdeveloped nations of the world and the hunger of the world, and I think we are doing a great job along those lines, but I don't think we are moving fast enough.

The reason we aren't moving is for a very basic, simple reason, because we didn't have to, and that is generally the thing that motivates a system such as ours.

But I think that we are going to have to, as leaders in government, press the idea that it is important, and that the time has come when we are going to solve the problems of underdeveloped and hungry people of the world, we are going to have to explore the idea where are we going to get this food and how is it going to be replenished.

I think a great deal of that solution will come out of not only the vast oceans, but more specifically the continental shelves around the earth.

Senator NELSON. Is that the total you have to say about the whole environmental problem?

Governor HICKEL. I guess I could keep on talking. I have the general philosophy of the problem, and I have a feel for and want to do something about it.

Mr. President, without any disrespect at all to Mr. Hickel, the answer speaks for itself. He is not equipped to handle this responsibility, because in his history and background he has not been deeply involved in it.

If that question had been asked of Secretary Udall or of any well-informed conservationist who recognizes the environmental disaster that is impending, he would have answered easily for an hour or two hours on what was involved in the crisis and what we must do to confront it. The answer indicates that Governor Hickel did not really have the necessary understanding to respond in depth to the question. As I have said, I do not intend that as a reflection. There is no necessary reason why he should, if he were not nominated to be Secretary of the Interior.

What should he have said, at least in some kind of summary of his philosophy and views? Should he not have addressed himself to what is happening in the atmosphere, in the water, in the soil? Should he not have expressed himself as to what wilderness is all about and why we need to protect and preserve it? Should he not have talked about the recreation space we need, the scenic beauty, and the whole vast ecological complex—the relationship of all living creatures to their environment and their mutual reaction to each other? That is what his responsibility is—to understand it, to see what is happening, and to provide leadership to stop this impending disaster in our environment.

Should he not have said something about the air, when he was given the chance to talk about the environmental crisis; the fact that there are two scientific reports to the President, one in 1963 and one in 1965, which discuss this serious matter and which point out that if we continuing polluting the atmosphere at the accelerating pace we are now polluting it, within a half-century or so we will probably change the climate on earth?

Should he not address himself to what

it means to the whole environment to see—every year—an estimated 500,000 tons of hydrocarbons from auto exhaust pouring into all the oceans of the world, with no scientific studies and no understanding of how we may create a chain reaction in the oceans that will destroy the entire ecological balance there? Should he not, as the chief conservationist, be aware of that?

Should he not have addressed himself to the question of water, when he had a chance to do so, and what would be done about the accelerating degradation of our lakes and water courses? Should he not have recognized, if he is going to be the chief custodian of our resources, that we are using 350 to 400 billion gallons of water a day; that we have available only 600 billion gallons; that we will be using that much in 1980; that we will be using twice the national supply in the year 2000—32 years from now; and that unless we proceed with deliberate and great speed, we will have contaminated and destroyed all the fresh water in America, on the surface and in the underground aquifers? It is a dramatic and crucial question to this country and water is his jurisdiction as Secretary of the Interior.

Should he not have said something about pesticides and herbicides? He thought, when I asked him that—I should get the quotation—something to the effect that if research demonstrated that these slow-degrading herbicides and pesticides were creating damage, something should be done about it. Every conservationist in the world, every ecologist, every entymologist, every scientist, every thoughtful person who has looked at the situation, recognizes that we are contaminating the total atmosphere. Publications after publications have been warning us for years. DDT alone permeates the whole atmosphere of the world and contaminates almost all its creatures. We find it in the fatty tissue of the Adele penguin in the Antarctic, in the fatty tissue of deer, and in human beings. The bald eagle is now being sterilized because of the accumulation of DDT in the fatty tissue, because he is at the end of the food chain, where he accumulates vast amounts of it. It is found in the fatty tissue of fish and inhibiting his capacity to reproduce. It has reached critical levels in Lake Michigan. It is polluting almost everything everywhere. DDT and other pesticides may very well create an ecological imbalance all over the world, the likes of which nobody can predict. Should he not have addressed himself to this issue?

In heaven's name, how can we afford to have the chief conservationist of the United States without a really comprehensive understanding of the biologic implications of this kind of pollutant in the atmosphere? Somebody has to lead that fight. How can anyone lead that fight who is not well grounded on the issue and its implications?

He did not say anything about the effect on any of the animals or other living creatures—or the soil—or the insects, of the indiscriminate use of these dangerous, slow-degrading pesticides.

We could talk for quite a while on the things that were not covered by Mr. Hickel. Although I believe he is a very fine gentleman, from everything I know and have seen about him—he would make a fine Secretary of some other Department. I think he is qualified in many ways—the fact is that he is not qualified to lead this fight. That is the major responsibility of the Secretary of the Interior, and it is a great and serious responsibility.

We have spent years, conservationists have, trying to arouse the public to what they are doing to themselves and all other living creatures. Finally, President Johnson, Secretary of the Interior Udall, and President Kennedy started alerting the public. A stirring is underway in the conservation cause, and a momentum is underway. This country cannot afford to have a man who is not prepared to be the spokesman and the leader of this confrontation. That is why I shall vote against the confirmation of the nomination of Mr. Hickel.

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

Mr. NELSON. I yield to the Senator from California.

Mr. CRANSTON. Mr. President, I read with particular interest the material on page 174 of the hearings. In my State, there are scientists who speak the same things the Senator has recounted about the great fear that human life will be threatened soon if air pollution, water pollution, and other intrusions upon nature are not halted.

I was startled by the Governor's response to the Senator's question as to his attitude toward human environment and what is happening to it. The Senator was charitable enough to say that perhaps Governor Hickel did not understand the question. I wonder if at any point it is shown that he understood the problem because this matter lies at the foundation of the responsibility of the Department of the Interior, and this is the matter threatening not only the people of my State, or the people from the State of Wisconsin, but the people of every State and nation on this earth.

Mr. NELSON. After listening to 4 days of hearings I had the feeling that he is and has been a successful businessman, a successful political leader, and a fine gentleman. I wish to make that clear. However, I have the feeling, from the answers given in 2 hours of questioning I addressed to him, and his answers to other questions, that he does not have the broad conception or understanding of what is involved in the environmental crisis which is the crucial responsibility of that Department.

We do not have to worry about reclamation. That is a program in which there has been jurisdiction since 1932 or 1933. However, we have to worry about leadership in this new area, which is really old, because of the accelerated and growing threat. He did not have that understanding, and I consider that to be a fatal flaw in a Secretary of the Interior.

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

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

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

The PRESIDING OFFICER. The Senator has 37 minutes remaining.

Mr. ALLOTT. Mr. President, how much time is there remaining on the other side?

The PRESIDING OFFICER. The Senator from Utah has 11 minutes remaining.

Who yields time?

Mr. MOSS. Mr. President, I would like to reserve the remainder of my time.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be not charged to either side.

The PRESIDING OFFICER. Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object, I suggest that the request be modified to provide that the time for the quorum call be taken equally from each side.

Mr. MOSS. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. JACKSON. Mr. President, I yield myself such time as I require.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. JACKSON. Mr. President, the able Senator from Maryland (Mr. MATHIAS) has a question he wishes to propound to the chairman of the Committee on Interior and Insular Affairs, and I yield for that purpose.

Mr. MATHIAS. I thank the Senator very much for yielding to me.

Before I propound the question, I should like to comment that I think the chairman of the Committee on Interior and Insular Affairs and members of the committee have rendered a great service in connection with this nomination.

Candidly, I think that we cannot deny there have been many reverberations in the course of the hearings, but I think that the chairman of the committee and its members have helped to bring into a better perspective the questions which have been presented and have produced a calmer climate in which we can consider them.

Of course, I am cognizant of the fact that most of the charges seem to have been answered to the satisfaction of the overwhelming majority of the members of the committee, and I think that is a helpful thing. But, in the interest of those of us who have been working in the field of conservation for many years, I should like to propound this question:

Will not the Committee on Interior and Insular Affairs have the continuing congressional function of oversight in the area of conservation in the years that will follow this particular action of the Senate?

Mr. JACKSON. The Senator from Maryland is correct. One of the subcommittees of the Committee on Interior and Insular Affairs is the Subcommittee

on Legislative Oversight which is presided over by the junior Senator from Washington. Other members are the Senator from New Mexico (Mr. ANDERSON), and the able and distinguished senior Senator from Colorado (Mr. ALLOTT), who is the ranking minority member on the committee. These three Senators constitute the Subcommittee on Legislative Oversight. The subcommittee has been in existence for some time.

I might also observe that some time ago, as a matter of fact last fall, the chairman of the Committee on Interior and Insular Affairs advised the Secretary of the Interior by letter that he would like to have the Secretary and his Assistant Secretaries participate in what would amount to posture hearings, to review the work of the Department: where it is going, the objectives and goals of the various existing programs, the policies and alternatives for dealing with identified problems, and the decisionmaking process by which future problems are identified and programs developed to deal with these problems.

These hearings were scheduled for February.

In this connection, let me read into the RECORD from page 246 of the hearings. I raised the same point with Governor Hickel:

The CHAIRMAN. One last matter, Governor, on page 3 of your statement you said:

"I believe we should devote a period of time to the consolidation of the gains that have been made through a reassessment of our long-range objectives. I think we should explore ways within the Department to make things work better."

You may be interested in knowing that last fall I requested the Department of Interior to prepare a report which sets forth the objectives of the Department and the issues which it will face in the years ahead. I had anticipated that the full committee would hold a hearing on this subject sometime in February. At the hearing we would receive testimony concerning the problems and alternatives which we face in conservation and natural resource areas.

At this hearing I would expect to obtain testimony from you, your assistant secretaries and your office and the Bureau heads. I have asked the staff, Governor, to prepare a copy of my letter to Secretary Udall and the accompanying memorandum on these proposed hearings for your use. In short they will be posture hearings.

Now, we may not be able to have it right in the month of February, it may be in March, but I am sure that you would lend your full cooperation, would you not, to this effort?

Governor HICKEL. I will do that. Could I ask one question?

The CHAIRMAN. Yes. We will supply the letter.

Governor HICKEL. Thank you. It has already been requested of the Department and they are working on it?

Mr. President, I think this speaks for itself.

Point No. 1 is that the committee adopted the policy of legislative oversight when the subcommittee was set up about 3 years ago. This subcommittee will continue.

Point No. 2 is that last fall we thought the time had come when we should schedule posture hearings. This had nothing to do with Governor Hickel. We were not predicting the election of a Republican President. But I may say that the hearing has been scheduled. He understands this, and he has given his full acquiescence. The committee will, I will say to my good friend from Maryland, certainly keep in close touch with the activities of the Department. We have the explicit assurance of Governor Hickel's cooperation. He has indicated his wholehearted cooperation in this regard.

Mr. ALLOTT. Mr. President, will the Senator from Washington yield for a question?

Mr. JACKSON. I yield.

Mr. ALLOTT. In the last days, is it not true that there are those who have, on the floor, criticized the Governor for his willingness to cooperate with committees of Congress? I think the answer that the distinguished chairman has given hits the question which the Senator from Maryland has asked right on the head. We have, and we have had for many years, such a legislative oversight committee and it will be continued.

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

Mr. ALLOTT. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 minute.

Mr. ALLOTT. But, speaking personally, I am very happy to learn that we will be consulted more on policy in the Department of the Interior, I think we should have been in more recent years, because I feel that there are areas where the Secretary has gone ahead and taken steps which perhaps the committees of House and Senate should have been consulted on or even have enacted legislation on.

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## UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, as in legislative session, that there be a brief period for the transaction of routine morning business not to extend beyond 10 minutes to 1 o'clock p.m. today; that the discussion then revert to the pending nomination of Governor Hickel; and that the vote on the nomination occur at 1 p.m. today—with the 10 minutes to be equally divided between the two sides, and that there be a 3-minute limitation on statements during the transaction of routine morning business.

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

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## NATIONAL COUNCIL OF CHURCHES PUBLICATION DISCUSSES DEPARTMENT OF PEACE BILL

Mr. HARTKE. Mr. President, last September 11, Senator HATFIELD, Senator RANDOLPH, and Senator YARBOROUGH joined me in introducing S. 4019, a bill to establish a Cabinet-level Department of Peace.

Earlier, before a Democratic National Committee panel on the 1968 party platform, I urged the adoption of such a measure, which was first proposed in 1793 by Dr. Benjamin Rush, a signer of the Declaration of Independence. Chairman of the panel was the distinguished Senator from West Virginia (Mr. RANDOLPH), who has himself introduced legislation in the same vein both while a Member of the other body and since coming to the Senate. I am happy that he is one of those who joined me in offering the bill last year, at his own request.

Representative SEYMOUR HALPERN, of New York, introduced a parallel bill, H.R. 19050, in the House, where he was joined by a considerable number of cosponsors. Both he and I anticipate offering again on February 6 a revised version of the measure, which has aroused a tremendously widespread interest throughout the Nation.

That interest has been evinced by scores of individuals, many of whom have written to me asking for copies of the statement I offered in explanation and comment on the bill. Frequently the demand has been for quantities to be used in small study groups, or sometimes for distribution to entire congregations. Perhaps this is partly due to the widespread notice of the bill in church publications. Catholic Press Features distributed an article about it which appeared in diocesan papers throughout the country; Baptist Public Affairs sent a lengthy story to editors and officials of the Southern Baptist Convention; the Episcopal journal, The Churchman, gave editorial support in its December issue; the newsletter service of Charles A. Wells, Between the Lines, featured the Secretary of Peace proposal in headlines of both its November 15 and December 15 issues. The pastor of the world's largest Quaker congregation, Dr. E. Ezra Ellis, of Whittier, Calif., preached a World Order Sunday sermon on the idea, after which more than 100 parishioners signed telegrams appealing to candidates of both parties—then in the midst of their campaign—to make a Department of Peace one of their goals.

I could continue at some length to recite other developments across the country, such as the concern of many peace groups of stature, or the response of political scientists who see the possibilities much as does Dr. Frederick L. Shumann:

Much can be said in favor of making a Department of Peace the liaison agency between the USA and all of the *multilateral* international organizations, leaving to the State Department and the Foreign Service the conduct of *bilateral* negotiations with other Governments.

Dr. Shumann, emeritus Woodrow Wilson Professor of Government at Williams College and now teaching at Portland State College in Oregon, has prepared a 28-page study of the matter under the title, "Why a Secretary of Peace," which is being published in pamphlet form this week. A copy of this little booklet will go shortly to each Member of the Senate in support of the new bill, which will be offered on February 6.

I want to speak at this time only of the great concern and interest being shown within the churches, and particularly the denominational departments

of international affairs. Those affiliated with the National Council of Churches, for instance, last week spent most of the morning in a quarterly meeting at New York discussing the details of the bill, its merits and problems, and asking questions of a member of my staff, whom they had invited to be present.

Actually, the Hartke-Halpern bill makes the broadest of appeal to all religions, Democrats and Republicans, rich and poor, old and young. In this sense, it is an opportunity for all of us to help "bring us together," a now famous phrase.

I am delighted that Senator MARK HATFIELD is the chief cosponsor of the Department of Peace bill in the Senate, and that he has been called upon to speak about it to interested groups. I am heartened by the emphasis upon peace offered us in the inaugural address of President Nixon, when he offered a "sacred commitment" to the Nation of his office, energies, and wisdom "to the cause of peace among nations."

I now ask unanimous consent, Mr. President, that there may appear at this point in the CONGRESSIONAL RECORD the article appearing in the current—January 15—issue of Tempo, a publication of the National Council of Churches, written by Dr. Allan Parrent, its department of international affairs program director in Washington, entitled "The Department of Peace," appearing in the regularly featured page, Washington Comment.

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

THE DEPARTMENT OF PEACE

(By Allan M. Parrent)

It was not too many years ago that the United States had a War Department. In the post-World War II reorganization of our military bureaucracy the old War Department became part of our present Department of Defense, now reportedly administering the third largest budget in the world (after the U.S. and U.S.S.R. national budgets). One unit of this military behemoth, the Strategic Air Command, even has as its motto, "Peace is our profession." Without denigrating the need for an adequate national defense in a world wracked by the rivalries, suspicions, and jealousies of nationalism, it is obvious that peace is not the primary purpose of any military establishment. While the absence of war may be a by-product, and a desirable one as far as it goes, of an adequate structure of national defense, there is a qualitative difference between the absence of war and peace which must be properly understood. (What is "adequate" is another matter which cannot be treated here.)

While government has an obligation to provide for the protection of its people, it also has the obligation to foster the development of peace and actively to seek reconciliation among nations to the degree that this is possible in the context of existing international relationships. There is at present no government department working full-time at fulfilling this obligation.

Political realism does not require us to look upon the international power struggle as a constant unreceptive to melioration. It does not require us gloomily to assume the inevitability of the customary, some of the cold-war-bound realists to the contrary notwithstanding. In fact, for the Christian who supports nuclear deterrence as morally defensible, there surely must be a qualification which says that the chief purpose of such deterrence is to buy time to work for peaceful alternatives. To do less would be legitimate grounds for questioning his credibility as both a Christian and a citizen of the nuclear age.

THE PROPOSAL

All of this is a prelude to a discussion of a proposal to establish a Department of Peace in the U.S. government headed by a secretary of cabinet rank, the purpose of which would be "to promote the cause and advancement of peace both in this nation and throughout the world." The bill to establish a Department of Peace was introduced in the 90th Congress by Senator Vance Hartke (D., Ind.) on September 11, 1968, with Senators Mark Hatfield (R., Ore.) and Ralph Yarborough (D., Tex.) as co-sponsors. A similar bill was introduced in the House by Representative Seymour Halpern (R., N.Y.) with 21 co-sponsors. The bill is to be re-introduced in the 91st Congress on February 10, 1969. It is expected that there will be about 20 Senate co-sponsors and 50 to 60 House co-sponsors.

The Secretary of Peace would advise the President regarding the progress of peace, develop appropriate policies and programs designed to foster this progress, and encourage coordinated planning in this effort among the nations. There is a hope that this would extend the philosophy of checks and balances to the area of foreign affairs and separate traditional responsibilities of several present departments from the new responsibilities for peace in a nuclear age. There is also a belief that such a development would provide some creative tension in our foreign policy administration similar to that experienced as a result of the creation of separate departments for commerce and labor.

BASIC PROVISIONS

The provisions of the bill can be briefly summarized. Title I would establish the Department and broadly define its duties. It would transfer to the Department of Peace the following existing agencies: Agency for International Development, Peace Corps, Arms Control and Disarmament Agency, International Agricultural Development Service of the Department of Agriculture, and certain functions of the Commerce Department's Bureau of International Commerce. Title II would transfer the Export-Import bank to the new department. This provision is absent from the House version of the bill. Title III would establish an International Peace Institute, in some respects for a parallel to our service academies, which would prepare citizens for service in positions or programs related to the promotion of international understanding and peace. Title IV provides for the establishment of a "Peace by Investment Corporation," an idea which has been proposed independently. It would encourage an expanded flow of private capital investment from the U.S. into economically sound enterprises in the underdeveloped world. The corporation would also hopefully enlarge the number of private investors engaging in international investment, gradually reduce the need for U.S. public investment and grants overseas, and direct a higher portion of the flow of U.S. capital abroad into underdeveloped areas. Title V would establish a Joint Committee on Peace in the Congress similar to the Joint Committee on Atomic Energy.

COORDINATING EFFORTS FOR PEACE

Basically the whole idea, which incidentally is by no means a new one, having first been suggested in 1799, is to give focus, visibility, and power to those now disparate elements of our society and our government concerned with what is really the world's number one priority—peace. Most of its functions are already authorized by Congress, but dispersed among several agencies with varying degrees of weakness. All of these functions, it is maintained, could be operated more effectively as part of an integrated whole than as a separate entity, and the total impact would certainly be stronger than the combined impact of the separate parts. As Senator Hartke points out, if we need new Departments of Transportation and Urban Development, because of the proliferation of independent but related efforts in those areas, we certainly need the concentrated positive efforts such as a Department of Peace could command.

The bill itself is by no means fixed and firm. Detailed hearings on it could very well result in some major changes in its contents. One criticism has already been aimed at Title IV and its Peace by Investment Corporation. Some of the criteria for an investment program, it is felt, might militate against investments in essential projects, such as hospitals, universities, etc., which might not be as "economically sound" or potentially profitable as other less essential projects. Others have asked for clarification on the proposed department's relationship to multilateral bodies, especially the United Nations. Still others question the political wisdom of creating a peace agency independent of the traditional political and military agencies to which its substance is so inextricably bound.

Nevertheless, if the deeper realism which understands with Pope Paul that "development is peace" is ever to be manifested in action, it is clear that peace must be given priority in deed as well as in word and that this must be reflected in some fashion by the way our government organizes and implements its efforts in this direction. A first step in doing this might very well be to put a Department of Peace on a par with the Departments of State and Defense and to recognize that economic aid, technical assistance, increased trade, and arms control all have an essential unity of purpose. That purpose is peace, and its attainment will be very closely related to the degree to which we all recognize that real national security depends at least as much on development and arms limitation as it does on vast defense establishments and new weapons systems. The extent of that recognition may be measured in some degree by the success of present efforts to get the idea of a Department of Peace included in the Nixon inaugural address.

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## "THE SUMMER OF DISSENT," MICRONESIAN REPORTER, FOURTH QUARTER, 1969

Mr. ALLOTT. Mr. President, as Senators are aware, the Trust Territory of the Pacific Islands, consisting of the Caroline and Marshall Islands and all of the Marianas except Guam, is administered by the United States under a trusteeship agreement with the Security Council of the United Nations.

The islands which form the portion of the trust territory within the jurisdiction of the U.S. trusteeship agreement lie in three major archipelagoes to the north of the Equator in the Western Pacific. Although the land area involved totals less than 700 square miles, it is scattered over almost 3 million square miles of open ocean. Prior to the execution of the trusteeship agreement its 90,000 inhabitants were governed by the Japanese nation as a League of Nations mandate between World War I and World War II. After the islands were converted into important military bases by the Japanese, they were captured after a series of historic, bloody engagements by Allied forces during World War II. Following the conclusion of the treaty between the United States and Japan, the Japanese colonialist and military personnel were returned to Japan.

The trusteeship between the United Nations and the United States was approved by the President under authority granted by the Congress in July of 1947.

The terms of the agreement (61 Stat. 3301) grant responsibility to the United States to provide "full powers of administration, legislation, and jurisdiction" over the former Japanese-administered territory and obligates the United States to provide certain basic responsibilities. Along with a basic responsibility to promote the economic, social, health, and educational advancement among the inhabitants of the trust territory, there is a specific mandate in this agreement that the United States is to foster the development of such political institutions as are suited to the trust territory and promote the development of the inhabitants of the trust territory toward self-government or independence.

U.S. authority is vested in a High Commissioner, who is presently appointed by the Secretary of the Interior. The High Commissioner's legislative authority was granted to the Congress of Micronesia on the first day of its session in 1965, although the High Commissioner retains veto power over measures passed by the Congress of Micronesia.

Under the trusteeship agreement, the United States has undertaken certain educational, social, political, and economic efforts to assist the people of the territory. Whether the United States has fulfilled all of its obligations and dispatched with reasonable success its various responsibilities under the provisions of the trusteeship agreements is, of course, open to serious conjecture. I have long had a deep interest in the affairs of the Trust Territory of the Pacific Islands through my period of service on the Senate Interior and Insular Affairs Committee. I know that this interest has been shared by others on our committee, including the distinguished chairman of the Subcommittee on Territories and Insular Affairs (Mr. BURDICK), as well as the distinguished majority leader, both of whom took an active role in the introduction of certain legislation during the last session of Congress dealing with the affairs of the trust territory.

Because, Mr. President, I believe that too many Members of Congress are not entirely familiar with the political changes which are now occurring within Micronesia, I should like to insert into the CONGRESSIONAL RECORD a very interesting article which recently came to my attention, entitled "Summer of Dissent," as published in the Micronesian Reporter for the fourth quarter of 1968. This article, I believe, graphically illustrates the ferment of political ideas and aspirations which now animate the unique political arena in Micronesia. I particularly commend a reading of this article to those Members of Congress who are vitally concerned, as I am, that the best efforts of the United States must be exerted to assure everyone that this country is properly discharging its responsibilities under the Trusteeship Agreement with the United Nations.

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:

THE SUMMER OF DISSENT

(By Marjorie Smith)

From the moment some of the Marshallese delegates stepped off a plane at Saipan's Kobler Field on the Fourth of July and announced "Independence is the only answer to Micronesia's land problems," it was clear: The 1968 session of the Congress of Micronesia was going to be different from those of the past.

And different it was. Perhaps it was only a matter of degree, for Amata Kabua has always been critical of the Trust Territory administration, just as Franc Nuuan and Isaac Lanwi have always clowned in the Senate and the Ponapeans have consistently come up with provocative comments on sides to questions everyone else had overlooked.

But there was about this Congress a stimulating sense of energy and change. Some of the members termed it "The resurgent Congress" but the phrase seems not quite accurate. Rising and surging the Congress was, but it was not resurging, for the Congress has never fallen back, the tide has never ebbed.

It was just a dozen years ago that thirteen Micronesians convened in Guam for the first meeting in history between leaders of the various districts. Four members of the present Congress were there—Amata Kabua, Namu Hermios and Petrus Mailo as members of "The Inter-District Advisory Council" and Soukichy Fritz as an interpreter. They heard the American department heads explain, probably for the first time, the functions of the various government agencies. And they heard the territory's acting High Commissioner, Delmas H. Nucker, say, "I have been asked by the United Nations each of the last two years when I appeared before the Trusteeship Council when we were going to have a territorial legislature. I will be very honest with you people and tell you what I told the United Nations, that I did not know when we would be ready for it, because I wanted to be sure that our municipal governments were functioning and when they were chartered and were the best we could make them, and our district governments were running right and serving the people—then I would be ready to talk about having a congress for all."

Ready or not, from the day those thirteen Micronesians met in Guam, Micronesia has been caught up in a tidal wave that is the inevitable result of a decision probably never consciously made: to teach American-style democracy to Micronesians.

The wave was slow in building and for years the rising political awareness, the sense of power and confidence that comes with the teaching "All men are created equal and have equal rights", was barely perceptible. But lately the waters of progress and change have rushed in upon Micronesia more swiftly. With the creation by the Secretary of Interior in 1964 of the Congress of Micronesia, forces were gathered for a powerful wave that crested this summer in Saipan. But it is not the last wave. The lovers of the status quo, the comfortable, the wearers of white pith helmets and the keepers of anthropological zoos should beware: in Micronesia, the surf is up.

It had long been recognized that the fourth session of the Congress would be one of transition. According to Secretary of Interior Stewart Udall's Order No. 2882 which created the Congress, during the first four years Micronesians in high-level positions in the administration could also serve in the Congress. Beginning with the fifth session, however, each man would have to make a choice between the security, the relatively good pay of a career in the executive branch, and the uncertainties and relative poverty of continued congressional service.

There had long been concern about a mass exodus from the Congress in its fifth year. The Congress had attracted a remarkable collection of young, well-educated leaders. But most observers believed that few of these men could afford to give up their government jobs. Then came an amendment to the secretarial order providing for annual salaries of $3500 for members of congress. With this money to be paid by the U.S. Congress, the members of the Congress of Micronesia began to quietly discuss supplemental expense accounts which they might allow themselves from their own funds, and the worriers reversed themselves, beginning to fret about a mass exodus of outstanding Micronesians from the administrative branch.

Before the secretarial amendments ever arrived in Saipan, the congress of transition was making itself known as the congress of dissent. For some members, perhaps, the decision had already been made to remain in the Congress no matter what the financial hardships. For others, the choice was yet to be faced. Yet no one seemed inclined to soften his views or defend the administration just because he worked for it and might want to continue doing so. When support of an administration official or program was heard in the Congress, it came as a voice of reason or logic and not as appeasement of an employer.

There was Eminent Domain, always spoken of in capital letters. There was the remarkable territory-wide scholarship bill passed in lieu of pork barrel capital improvements for individual districts. There were the critical speeches resounding through the halls of Congress, wafting down over startled American officials who were forced to realize that they no longer occupy the highest point in Saipan, geographically or politically.

What all the issues and all the criticism came down to was the simple fact that in at least one of its stated aims, the American administration has done a thorough job in Micronesia: It has succeeded in instilling respect for and belief in the democratic processes.

The eminent domain issue has been with the Congress since its creation. The existing law allows the government almost unlimited power to take private land for public use. The administration and the Congress agree that this power must be limited. They are unable to agree on how.

In 1966, Senator Kabua introduced an eminent domain bill which the Congress passed. The High Commissioner vetoed it. In 1967, the administration submitted its proposal on the subject. The Congress amended it extensively so that it came out almost the same as their 1966 version, and passed it. The High Commissioner failed to approve it.

In 1968, the Congress tackled the matter from several angles. First, they voted to override the High Commissioner's veto on the 1967 bill. Then, because there was considerable disagreement as to whether the Congress could override a pocket veto or whether there had been a pocket veto, the Congress introduced and passed, before the first twenty days of the session were up, a bill identical to the 1967 version. Finally, the Congress passed a bill repealing the existing eminent domain statutes.

The High Commissioner vetoed the 1968 bill while Congress was still in session, so there is no question but that the veto could be overridden next summer if the Congress should decide to do so. The High Commissioner acknowledged receipt of the override bill, but said it was still his opinion that there had been no veto, so there could be no override. However, he forwarded the matter to the Secretary of Interior to obtain his interpretation on the question. At this writing, the administration had not yet taken action on the bill repealing the existing eminent domain law.

Land is Micronesia's scarcest resource and its most precious—precious not only be-

cause of its scarcity but because of the role it plays in traditional cultural patterns. The American administration has acknowledged this fact and has protected the land for Micronesians by providing that non-Micronesians cannot own land.

Then what is the fight on eminent domain about? Military use of Micronesia's land. For although the American government recognizes the value of the land to the people, it also considers Micronesia's 700 square miles as land of strategic value to the free world. Americans died by the thousands fighting for these islands twenty-four years ago. The islands were crucial then, and they are evidently considered even more crucial now in the protection of America's interests in the far Pacific and in the protection of the continental United States.

Members of the Congress of Micronesia are willing to grant that a number of Americans employed by the Trust Territory government have worked through the years with the idealistic aim of improving the lot of the Micronesians. But Micronesian leaders also know that the reason the United States has been in Micronesia all these years has been for the safety of the United States, not out of altruistic impulses to help an underdeveloped country.

Acceptance of this fact is not recent. Micronesians are realists and are natural political scientists—life within the confines of island society necessitates such qualities. But this summer it became clear to the Americans in Micronesia for the first time that Micronesians understand why the United States is here. And this understanding has given the Micronesians confidence. This summer for the first time, they faced the Americans as equals instead of as wards asking for favors.

The eminent domain issue is simple. The Congress insists that it be consulted in all cases where Micronesian land is taken for U.S. military use. The administration for a time, ducked behind a trite "That is not a legislative function"—possibly an irrelevant comment in a situation where the legislative branch is the only branch of government elected by the people. But toward the end of the summer, the administration came closer to admitting the truth and said that the eminent domain controls proposed by the Congress would be in conflict with the trusteeship agreement. In other words, it isn't that decision on taking land for military purposes are not a legislative function—they are not a Department of Interior function. Decisions to veto an eminent domain bill are not made in Saipan or in the Interior Department. They are dictated by the Departments of Defense and State.

All right, say the dissenting congressmen. Amend the trusteeship agreement. The land is ours and we have a right to say how it shall be used.

And who, one might ask, gave the members of the Congress the idea that they have this right? America did, in its highly successful sales job of the democratic system.

Money is always a matter of concern in legislative bodies and the Congress of Micronesia is no exception. Members of the Congress asked which of the revenues generated in Micronesia are theirs to appropriate and which must be returned to the administration. They asked to be given more voice on how the money appropriated for the Trust Territory by the U.S. Congress is to be spent. And they agonized over how to spend the money that is theirs to spend.

Their decision on this problem was one of the most dramatic moments in a congressional session that was never dull. After taking care of operating expenses and a number of other obligations like the Social Security system, the Congress was left with about $280,000. This is all it had to spend on projects and capital improvement requests from the various districts totalled at least a million and a half.

The Congress took a courageous, unexpected step. In an election year, the members agreed to forgo capital improvement projects in the home districts. Instead the money would go into a scholarship fund, to be administered by a newly-organized Congress of Micronesia scholarship board. And the scholarship money was to be used to train Micronesians in skills and professions considered necessary by the congressional board. The congressmen made it clear that they do not always agree with the priorities set by the existing executive scholarship board.

The question of priorities came up again and again in the highly critical speeches that were heard in the Congress during the summer.

The congressmen expressed doubts about the low priority they feel is being given by the administration to agricultural development. They were just as dubious about the apparent intention of the administration to concentrate on tourism as the principal means of economic development in Micronesia.

The congressmen questioned other government priorities in spending particularly where capital improvements are concerned. They were not convinced that the administration had always chosen the best places to make improvements, and some members complained that too much attention was given to making life comfortable for Americans in the territory. The dramatic plans for Saipan's recovery from the effects of Typhoon Jean drew criticism from delegates from less developed districts.

Congressmen were critical of administration personnel. In some cases, they singled out individuals and questioned whether they were doing their jobs properly. In general, they expressed disappointment with the attitude of administration personnel toward the Congress, and with the preparedness of administration representatives who testified before them.

But what almost all the excitement in Saipan this summer really revolved around is the question of Micronesia's political future.

What the congressmen were saying when they repassed the eminent domain bill over the High Commissioner's veto was: The people know what is theirs and what they want. What they were saying when they appropriated $200,000 for scholarships and created their own scholarship board to administer the fund was: We know what our people need and we know best how to get it. And what they were saying in exactly so many words in a number of speeches and informal remarks was: We know what our people need better than any outsider can know.

It is not a very long step from knowing what the people want and saying "They shall have it." And from there an even shorter step leads to the word "independence."

Americans who grew up firmly believing in the American revolution, believing that colonialism was bad and revolution good, should not be shocked to hear the word, although it was seldom heard in Micronesia until very recently. And Americans should not be too startled to find themselves wearing the black hats in this particular melodrama.

The self confidence exhibited by the Congress this summer was an important aspect of the new respectability of independence as a spoken word. "For years we have been told that we can never be independent because we have no resources," said the congressmen—Amata Kabua and Atlan Anien from the Marshalls, Franc Nuuan from Yap, Lazarus Salii from Palau, Bailey Olter, Hirosi Ismael and Daro Weital from Ponape. But this is not true, they insist. "Our marine resources alone are completely untapped!" Nuuan says. "Our agricultural potential has been ignored and underdeveloped," Weital and Ismael shout. "Our manpower resources are our greatest asset," says Olter and Salii. And in their quiet, Marshallese voices, reminiscent at weirdly appropriate times of the sinister tones of Peter Lorre, Kabua and Anien say, "Our strategic location alone can support us."

Someone, somewhere told the Marshallese that the United States is paying a hundred million dollars annually for lease of military bases in Spain. Perhaps it is not possible to find out if this is true. But the Marshallese are saying "If we were an independent country, the United States would have to pay rental on her bases at Eniwetok and Kwajalein." An independent Micronesia could be run very nicely on a hundred million dollars a year, the Marshallese hint, and there is always the simple truth that it is much easier to get money from the United States Congress for defense needs than for Department of Interior projects.

At first the word independence hung there heavily in the air after the Marshallese had uttered it, and everyone stared at it with some awe—just as three years or so ago the politicians of Guam stared, mouths agape, when a prominent "statesider" unexpectedly remarked "Of course statehood is the only equitable status Guam can aspire to." In Guam, the word "statehood" hovered awhile and then settled over the island and suddenly politicians all over were saying "And we mustn't discount statehood as a possibility," where before they had mouthed a ritual "Of course, statehood is out of the question."

So it was in Micronesia. The word independence buzzed around the heads of the Marshalls delegation for awhile and then suddenly there it was on the other side of the territory, and Palauans were saying in their intense, late-night discussion tones, "We could support an independent Micronesia on the lease money from Babelthuap."

At a press conference at one point during the summer, High Commissioner Norwood hastened to point out the danger of basing an economy strictly on military spending. It fluctuates a great deal, he noted, and of course everyone in the world hopes that eventually no military bases will be needed.

And Micronesian leaders nodded wisely and said to themselves that until the oil runs out in Kuwait and until the phosphate is gone from Nauru those tiny countries enjoy the world's highest per capita incomes—and invest much of it for slimmer days.

It is difficult for an observer to know how many, if any, of the members of the Congress actually take independence seriously as Micronesia's political destiny. The important point is that they have the confidence to say the word, to use the ideal as a bargaining point in any discussions of future status. Just about a year ago, some American officials raised eyebrows at the nerve the Congress of Micronesia had shown in setting up its own political status commission when the President of the United States had clearly announced his intention to establish such a commission. This summer, some members of the Congress were expressing their indignation that the United States Congress and the President should consider establishing a commission without consulting Micronesians for advice, without including Micronesia on the membership roll.

The Congress of Micronesia extended the life of its political status commission for another year, emphasizing that the commission's assignment in the area of political education, hardly touched upon during its first year, must be accomplished this year.

But perhaps the members of the Congress took the first step in the political education process when they pronounced the forbidden word "independence." They got Micronesia's attention. Now all of the other alternatives can be discussed and explained.

The congressional session of 1968 started a debate on a territory-wide scale. It is un-

likely that the discussion could be stopped now, even if anyone wanted to stop it.

The Congress is young. All but eight of the 33 members of the Congress are in their thirties. Six are in their forties, the Marshalls' Dr. Lanwi is 50 and Micronesia's elder statesman, Chief Petrus Mailo of Truk is 65.

The congressmen are well educated. Twenty-six of the members have had either college work or medical training. Seven of these men have bachelor's degrees and two have associate degrees. There are five medical officers in the Congress, graduates of training programs at the Fiji School of Medicine, Guam Naval Medical School and special courses in the Philippines and Hawaii. Senator Tosiwo Nakayama of Truk missed the '68 session of Congress because he was in Hawaii completing work on his bachelor's degree.

The congressmen, despite their youth, are politically experienced. All but ten of them have served in their district legislatures. Four of the college degrees are in political science.

The congressmen are well traveled. Twenty of the thirty-three have toured the continental United States. Another seven have traveled to Hawaii or other parts of the Pacific. Seven have also toured the Orient, and one (Nakayama) has traveled in Europe.

The congressmen have good jobs. Of the 24 members of the Congress employed by the Trust Territory government, twenty are on the "C" or professional scale, with salaries ranging from $2800 to $6000. Other members are employed by district legislatures, community action agencies and private business.

What are some of the individuals like in this group of young men?

Perhaps the member who had the greatest impact on this Congress is Senator Bailey Olter of Ponape. Olter was the author of the scholarship bill, the dreamer of the great dream that politicians facing an election in November could afford to sacrifice capital improvement projects for their home districts in favor of an idealistic attempt to influence the future of their country by providing for training its youth.

Energetic and exuberant, Olter attracts followers. He served as Senate vice president during the first two years of the Congress and has been chairman of the Senate Ways and Means Committee for the past two sessions. His infectious gaiety outside the halls of Congress contrasts with the gentle politeness that is characteristic of many men from Ponape. In the Senate, he is often the calm voice of reason, sturdy before waves of emotional rhetoric.

The fact that Olter was able to persuade almost every other member of the Congress to vote with him on the scholarship bill is testimony to his leadership abilities. If the bill is signed into law, and if the Congress can administer a successful scholarship program, it will still be may years before the results of Olter's dream can be seen. It took courage to dream, it took confidence in the future.

Another influential member of the Congress is Political Status Commission Chairman Lazarus Salii. Where Ponapean Olter exhibits some of the boisterous characteristics of the stereotyped Palauan, Palauan Salii is quiet, thoughtful, often enigmatic.

Salii has been dubbed by some American officials who have worked with him as "sure to be Micronesia's first elected High Commissioner." Other American officials see him as a dangerous man who should be watched. It is difficult to see in the calm face, the wide, innocent eyes, either the leader or the subversive. But in conversation, it is impossible to overlook the brilliance of the man.

"You criticize America for its fatness, its mercenary attitude, its excesses," he tells a grumbling Peace Corps Volunteer. "I want you to explain to me how a country with so many bad ideas and attitudes can support such an idealistic luxury as a Peace Corps? Tell me what it does right."

But he, too, can be quick with criticism for America. "There is a danger," he told the Congress the night it adjourned, "that ballots for Micronesia's plebiscite will be printed in Washington . . . it is humanly impossible for non-Micronesians to determine what is best for Micronesians."

Though he heads the influential status commission, Salii has had his upsets in the Congress. He served as floor leader of the House during the first two sessions of the Congress. In 1967, Ponape's Ambilos Iehsi, a freshman representative, was elected to the post, to Salii's surprise and dismay.

Since then, Salii has used a needle when effective and a baseball bat when necessary to keep the administration aware throughout the session that Micronesians, if they don't yet know what they want, at least reserve the right to say no to what they don't want.

Amata Kabua is another enigma. Exhorting the virtues of democracy, the rights of the people, he is one of the highest ranking of the royal Iroij and sternly defends the traditional Marshallese system of land ownership, one of the least democratic systems ever invented. And while he indignantly denounces the Trust Territory government for failing to develop the economy of the islands, he has, from time to time accepted government aid in rescuing his business interests from financial ruin.

Soft spoken and calm, he wields an obvious influence over three of the four Marshallese in the House. And he is a power to be reckoned with in the Senate where he serves as floor leader.

Tradition's most important representative in the Congress is Truk's Chief Petrus Mailo, mayor of Moen, president of the Truk Trading Company. He is vice-speaker of the House of Representatives and the only member of the Congress who uses an interpreter. He sits sometimes for days, patiently listening to the proceedings (legend insists that he understands most English when he hears it, even if he doesn't speak it), grunting occasionally to signal to his aide that he needs a translation.

When he decides to speak on an issue, the entire house listens intently. The guttural Trukese comes rumbling forth from his lips. Then calmly, never blinking, he waits while the English version is presented. Then the rumble begins again.

Chief Petrus does not really want to be in the Congress. At his age, it is an exhausting six weeks work, and with his language handicap, it must be rather frustrating at times. The fact that in spite of this he is in the Congress and is probably the strongest vote of confidence the concept of a united Micronesia could receive.

In 1966, Chief Petrus insisted that he was going to concentrate on running Moen and the trading company—he would not be a candidate for Congress. Trukese colleagues in Congress were alarmed. If Chief Petrus didn't run for re-election after serving in the Congress for its first two years, they were afraid the Congress would lose status in the eyes of the people of Truk. "Chief Petrus went to Saipan for two sessions," people would say, "and he decided this Congress of Micronesia isn't really worth the trouble." It took the others a long time to persuade Chief Petrus that his continued participation was essential to the reputation of the Congress in Truk, but just before the deadline for filing of candidacy, he relented and was, of course, almost unanimously re-elected.

If Chief Petrus' belief in the Congress of Micronesia is an important tribute to its ideals, so is Olympio Borja's—on a very different plane.

Borja represents the Marianas in the Senate and like his slightly schizophrenic constituency, he is a study in contradictions. Warm and loquacious, he looks more like an Italian restaurateur than an island politician. He is, on one hand, Chamorro, involved in the identity search of his people, looking toward Guam for leadership and inspiration, totally committed to a future connection with the United States.

And on the other hand, he is a Micronesian, exposed these four years to the dreams of Amata Kabua and Bailey Olter and Lazarus Salii. He is too intelligent to accept the traditional Chamorro view of the people from the Carolines and Marshalls as primitive savages. He sees the follies of his people, but they are his people after all, and he knows their capabilities, and how history has complicated life for them.

And so he defends against the sarcasm of his fellow senators his resolution asking that Micronesians be allowed to enlist in the U.S. military. And he goes to Japan with some of Saipan's outspoken leaders to ask for aid after Typhoon Jean. And he faces another election knowing that "Reunification with Guam" may very well be the cry of the winner this year in the Marianas, but unable to believe in it after four years in the heady atmosphere of the Congress of Micronesia. And his fellow senators sigh wearily when he begins one of his interminable speeches. But they elected him to represent them next year at the United Nations.

The faces, the personalities in the congress of dissent are varied. There are the hard workers. In the House they include Speaker Bethwel Henry, quiet, thoughtful, the politest of all considerate Ponapeans, his sense of humor easing occasional difficult moments; Ponape's prodigy, Floor Leader Ambilos Iehsi, inevitable cigarette clenched firmly in his teeth, energetically keeping the proceedings in motion; Luke Tman, the handsome Japanese-Palauan adopted by a Yapese clan, worried about his position as a congressman and as a headquarters official and about the conflicts of interest inherent in his heritage; Benjamin Manglona, young and sincere, struggling to represent an anomaly known as Rota which, having once been a district cannot accept sub-district status; and Joab Sigrah of Kusaie, quietly pleading for some attention to the problems of his long-neglected island. There are the Trukese—tough, stocky Raymond Setik, kept out of Congress this year after an automobile accident (it is interesting to wonder how Bailey Olter's scholarship bill would have fared had Setik been chairing the House Appropriations Committee throughout the session); cheerful Chutomu Nimwes, the "giant Micronesian" who will represent the House at the United Nations next year; Mitaro Danis trying to straighten out Micronesia's tangled land problems; Soukichy Fritz, studying for hours the technical language in the small bills many others would prefer to ignore. And Palau's Jacob Sawaichi, looking pleasantly inscrutable and absolutely immoveable.

And there were the loud ones. Ponape's Daro Weital, sophisticated, pouncing upon opportunities to use his gift of rhetoric; Ekpap Silk, anxious in his role as representative of the Marshall's anti-Kabua faction; Manuel Muna of Saipan and Polycarp Basilius of Palau, frequently the petulant voices of regionalism, redeemed by flashes of humor.

The Senate, too, had its loud dissidents, led this year by Ponape's Dr. Hirosi Ismael (see interview, page 3) who saw another side to almost every question and brought it forcefully to light. The conscientious Trukese in the House had their counterpart in Andon Amaraich in the Senate. Amaraich seems always serious, reflecting the careful conservatism of his constituents, a quiet voice of reason when debates get overheated. A certain air of solemnity also characterized the front of the chamber where Palau's John Ngiraked presided, taking his responsibilities very seriously, grave in his comments, care-

ful in his parliamentary rulings, an almost conservative contrast to Palau's other senator, David Ramarui who is more aggressive, sometimes demanding.

And then there is Yap's Senator Franc Nuuan known for his antics on the floor of the Senate. He is a traditional Yapese, he is a modern businessman; he can be charming and open, he can be almost orientally inscrutable.

"Whenever a resolution is referred to my committee," he confided one night at the Royal Taga bar, "I go through it and take out all those clauses that begin 'whereas.' We have too much to do in thirty days. We don't have time for the whereases."

Nuuan has always been a dedicated opponent of minor resolutions, maintaining that while the Congress' power to legislate is limited, it has unlimited power to communicate through resolutions. But, he says, the power of resolutions can be easily diluted, if too many of them are adopted.

"What do we need the whereases for, anyway?" he asked. "If it is a good resolution, it doesn't need much justification. You can say: Resolved that Kusaie should have an airstrip because it has four thousand people and doesn't have an airstrip. Why do you need whereases about jutting peaks and glimmering bays? And if it is a stupid resolution, all those whereases only make it stupider."

During a discussion in the Senate one morning on a commendatory resolution, Nuuan asked, "Mr. President, may I be permitted to speak some nonsense?" The senators good-naturedly allowed him to continue. "Mr. President, we have too much to do in 30 days," Nuuan said. "I therefore move that next year, in the fifth session, we don't have any resolutions."

In a stage whisper, he said to his sometime partner in clowning, Dr. Lanwi, "You second it."

Lanwi grinned. "No, I'm sorry. Nonsense I don't second."

And then during the last days of the session, it was Nuuan who pushed for quick adoption of a resolution that would have asked President Johnson to establish in his office an advisor on Micronesia. Texas Millionaire Fred Cox had come to Saipan and suggested the resolution. Some of the senators were dubious and speculated that Fox had his eye on the appointment if the job was created.

"My colleagues have suspicious minds," said Nuuan, preparing another wad of betel nut, pepper leaf and powdered lime and smiling blandly as the Senate decided to refer the resolution to the Political Status Commission.

And American observers puzzled over Nuuan's interest in the resolution, just as they puzzled all summer over the statements, the contradictions, the actions and the decisions of the congress of dissent, the voices of a new democracy.

## HUMAN RIGHTS: THE PASSING OF THE HUMAN RIGHTS YEAR

Mr. PROXMIRE. Mr. President, 1968 was the International Year for Human Rights. In this year, as in the preceding 18 years, the U.S. Senate has failed to ratify the human rights conventions, although even the President in that period has urged the Senate to do so.

Mr. President, I call the attention of the Senate to a letter which appeared in the December 29 issue of the New York Times. It was written by Mr. Bruno V. Bitker, a member of the President's Committee for the Observance of the Human Rights Year. Mr. Bitko calls attention to a recent statement by President Nixon.

Mr. President, I ask unanimous consent that this letter be included in the RECORD.

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

[From the New York Times, Dec. 29, 1968]

HUMAN RIGHTS TREATIES

To the EDITOR: Your editorial of Dec. 15 "Negligence on Human Rights" was a forceful reminder that at the end of International Year for Human Rights the United States remains a laggard in failing to ratify human rights treaties.

It is almost unbelievable that in the very year we celebrate the twentieth anniversary of the Universal Declaration of Human Rights we have neglected to remove the twenty-year-old Genocide Treaty from the deep freeze where it was stored many years ago by the Senate Foreign Relations Committee. Commenting on that committee's position, Chairman Fulbright wrote that "there appears to be no reason why these treaties should not receive further study. As you know, any treaty tabled can be taken off the table at a later date." That time is now. There are hopeful signs, too, that the American Bar Association may take a more forward-looking position in this regard.

On United Nations Day President-elect Richard M. Nixon sent a message to the President's Commission for the Observance of Human Rights Year. He said: "The struggles that divide the world today center on questions of human rights. It is America's role and responsibility, as the brightest beacon of freedom, so to conduct itself as to provide an example that will truly light the world."

This is the philosophical basis for our ratifying these treaties. It would help restore America's position as a world leader in this field if Mr. Nixon will call for promptly putting these concepts into treaty form.

BRUNO V. BITKER,
*Member, the President's Committee for the Observance of Human Rights Year 1968.*

WASHINGTON, *December 17, 1968.*

Mr. PROXMIRE. Mr. President, once again I call on the Foreign Relations Committee to report these treaties to the Senate, some of which, as I have said, have been pending since 1949.

## APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to 67 Statutes 328 and 70 Statutes 966, appoints the Senator from Oklahoma (Mr. BELLMON) to the Senate Office Building Commission, in lieu of the Senator from Kentucky, Mr. Morton, retired.

The Chair, pursuant to the provisions of 42 United States Code 2251, appoints the Senator from New Hampshire (Mr. COTTON) to the Joint Committee on Atomic Energy, in lieu of the Senator from Iowa, Mr. Hickenlooper, retired.

The Chair, in accordance with Senate Resolution 281 of the 90th Congress, appoints the Senator from Rhode Island (Mr. PELL) to the Select Committee To Study the Unmet Basic Needs Among the People of the United States, in lieu of the Senator from Wisconsin (Mr. NELSON), resigned.

## REPORT OF COMPTROLLER GENERAL

The PRESIDING OFFICER (Mr. GRAVEL in the chair) laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on compilation of General Accounting Office findings and recommendations for improving government operations, fiscal year 1968 which, with an accompanying report was referred to the Committee on Government Operations.

## EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Elliot L. Richardson, of Massachusetts, to be Under Secretary of State; and

Richard F. Pedersen, of California, to be Counselor of the Department of State.

By Mr. HOLLAND (for Mr. ELLENDER), from the Committee on Agriculture and Forestry:

J. Phil Campbell, of Georgia, and Clarence D. Palmby, of Virginia, to be members of the Board of Directors of the Commodity Credit Corporation.

By Mr. LONG from the Committee on Finance:

Charls E. Walker, of Connecticut, to be Under Secretary of the Treasury; and

Paul A. Volcker, of New Jersey, to be Under Secretary of the Treasury for Monetary Affairs.

Mr. THURMOND. Mr. President, from the Committee on Armed Services I report favorably the nominations of 129 flag and general officers in the Army, Navy, and Air Force. I ask that these names be placed on the Executive Calendar.

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

The nominations, ordered placed on the Executive Calendar, are as follows:

Col. William Henry Moncrief, Jr., Army of the United States (lieutenant colonel, Medical Corps, U.S. Army), and Col. Thomas Joseph Whelan, Jr., Army of the United States (lieutenant colonel, Medical Corps, U.S. Army) for temporary appointment in the Army of the United States in the grade of brigadier general;

Vice Adm. Rufus L. Taylor, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Rear Adm. George M. Davis, Jr., Medical Corps, U.S. Navy, for appointment as Chief of the Bureau of Medicine and Surgery;

Vice Adm., Robert B. Brown, Medical Corps, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Vice Adm. George G. Burkley, Medical Corps, U.S. Navy (retired), for permanent appointment to the grade of vice admiral on the retired list;

Rear Adm. William P. Mack, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Gen. Robert William Porter, Jr., Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general;

Lt. Gen. George Robinson Mather, Army of the United States (major general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of general while so serving;

Maj. Gen. Chester Lee Johnson, Army of the United States (brigadier general, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States in the rank of major general;

Maj. Gen. Paul T. Cooper, U.S. Air Force,

(brigadier general, Regular Air Force), and sundry other officers, for appointment in the Regular Air Force, in the grade of major general;

Brig. Gen. Robert L. Cardenas, U.S. Air Force, (Colonel, Regular Air Force), and sundry other officers, for appointment in the Regular Air Force, in the grade of brigadier general;

Brig. Gen. Anthony T. Shtogren, Regular Air Force, and sundry other officers, to temporary appointment in the U.S. Air Force, in the grade of major general;

Gen. Theodore William Parker, Army of the United States (major general, U.S. Army), to be placed on the retired list the grade of general; and

Lt. Gen. Joseph R. Holzapple (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of general.

Mr. THURMOND. Mr. President, in addition, I report favorably 1,118 appointments in the Army in grade of major and below, 647 appointments in the Air Force in grade of major and below, and 7,287 promotions in the Navy in grade of captain and below. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations ordered to lie on the desk are as follows:

Daniel H. Spoor, and sundry other persons, for appointment in the Regular Air Force;

Edward F. Abbey, and sundry other officers, for appointment in the Regular Air Force;

William W. Bancroft, Jr., and sundry other distinguished graduates of the Air Force officer training school, for appointment in the Regular Air Force;

Joseph P. Madden, and sundry other persons, for appointment in the Regular Army;

Bernard L. Stewart, and sundry other persons, for appointment in the Regular Army of the United States;

Denis F. Ausflug, and sundry other distinguished military students, for appointment in the Regular Army of the United States;

Robert D. Galloway, scholarship student, for appointment in the Regular Army of the United States;

John P. Abbott, and sundry other cadets, U.S. Military Acadamy, for appointment in the Regular Army of the United States; and

William B. Anderson, and sundry other officers, for promotion in the U.S. Navy.

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## BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. ELLENDER (by request):

S. 568. A bill to repeal certain acts relating to exportation of tobacco plants and seed, naval stores; and wool; to the Committee on Agriculture and Forestry.

By Mr. TOWER:

S. 569. A bill for the relief of Peder Monsen; and

S. 570. A bill for the relief of Valerie I. Bloom; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 571. A bill for the relief of Dr. Diego Aguilar Aranda;

S. 572. A bill for the relief of Dr. Cesar Baro Esteva; and

S. 573. A bill for the relief of Dr. Jose R. Guerra; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 574. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; 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. JACKSON (for himself and Mr. HANSEN) (by request):

S. 575. A bill to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, 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. JAVITS (for himself and Mr. GOODELL):

S. 576. A bill to amend the Public Health Service Act to extend for 1 additional year the authorization of project grants for rat control; to the Committee on Labor and Public Welfare.

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

By Mr. RANDOLPH:

S. 577. A bill for the relief of Nenita L. Laguna; to the Committee on the Judiciary.

By Mr. HOLLINGS:

S. 578. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. McINTYRE:

S. 579. A bill for the relief of Dr. Farzin Davachi; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 580. A bill to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas; to the Committee on Interior and Insular Affairs.

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

By Mr. MOSS:

S. 581. A bill to amend the Mineral Leasing Act of February 25, 1920, as amended; and

S. 582. A bill to amend the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920 (41 Stat. 437; 30 U.S.C. 181); to the Committee on Interior and Insular Affairs.

By Mr. MOSS (for himself, Mr. BAYH, Mr. BENNETT, Mr. BIBLE, Mr. BURDICK, Mr. CANNON, Mr. CASE, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. EASTLAND, Mr. ERVIN, Mr. GOLDWATER, Mr. GORE, Mr. HARRIS, Mr. HART, Mr. HRUSKA, Mr. HUGHES, Mr. INOUYE, Mr. JAVITS, Mr. MAGNUSON, Mr. MCGEE, Mr. METCALF, Mr. MONDALE, Mr. MONTOYA, Mr. MUSKIE, Mr. PEARSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. STEVENS, Mr. TALMADGE, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 583. A bill to provide for the flying of the American flag over the remains of the United States ship *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941; to the Committee on Armed Services.

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

By Mr. RANDOLPH:

S. 584. A bill for the relief of Dominto Lamadriz; to the Committee on the Judiciary.

By Mr. FANNIN (for himself and Mr. GOLDWATER):

S. 585. A bill to provide for the appointment of an additional district judge for the District of Arizona; to the Committee on the Judiciary.

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

By Mr. TALMADGE:

S. 586. A bill for the relief of Nguyen Van Hue; to the Committee on the Judiciary.

By Mr. METCALF:

S. 587. A bill to allow the Sierra Club to retain its status as a tax-exempt organization until its right to this status has been adjudicated; to the Committee on Finance.

By Mr. MUNDT:

S. 588. A bill to give farmers an additional month in which to meet the requirement of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required; to the Committee on Finance.

By Mr. TYDINGS:

S. 589. A bill for the relief of Dr. Tze Duen Chan, his wife, Shen Fen Chan, and minor daughter, Karen Chan;

S. 590. A bill for the relief of Dr. Palem S. Rao, his wife, and their two minor children;

S. 591. A bill for the relief of Guiseppe Carlo Loproto;

S. 592. A bill for the relief of Mario Simoes Da Foneca;

S. 593. A bill for the relief of Ivonna Napolitano;

S. 594. A bill for the relief of Alisa Ramati;

S. 595. A bill for the relief of Dr. Joseph J. Jeffries;

S. 596. A bill for the relief of Dr. Emmanuel Mendoza Maniago;

S. 597. A bill for the relief of Dr. Parviz Sahandy;

S. 598. A bill for the relief of Dr. Robert H. R. Haslam;

S. 599. A bill for the relief of Azucena de Borja;

S. 600. A bill for the relief of Myung Hi Kim;

S. 601. A bill for the relief of Fermina Marinas; and

S. 602. A bill for the relief of Ruggero Curzi, his wife, Maria Curzi, and their three children, Oscar Curzi, Fabio Curzi, and Loredana Curzi; to the Committee on the Judiciary.

By Mr. NELSON:

S. 603. A bill for the relief of Mr. Olusegun Adewale Oduko; and

S. 604. A bill for the relief of Mrs. Priscilla Jordan and Mrs. Nandipha Jordan Henderson; to the Committee on the Judiciary.

By Mr. DOMINICK (for himself, Mr. ALLOTT, Mr. HANSEN, Mr. BENNETT, Mr. FANNIN, Mr. GOLDWATER, Mr. HATFIELD, Mr. MCGEE, Mr. MURPHY, and Mr. PACKWOOD):

S. 605. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 606. A bill to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. SCOTT:

S.J. Res. 25. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

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

By Mr. JACKSON:

S.J. Res. 26. Joint resolution to provide for the development of the Eisenhower Na-

tional Historic Site at Gettysburg, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GOLDWATER:

S.J. Res. 27. Joint resolution to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations; to the Committee on Commerce.

By Mr. GOLDWATER (for himself, Mr. AIKEN, Mr. ALLOTT, Mr. ANDERSON, Mr. BAYH, Mr. BIBLE, Mr. BURDICK, Mr. COTTON, Mr. CRANSTON, Mr. CURTIS, Mr. DODD, Mr. DOLE, Mr. EAGLETON, Mr. ELLENDER, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRAVEL, Mr. HARRIS, Mr. HARTKE, Mr. HATFIELD, Mr. HOLLINGS, Mr. HOLLAND, Mr. HRUSKA, Mr. HUGHES, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN of North Carolina, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MATHIAS, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGOVERN, Mr. MCINTYRE, Mr. METCALF, Mr. MILLER, Mr. MONTOYA, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PACKWOOD, Mr. PEARSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SAXBE, Mr. SCOTT, Mrs. SMITH, Mr. SPARKMAN, Mr. SPONG, Mr. STEVENS, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, Mr. TYDINGS, Mr. YARBOROUGH, Mr. YOUNG of North Dakota and Mr. YOUNG of Ohio):

S.J. Res. 28. Joint resolution providing for renaming the Central Arizona Project as the Carl Hayden Project; to the Committee on Interior and Insular Affairs.

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

## S. 574—INTRODUCTION OF BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ENGAGE IN FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill which has been recommended by the Department of the Interior to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments.

I ask unanimous consent that the executive communication, including the text of the bill, and an explanation of its provisions be set forth at this point 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. 574) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, 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. 574

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

1. Missouri River Basin project, Oregon Trail division, Corn Creek unit, in south-central Goshen County, in the vicinity of Hawk Springs, Wyoming;

2. Missouri River Basin project, Longs Peak division, Front Range unit, in Cache la Poudre River and St. Vrain Creek basins and adjacent areas in the general vicinity of Boulder, Colorado;

3. Missouri River Basin project, Upper Republican division, Armel unit, on the South Fork of the Republican River in the vicinity of Hale, Colorado.

The letter and explanation presented by Mr. JACKSON are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., January 18, 1969.*

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

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments." Authorization of feasibility studies as proposed by this bill is required by section 8 of the Federal Water Project Recreation Act of July 9, 1965 (79 Stat. 217; 16 U.S.C. 4601–19).

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill would authorize the Secretary of the Interior to engage in feasibility studies of three potential reclamation projects. Completed reconnaissance studies for each of the developments indicate that they are economically desirable, financially justified, and enjoy good local support. Feasibility studies are warranted. The Department proposes to undertake those studies as soon as the study authorization is available and the work can be fitted into the Bureau of Reclamation's planning program.

Supplementary statements of information of the three projects and justification for seeking feasibility study authority are enclosed.

The effects of the potential projects on water quality, recreation, fish and wildlife, historic, scenic, archeologic and aesthetic values will be considered fully in the feasibility studies authorized.

The Bureau of the Budget has advised, by letter of January 15, 1969, that this proposed legislation is in accord with the Administration's program.

Sincerely yours,

HARRY R. ANDERSON,
*Assistant Secretary of the Interior.*

Enclosures:

MISSOURI RIVER BASIN PROJECT, OREGON TRAIL DIVISION, CORN CREEK UNIT, WYOMING

Location: In south-central Goshen County in the vicinity of Hawk Springs, Wyoming.

Project Data: (Grayrocks Unit Reconnaissance Report, April 1965).

| | |
|---|---|
| Total estimated cost | $17,838,000 |
| Adjustments [1] | 73,000 |
| Total to be allocated | 17,911,000 |
| Allocations Irrigation, 20.505 acres | 17,911,000 |

[1] Future year capacity provisions $48,000 and transitional development $25,000.

Benefit-cost ratio: 1.17 to 1.0.

Description: The principal features of this Unit would be the Corn Creek Dam and Reservoir, a diversion dam and a system of pumping plants, canals, and laterals. The Unit would provide a full water supply for 11,000 acres of land and supplemental water for 9,505 acres now being irrigated but receiving an entirely inadequate supply. The plan also involves rehabilitation of some existing facilities.

Status: A reconnaissance report was completed in April 1965 which indicated that, while the Unit was somewhat marginal, this development is needed to bolster an economically-depressed farming area and that detailed studies to firm up the plan and evaluate fully the economic justification for the development are justified. There is also a possibility the Glendo inundated water rights can be used as a source of water for this Unit. This would improve the economic feasibility of the development and will be considered in more detail in the feasibility study.

Justification: The primary problem of this agricultural area is uncertainty of precipitation. The precipitation pattern is cyclical with frequent drought that results in depletion of the livestock-carrying capacities of the ranges. The nature of the watersheds and insufficient storage capacities of existing reservoirs too often result in low water yield for irrigation. For example, the three existing irrigation districts have combined facilities for storing 25,265 acre-feet of water from Horse Creek and Bean Creek. This storage provided an estimated average of 0.56 acre-feet of water per acre at the farm headgates over the critical 1952–1962 period. This is far short of quantities needed for irrigated farming operations. The resultant reduction in agricultural income has had an adverse effect upon the farmers and other landowners. The nearby town of Torrington and other small towns in the area that are almost entirely dependent upon the prosperity of agriculture have also suffered as a result.

Local Interest: This investigation is strongly supported by the local people and the State of Wyoming. The local interests have formed the Corn Creek Reservoir Association which is supporting the project actively. Members of the association consist of representatives of the three private irrigation districts in the Corn Creek area and Goshen Irrigation District and new landowners. Petitions have been obtained which show that 90 percent of the owners of presently-irrigated land and 94 percent of owners of the new land area are highly in favor of proceeding with the feasibility study. Filings have been made with the State Engineer for storage water rights in Corn Creek Reservoir.

MISSOURI RIVER BASIN PROJECT, LONGS PEAK DIVISION, FRONT RANGE UNIT, COLORADO

Location: In the Cache la Poudre River and St. Vrain Creek basins and adjacent areas in the general vicinity of Boulder, Colorado.

Project Data: (Reconnaissance data of 1966 for Cache la Poudre area and 1967 for St. Vrain area).

| | St. Vrain area | Cache la Poudre area |
|---|---|---|
| Total estimated costs | $42,990,000 | $27,980,000 |
| Adjustments | [1] 2,586,000 | [1] 1,661,000 |
| Total to be allocated | 45,576,000 | 29,641,000 |
| Allocations: | | |
| Municipal and industrial water | 39,136,000 | 25,136,000 |
| Flood control, fish and wildlife and recreation | 6,440,000 | 4,505,000 |
| Total | 45,576,000 | 29,641,000 |
| Average annual yield, acre-feet | 36,000 | 21,000 |
| Average annual cost per acre-foot [2] | $46 | $52 |

[1] Interest during construction.
[2] At reservoir.

Description: This project would develop the water resource potential of the Cache la Poudre River and St. Vrain Creek basins and adjacent areas to provide municipal and industrial water for the cities of Boulder, Estes Park, Fort Collins, Longmont, Loveland, and other communities located along the front range of the east slope of the Rocky Mountains. On the basis of reconnaissance findings, the plan under consideration would involve a multipurpose dam and reservoir on the South Park of the St. Vrain Creek at the Coffintop site just above the town of Lyons and enlargement of the existing Union Reservoir on St. Vrain Creek. It also would require construction of a multipurpose dam and reservoir on the Cache la Poudre River at the Idywilde site about 45 miles northwest of Fort Collins, Colorado. Both reservoirs would provide substantial flood control, recreation, and fish and wildlife enhancement benefits. Alternative reservoir sites would be evaluated in more detail and consideration would be given to the possible integration with the existing Colorado-Big Thompson project which serves this same general area.

Status: Completed reconnaissance studies of both the St. Vrain area and the Cache la Poudre area indicate that, on the basis of available data, municipal and industrial water can be made available at less cost to the cities than some of the developments now being undertaken by the cities themselves and that detailed studies are justified. Because of the common service area, both developments should be studied concurrently.

Justification: During the 20 years between 1940 and 1960, urban population more than doubled in principal towns and cities situated on the high plains adjacent to the Front Range on the eastern slope of Colorado. Since the 1960 census, estimates have indicated similar population increases with an even greater rate of increase in some areas. These rapid population gains have placed increasing demands on water for municipal and industrial use and will exert still greater demands in the future. Reconnaissance studies show that, in order to meet the projected future municipal needs of the cities of Boulder, Estes Park, Fort Collins, Longmont, and Loveland, all feasible potential means of augmenting their present water supplies will have to be developed. Indications are that supplemental water will be needed from outside the South Platte River Basin to meet demands by 1995. Because of the physical and legal problems involved in attaining full development, feasibility studies shoud be initiated as early as possible to determine the most economic and desirable order of development for keeping pace with the water needs of the Front Range communities.

Local Interest: Meetings with consulting engineers and representatives of the interested communities have indicated that the costs for water supplies which the communities are currently developing are greater in some cases than those proposed in Bureau of Reclamation plans. For this reason, the various communities along the Front Range, including Boulder, Estes Park, Fort Collins, Greeley, Longmont, and Loveland have united in urging the Bureau to continue the studies of full utilization of east slope water sources. The Colorado Water Conservation Board has indicated interest in the Bureau undertaking the study. The cities and the State of Colorado contributed $15,000 to expedite a reconnaissance study of the St. Vrain unit.

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MISSOURI RIVER BASIN PROJECT, UPPER REPUBLICAN DIVISION, ARMEL UNIT, COLORADO

Location: On the south Fork on the Republican River in Yuma County in the vicinity of Hale, Colorado.

Project Data: (Definite Plan Report of 1954 revised to reflect current prices and benefits).

| | |
|---|---|
| Total estimated cost [1] | $19,411,000 |
| Adjustments | |
| Total to be allocated [1] | 19,411,000 |
| Allocations: | |
| Irrigation—7,750 acres | 6,411,000 |
| Flood control | 10,215,000 |
| Fish and wildlife | 968,000 |
| Recreation | 1,817,000 |
| Total | 19,411,000 |

[1] Includes costs $13,303,600 associated with existing Bonny Dam and Reservoir.

Benefits cost ratio: 1.50 to 1.0.

Description: The unit includes the existing Bonny Dam and Reservoir and would provide for the construction of the Armel Canal and Pumping Plant to lift and supply irrigation water to tablelands north and east of the dam, and a distribution system of laterals and drains. Approximately 7,000 acres of land in the Armel area would be furnished a water supply for irrigation. The 750 acres of irrigated lands under the Hale Ditch would continue to be furnished a regulated water supply.

Status: The St. Francis unit was authorized by the Flood Control Act of 1944. Bonny Dam and Reservoir were constructed in advance of the finalization of irrigation plans as an emergency flood control measure. Construction was completed in 1951. A definite plan report relating to the irrigation features of the unit was completed in April 1954. Construction of the irrigation facilities was deferred because of a lack of interest in irrigation. Recently the farmers in the Armel area have indicated strong support for proceeding with the irrigation development as soon as possible. Passage of Public Law 88-442 required that all units of the Missouri River Basin not under construction as of the date of that Act be reauthorized by Congress. Therefore, feasibility study authorization is needed to bring the plans up to date and prepare a report for congressional consideration of construction authorization.

*Justification:* The unit is located in a predominantly agricultural area. Although dryland farming produces abundantly with adequate moisture, intermittent droughts and poor distribution of rainfall have impaired the agricultural economy and resulted in economic instability and insecurity. The lack of rainfall in recent years has been especially destructive to farm operations. Use of the available water supply in Bonny Reservoir would permit diversification of farm operations and balanced livestock programs and encourage the adoption of recommended soil conservation and farm management practices. Through irrigation, the local economy would be stabilized at a higher and more rewarding level.

*Local Interest:* Development of ground water and changing agricultural economics of Yuma County, Colorado, in the past few years have stimulated a growing interest in irrigation. Farmers in the Armel area invited Bureau officials to attend meetings for the purpose of obtaining information on the steps that would need to be taken to form an irrigation district. An eight-man steering committee has been formed to represent the group in promotion of the project. Local interest is so strong that there are more landowners interested in irrigation than there is water supply. The Colorado Water Conservation Board has also indicated its strong support for feasibility studies on the unit.

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## S. 575—INTRODUCTION OF BILL TO ENCOURAGE TRAVEL IN THE UNITED STATES

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill which has been recommended by the Department of the Interior to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes.

I ask unanimous consent that the executive communication explaining the provisions of this proposed legislation be printed at *this point in the* RECORD.

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

The bill (S. 575) to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. HANSEN), by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., January 16, 1969.*

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

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill, "To amend authority of the Secretary of the Interior under the Act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes."

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Act of July 19, 1940, authorizes the Secretary of the Interior, through the National Park Service, to encourage, promote, and develop travel within the United States. It authorizes the annual appropriation of not more than $100,000 to carry out the purposes of the Act: "To encourage, promote, and develop travel within the United States, its Territories and possessions, providing such activities do not compete with the activities of private agencies; and to administer all existing travel promotion functions of the Department of the Interior through such Service."

The enclosed bill would provide appropriation authorization for such sums as may be required.

The 1940 Travel Act was a culmination of the travel promotion activities of the National Park Service, which began with its establishment in 1916. Funds were appropriated for travel activities in 1942 and 1943, and after being interrupted by World War II, in fiscal years 1948, 1949, and 1950, before being again interrupted by hostilities in Korea, and the necessity for reduced appropriations as a result thereof. With the launching of the Discover America program, at Vice President Humphrey's request, the National Park Service developed a travel information program for Washington as a model city program.

In January 1968, President Johnson's Industry-Government Special Task Force on Travel strongly recommended the National Park Service exercise its general authority under the 1940 Act as a means of achieving a truly national domestic travel promotion program. To accomplish this, the Service reprogramed $30,000 in fiscal year 1968 and $100,000 in the present fiscal year, establishing a Division of Tourism to direct the program.

The Secretary of the Interior has assigned leadership and coordination responsibilities for the Department's tourist development to

the Assistant Secretary for Fish and Wildlife and Parks, and Marine Resources and has established within the National Park Service an Assistant Director for Travel and Information Service. The National Park Service can be particularly effective in the field of travel promotion. The national parks, monuments, historic sites, and recreation areas serve to "generate" travel and tourism, and this activity inevitably involves adjacent areas, sites, facilities, cities and other recreation areas. The program has great economic importance to domestic travel and to travel to the United States from foreign countries. But, such a program can also contribute understanding, appreciating, and perpetuating our Nation's cultural and natural heritage.

It is increasingly evident, however, that the existing ceiling of $100,000 prevents the carrying out of a promotion program of sufficient scope to meet the national needs of today. Within the National Park System alone, there were but 16,000,000 visits in 1940, against 140,000,000 in 1967. In 1967 over 112 million visits were recorded on lands administered by other bureaus and offices of the Department of the Interior. The Bureaus of Land Management, Indian Affairs, Outdoor Recreation, Sport Fisheries and Wildlife, and Reclamation, and the Office of Territories are all deeply involved in tourism. A countrywide travel promotion program reflecting all of the Department's interests cannot be effectively developed within the existing ceiling. The President's 1970 budget provides $225,000 for this program. Subject to fiscal constraints, larger amounts would be requested in future years to fully implement the program.

Development of a national program would require a professional and expanded approach to marketing and advertising as well as education and information. Full use would be made of modern means of communication: publications, traveling exhibits, films, posters, and the use of radio and television. While the National Park Service would cooperate with the United States Travel Service and develop materials and programs in multilanguages to encourage and support foreign visitors, the National Park Service program would be restricted to within the United States, and not overlap the overseas activities of the Travel Service. The National Park Service would consult with the United States Travel Service to insure full coordination of the two programs and to avoid duplication of effort. Even on the expanded scale, the projected program would be only a catalyst, insofar as the private travel sector is concerned, and would in no way compete with private agencies.

By letter dated January 16, 1969, the Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

MAX N. EDWARDS,
*Assistant Secretary of the Interior.*

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## S. 576—INTRODUCTION OF BILL RELATING TO EXTENSION OF RAT CONTROL PROGRAM

Mr. JAVITS. Mr. President, I introduce for myself and the Senator from New York (Mr. GOODELL), a bill to authorize $20 million for rat control programs in fiscal year 1970. This measure extends the rat control programs instituted under the Partnership for Health Amendments of 1967, Public Law 90–174.

In September of 1967, the House of Representatives, in considering the Partnership for Health Amendments of 1967, added $20 million for each of fiscal year 1968 and fiscal year 1969 to the authorization for State project grants for the purpose of rat control. However, this additional sum was not added for fiscal year 1970, the final year of authorization in this law. I am therefore introducing for myself and my colleague from New York, Senator GOODELL, a measure to correct this situation, increasing from $80 million to $100 million the authorization for Project Grants for Health Services Development under the Partnership for Health Act, with the understanding, as in 1967, that this increased sum will be used for rat control.

In the light of the estimated $1 billion damage annually incurred by rats in the United States, this $20 million additional authorization is a prudent investment. It is a modest proportion of the more than $3 billion spent annually to dispose of the millions of tons of garbage and trash which harbor rats.

Rats are both an urban and rural problem. While thought of widely as a problem principally affecting the slum dweller, recent press reports of a large colony of rats infesting an exclusive block of Park Avenue in New York City bring home the realization that the rat problem belongs to us all. As one citizen was quoted as saying:

> The idea of rats crawling around on children in the ghetto really hits home when you see them on Park Avenue.

There are 10 rodent-associated diseases carried by rats, of which the plague is the best known. Fortunately, all these afflictions are presently under control. However, rat bite, a problem associated primarily with heavy urbanization, continues to take a tragic toll, both recorded and unrecorded, in slum areas, especially among infants and young children. The poor who are obliged to live in rat-infested areas are perhaps the most seriously concerned for, as the National Commission on Civil Disorders pointed out in a memorandum to me, sanitation in the slums is a question uppermost in the minds of the urban poor.

It is my intention that the Committee on Labor and Public Welfare give prompt consideration to this legislation so that it might be enacted into law prior to congressional approval of the 1970 budget.

Mr. President, I do not wish to sound severe, but the subject of rats has turned out to be no laughing matter, either here or in the other body.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 576) to amend the Public Health Service Act to extend for one additional year the authorization of project grants for rat control, introduced by Mr. JAVITS (for himself and Mr. GOODELL), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

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## S. 580—INTRODUCTION OF BILL FOR REHABILITATION OF THE RED BLUFF, TEX., IRRIGATION PROJECT

Mr. YARBOROUGH. Mr. President, today I am introducing a bill designed to restore the economic stability and productivity in a significant area of my home State by rehabilitating the Red Bluff irrigation project on the Pecos River in west Texas.

The rehabilitation would provide a dependable water supply for irrigating approximately 22,000 acres of semiarid land in the Pecos Basin of Texas and upgrade the economy of four counties—Pecos, Reeves, Loving, and Ward.

The bill authorizes the Interior Department to rehabilitate, reconstruct, repair, and replace existing works of the Red Bluff Water Power Control District, and to acquire lands and interests in lands and other properties as necessary for such purposes in conformity with a 1965 plan of the Bureau of Reclamation.

The bill provides that the Secretary shall not proceed with construction until it is determined that the project benefits from the proposed rehabilitation will exceed project costs, and until a contract with the irrigation district, providing for repayment of construction costs has been arranged. Since it is considered as a rescue project, however, the bill provides that the district repay, over a 50-year period, "such portion of the cost as is within the repayment ability of the organization, as determined by the Secretary of the Interior."

Mr. President, this bill is of great significance to the four counties mentioned above. They are all situated in the Pecos River Basin and have traditionally made use of the Pecos River for irrigation. Development in the area has relied on the oasis created from the river and 40 years ago, there were many small farms sustaining their crops from irrigation.

Yet, the situation has deteriorated due to a lack of a dependable source of water and an assured quality of the water. The situation is a human one—it is not a matter of acre-feet of water but of the livelihood of the people in the area. These are a hard working people, willing to work for and cooperate in support of this project. They are also willing to participate financially in as much of the project as they can.

Because of the great necessity, the willingness of the people in the area, and the theoretical soundness of the project, I am today introducing this bill in the Senate, as Congressman RICHARD WHITE is in the House, and ask unanimous consent that it be printed in full at the close of my remarks.

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

The bill (S. 580) to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas, introduced by Mr. YARBOROUGH, 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. 580

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purposes of providing a dependable water supply for the irrigation of approximately twenty-two thousand acres of semiarid lands

in the Pecos River Basin, Texas, and for economic redevelopment in Reeves, Loving, Pecos, and Ward Counties, Texas, the Secretary of the Interior is authorized to rehabilitate, reconstruct, repair, and replace existing works of the Red Bluff Water Power Control District, and to acquire lands and interests in lands or other property as may be necessary or proper for such purposes, all in substantial conformity with the plan for rehabilitation of the distribution system, Red Bluff project, Texas, prepared by personnel of the Bureau of Reclamation, on May 21, 1965. The Secretary is also authorized to rehabilitate, repair, and reconstruct existing laterals and drains needed for the effective and economic operation of the project and to build additional laterals and drains therefor, only if he determines that the Red Bluff Water Power Control District is unable to obtain reasonable non-Federal financing to perform said work.

SEC. 2. The Secretary shall not proceed with construction of this project until the Secretary determines that the project benefits from the proposed construction and rehabilitation will exceed project costs, and he has adequate assurance in the form of a contract or contracts with an organization established under the laws of Texas and having powers satisfactory to the Secretary including the power to tax all real property within its boundaries (1) that such organization will operate and maintain all works authorized by this Act in accordance with standards for operation and maintenance as established by the Bureau of Reclamation; (2) that said organization will operate such works and distribute water conveyed thereby under regulations requiring that water users supplied by means of such works use sound irrigation practices for lands within the service area of said organization; (3) that said organization will return to the United States during a fifty-year period from the date of completion of the works authorized by this Act, and under terms and conditions satisfactory to the Secretary, such portion of the cost of constructing such works as is within the repayment ability of said organization, as determined by the Secretary; and (4) that costs properly allocable to irrigation, as determined by the Secretary, which are in excess of those contracted to be returned pursuant to this section shall be nonreimbursable.

SEC. 3. Nothing contained in this Act shall be construed so as to abrogate, amend, modify, or be in conflict with any provision of the Pecos River compact.

SEC. 4. The facilities constructed under the authority of this Act, except as otherwise provided herein, shall be operated and maintained in accordance with appropriate provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388) and Acts amendatory thereof or supplementary thereto: *Provided*, That the excess-land provisions contained therein shall not be applicable to lands or to the ownership of lands which receive water from the works authorized by this Act: *Provided further*, That in lieu of the acreage limitations contained therein, all contracts for irrigation water supply from works authorized by this Act shall include provisions requiring that such water supply shall be used on lands determined by the organization mentioned in section 2 above to be free draining and capable of productive irrigation: *And provided further*, That no landowner shall receive from works authorized by this Act a water supply greater in quantity than that reasonably necessary to irrigate one hundred and sixty acres of such land.

SEC. 5. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

## S. 583—INTRODUCTION OF BILL RELATING TO THE U.S.S. "UTAH"

Mr. MOSS. Mr. President, a handsome monument has been erected over the hulk of the U.S.S. *Arizona* in honor of the 1,102 men who died in the Japanese attack on Pearl Harbor, and the colors are flown there every day.

But almost no recognition has been given to the 54 other officers and men who lost their lives in the Japanese attack on Pearl Harbor, who lie entombed in the U.S.S. *Utah*, only a mile or two from the *Arizona*. The resting place of the dead in the *Utah* is marked by only a small plaque on the deck of that ship fully visible in the harbor.

The men of the U.S.S. *Utah* deserve recognition. I am, therefore, introducing today, for myself and Senators BAYH, BENNETT, BIBLE, BURDICK, CANNON, CASE, COOPER, CURTIS, DODD, EASTLAND, ERVIN, GOLDWATER, GORE, HARRIS, HART, HRUSKA, HUGHES, INOUYE, JAVITS, MAGNUSON, MCGEE, METCALF, MONDALE, MONTOYA, MUSKIE, PEARSON, PELL, PROUTY, RANDOLPH, STEVENS, TALMADGE, TYDINGS, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio, a bill directing the Secretary of the Navy to erect a flagpole over the hulk of the U.S.S. *Utah*, on which the colors will be raised and lowered each day.

I introduced similar bills in the 88th, 89th, and 90th Congresses. Each bill has been cosponsored by more than a third of the Members of the U.S. Senate. So far no hearings have been held by the Senate Armed Services Committee. I have reason to hope that in the 91st Congress hearings will be held on this bill and it will be passed. The dead of the U.S.S. *Utah* have been too long neglected.

Many States—and certainly every area of the country—has one or more of its boys listed among the *Utah* dead. Of the 54 men whose bodies were not found or identified, 13 gave California as their home State; 11, Texas; three each Illinois, Iowa, Washington State, and New York; two each Colorado, Missouri, Virginia, and Massachusetts; one each Kentucky, Arkansas, Minnesota, Louisiana, Michigan, Oregon, Ohio, Nebraska, and one who did not list his home. His record, however, showed he was born in Iowa. Another man was a native of the Philippine Islands. Many men showed next of kin in States other than their home at the time of enlistment, so there is hardly a State which is not touched in some way by the ghostly hands of those entombed in the U.S.S. *Utah*.

We all salute these men who gave their lives for us, and we should demonstrate our gratitude by seeing that a flag is flown over their watery grave. Next December will be the 27th anniversary of Pearl Harbor. There must be no further delay on the U.S.S. *Utah* bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 583) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Armed Services.

## S. 585—INTRODUCTION OF BILL RELATING TO APPOINTMENT OF AN ADDITIONAL DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA

Mr. FANNIN. Mr. President, on behalf of myself and Mr. GOLDWATER, I introduce, for appropriate reference, a bill to provide for the creation of one additional judgeship position in Arizona.

The Judicial Conference of the United States released last fall the committee's recommendations and I note that the Conference determined on the basis of their thorough review that an additional judgeship was needed. These recommendations were based on an examination of statistics and an analysis of the dockets of the court.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 585) to provide for the appointment of an additional district judge for the district of Arizona, introduced by Mr. FANNIN for himself and Mr. GOLDWATER), was received, read twice by its title, and referred to the Committee on the Judiciary.

## SENATE JOINT RESOLUTION 25—INTRODUCTION OF JOINT RESOLUTION RELATING TO ELECTORAL REFORM

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President.

It is hardly necessary to remind the Senate of the grave constitutional crisis which almost became a reality just 2 months ago. The chaos which would have followed might have sounded the death-knell for our tradition of government by the people. The lesson learned from the harrowing experience is simple enough: electoral college reform must be realized without further delay.

My proposal is a modified version of the so-called district plan. Under this version, the office of elector is abolished, thus doing away with the dangerous arbitrariness of casting votes. The recent Senate vote dealing with the faithless elector, Dr. Bailey of North Carolina, who was pledged to Richard Nixon but cast his vote instead for George Wallace, highlighted one of the weaknesses of the electoral college system.

The allocation of electoral votes by congressional district, however, is retained under my plan. I believe that this method of electing the President and Vice President will do more than any other proposal yet put forth to maintain our federal system of government.

The mechanics of my plan follow an orderly pattern. A presidential ticket winning a plurality of a State's popular vote would win two electoral votes, corresponding to that State's representation in the U.S. Senate. The ticket would also win one additional electoral vote

for each congressional district which it carried by plurality. Under this proposal, as under the present system, the total number of electoral votes from each State would equal the number of Members in the U.S. House of Representatives and the U.S. Senate from that State.

The presidential ticket receiving a majority of the total number of electoral votes cast would be elected. If no presidential ticket obtained a majority, Congress in joint session would select a President and Vice President from the top three tickets.

I believe that my proposal offers an improvement on the present system. For one thing, it will end this problem of the disenfranchised voter by doing away with the winner-take-all method. It will tend to strengthen the two-party system, the real bulwark of our Government, by encouraging the minority party in currently one-party States. More importantly, it will not enhance the chances of splinter parties because they could have little hope of diverting more than a few electoral votes from one major party candidate.

The time is ripe for electoral reform. What we witnessed in the 1968 presidential campaign need not ever happen again. The Congress of the United States owes it to the people it serves to correct this most antiquated structure of government.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 25) proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on the Judiciary.

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## SENATE JOINT RESOLUTION 28—INTRODUCTION OF JOINT RESOLUTION PROVIDING FOR RENAMING THE CENTRAL ARIZONA PROJECT AS THE CARL HAYDEN PROJECT

Mr. GOLDWATER. Mr. President, I rise to introduce a joint resolution that provides for the renaming of the central Arizona project as the Carl Hayden project. I introduce this measure on behalf of myself and 62 other Senators.

Mr. President, Carl Hayden has served with distinction in the U.S. Congress for the unsurpassed period of 57 years, including 42 years of consecutive service in the Senate of the United States.

Carl Hayden has dedicated his lifework to public service, having been elected treasurer of Maricopa County, Ariz., in 1904 and sheriff of such county in 1906 and 1908, and having served as a Member of Congress from the State of Arizona since its admission into the Union, first as a Member of the House of Representatives from February 19, 1912, to March 3, 1927, and then as a Member of the Senate from March 4, 1927, to January 3, 1969.

As the result of his vision and ability, and his unrelenting efforts for a period of two decades in participation with the other Members of Congress from Arizona, Carl Hayden was successful in bringing about the enactment in 1968 of legislation authorizing the central Arizona project.

It is fitting and proper that a suitable monument be dedicated in tribute to Carl Hayden and in recognition of his unique contributions.

Therefore, I, along with 62 other Senators, ask that it be resolved in the Senate and in the House of Representatives that the Colorado River Basin project be amended by striking out "central Arizona project" at each place that it appears in such act and inserting in lieu thereof at each such place "Carl Hayden project."

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

Mr. GOLDWATER. I yield.

Mr. HOLLAND. Mr. President, I ask that the Senator permit me to join as a cosponsor on that particular proposal.

Mr. GOLDWATER. I am very happy to do so.

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

Mr. COTTON. Mr. President, I make the same request.

Mr. GOLDWATER. I thank the Senator.

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

Mr. GOLDWATER. Mr. President, in connection with this proposal I submit the names of the cosponsors. I ask unanimous consent that there be printed after the joint resolution an article which appeared in the Los Angeles Times West magazine of January 5, written by Nick Thimmesch, entitled "Carl Hayden."

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

The joint resolution (S.J. Res. 28) providing for renaming the central Arizona project as the Carl Hayden project, introduced by Mr. GOLDWATER, for himself and Senators AIKEN, ALLOTT, ANDERSON, BAYH, BIBLE, BURDICK, COTTON, CRANSTON, CURTIS, DODD, DOLE, EAGLETON, ELLENDER, ERVIN, FANNIN, FONG, GRAVEL, HARRIS, HARTKE, HATFIELD, HOLLINGS, HOLLAND, HRUSKA, HUGHES, INOUYE, JACKSON, JAVITS, JORDAN of North Carolina, LONG, MAGNUSON, MANSFIELD, MATHIAS, MCCARTHY, MCCLELLAN, MCGOVERN, MCINTYRE, METCALF, MILLER, MONTOYA, MOSS, MUSKIE, NELSON, PACKWOOD, PEARSON, PELL, PROUTY, RANDOLPH, RIBICOFF, SAXBE, SCOTT, SMITH, SPARKMAN, SPONG, STEVENS, SYMINGTON, TALMADGE, THURMOND, TOWER, TYDINGS, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio, 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.J. RES. 28

Whereas Carl Hayden has served with distinction in the United States Congress for the unsurpassed period of fifty-seven years, including forty-two years of consecutive service in the Senate of the United States; and

Whereas Carl Hayden has dedicated his lifework to public service, having been elected treasurer of Maricopa County, Arizona, in 1904 and sheriff of such county in 1906 and 1908, and having served as a Member of Congress from the State of Arizona since its admission into the Union, first as a Member of the House of Representatives from February 19, 1912, to March 3, 1927, and then as a Member of the Senate from March 4, 1927 to January 3, 1969; and

Whereas, as the result of his vision and ability, and his unrelenting efforts for a period of two decades in participation with the other members of Congress from Arizona, Carl Hayden was successful in bringing about the enactment in 1968 of legislation authorizing the Central Arizona Project; and

Whereas, it is fitting and proper that a suitable monument be dedicated in tribute to Carl Hayden and in recognition of his unique contributions: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Colorado River Basin Project Act is amended by striking out "Central Arizona Project" at each place that it appears in such Act and inserting in lieu thereof at each such place the following: "Carl Hayden Project".

SEC. 2. In addition to the amendments made by the first section of this joint resolution, any designation or reference to the Central Arizona Project (described by section 301 of the Colorado River Basin Project Act) in any other law, map, regulation, document, record, or other paper of the United States shall be held to designate or refer to such project as the "Carl Hayden Project".

The article, presented by Mr. GOLDWATER, is as follows:

[From the Los Angeles Times West magazine, Jan. 5, 1969]

CARL HAYDEN—AFTER 57 YEARS, THE SENATE'S LAST FRONTIERSMAN GOES HOME

(By Nick Thimmesch)

He is a bent, withered figure now, who is shuttled between his apartment in the Methodist Building and his Senate office a block and a half away. When his infirmities command, his chauffeured Lincoln Continental takes him to Bethesda Naval Hospital for rest and care. At 91, Carl Hayden, 57 years on Capitol Hill, is the senators' senator. He is finishing his last days of official duties for his beloved Arizona and the United States as well.

Hayden has witnessed the great burgeoning of his country. When he was born in 1877, the U.S. population was one fourth of what it is now. The Civil War was a fresh memory, but ahead were the Spanish American War, World Wars I and II, and the Cold War with its Koreas and Vietnams. The first airplane hadn't been flown, the first gasoline engine hadn't turned, the electric streetcar and automobile hadn't moved, movies and radio were yet to be experienced and creations like penicillin and atomic energy were generations away. Even on Capitol Hill, where silver hair and seniority are commonplace, Hayden's age is spoken of in superlatives. He almost seems to belong there with the statues of early American heroes, the quill pens, and the antiquarian practice of sprinkling sand on freshly inked documents.

There is a plan to fly him to Phoenix and install him in a six-room town house near the Shalimar Golf Course. Those who look after him say he would be happy in that greensward setting. "He wants to get back to Arizona," says his nephew Hayden C. Hayden, 47, owner of the century-old Hayden Flour Mills at Tempe. "He wants to work on his memoirs and the history of Arizona. He'll have his housekeeper with him. Even though most of his old friends are gone, there are still a few around in their seventies. He's done his job and wants to come home."

There is something incongruous, however, to think of Hayden, a man who spent the first third of his life in frontier Arizona and the rest in the halls of Congress, sitting in a

tidy room, with its wall-to-wall carpeting, enveloped by contemporary concrete at Shalimar.

A few years ago the late President John F. Kennedy, in a testimonial dinner for Hayden, said: "Every federal program which has contributed to the West—irrigation, power and reclamation—bears his mark. And the great federal highway program which binds this country together, which permits this state to be competitive east and west, north and south—this in large measure is his creation."

The Hayden record shows that he introduced bills to construct railroads; that he was the sponsor in 1919 of the 19th amendment to the Constitution, extending the right of suffrage to women; that he sponsored and managed the House bill to establish Grand Canyon National Park; that he was co-sponsor of the bill to create the Coolidge Dam; that it was the Hayden-Cartwright Bill which provided for the beginning of the interstate highway system; that he co-sponsored the first bill to authorize the Colorado River storage project; and that he sponsored and guided through the Senate the now celebrated and quite tardy Central Arizona Project. As chairman of the Senate Committee on Appropriations, Hayden held the purse strings on billions of federal dollars. No matter what other committees do, there is no meaningful action on any legislation until the Appropriations Committee has its turn. Hayden had to wait until he was 80 years old before he assumed this vast power. Additionally, he has been President Pro Tempore of the Senate since 1957, which means he was third in line for the Presidency, after the Vice President and the Speaker of the House.

He was born the son of a Connecticut Yankee who had migrated West after teaching school in Indiana and Kentucky and who later became a trader along the Santa Fe Trail. Charles T. Hayden established a store near Tubac, Arizona, in 1856 and went on to become probate judge of Pima County in 1864. Early advertisements had him promising four months delivery of shipments from Cincinnati, although the Hayden wagon trains usually took eight months. When the Confederates invaded New Mexico, Hayden had to reroute merchandise by shipping it around Cape Horn to San Francisco and then into Arizona by mule trains.

The Hayden log is rich with entries about Indian attacks at Whiskey Gulch, of employees murdered by Apache raiders and considerable financial trouble.

A Tucson newspaper in March of 1872 had the following item: "Last Tuesday's stage carried away Judge C. T. Hayden for New York via Ehrenberg and San Francisco. Also M. Goldwater and Internal Revenue Collecter Thomas Cordes for Prescott."

"M. Goldwater" was "Big Mike" Goldwater, grandfather of Senator Barry Goldwater. Big Mike, who was one of 22 children of a Polish-Jewish innkeeper, and his brother, Joseph, came to the Arizona Territory after gold was discovered at La Paz, on the Colorado River in 1862.

As the military gradually moved into the territory of Arizona, Hayden and the Goldwater brothers competed for government contracts to provide wheat and feed grain to the army in Prescott. Phoenix became known as a farming center and consequently became the most stable community in the territory. Frontiersmen usually married late in life and both Charles Hayden and Big Mike were in their fifties when they took wives. Eventually the Haydens and the Goldwaters located near Phoenix, the Haydens building a flour mill at Tempe, then known as Hayden's Landing, and the Goldwaters locating in the village of Phoenix. Big Mike's eldest son, Morris, actually owned farm land adjacent to Hayden's mill. Morris, at age 20, had opened the first Goldwater store in Phoenix in 1872. A few years later Morris helped organize the Arizona Democratic Party and became known as a conservative Jeffersonian Democrat. He served as mayor of Prescott for 22 years. He died in 1939 at 87. He had been on the frontier since he was 16. His younger brother, Baron, who had lived in San Francisco, was more urbane when he came to Phoenix in 1895 to manage the Goldwater store there. He was the father of Barry Goldwater.

The Goldwaters were effective merchants, had the first passenger elevator of any department store in Arizona, featured home delivery, and established buying offices in New York City. The Haydens were not having comparable business success. But early newspaper accounts describe the grand parties that Charles T. Hayden threw at his ranch near Hayden's Mill, occasionally with dancing until four a.m. "Lavish benevolence," said one newspaper of Hayden entertaining.

The Arizona *Citizen* of October 13 carried this item: "Born—at Hayden's Ferry, Maricopa County, Arizona, October the 2nd, 1877, to the wife of Judge Charles Trumbull Hayden, a son. We are advised that this newcomer weighed nine pounds and ten ounces at his birth. Judge Hayden is a very enterprising citizen, and we congratulate him on this among his other successes generally."

Young Carl Hayden's boyhood was a rather adventurous one as his father believed in allowing his son to travel freely. In 1890, when Carl was 13, he was taken to Washington to see the last parade of the Grand Army of the Republic. Carl Hayden recalls that he climbed up one of the gateposts in front of the White House to watch the old Union veterans pass by.

His father even allowed him to travel alone. Carl made a horseback trip into Grand Canyon when he was 14, went alone to Mexico City for sightseeing, and in 1893, when he was 16, took the train to Chicago where he visited the World's Fair. When friends of the Haydens expressed indignation over this freedom given to Carl, his father replied: "If he can't take care of himself at this age it's high time he was learning."

Most of young Carl's life, however, was spent around the Hayden farm located on a bluff over the Salt River at Tempe. The setting was actually quite rural with fields of corn, pumpkins and alfalfa. Though Hayden's mother was attacked by a drunken Indian on July 16, 1880, Phoenix was not a site for Indian fighting. However, young Hayden heard many stories about Apaches on the warpath from his father. One writer in Arizona claims that C. T. Hayden was even known for taking scalps.

After graduating from high school he went to the Tempe Normal School, which his father had founded and which is a present campus of the Arizona State University. In 1896, he enrolled in Stanford University to study economics. It was here that he met "the most beautiful girl that ever lived," Nan Downing, a student of English literature. They were married on February 14, 1908, honeymooned in Grand Canyon, and for 57 years Hayden carried a photo of her, taken when she was 27. He called her "Pal" and she called him "Bug." At Stanford, Hayden, who had been a rather spindly young man, gained weight and made the football team as a lineman. He befriended another young student, Herbert Hoover, and took part in politics for the first time by being defeated in a class election.

After his father died in 1900, Carl Hayden learned of the bad financial state of the family business. But C. T. Hayden, an outgoing man, left a different legacy. He had been so popular that at one point both Republican and Democratic parties claimed him, though he had served as a Democratic member of the Tempe City Council.

So, the Hayden name was good enough for young Carl to use as an entry to politics. "Hayden went into politics because his dad died broke," says his onetime administrative assistant Paul Roca. "In those days you could make a good living as a public official." Young Carl was easily elected to the Tempe town council in 1902, as treasurer of Maricopa County in 1904, and to sheriff of that county in 1906.

Hayden admits that he didn't fit the stereotype of the frontier sheriff. "I never shot at anyone and nobody ever shot at me," he once confessed. "About the nearest I ever came to shooting was the day I identified a horse thief who was supposed to be badly wanted in Utah, Colorado and Wyoming.

"I found him standing at a bar. I stuck my gun in his back, took his pistol away from him. To give me time to notify law officers in the other states the justice of the peace put him in jail for ten days on a concealed weapons charge. They weren't interested enough to come and get him, so I turned him loose at the end of ten days. I told him that as long as he didn't steal any horses in Arizona it was all right with me."

Another time Hayden was called to pursue two train robbers who had escaped on horseback. Hayden sent Indian scouts after the scoundrels. For himself, he commandeered an Apperson Jackrabbit, an automobile of the times. With the galloping Indians and chugging Apperson Jackrabbit in pursuit, the train robbers didn't have a chance and were quickly collared. This was a rare episode, however. Most of Hayden's work was collecting fees from the local bars, gambling establishments and houses of prostitution. His pay as sheriff was a percentage of these fees.

Hayden had never planned on a political career, but, as it often happens, he was swept into politics by a confluence of separate events. He had become a popular sheriff, and no one in Phoenix, which was then a city of 10,000, knew more people than Hayden. He was also an unusual sheriff. Besides his peaceful approaches to the law, he drew attention because of his distaste for hangings. It had been the lot of Arizona sheriffs to conduct the rope rituals. Hayden, who didn't like this grisly duty, made the first recommendations to the then territorial legislature that the executions be conducted by the warden of the state prison rather than by sheriffs.

He also developed a reputation in the Arizona National Guard. In 1904 he was asked by the territorial governor to become a captain in that state's lagging guard. Hayden agreed, traveled the state and made more friends.

By 1911, Arizona was moving rapidly towards statehood. In February of that year, an overwhelming majority of the 15,489 voters who turned out approved a new state constitution. A December date was set for the election of a governor, two senators, and one congressman, all of whom would take office when Arizona became a state in February, 1912. About 80 percent of the state's 210,000 people lived in rural areas. Indians wearing only loin-cloths were a common sight, roads were primitive, and it would be 14 years before the main line of the Southern Pacific Railroad would traverse the state. Phoenix, a farm center, contrasted with the rest of Arizona. Its newspapers advertised: "Scott's emulsion for the thin, feeble and underfed . . . be an Indian giver, give a Navajo blanket . . . see *The Clansman* at the Elks Theater Friday . . . View the new Chalmers car . . . Don't miss the Vanity Fair girls in *Red Rose* at the Elks Theater."

Arizona, though ruled by a Republican territorial governor, was a Democratic state with a Southern coloration. Republicans were considered carpetbaggers. If a man wanted to get ahead in politics, he had to be a Democrat. The Haydens had been Democrats, Carl even expressing Free Soil sentiments and support for William Jennings Bryan. He was at Camp Perry, Ohio, with the guard at the national rifle matches when he decided, in the summer of 1911, to run for Arizona's sole congressional seat.

He campaigned in the old style, of course; visited all his guard friends across the state, as well as all the county courthouses and sheriff offices, and concluded his campaign with a rally in Phoenix. On December 9, 1911, three days before the election, the Arizona *Gazette* told how "600 persons, all the Airdrome would hold, turned out for that popular townsman Carl Hayden." In the state count, Hayden got 11,556 votes and his Republican opponent, Jack Williams, of Tombstone, received 8,485. Women and Indians didn't vote then and this accounts for the relatively small turnout.

From then on, Hayden's only real competition came in the Democratic primaries. His majorities ranged as high as five to one.

In Washington, Hayden became known as a "service congressman," diligently answering constituents' mail, sending out all manner of government publications and packets of flower and vegetable seeds. The problems of Arizona concerned water, cattle, military bases, grazing rights, Indian reservations, mining, federal lands, roads and post offices—all seemingly routine stuff today, but vital to Arizonans then.

In early 1922, representatives of Arizona and six other western state governments met to discuss the division of the Colorado River water. The states devised a plan to divide this water and signed what is known as the Colorado River Compact. The only state legislature refusing to ratify the compact was Arizona's and this resulted when Governor Hunt, a contentious fellow, campaigned in 1922 on a pledge to block this ratification. Hayden was a man slow to anger but he was angry over this one. He went before the legislature himself and pleaded that the compact be ratified. When his wishes weren't followed, he vowed never again to go before a legislature on any subject. It wasn't until 1944 that Arizona finally ratified the compact, and the current Central Arizona Project is an outgrowth of that ratification. The 22-year delay is largely explained by the continuing and acrimonius squabble over the Colorado River between California and Arizona.

By 1926, Carl Hayden's name was so sure a shot in politics that he easily won the senatorial primary. He campaigned the state, as he had for Congress, described his Democrats as a "militant and united party," and attacked California's stand on the Colorado River and Hoover Dam as "customary selfishness," thus endearing himself to Arizonans. As the campaign progressed, Hayden seemed the favorite over his Republican incumbent opponent, Senator Ralph H. Cameron.

Scarcely a week before the election, however, Cameron suddenly made the startling charge that Hayden has been the benefactor of a $100,000 slush fund from the copper interests. Cameron urged voters to listen to radio station KFAD and "hear the old fighter give some of the hot shots on slush funds." A quick Senate investigation, however, revealed that the slush fund accusation was a flop. Democrats immediately countered that Cameron himself has a slush fund in 1920.

Meanwhile advertisements richly proclaimed Hayden as ". . . the Arizona stalwart champion, the worthy son of a noble sire," and cited his votes for veterans pensions, inheritance taxes and increases in wages for postal employees. Hayden swamped Cameron 25,918 to 17,980 votes and began a career in the U.S. Senate which was to span 42 years.

As a senator, Hayden rarely got his dander up. He followed a philosophy of: "To get along you must go along." Once, when California Senator Thomas Kuchel became quite angry during a Senate Appropriations Committee hearing over what he thought was Hayden's high-handed handling of the Central Arizona Project question he demanded: "What kind of government is this?" Hayden replied softly: "It's the will of the majority."

To look over Hayden's record it is hard to find a time when he ever had what even could approach a crisis. He got into a fix in 1932 because he had voted for prohibition, against repeal, and he had also voted against a veterans bonus. In the primary that year his opponent passed the word that Hayden was a slacker in World War I, was against veterans and was for prohibition. In those days there was no more powerful organization in Arizona than the American Legion. Hayden went before the state convention of the Legion, was roundly booed, finally attacked the scurrilous circulars and declared: "I want to face my accuser. I voted for the war, the appropriations, and the draft. I enlisted myself and I admit I was against a bonus because I think the country is close to bankruptcy and we can't afford it." Hayden left the platform with a look of anger on his face. He won that 1932 primary easily and in the fall defeated his Republican opponent by a score of 74,000 votes to 35,000. It wasn't until 1962 that Hayden encountered any difficulty in a Senate campaign.

Indeed, a consensus formed around him. "Carl was everybody's boy," says an old Arizona politician. "All organized groups, business, labor, the miners, the farmers, the ranchers—all were for him, all contributed to his campaign." He had become *the* Arizona senator.

Carl Hayden worked on Capitol Hill for 57 years but was often uncelebrated because he was, as Harry Truman once said, "the silent senator." Hayden's first speech in the House of Representatives was a plea for appropriations to fight forest fires in Arizona. When he sat down a fellow congressman said to him: "You just had to talk. Every word that you said was taken down by that reporter. It will be printed in the Congressional Record and you can never get it out. There are two kinds of congressmen—showhorses and workhorses. If you want to get your name in the newspaper be a showhorse, but if you want to gain the respect of your colleagues, keep quiet, be a workhorse and speak only when you have the facts."

Hayden followed that advice to the letter. He rarely spoke from the floor, and instead of invoking the privilege of sitting in the front row in the Senate he sat in the third row from the back. A Senate colleague once said admiringly: "Carl could walk through fresh snow and never leave tracks." As the years went on, Hayden, who once stood better than six feet tall, shrank to five feet, nine inches, and became the stooped, hardworking elf of the Senate, particularly as chairman of the Senate Appropriations Committee. He described his function: "It is my job to look over the budget and provide money to carry on. If I put my time in making speeches I couldn't attend to business. That's all." When a young Massachusetts senator named John F. Kennedy arrived in the Senate, he tried to strike up a conversation with Hayden by asking him the difference between the modern Senate and the Senate of 30 years before. Hayden looked at young Kennedy, chewed on his cigar and said: "Young men didn't talk so much then." Kennedy left somewhat chastised, but fondly recalled the story years later at Hayden's 50th anniversary dinner.

There are hallmarks to the Hayden style. Hayden firmly believed in the filibuster, using that device to protect Arizona. Another noted hallmark was Hayden's almost gentle use of his power. One senator claims that Hayden could have swung the initial Atomic Energy Commission installation to Arizona rather than allowing it to be located at Los Alamos, New Mexico. Hayden was always a party regular and could be counted on for his swing vote, though his voting record was generally liberal.

But Hayden would not make advance commitments to legislative proposals. "I must use my own judgment when the time comes for a vote," he explained.

Hayden was glad to lose one to win two, and over the years this can mean a respectable number of victories. The utter patience which Hayden demonstrated on the Central Arizona Project is the best evidence of this trait. It wasn't until September 30, 1968, that President Johnson signed the $1.3 billion Colorado River-Central Arizona Project bill which in effect left Hayden in the envious position of being a senator who had seen all of his announced goals realized. At the signing, Johnson recalled that when he was waiting to be sworn in as a senator in 1949 Senator Hayden "propositioned me about the Central Arizona Project."

In recent years, the doddering figure of Hayden on Capitol Hill caused many to privately question his competence. But Hayden was a deceptive old fellow. Those who attended Senate Appropriations Committee meetings often perceived him to be on the verge of falling asleep when suddenly Hayden would raise his head and pop a question like: "How come you spent that $3 million up last year?" Any inquiry on water resources immediately alerted him to the edge of his chair.

The Haydens lived in virtual seclusion for many years in apartment 504 in the Methodist Building opposite the Supreme Court and were seldom seen at receptions. They had no children. Hayden's wife suffered a severe stroke in 1941, when she was 68, and was an invalid until her death in 1961. Senator Barry Goldwater was one of the most grief-stricken of the mourners. She had been cared for by Miss Frances Doll, who still serves as nurse and housekeeper to Hayden, and plans to return to Arizona with him.

Friends say that Hayden bore his sorrow very well, but the year worsened when he ran into a bad run of poor health. First he contracted a stubborn flu, then a debilitating intestinal condition. For a while in early 1962, it appeared he wouldn't be able to run for his Senate seat again. He did, but in the fall the rumor spread through Arizona that the 85-year-old Senator had died and the name on the ballot represented a man no longer with us. On the Saturday before that 1962 election it was necessary for Hayden to stop the rumors by getting out of his bed at the Bethesda Naval Hospital to hold a press conference for Washington newsmen, who quickly wrote stories attesting to the fact that Hayden was not well but was alive. Hayden won that 1962 election by a count of 189,287 to 155,526, a small margin for him.

Yet when Hayden was around Capitol Hill, he was always quite visible. He insisted on eating in the Senate cafeteria, favoring a lunch of a hot dog, bean soup, a glass of milk and then a cup of half cream, half coffee. He usually had a cigar in his mouth and used his cane to wave people onto elevators. His aides report that the senator, as a pedestrian, experienced a number of near misses from speeding cars on Capitol Hill in the past couple of years. In 1965 he had another succession of illnesses which nearly finished him. Antibiotics produced what was described as the worst case of hives ever seen in Bethesda Naval Hospital. He also suffered from a severe loss of hearing. Yet he survived, called for his favorite bourbon, and greeted senators way past social security age, with "All right, Sonny." He could boast that he had all his teeth, save two, and though he was stooped, his legs, heavily muscled from many miles of walking as a boy in Arizona, remained strong.

On his 86th birthday, Hayden wrote to an old friend that shared his October 2 birthday, then-retired Francis Green who was 96 that day. The letter read: "To Ted Green, my warmest wishes, tendered with the natural respect that one has for his elders. Although your birthday added to mine make

us jointly only five years younger than the United States of America, friendship observes no such measure of time. Like the ancient sun dial, we have counted none but fair hours. Carl Hayden." Green lived until 1966, when he was 98 years old.

Over the years, Hayden served a constituency made up largely of ranchers, miners and farmers. But a great change was going on in the United States and Arizona as well. The old constituency which had reelected and reelected Hayden diminished in importance in Arizona as hundreds of thousands of new people came to the state in the postwar period. These people thought sentimentally of Hayden as the old Senator in Washington, but not as an activist working for them. It was not remarkable in 1961 when a private survey showed that Hayden's identification factor had been greatly reduced. On the direction of Roy Elson, his administrative assistant, Hayden hired his first press secretary and issued his first newsletter. The long, quiet, service of Carl Hayden was suddenly advertised far and wide. The line was that Hayden was the man Arizonans turned to for service, not the junior senator, Barry Goldwater, who seemed preoccupied with great issues.

Arizona had been solidly Democratic until the emergence of Goldwater. The "new people" in Arizona were attracted increasingly to Republican candidates who promised lower taxes, budget cuts, and less federal regulation. By 1968, Carl Hayden had become a curiosity. When reporters asked him, "Are you going to run again, Senator?" he answered: "Why not? The polls look pretty good. They say I could beat him (Goldwater)." Goldwater was anxious to get back to the Senate, but it gave him fits to think of running against Hayden, whom he liked very much. Hayden, because of his health, probably couldn't have campaigned anyway. "Barry would have had to run against photographs," said one Republican official. A John Kraft poll taken in January of '68 showed Hayden edging Goldwater 46 to 42 percent with 12 percent undecided. The same poll showed Goldwater comfortably beating Elson if Elson were to be the nominee. If Hayden were to win in the fall of '68 at the age of 91 it would only be because of sentiment. But there was a strong possibility that Goldwater would win and thus humiliate him in the last years of his life. The word spread that Hayden would announce his retirement.

On May 6, 1968, Hayden was led into the Appropriations Committe chamber jammed with senators, Capitol Hill staffers and a sizable group of Arizonans who live in Washington. Just before Hayden read his statement, President Johnson arrived to present him with a pair of walnut bookends.

Hayden's voice was sad and faltering. "Among the other things that 56 years in the House and Senate have taught me is that contemporary events need contemporary men," he said. "Time actually makes specialists of us all. When a house is built there is a moment for the foundation, another for the walls, the roof and so on. Arizona's foundation includes vast highways, adequate electric power and abundant water. These foundations have been laid. It is time now for a building crew to report so I have decided to retire from office at the close of my term this year." Then, as the flashbulbs popped, Hayden burst into tears, as did nearly everyone in the room.

Hayden came back to Arizona once in 1968. The occasion was to campaign loyally but briefly for Roy Elson who was soundly defeated by Goldwater in the November election. Since then, Hayden has spent much time in Bethesda hospital where he is suffering from his old foe, the flu. When he feels up to it, he stops by his senate office, modest in size and graced with one of the few spittoons remaining on Capitol Hill. On his desk is a motto: "Before you complain about America, remember it's the only place where people don't want to move to another country." Pictures of Franklin Delano Roosevelt, Bernard Baruch and Harry Truman are on the walls, but Hayden's office is remarkably devoid of the usual trophies that senators acquire. His fellow Arizona senator, Paul Fannin, wants to name the Central Arizona Project the Hayden Project, but Hayden resists this move and says: "No man should have a monument for at least 25 years after his death."

Hayden's last legislative effort was the Palo Verde Irrigation Bill, a fairly minor proposal, but it was vetoed by President Johnson on November 2, 1968. One colleague said, "Johnson could have signed it for Carl, since it was his last."

The last months have not been good. There is muttering in Arizona that the senator's lame duck office doesn't tend to its business the way it used to. His staffers evade questions about the old man and give the impression that the string is long played out. Hayden is still loved and respected but many remark that Elson, 37, who has been with Hayden since 1952, is a wheeler-dealer. (Elson was twice defeated in Senate campaigns; both Fannin and Goldwater beat him.)

Some debate what Carl should do. Ben Cole, Washington Bureau Chief for the Arizona *Republic*, who has known Hayden for many years, wants Congress to create an office "called President Pro Tempore Emeritus or Dean Emeritus of Congress" and install Hayden. He argues that Hayden's $26,000 pension would offset any salary involved. It is true that Hayden probably has more friends on Capitol Hill and at Bethesda Naval Hospital than he does back in Phoenix. But Elson expects Hayden to return to Arizona to work on his collection of 600 volumes of Arizona books he has acquired over the years. "I think I'll have a lot of fun there," Hayden recently told Ben Avery, an old friend.

There are several Hayden nephews and grand nephews in Arizona but none shows an interest in politics. Harry Rosenswelg, a member of an Arizona pioneer family and chairman of the Arizona Republican Party, says Arizona is changing and growing so fast that famous names like Hayden and Goldwater in themselves aren't a guarantee of political success. Goldwater's sons Mike and Barry Jr., live in California but are often mentioned as future prospects in Arizona politics. The Goldwaters somehow are attuned to the new Arizona, now 80 percent urban but increasingly conservative. The only Democratic national office holder left in Arizona is Congressman Morris Udall of Tucson, and Republicans are steadily taking over the state offices.

The ranchers, farmers and miners are still there, as are the Indians, who now are subjects of private sector antipoverty programs which have some of them making electronic equipment and Straus Levis instead of blankets. But most Arizonans now live in urban sprawls with miles and miles of neon signs inviting mass consumption and a city life style.

The efficient roads, the dams, the irrigation projects, the expensive military bases, and the Central Arizona Project stand as monuments to Carl Hayden, the monument of Capitol Hill. He lasted 42 years in the Senate, seven more than the runnerup in longevity, Senator Kenneth McKellar of Tennessee. Hayden's total time in Congress, 57 years, is six more than Congressman Carl Vinson of Georgia recorded. Neither Arizona nor this impulsive nation will ever have another like him. The lives of Carl Hayden and his father span nearly three fourths of the nation's history, a fact which most Arizonans don't know or have forgotten.

## ADDITIONAL COSPONSORS OF BILLS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii (Mr. FONG) be added as a cosponsor of the bill (S. 406) to amend the Federal Property and Administrative Services Act of 1949.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Vermont (Mr. PROUTY) be added as a cosponsor of the bill (S. 269), the Hospital Modernization and Improvement Act of 1969.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Hawaii (Mr. FONG), the Senator from Indiana (Mr. HARTKE), and the Senator from Rhode Island (Mr. PELL) be added as cosponsors of the bill (S. 5), the Full Opportunity Act.

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

Mr. METCALF. Mr. President, I ask unanimous consent that, at its next printing, the names of the senior Senator from Texas (Mr. YARBOROUGH) and the junior Senator from Ohio (Mr. SAXBE) be added as cosponsors of the bill (S. 500) to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income.

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

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## ADDITIONAL COSPONSORS, SENATE CONCURRENT RESOLUTION 3

Mr. PEARSON. Mr. President, I ask unanimous consent that, at its next printing, the names of the distinguished senior Senator from Rhode Island (Mr. PASTORE) and the distinguished junior Senator from Ohio (Mr. SAXBE) be added as cosponsors of the concurrent resolution (S. Con. Res. 3) relating to the furnishing of relief assistance to persons affected by the Nigerian Civil War.

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

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## SENATE RESOLUTION 56—RESOLUTION TO MAKE A STUDY OF ALL MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE ON ARMED SERVICES—REPORT OF A COMMITTEE

Mr. STENNIS, from the Committee on Armed Services, reported an original resolution (S. Res. 56); which was referred to the Committee on Rules and Administration, as follows:

S. RES. 56

*Resolved*, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to ex-

amine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally;

(3) soldiers' and sailors' homes;

(4) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(5) selective service;

(6) size and composition of the Army, Navy, and Air Force;

(7) forts, arsenals, military reservations, and navy yards;

(8) ammunition depots;

(9) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(10) conservation, development, and use of naval petroleum and oil shale reserves;

(11) strategic and critical materials necessary for the common defense; and

(12) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. For the purpose of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $225,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## SENATE RESOLUTION 57—RESOLUTION AUTHORIZING THE SELECT COMMITTEE ON SMALL BUSINESS TO MAKE A COMPLETE STUDY OF THE PROBLEMS OF SMALL AND INDEPENDENT BUSINESSES

Mr. BIBLE (for himself and Mr. JAVITS) submitted the following resolution (S. Res. 57); which was referred to the Committee on Banking and Currency:

S. RES. 57

*Resolved*, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended and supplemented, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## DEPARTMENT OF THE INTERIOR

The Senate in executive session, resumed the consideration of the nomination of Walter J. Hickel, to be Secretary of the Interior.

Mr. JORDAN of Idaho. Mr. President, as a member of the Senate Interior and Insular Affairs Committee, it has been my privilege to take part in the recently concluded hearings on the nomination of Gov. Walter Hickel, of Alaska, to be Secretary of the Interior. My vote today for his confirmation reflects my confidence in this man's suitability for this position. We have had more than ample time to determine his qualifications and he has provided honest and forthright answers to all questions.

He has rightfully stressed the vastly different responsibilities which rest upon a Governor and those which rest with the Secretary of the Interior. He has assured us that he will assume major responsibilities for the wise use, management, development, and conservation of our Nation's natural resources and I for one have every reason to believe that Governor Hickel will devote his outstanding energy to the best interests of our Nation's natural resources.

Moreover, I believe his proven ability as an organizer and administrator will insure the selection of able and dedicated experts as assistants in the several areas under his jurisdiction as Secretary of Interior.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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 NOMINATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of certain nominations favorably reported unanimously by various committees earlier in the day.

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

## DEPARTMENT OF STATE

The legislative clerk read the nomination, reported earlier today by the Committee on Foreign Relations, of Richard F. Pedersen, of California, to be counselor of the Department of State.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination, reported earlier today by the Committee on Foreign Relations, of Elliot L. Richardson, of Massachusetts, to be Under Secretary of State.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## COMMODITY CREDIT CORPORATION

The legislative clerk read the nominations, reported earlier today by the Committee on Agriculture and Forestry, of J. Phil Campbell, of Georgia, and Clarence D. Palmby, of Virginia, to be members of the Board of Directors of the Commodity Credit Corporation.

The PRESIDING OFFICER. Without objection, the nominations are confirmed.

Mr. MANSFIELD. Mr. President, I move that the President be notified of the confirmation of these nominations.

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

## DEPARTMENT OF THE INTERIOR

The PRESIDING OFFICER. In accordance with the previous unanimous-consent agreement, the time remaining on the nomination of Walter J. Hickel to be Secretary of the Interior is to be equally divided. Who yields time?

Mr. ALLOTT. Mr. President, I yield 3 minutes to the distinguished senior Senator from Alaska (Mr. STEVENS).

Mr. STEVENS. I thank the Presiding Officer. I am reminded of some old times, when the present Presiding Officer of the Senate sat in the chair of our Alaska State Legislature. I think Alaska is the only State in the Union that has three Senators on the floor of the U.S. Senate today, and, of course, my reference is to the presence on the floor of our former colleague, Senator Gruening.

Mr. President, I wish, on behalf of the people of Alaska and of our Governor, to thank the members of the Committee on Interior and Insular Affairs for their dedication and attention to the hearings concerned with his nomination. I thank especially the Senator from our neighboring State, the Senator from Washington (Mr. JACKSON), for his fairness in conducting the hearings, and his insistence that every single rumor or half truth that was raised about our Governor should be fully covered in those hearings.

The staff of the committee, both minority and majority, worked long and hard hours during the past weekend. We are grateful that the printed record of the hearings contains the answers to all the allegations that were made. That is in the public interest.

All of us have received many letters and telegrams concerning this nomination. I have received a great many, but I would not seek to burden the RECORD of the proceedings with all of them. Three or four of them are, I think, significant.

First, I invite the attention of the Senate to a letter from the Alaska Sport Fish and Game Institute, Anchorage, Alaska, signed by one of the persons who

organized the Alaska Sport Fish and Game Institute for the State of Alaska. He is a good friend of the Presiding Officer (Mr. GRAVEL) and of myself, having served in the legislature with us. He has written a moving letter to the distinguished Senator from Colorado (Mr. ALLOTT) concerning our Governor and his abilities in the field of conservation. It is the type of letter that should be called to the attention of the Senate because the Alaska Sport Fish and Game Institute speaks for the 50,000 residents of our State who hold hunting and fishing licenses and who support the institute. The letter, signed by Ken Brady, reads, in part:

The qualities we speak of are not just those of intelligence, integrity, capacity for hard work, public speaking ability, loyalty—Wally Hickel has all of these but he has something more. Wally has ideas plus the energy and contagious enthusiasm to sell those ideas to others.

Mr. President, I am most pleased that we are approaching the vote on the nomination. Again, I wish to say to the Members of the Senate that Walter J. Hickel is a man of dedication, of integrity, and of ability.

He has the capability to become one of the greatest Secretaries of the Interior that our country has ever had.

Mr. President, I ask unanimous consent that the letters and telegrams be printed in the RECORD.

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

ALASKA SPORT FISH AND GAME INSTITUTE,
*Anchorage, Alaska, January 9, 1969.*

Hon. GORDON ALLOTT,
*U.S. Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR ALLOTT: Rarely during these troubled times for America, do we find men who possess those qualities of leadership and character so necessary if we are to remain a great nation.

The qualities we speak of are not just those of intelligence, integrity, capacity for hard work, public speaking ability, loyalty—Wally Hickel has all of these but he has something more. Wally has ideas plus the energy and contagious enthusiasm to sell those ideas to others.

Wally Hickel has the determination and tenacity of a championship boxer (which he was in younger days.) You can't help but notice this in your committee hearings with him.

We have polled the officers and directors of the Alaska Sport Fish and Game Institute and because of his consistent record as a conservationist they are unanimous in endorsing Governor Hickel for Secretary of Interior. We urge you to support him for that position.

We feel we are speaking for 50,000 sports fishermen and hunters in Alaska as well as sportsmen throughout the United States. We cannot and must not let men of Wally Hickel's caliber go to waste.

May God Bless You and Guide You.

KEN BRADY.

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MATANUSKA VALLEY SPORTSMEN,
*Palmer, Alaska, January 8, 1969.*

Senator HENRY M. JACKSON,
*Chairman, Senate Interior and Insular Affairs Committee, Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: We support without reservation our Governor Walter J. Hickel for Secretary of the Interior.

Perhaps the greatest problem confronting conservation in the United States is settlement of the Native land claims in Alaska. More public land is involved here in one chunk than will ever be available again for public use. We find Governor Hickel is aware of this and has expressed his concern many times in public. We express our greatest confidence in Walter J. Hickel's ability to aid in the solution of this land claim equitably for all citizens of the United States.

Our club of course has had differences of opinion in the conservation field with our Governor. The most important of these served to point up a weakness in our State Constitution as regards our Fish and Game management. We now may take steps to correct this and think the disagreement beneficial.

Our feeling for our State of Alaska is: This is our home and our opportunity to fish and hunt and to enjoy the outdoors is one we wish to pass on to our children. Our best chance of doing this is with a man who also regards this State as home.

In no case do we find those of opposite thinking than ours to present a better man for the United States than Walter J. Hickel.

Yours truly,

NOEL W. WOODS,
*President.*

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ANCHORAGE, ALASKA,
*January 7, 1969.*

Hon. HENRY M. JACKSON,
*U.S. Senate,*
*Washington, D.C.*

SIR: I hereby support Walter J. Hickel for the appointment of Secretary of the Interior and recommend his confirmation to this post.

Governor Hickel has endeavored to broaden conservation measures in fish and game and in natural resources:

1. Requested the Board of Fish and Game to make a study of game observation areas for public use and proposed management.
2. Readily endorsed programs which gives precedent of renewal resource programs first priority in management and use over nonrenewable resource.
3. Supports development programs but not at the loss of beauty of natural landscape or natural use of streams or waters.
4. Requires access areas to lakes, streams and area of public land. This is undoubtedly one of the greatest achievements in state land use and management that any state has ever conceived.
5. Actively pursued transplant of muskoxen to original habitat in the arctic regions.
6. Commercial fishing gear control to assure orderly harvest, to broaden biological management, to enhance proper escapement, and to protect stocks.
7. As Governor, appointed five sportsmen and five commercial fishermen to the Board of Fish and Game. This is the first time there has been a balanced board since statehood eight years ago.
8. There is no doubt that Governor Hickel is a conservationist—a protectorate—a wise user of natural resources. A man whose ambitions have not jeopardized the perpetual use of natural habitat and is continually seeking progress programs to meet the times and desires of the people of this Nation.

I am sure that if anyone has investigated the accomplishments and directions that Walter J. Hickel has supported during his public career, they too would endorse his position and would support his appointment.

Yours very truly,

FRANK COOK.

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FALLBROOK, CALIF.,
*January 14, 1969.*

THEODORE F. STEVENS,
*Senate Office Building,*
*Washington, D.C.:*

The appointment of Walter J. Hickel, Governor of Alaska, as Secretary of Department of Interior certainly warrants the approval by Committee on Interior and Insular Affairs and its recommendation for confirmation by the U.S. Senate. Having worked with him on projects of territorial, State, and national scope I have been impressed with his knowledgeable approach to all problems. I was appointed to the Alaska Purchase Centennial Commission by former Alaska Governor, William A. Egan, and served to the completion of the project, for the last 2 years under Gov. Walter J. Hickel. He has done an outstanding job as our Governor and can be depended upon to do as well in the new appointment.

ARTHUR F. WALDRON,
*Member, Trustees of Alaska Methodist University.*

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FAIRBANKS NATIVE ASSOCIATIONS,
*Fairbanks, Alaska, January 12, 1969.*

Senator TED STEVENS,
*Senate Office Building,*
*Washington, D.C.:*

The Fairbanks Native Association unequivocally endorses Gov. Walter J. Hickel for the post of Secretary of Interior in the Cabinet of President Richard Nixon. We feel this would be in the best interest of Alaska and the Nation. Governor Hickel is an Alaskan. As Alaskans we feel that he has made great strides toward understanding and attempting to solve problems facing the people of Alaska, particularly in the fields of education and native land rights. We feel that as Secretary of Interior Governor Hickel will continue to work toward solving these problems.

GERALD IVEY,
*President.*

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JUNEAU, ALASKA,
*January 14, 1969.*

Hon. TED STEVENS,
*Senate Office Building,*
*Washington, D.C.:*

Am sending today the following wire to Senator JACKSON, chairman, Interior Committee: "As an Alaskan-born lifelong Democrat and former Alaska legislator I wish most emphatically to endorse Walter Hickel as Secretary of Interior. A review of Governor Hickel's highly successful business background viewed in the light of the tremendous strides in virtually every field that Alaska has made in only 2 short years under his administration indicates that the United States can also benefit under his dynamic and informed leadership. One of Governor Hickel's outstanding virtues is his most obvious ability to create a highly qualified cohesive working team and in this area, in particular, he should be most welcome in the Nation's administrative branch. Any unbiased consideration of Governor Hickel's activities the past 2 years will show nothing to support the unjust criticisms that extremists have made in recent weeks. I join with those who know Walter Hickel's qualifications best in urging his confirmation as Interior Secretary."

CURTIS G. SHATTUCK.

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

We have now come to the time when the Senate will vote as to whether to advise and consent to the nomination of Gov. Walter J. Hickel to be Secretary of the Interior. I wish to stress again that the Senate has exercised its constitutional function in this debate on the nomination that has been submitted to the Senate by the President. I believe the Senate has performed a historic duty, one that devolves upon us, and one which sometimes seems to fall into disuse when we routinely advise and consent to nominations. I think that the reason why we have had such a lengthy

debate this time, both in committee and on the floor of the Senate, is that there is great public concern about the position of Secretary of the Interior, and second, about the person who will hold that position.

The debate, I believe, has been directed in the main, at least, to the qualifications, based upon an appreciation of the position that Governor Hickel is about to assume. Certainly so far as I am concerned, and I believe so far as concerns other Senators to whom I have listened, who will vote in the negative, we have not questioned the personal integrity, honesty, or fitness of Governor Hickel as a man to hold this position. Our objections have been centered on his lack of background and understanding of the very important position that he will assume, although I think it is certain that his nomination will be confirmed when the roll is called. For that reason, I wish to say again, as I said earlier, that I do hope that Governor Hickel will develop into an outstanding Secretary of the Interior. I hope that he will grow with the job.

I believe that he must grow if he is to become a successful and competent leader as Secretary of the Interior. He will follow one of the great conservationists of this country, a man who has made his mark as Secretary of the Interior and has set in motion the great movement toward conservation and preservation of the environment and an awareness of our surroundings. Governor Hickel will be expected to carry on where former Secretary Udall left off. I pay a high compliment to former Secretary Udall and express the hope that Governor Hickel will follow in his footsteps and will give us the leadership that is needed.

I say again that I shall be glad to cooperate with Governor Hickel when he becomes Secretary of the Interior. I feel certain that this is true of the other Senators who feel duty bound by their conscience and by the record as it exists to cast negative votes to indicate that we do not believe that the right man was selected in the first instance, a man who has not had contact with and does not have an appreciation of the problems that are inherent in the department of natural resources of this country.

Our natural resources are the basis of our whole existence on this fine globe. When we saw the television programs showing the astronauts looking back to our world floating in space, with the clouds over it, with a little bit of green and some blue on it, we then realized what a really small globe we occupied and how dependent we are upon the resources of that fine globe. That means our seas, our lakes, our streams, our soil, our air, and all the rest of the environment in which we live.

The Secretary of the Interior is the man who must give us leadership in preserving that environment. I think that Governor Hickel is not equipped at this time to do that; therefore, I must cast my vote against his nomination.

The PRESIDING OFFICER. The Senator from Colorado controls the remaining time.

Mr. ALLOTT. Mr. President, the distinguished chairman of the Committee on Interior and Insular Affairs (Mr. JACKSON) desires to speak before the debate on the nomination is closed, so my statement will be short and concise.

First, all the controversy that has occurred, much of which, I think, is unjustified entirely, should cause anyone who will take the trouble to read the record and read Governor Hickel's statement before the committee to resolve the question completely in his favor. There is no question that certain interests in the country have tried to foment a major crisis over the nomination. For that reason, I wish particularly to thank the distinguished Senator from Washington, the chairman of the committee, for his fairness and impartiality during all of the hearings, and for his constant attempt to make the record of the hearings complete and full in every respect and to be certain that the rights of the nominee were respected, as well as the rights of those who desired to be heard.

I wish to add one other statement; then in the minute or so remaining I will yield to the distinguished chairman.

I wish to extend my thanks to all the members of the committee and also to the members of the staff for all of the hard work they performed during the consideration of the nomination. They worked day and night throughout the weekend, and deserve recognition for doing so.

I now yield to the distinguished Senator from Washington.

Mr. JACKSON. Mr. President, for the benefit of my colleagues, may I say that we held open, public hearings for 3½ days, all day long, on this nomination. Governor Hickel was responsive to the questions at all times.

I have tried throughout to be a fair and impartial judge. I am convinced that in confirming his nomination, we will have met our constitutional responsibilities. He, in turn, has met the constitutional requirements that should be given consideration by the Senate before we act on the nomination.

I said the following in my statement yesterday when the Senate began consideration of this nomination:

Mr. President, permit me to comment first on my understanding of the Senate's constitutional duty to advise and consent with respect to the selection by the President of his Cabinet.

The Constitution recognizes three stages in the appointments by the President with the advice and consent of the Senate. First, the "nomination" of the candidate by the President alone. Second, the assent of the Senate to the "appointment" of the candidate. Third, the "commissioning" of the candidate by the President.

Alexander Hamilton in the Federalist, explained why this procedure was incorporated in the Constitution. He made it clear that the President was not to be relieved of his responsibility for his appointments. The purpose, he said, was to place a check on any spirit of favoritism and to prevent the appointment of "Unfit characters from state prejudice, from family connection, from personal, attachment, or from a view to popularity."

On the first day of the hearings on this nomination, I noted that:

History will show that the Senate has accorded the President, particularly a newly elected President, wide latitude in his choice of those who will serve the country as members of his Cabinet. Nevertheless, this committee and the Senate must meet our constitutional obligations, and therefore, this is not a perfunctory proceeding. At a minimum, I expect it to be an enlightening and educational experience for us all. I hope we will make good use of this opportunity to examine our responsibilities here before the public.

The members of the committee and invited representatives of the Public Works Committee questioned the nominee at great length on many matters. It is my view that the committee's action in recommending that the Senate advise and consent to the Hickel nomination is taken in accordance with our constitutional obligations.

It is my judgment, and I am sure that this is shared by the ranking minority member of the committee, the senior Senator from Colorado, that an adequate hearing record has been made. The length of the proceedings and the scope of the questioning was unusual. But, so were many of the factors surrounding the nomination. The committee tried—and I believe was successful—to be fair to everyone involved throughout the proceedings.

By long established custom—particularly with regard to a newly elected President—the Senate has followed the practice of giving the President his Cabinet, almost as a matter of course. These are the individuals selected by the President to be his principal advisers. He is responsible for their official acts. The Chief Executive is entitled to exercise wide latitude in their selection.

The Senate is neither required nor entitled to share this responsibility with the President.

We may not agree with the views of those selected by the President. Indeed we must expect there will be some, even considerable, disagreement. Senators may believe that a particular nominee does not meet a standard of qualification or competence that they themselves would set. But it is the President, not the Senate, who must set the standards of qualification and competence for his principal advisers.

Let there be no mistake about it, these are the President's men and he is entitled to have them, barring some flagrant error or abuse of his prerogatives in making his nominations.

In the examination of Mr. Hickel in accordance with the Senate's duties and responsibilities, a majority of the committee found no proper grounds on which to negate the President's choice.

Mr. President, the President of the United States must be responsible and accountable for the administration of the executive branch. We cannot hold him responsible if we deny him his choice of principal advisors for less than overriding cause. It was on this basis, Mr. President, that I voted in committee to recommend that the Senate confirm the nomination of Walter J. Hickel.

I could not in conscience on the basis of the record before us vote against his nomination. I have no hesitancy in urging my colleagues to confirm his nomination.

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

The yeas and nays were ordered.

Mr. HARRIS. Mr. President, I have studied carefully the record of the Senate Interior Committee concerning the nomination of the Honorable Walter Hickel to be Secretary of the Interior. I have listened to and read the subsequent debate and discussion on this matter in the Senate.

I commend the distinguished chairman, Senator JACKSON, and all the members of the committee for the thorough examination of Governor Hickel's qualifications to be Secretary of the Interior. The committee carried out completely its duty to examine Mr. Hickel's record and to inform the Senate of his qualifications, and I appreciate the committee's diligence and complete objectivity in its proceedings on the matter of Governor Hickel's confirmation.

I have received a great amount of mail regarding this nomination. All of it—both from Oklahoma and throughout the country—has been running about 95 percent against Senate confirmation of Mr. Hickel.

Among other things, I am worried about this nominee's views concerning conservation and air and water pollution, subjects of increasing seriousness and importance to us all. I will not burden the RECORD with all of the communications and telegrams I have received from people who are also concerned about these subjects and Mr. Hickel's views on them. I do, however, ask unanimous consent that a representative sampling of them be printed at this point in the RECORD.

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

TULSA, OKLA.,
*January 20, 1969.*

Senator FRED HARRIS,
*U.S. Senate Office Building,*
*Washington, D.C.:*

We urge you to vote against the appointment of Walter Hickel as Secretary of Interior. Errors made in the use or misuse of natural resources, wilderness, wildlife, not to mention the lives of Indians and Eskimos, are often not reversible. Judging from Mr. Hickel's background and his own public statements regarding pollution and conservation we cannot believe he would serve the best interest of America.

Mr. KEITH GILDERSLEEVE.
Mrs. LOIS BRIGGS.

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OKLAHOMA CITY, OKLA.

Senator FRED R. HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

Urge vote against confirmation Hickel. Past performance and anti-conservation attitude inconsistent with appointment.

L. P. ELIEL.

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OKLAHOMA CITY, OKLA.,
*January 20, 1969.*

Senator FRED HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

Strongly urge you to vote against confirmation of Walter Hickel as Interior Secretary. This man by his actions and words has made it clear that he does not believe in nor support the conservation needs of our country.

ROBERT H. FURMAN, M.D.

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CANTON, OKLA.,
*January 20, 1969.*

Senator FRED HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

Urge you oppose confirmation of Hickel as Secretary of Interior.

Mr. and Mrs. C. ROY HAW.

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CUSHING, OKLA.,
*January 14, 1969.*

Senator FRED HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

Strongly urge you oppose confirmation of Hickel for Secretary of Interior. Letter follows. Attn. Dennis Brezino.

Mrs. DESMOND ISTED.

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TULSA, OKLA.,
*January 20, 1969.*

Senator FRED R. HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

We oppose consent to nomination of Walter Hickel as Secretary of Interior.

Mr. and Mrs. HUGH SELMAN.

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OKLAHOMA CITY, OKLA.,
*January 20, 1969.*

Senator FRED R. HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

Walter J. Hickel's ideas concerning exploitation natural resources is contrary to country's long range interests.

GRANT R. KILPATRICK.
NEAL D. KILPATRICK.
KITTY GOODWIN KING.
HELEN A. BUCKLEY.

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TULSA, OKLA.,
*January 20, 1969.*

Senator FRED HARRIS,
*Senate Office Building,*
*Washington, D.C.:*

Urge you oppose Hickel's appointment. His opposition to conservation principles makes him unfit for job.

Mr. and Mrs. LIONEL COHEN.

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TULSA, OKLA.,
*January 16, 1969.*

SIR: I am depending on you to vote against the appointment of Gov. Walter Hickel as Secretary of the Interior.

Respectfully,

FLORENCE O. BUETTNER.

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NORMAN, OKLA.,
*January 17, 1969.*

Hon. FRED R. HARRIS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR HARRIS: We are very uneasy about the possible appointment of Governor Hickel as Secretary of the Interior. Our natural resources, especially our wilderness, cannot be restored by legislation once it is destroyed. Please do not endanger these treasures for future generations by approving an Interior Secretary whose intentions are unclear. We must have a man who, while trying to be reasonable, realizes that too much conservation is better than too little.

Sincerely yours,
Mr. and Mrs. WILLIAM C. BUMGARNER.

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NORMAN, OKLA.,
*January 15, 1969.*

Senator FRED HARRIS.

DEAR SIR: I have read a great deal about Gov. Walter J. Hickel, and I don't think it is to the best interest of the American people for him to become Secretary of Interior. He seems to be more interested in industry, which causes more pollution to air and water, than conservation.

The affluent American people are indifferent to the waste of our natural resources, especially the forests which provide the material for paper. If we don't reverse the trend, in a few years, we shall all be smothered in a sea of discarded paper.

Respectfully,

MARY LANGTHORP.

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TULSA, OKLA.,
*January 17, 1969.*

Hon. FRED HARRIS,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR HARRIS: It appears that The Honorable Walter J. Hickel should not be confirmed as Secretary of the Interior. It rather definitely appears that this man is the worst possible choice, and the worst choice for Secretary of the Interior that the country has ever been confronted with.

I hope you will give this matter your top attention, knowing, of course, that you know the importance of the position of the Secretary of the Interior.

Yours very truly,

WARREN L. MCCONNICO,
*Attorney at Law.*

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DEAR SIR: I was shocked to hear the views of Gov. Hickel of Alaska, Nixon's appointment for Sec. of Interior, on pollution. For the sake of the survival of our planet, *please oppose* his appointment.

Mrs. N. RUNGE,
*Norman, Okla.*

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MUSKOGEE, OKLA.,
*January 20, 1969.*

FRED HARRIS,
*U.S. Senator,*
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR HARRIS: It is my opinion that a recent article written by columnists Drew Pearson and Jack Anderson titled "New Secretary Of Interior No Friend To Eskimos and Indians" represents, in the absence of the columnists being guilty of libel, an indictment against the character of Governor Hickel.

Because of my interest in human welfare and, indeed, the total welfare of our nation, it is my hope that you and other members of the Senate will make an in depth study of Governor Walter Hickel's qualifications to serve in the best interests of our nation as Secretary of the Interior before making a confirmation decision.

I believe our nation has reached a point in time where it is incumbent upon all national leaders to be above reproach in the process of demonstrating appropriate feelings, actions and interests for the welfare of *all* Americans. I believe further that this will do much to eliminate the detrimental inconsistencies which have been injected into our democracy for so long by self-centered, incompetent and bigoted people placed in leadership positions.

Your interest in and consideration of my plea will be very much appreciated.

Respectfully,

TOMMY JACKSON.

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NORMAN, OKLA.,
*January 17, 1969.*

Hon. FRED HARRIS,
*U.S. Senator,*
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR HARRIS: I am very much disturbed by the appointment of a Secretary of the Interior who will have jurisdiction over much of which is not now administered under the "Multiple Use Concept". Land in National Parks, and land upon which our wildlife is sustained.

There is a definite difference in his philosophical thinking of the Wildlife Act and our National Park System.

I would appreciate very much your thinking regarding his qualifications before he is presented for confirmation.

Any comment to me personally, I would appreciate.

Sincerely,

S. DON WILSON.

Reference: His interview with Washington Post December 19, 1968, and his comments.

PRAGUE, OKLA.,
*January 17, 1969.*

U.S. Senator FRED HARRIS.

DEAR SIR: I am asking you to take a good look & Study of Walter Hickel before you vote to confirm him as Secy. of The Interior.

Yours truly,

ERNEST SALA.

Mr. HARRIS. Mr. President, Senators know of my long-standing and continuing interest in improving the lives of American Indians and Eskimos. There is much apprehensiveness about Mr. Hickel's attitudes on this subject. For example, I ask unanimous consent that one of several letters I have received from American Indians may be printed at this point in the RECORD.

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

ARDMORE, OKLA.,
*January 15, 1969.*

Hon. FRED R. HARRIS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR: I am one half blood Chickasaw Indian, Borned in Pickens County, Now Love County Oklahoma. Year 1891.

I know quite a number of Indians in The Chickasaw and Choctaw Nation and have talked to a number of them.

We have a very good program started in the Indian Country and just started good, we would hate to see it changed up.

We are all interested in The Secretary of the Interior and I have not found that is one Indian satisfied with the appointment of the man that the President Elect is trying to put in office.

Would like to see some one that will help carry on this program that is well under way.

Yours truly,

SAMUEL L. WALLACE.

Mr. HARRIS. Mr. President, all other things being satisfactory, I basically believe that a President should be able to choose his own Cabinet. But, if the constitutional "advice and consent" powers of the Senate are to be effective, Senators must exercise their careful and individual judgment of each nomination. Thus, though I assume this nomination will be confirmed by the Senate, I must vote against it in order to express my concerns and the concerns of so many people who have contacted me, hoping that as Mr. Hickel takes on these new responsibilities he may do so with due regard for the views which have been voiced on these and other subjects within his jurisdiction.

Mr. CRANSTON. Mr. President, a stirring, eloquent message came to me a few days ago from a San Diego scientist. He wrote:

I am a geologist who has a great appreciation for clear skies and untracked wilderness. I would like to pass this heritage on to my sons.

I realize that this nation has a great need to develop its natural resources. But I believe that can be done without significantly disturbing the balance of nature or laying waste to our vanishing wilderness areas.

He expressed what he called his "considerable concern" over the nomination of Governor Hickel.

I share his concern. So do thousands of other conservationist-minded Californians who have communicated to me by letters, telegrams, phone calls, and personal visits urging me to vote against confirmation of Governor Hickel.

I was concerned when Governor Hickel's nomination was first announced. But I withheld final judgment until the Senate Interior and Insular Affairs Committee had concluded its hearings.

I spent last night reading the extensive transcripts of those hearings. My doubts about Mr. Hickel's appointment have been multiplied, rather than reduced, and my concern has been compounded.

I have reluctantly concluded that Governor Hickel is not qualified for the position to which he has been named. He lacks the experience, the interest, or the outlook of a strongly devoted conservationist.

And, as a San Mateo couple wired me:

California, even more than the rest of the United States, needs a strongly devoted conservationist for Secretary of Interior.

Governor Hickel is, from all accounts, a successful businessman and an able administrator. He could, in my opinion, fill admirably any of a number of top governmental positions. But not that of the Nation's No. 1 conservationist, the people's trustee for the total environment whose Cabinet post, to quote a San Francisco constituent, "affects the future health and well-being of every American citizen."

As a man and wife in Manhattan Beach pointed out:

His past record and current statements, do not make clear that he would manage the nation's limited natural resources in the best interest of all Americans. All of us have the right to unpolluted atmosphere, lakes and streams.

I am deeply convinced that immediate, wholehearted, and dedicated efforts are essential if we are to protect our unique heritages of land and water. It is the legitimate right of future generations that they find their heritage preserved rather than irrevocably ruined and despoiled.

The fear of the irrevocable damage that might be done our natural resources by an insensitive Secretary runs through many messages that have come to me. This is most perceptively stated in a telegram from a man in Atherton. He warns:

Except at enormous costs and over a long time, the destruction of natural resources is usually irreversible.

I agree.

A felled redwood cannot be righted and restored to life. A vanishing species cannot be revived once it is made extinct. It takes years to cleanse polluted waters. In some places in our Nation the air may never again be fresh.

Once our beaches, our lakes, our mountains, our wildernesses have been opened to commercial development, they can never be fully restored to their natural state and their legacy of beauty is forever lost.

It is important to note, and I am not at all sure Governor Hickel really understands this, that the preservation of our natural environment is not simply an esthetic concern. Serious scientists have suggested that the ecological imbalance caused by human mismanagement of our environment may threaten the very survival of the human species.

A Secretary of the Interior must clearly perceive the enormity of the environmental problem mankind faces. Yet it is in that very area that Governor Hickel appears most unprepared.

Last Thursday, in response to a thoughtful question by the distinguished Senator from Wisconsin about the Governor's philosophy on the environmental problem, Governor Hickel made a hesitant uncertain response about oceanic research that convinced me that he has no clear understanding of the meaning of ecology.

The question was clear and precise. It provided an excellent opportunity for a potential Interior Secretary to rally the American people for a crucial struggle against the smudge and smog, poisons and industrial wastes, pollutants and exploitations that are befouling and despoiling our good earth for generations to come. Instead, Governor Hickel talked about research in growing food on the Continental Shelf—a vital matter, but a quite different one.

I am afraid that Governor Hickel, as Secretary of the Interior, would be tempted to remove the reins from unlimited private exploitation of our natural resources.

I do not suggest that he would do so in order to further his own interests. I do not charge him with that. Rather, I fear he would tend to favor freer commercial exploitation in the belief that doing so would further the national interest.

That is the view, I believe, that constitutes the danger he would bring to his office and to our Nation.

I must vote against Governor Hickel's confirmation. I do so regretfully. I regret having to vote against a man personally selected by President Nixon, whom I wish well.

There are many conservationists in the Republican Party, like Thomas Kuchel and ROGERS MORTON, who are eminently qualified for the post of Secretary of the Interior and whom I could have enthusiastically supported.

I have supported all the other nominations that President Nixon has placed before the Senate. But I cannot approve Mr. Hickel.

I agree with a lady in Palo Alto who says simply that "he does not understand the job."

If he becomes Secretary of the Interior, I pray that he proves me wrong.

Mr. SPONG. Mr. President, on the basis of the record compiled by the Senate Committee on the Interior, it is my intention, with reservations, to vote for the confirmation of the Honorable Walter J. Hickel as Secretary of the Interior.

I earlier expressed my concern over Governor Hickel's nomination because of the implications of statements he made on conservation and water pollution during a press conference on December 18, 1968. During the committee hearings, however, he pledged support of the 1966 Water Quality Act, and asserted there is

an absolute necessity to protect the desired quality of our environment. He also endorsed the Wilderness Act and the Wild Rivers Act.

As for his earlier statement that he was opposed to conservation solely for the sake of conservation, he explained at the hearings that he was referring primarily to Alaska. He said millions of board feet of timber there were rotting for not being harvested. In addition, he has agreed to dispose of certain stocks, and to instruct the trustees of his family owned businesses to refrain from doing business with the Federal Government. Moreover, he has in mind the appointment of a leading conservationist—reportedly Mr. Russell Train, president of the Conservation Foundation—to be Under Secretary of the Department of the Interior.

Governor Hickel's unfortunate earlier statements perhaps stem from the fact that his home State, largely undeveloped, has not been the victim of the environmental pollution problems which are becoming so critical in the more populous areas of the United States. I hope the nominee now recognizes the necessity of coming to grips with these problems, and that the Department of the Interior will continue to exert vigorous leadership in this area of national concern.

In considering nominees for the Cabinet, one must recognize that the President is entitled to every favorable presumption. As was pointed out yesterday, there is an established tradition that the Senate will accord a President a free hand in the selection of members of his Cabinet. Only eight such appointments have been rejected by the Senate in the Nation's history.

The committee, headed by the able and distinguished Senator from Washington, is to be commended for its thorough examination of the nominee and his qualifications. I am prepared to accept the committee's judgment in this matter, with the hope that Governor Hickel will familiarize himself quickly with the extent of environmental pollution, and take affirmative action to abate it.

Mr. BAYH. Mr. President, after carefully examining the record of the hearings held by the Senate Committee on Interior and Insular Affairs on the nomination of Gov. Walter J. Hickel, of Alaska, to be Secretary of the Interior, I have decided to support the recommendation of a majority of the members that the nomination be confirmed. Because of various questions which have been raised, both in the public press and in the committee, about the wisdom and even the propriety of this choice, it has been difficult to arrive at a decision in this matter. In view of the significance of this appointment, let me set forth briefly the reasons why I believe the Senate should approve the nomination.

Both long-existing custom and sound administrative practice uphold the view that the President of the United States should be allowed wide discretion in choosing his chief subordinate officers. Only on very rare occasions has the Senate questioned the freedom of the President to name without opposition the heads of the executive departments. This is especially true with respect to nominations submitted by a new incoming President. There is much to be said in favor of permitting a new administration, entrusted recently by the electorate with the responsibilities of office, to translate expressed public will into positive action through top leadership of its own designation.

On the other hand, in carrying out its constitutional power to "advise and consent," the Senate has a clear mandate to examine thoroughly the qualifications of any candidate submitted by the President for its consideration. In exercising this duty, the Senate must carefully and impartially evaluate all available evidence about the nominee, both favorable and otherwise. Certainly if there is positive proof that an individual has definite character deficiencies or a past record which would indicate beyond doubt his unfitness for a post of high responsibility, the Senate should reject such a nomination.

No Senator would ever knowingly give his consent to an appointee who had been proven guilty of serious offenses against the state or his fellow man. In this particular instance, however, despite numerous charges which have appeared in print and elsewhere, the testimony presented to the committee and the responses to numerous questions have not convinced me that the nominee has conducted himself in a manner which would merit rejection by the Senate in light of the overriding precedent of permitting the President wide latitude in choosing those he desires to serve in his administration.

Some have raised serious objections which appear to be based solely on the attitudes, knowledge, experience and understanding of the candidate. While I agree that the Secretary of the Interior should be a man who fully comprehends the priority which the Nation must place on protecting and preserving our natural resources, the hearings provide no preponderant evidence demonstrating conclusively that Mr. Hickel would be remiss in carrying out this responsibility if it were entrusted to him. More importantly, final authority and responsibility for exercising the discretionary powers vested in the Secretary must rest in the Presidency itself. Any major policy, decision or regulation emanating from the Secretary must bear the imprint and approval of the Chief Executive, and credit or blame for these policy determinations will inevitably fall on the shoulders of the administration itself.

I do not minimize the tremendous importance of the tasks confronting the man who will head the Department of Interior. As the chief conservator of our vast store of natural resources, administrator of millions of acres of public lands, supervisor of our national parks and monuments, and director of relations with Indian Americans, the new Secretary will undoubtedly exert considerable influence over policies which will affect the welfare of the Nation for generations to come. In all candor, there are certain activities and attitudes which have been attributed to the perspective nominee which concern me greatly. In light of my particular concern relative to the entire matter of conservation and natural resources, it would have seemed wiser to have appointed a Secretary of the Interior with abundant past experience and an enthusiastic commitment to this cause. However, this decision rests with the new President.

I have discussed this matter with the distinguished chairman of the Senate Interior and Insular Affairs Committee and I am convinced that this committee will keep a close eye on the future activities of the new Secretary of the Interior. As a Senator from the State of Indiana, I intend to conduct a similar vigil personally. The problems confronting my State and our Nation involving both air and water pollution, the conservation of our natural resources and our unique natural habitats are of such extreme importance to a Nation that is rapidly increasing in population density that no one in the Congress of the United States can relax this vigil for even a moment.

Mr. FANNIN. Mr. President, over the past 2 weeks, there has been much debate over the confirmation of Walter J. Hickel as Secretary of the Interior. Out of this debate has emerged the picture of a man deeply committed to the conservation of our natural resources. His statement before the Interior Committee, coupled with his answers to the questions posed by the members, evidences a capacity to deal openly, candidly, and objectively with the problems of the Department of the Interior. He evaded no questions. He cooperated fully with the chairman and committee members. Although interrogated at times on subjects totally irrelevant to his qualifications, Governor Hickel nevertheless cooperated fully.

As so ably stated by our distinguished chairman, Senator JACKSON:

> The President is entitled to have the men he has nominated for his cabinet barring some flagrant error or abuse of his prerogatives in making the nominations . . . A majority of the committee found no proper grounds on which to negate the President's choice.

Governor Hickel has evidenced those qualifications essential to the successful administration of our established national programs. His accomplishments in the field of conservation are outstanding, as will be apparent from an examination of his record. This record amply shows his efforts to promote the efficient use of natural resources, the assurance of adequate resource development in order to meet the requirements of the future and, of prime importance, the discouragement of wasteful exploitation of our natural resources.

Additionally, his record reflects his awareness of the need for the orderly development of recreational facilities, having instituted where feasible programs for immediate use while considering the long-range needs of a comprehensive program. His achievements in the preservation and protection of fish and wildlife are exemplary. In short, Mr. President, Governor Hickel has demonstrated through his outstanding achievements — accomplished in cooperation with the private sector, his own State government, and the Federal Government—his thorough understanding of the problems and programs entrusted to

the Department of the Interior. I strongly urge the Senate to approve the nomination of this highly qualified appointee.

Mr. ALLOTT subsequently said: Mr. President, during the debate on the nomination of Walter J. Hickel as Secretary of the Interior, I mentioned former Assistant Secretary of the Interior for Mineral Resources, John M. Kelly. I stated that, according to the record, Mr. Kelly had been confirmed with the understanding that he would make a gift of his stock in the Elk Oil Co., a wholly owned family company, to his four minor children, and that he would continue to operate his producing properties on State and private land through his staff. I also indicated that he intended to divest himself of his Federal leases.

I repeat, I mentioned Mr. Kelly's situation only by way of an example of how the Interior Committee has approached this matter in the past. I have never heard from any person, Republican or Democrat, in business or otherwise, one word of criticism of Mr. Kelly's performance in office. He was a credit to that office and to the Department of the Interior.

Last Friday afternoon, Mr. Kelly visited the chairman and me, and advised us that he had divested himself of all of his holdings and operations as an independent oil producer within 90 days of taking office. I was not aware of this change in his plans. Mr. Kelly furnished to the chairman and me a letter which sets forth the situation as it existed.

Mr. President, in order that the record might be clear on the matter, I ask unanimous consent to have printed in the RECORD a letter dated January 24, 1969, from John M. Kelly to Chairman JACKSON, of the Committee on Interior and Insular Affairs, and a letter from Mr. Kelly dated January 24, 1969, addressed to myself.

There being no objections, the letters were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
*January 24, 1969.*

Hon. HENRY M. JACKSON,
*Chairman, Senate Interior Committee,*
*Washington, D.C.*

DEAR SENATOR JACKSON: When the Senate on January 22, 1969 was considering the nomination of Gov. Walter J. Hickel of Alaska to be the Secretary of the Interior the Congressional Record shows that Senator Allott of Colorado discussed the situation of an Assistant Secretary of the Interior appointed by President Kennedy. I was that Assistant Secretary.

I would like to say that I appreciate the kind remarks made by Senator Allott when he stated,

"He was Assistant Secretary in charge of oil and mineral resources. I have never heard from any person, Republican or Democrat, in business or otherwise, one word of criticism of that man's actions while he was Assistant Secretary of the Interior. He did a fine job.

"At the time of his appointment, he was a consulting mining engineer and geologist, and an independent oil producer and driller as an individual. He was President of the Elk Oil Company, a wholly owned family business. This was in addition to being a producer and a driller as an individual. That company was primarily a royalty company. He was mineral adviser to the New Mexico State Land Office. Mr. Kelly proposed to make a gift of the stock of the Elk Oil Co., to his four minor children. He made Mr. James T. Jennings, his personal attorney, the custodian of it for the children, if the court approved. According to the hearing record his own staff did continue to operate his individual business as a producer of oil on State and fee lands—not Federal lands, now—through his staff, but his Federal properties were to be divested. That is exactly what we have required in this instance. I do not know that this is clear to everyone who may hear it but when we got through confirmation of these people, the committee, at least the Committee on Interior and Insular Affairs, goes through his portfolio and if there are any stocks in there that might possibly result in a conflict of interest, we ask that a man divest himself of these things. We agree unanimously and we never have any difficulty. Under Mr. Kelly's direction were the Bureau of Mines, the Geological Survey, the Oil Import Administration, the Office of Mineral Exploration, the Office of Coal Research, the Office of Oil and Gas, and the Office of Geography. Now, I repeat, I use this only as an example of how we have approached this matter and to put it in its proper context, because Mr. Kelly served for 4 years until June 30, 1965, and I have never heard one word of criticism of anything he did."

However, I believe that I should clarify to the Committee on Interior and Insular Affairs and to Senator Allott the full extent of my divestiture of personal and corporate interests when I assumed the Office of Assistant Secretary of the Interior.

Senator Allott is correct in saying that the Committee approved and the Senate confirmed my nomination with the understanding that I would sell my holdings of oil and mining company's stock and that Mrs. Kelly and I would make a gift to our minor children of all of our interest in the Elk Oil Company, a wholly owned family corporation. The corporate stock sales were made within a short period of time. With reference to Elk Oil Co., our stock interest was given to an irrevocable trust created for our four minor children and the trust then elected Mr. Jennings as President and Executive Officer of the Corporation. Neither Mrs. Kelly nor myself have held any stock or other type of ownership interest in the Elk Oil Company since June 1961 through this date.

With reference to the statement made in my nomination hearing on March 27, 1961 that I would dispose of, by sale, all my holdings and operations on Federal leases but that I would continue the ownership of my holdings on State and fee lands as an independent operator, said operations to be carried on by my superintendent and staff in New Mexico.

After my confirmation, Senator Anderson, who was the Chairman of the Committee at that time, and I discussed the procedures that I should follow in making my divestitures. With particular reference to my holdings and operations as an independent oil producer, he suggested that I divest myself completely, by sale, of all of my operations irrespective of the mineral ownership of the land, be it Federal, State or fee. He stated that this would remove all possible claims or doubts that could be made against decisions that I would be called upon to make as the Assistant Secretary for Mineral Resources of the Department of the Interior. I agreed to follow this good advice and sold, within ninety days, all of my oil and gas holdings and operations.

During the period that I served as Assistant Secretary for Mineral Resources of the Department of the Interior, I did not hold, own or apply for or operate any oil, gas or mineral lease on Federal, State or any other type of lands. Nor did I purchase stock or hold interests in companies that operated in the mineral areas.

I will appreciate your placing this letter into the official record of the Committee and the Senate in order that the record will show that the references to my ownership of securities or personal operations that could have possibly resulted in a conflict of interest were fully satisfied by my complete divestiture of these holdings.

Respectfully,

JOHN M. KELLY.

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WASHINGTON, D.C.,
*January 24, 1969.*

Hon. GORDON ALLOTT,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR ALLOTT: I am sending the enclosed letter to Senator Jackson, Chairman of the Senate Interior Committee with the request that it be placed in the CONGRESSIONAL RECORD. I feel that this letter fully clarifies the dispositions that I made at the time I took office of holdings that could have possibly resulted in a conflict of interest.

I wish to thank you for the kind remarks that you made about my performance as Assistant Secretary of the Interior.

Sincerely yours,

JOHN M. KELLY.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Walter J. Hickel to be Secretary of the Interior? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE (when his name was called). On this vote I have a pair with the Senator from Mississippi (Mr. EASTLAND). If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois (Mr. DIRKSEN). If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. METCALF (when his name was called). On this vote I have a pair with the Senator from Connecticut (Mr. RIBICOFF). If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), and the Senator from Connecticut (Mr. RIBICOFF) are necessarily absent.

On this vote, the Senator from Missouri (Mr. EAGLETON) is paired with the Senator from Minnesota (Mr. MONDALE). If present and voting, the Senator from Missouri would vote "yea," and the Senator from Minnesota would vote "nay."

Mr. SCOTT. I announce that the Senator from Kentucky (Mr. COOPER) is absent on official business, and, if present and voting, would vote "yea."

The Senator from Illinois (Mr. DIRKSEN) is necessarily absent, and his pair has been previously announced.

The result was announced—yeas 73, nays 16, as follows:

[No. 12 Ex.]

YEAS—73

| | | |
|---|---|---|
| Aiken | Fong | Murphy |
| Allott | Fulbright | Packwood |
| Anderson | Goldwater | Pearson |
| Baker | Goodell | Percy |
| Bayh | Gore | Prouty |
| Bellmon | Gravel | Randolph |
| Bennett | Griffin | Russell |
| Bible | Gurney | Saxbe |
| Boggs | Hansen | Schweiker |
| Brooke | Hart | Scott |
| Burdick | Hatfield | Smith |
| Byrd, Va. | Holland | Sparkman |
| Byrd, W. Va. | Hollings | Spong |
| Cannon | Hruska | Stennis |
| Case | Hughes | Stevens |
| Church | Jackson | Symington |
| Cook | Javits | Talmadge |
| Cotton | Jordan, N.C. | Thurmond |
| Curtis | Jordan, Idaho | Tower |
| Dodd | Long | Williams, N.J. |
| Dole | Mathias | Williams, Del. |
| Dominick | McClellan | Yarborough |
| Ellender | McGee | Young, N. Dak. |
| Ervin | Miller | |
| Fannin | Mundt | |

NAYS—16

| | | |
|---|---|---|
| Allen | McGovern | Pell |
| Cranston | McIntyre | Proxmire |
| Harris | Moss | Tydings |
| Hartke | Muskie | Young, Ohio |
| Kennedy | Nelson | |
| McCarthy | Pastore | |

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Inouye, against.
Mansfield, against.
Metcalf, for.

NOT VOTING—8

| | | |
|---|---|---|
| Cooper | Eastland | Montoya |
| Dirksen | Magnuson | Ribicoff |
| Eagleton | Mondale | |

So the nomination was confirmed.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

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

Mr. MANSFIELD. Mr. President, there are two nominations at the desk from the Committee on Finance. I ask that both nominations, which were reported earlier today, be considered en bloc because they are both from the Committee on Finance.

The PRESIDING OFFICER. The nominations will be stated.

## DEPARTMENT OF THE TREASURY

The assistant legislative clerk read the nomination of Paul A. Volcker, of New Jersey, to be Under Secretary of the Treasury for Monetary Affairs; and the nomination of Charls E. Walker, of Connecticut, to be Under Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

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

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

## TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, because of the strain on some Members of the Senate today on other matters, I ask unanimous consent that, as in legislative session, there be a period for the transaction of routine morning business, not to exceed 30 minutes, and that at the conclusion of that time, or before if there is no further morning business, we turn in executive session to the consideration of the nomination of Mr. Packard to be Deputy Secretary of Defense.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Without objection, it is so ordered.

## PEACE GUN KILLS INOCULATION PAINS

Mr. JAVITS. Mr. President, I should like to bring to the attention of my colleagues an article published in the New York Times which describes the tremendous contribution made by Dr. Robert A. Hingson to world health. Dr. Hingson is the ingenious man who invented a "gun for peace," a jet injector which is a gun-like device that will administer to people throughout the world inoculations against epidemic diseases. By helping to prevent diseases which ravage men both physically and mentally, Dr. Hingson has made a historic contribution to world peace and well-being.

I ask unanimous consent to have printed in the RECORD the article entitled, "'Peace Gun' Kills Inoculation Pains," published in the New York Times on October 6, 1968.

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

"PEACE GUN" KILLS INOCULATION PAINS—JET INJECTOR CAN ADMINISTER VACCINES WITHOUT NEEDLE

In Nicaragua it is called "pistola de la paz," in Nigeria "ibon alafia" and in India it is known as "shanti ki banduk."

Translated, the words all mean "gun of peace," or the jet injector, which is a gun-like device that administers painless injections without needles.

For the last five years, the jet injector has been used increasingly in the worldwide battle against epidemic diseases. Millions are being inoculated every day against smallpox, malaria, polio, tuberculosis and other diseases.

Last year, the World Health Organization and the United States Agency for International Development began an eight-year joint campaign to vaccinate 1.5 billion people throughout the world against smallpox using jet injectors.

The man behind the gun's development is Dr. Robert A. Hingson, a 55-year-old tall, soft-spoken Alabamian.

OIL ENTERS HAND

In 1938, when Dr. Hingson was an intern at the United States Marine Hospital on Staten Island, he came across an odd case. A seaman suffered from a badly swollen hand, which, when lanced, produced about a tablespoon of black liquid. Dr. Hingson found that oil had entered the man's hand as a result of his having held a high-pressure hose that must have had a tiny leak.

He recalled a principle in France in 1868, that a needle could be eliminated through the use of a high velocity spring system. By 1946, he had, with the help of engineers, developed the first working model of a jet injector.

The gun is entirely spring-powered, and operates somewhat like an automobile jack. The spring is compressed, creating two tons of pressure per square inch. When the spring is released, air is pushed out rapidly, like a piston.

If vaccine and a plunger are put inside the "jack" and ejected through a tiny hole, the vaccine will enter the body, forming a little puddle beneath the skin. Since the hole is the size of a mosquito's nose, the pressure is reduced enough, to about 11 grams, just piercing the skin, although the jets can be adjusted to shoot vaccine into muscle tissue as well.

MIXED WITH ANESTHETIC

The entire process is so rapid that it is painless. The vaccine enters the body at a speed of 700 miles an hour. Sometimes an anesthetic can be mixed with the vaccine so that even a sleeping baby would not feel the inoculation.

In 1958 Dr. Hingson realized the jet injectors could be used for mass immunization projects. He and a group of volunteer doctors, supported by several religious organizations, formed what soon became known as The Brother's Brother Foundation, with headquarters in Cleveland and Pittsburgh.

Since its inception, the Foundation has vaccinated over 6 million people throughout the world. The doctors donate their time and pay their own transportation costs. Drug companies often donate or sell vaccines at half price. All their operating funds are from donations and money from speeches given by the 200 doctors of the organization.

Dr. Hingson's group was the first to discover that, by using jet injectors, vaccines may be diluted and still be effective.

DOSES ALWAYS UNIFORM

"Millions of viruses are injected in a shot," he explained, "but only one needs to take. With needles, doses vary too much to dilute safely. With the gun, doses are always uniform."

By diluting his vaccines, Dr. Hingson said, he can stretch each dollar's worth of vaccine ten times.

The peace guns cost from $120 for a small hand model to $1,300 for motor types in the United States, Dr. Hingson said, but are sold for a little less in France, Sweden and Britain where they are also manufactured.

The larger models were designed with motors so that doctors would not get blisters from vaccinating thousands of people in one day. Also, the larger guns can be fitted with bottles or tanks to hold up to one million doses of vaccine.

The Brother's Brother Foundation is now operating primarily in Central America, Dr. Hingson explained, because it is in "our own backyard."

Dr. Hingson, who is presently taking up a new post as professor of anesthesiology and public health at the University of Pittsburgh School of Medicine, is also well known for developing a technique for painless childbirth in the early 1940's.

## A BRIDGE TO RUSSIA'S JEWS

Mr. JAVITS. Mr. President, a small but significant breach was made in the Iron Curtain which has cut off the nearly 3 million Soviet Jews from their brethren abroad, when the chief rabbi of Moscow, Rabbi Yehuda Leib Levin, visited the United States.

This was the first visit of a Soviet Jewish rabbi to the United States since the Russian Revolution 50 years ago, although the Soviets had permitted representatives of other religious faiths to visit this Nation on several occasions.

Rabbi Arthur Schneier, the distin-

guished spiritual leader of the Park East Synagogue in New York City, has written a perceptive article on Rabbi Levin's visit to the United States, which was published in the December 24, 1968, issue of Look. I ask unanimous consent that this article be printed in the RECORD, coupled with the hope, as Rabbi Schneier states in his article, that a new time for the Soviet people of the Jewish faith may be at hand.

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

A BRIDGE TO RUSSIA'S JEWS

(By Rabbi Arthur Schneier)

The visit this year of Rabbi Yehuda Leib Levin, the Chief Rabbi of Moscow, to the United States signals the beginning of a new day, the opening of two-way communications between the world's largest Jewish communities. Until now, the Russian Jewish community of the Soviet Union has been isolated from us. If visits like this continue, these contacts can lead to a general improvement in the lives of three million Soviet Jews.

When I visited the Soviet Union in 1966 as the head of the interfaith Appeal of Conscience Foundation, to meet with Christian and Jewish religious leaders, I found the Jews there lacking many privileges given the Russian Orthodox and the Baptists. When I went back last year, I found things a bit improved for Russian Jews. Matzah was available, 10,000 prayer books were being printed, and fears that a Stalin-Khrushchev repression might recur had abated.

I consider Rabbi Levin's visit significant because, for the first time in 50 years, a rabbi was permitted to leave the Soviet Union with the blessings of the Russian Government. Although churchmen had traveled abroad, no rabbi had done so since the Russian Revolution.

Rabbi Levin is the spiritual leader of Moscow's Central Synagogue and the only rabbi for Moscow's 500,000 Jews. Since Jewish communities in the Soviet Union function independently, Rabbi Levin could only speak for the Central Synagogue. He did point out, however, that he "shared the aspirations" of Soviet Jews, who are considered not only as a religious group but also as one of the country's 120 nationalities.

At first, his visit to the U.S. evoked considerable confusion. Some people thought that the Rabbi was just a carrier of Soviet propaganda. When he first arrived, Rabbi Levin addressed a meeting at Hunter College in New York. He told his audience that there was no anti-Semitism in the Soviet Union. Some of his listeners jeered and booed. This patriarch of 74 was crushed by the hostile reaction.

Rabbi Levin is not a tool of the Soviet Government. Anti-Semitism as such is outlawed by the Soviet Constitution. We are not dealing here with classical anti-Semitism. The problem of Soviet Jewry is really one of forced assimilation. The Soviet Union is a society in which, for 50 years, no one under 18 has been permitted to receive any religious instruction. For several generations, young Jews have had no exposure to Judaism or the Hebrew language. Still, they have not lost their Jewish identity. On last October 15, for the celebration of Simchas Torah, thousands of young men and women joyfully sang and danced in the Central Synagogue and on Archipov Street. They came there to show that they were Jews.

After the Hunter College incident, our Appeal of Conscience Foundation tried to introduce Rabbi Levin to every sector of religious life in America. He visited synagogues, religious schools and seminaries. It was a revelation for him to meet hundreds of young rabbis and girls and boys studying the Torah. It made an unforgettable impression on him, as did the interfaith cooperation he saw between Christian and Jewish clergymen.

Here, we take Sunday schools and religious schools for granted. They don't exist in the Soviet Union. Rabbi Levin was overwhelmed by our vibrant Jewish life, and hoped that someday this vitality could exist in the Soviet Union.

What impressed me most about this man was his compassion and humility. He said to me, "All the honors and all the warm accolades I received are not tributes to me personally. They are really an expression of friendship to the Jews of the Soviet Union extended through me." This is the great significance of the Rabbi's visit: He is the bridge, the link, between the Jews of Russia and their coreligionists abroad; there is no one else.

His visit was a breakthrough, but it does not solve the basic problems of religious Jews in the Soviet Union. The most serious of these is the lack of religious education, the lack of facilities for the training of religious leaders. One must know Hebrew to study the Bible and the Talmud. A boy or girl at the age of 18 cannot be expected to start from scratch. The Jewish way of life can be achieved only through education, and the Hebrew language is the bond that ties one Jew to another, as Latin has done for Catholics. Judaism in the Soviet Union may soon find itself without leadership. A lack of rabbis in training remains the most distressing problem for Soviet Jewry. The average age of the surviving rabbis is about 70. If Judaism is to endure in the U.S.S.R., the government will have to permit Jewish children to study their religion and the Hebrew language.

Both Christian and Jewish religious groups in the United States and in the Soviet Union have a common tie: the belief of God. Through this bond, a better relationship could be established between the American people and the Russian people. We are told there are 50 million believers in the Soviet Union and only 12 million Communists. And among Americans, there is wide identification with the major faiths in the Soviet Union. If we can use this vast resource to build a bridge, it would certainly be extremely helpful in terms of Soviet-American relations.

The Soviet Government has encouraged contact among Christian religious leaders. It permitted the Russian Orthodox Church to take an active role in the World Council of Churches, and encouraged Soviet Catholics to participate in Vatican II. It has done such things as a response to the influence and the effectiveness that religious leaders have in the West. The goodwill resulting from Rabbi Levin's visit to the United States is important to the Soviet regime.

To build on his visit, the government might permit Jewish children to study Hebrew and religious subjects and thus ensure leadership for the future. The establishment of a centralized Jewish community organization, similar to those of the Russian Orthodox and Baptist, would also strengthen the viability of Jewish life.

Another step often mentioned would be to allow Soviet Jews to emigrate to Israel. After Premier Kosygin's announcement permitting the reunion of families separated by World War II, thousands of Jews left Russia for Israel. This policy stopped after the Six Day War, when the U.S.S.R. broke diplomatic relations with Israel.

Many Soviet Jews are still greatly interested in being reunited with their families abroad. I would hope that purely on humanitarian grounds, after the hardship of long years of separation, their departure would be facilitated.

What is terribly important is to make sure that the Jews who want to remain in the Soviet Union have an authentic Jewish life. An organized Jewish community would not be unusual for a Communist society. A Jewish community flourishes in Communist Hungary today.

It is important to have a dialogue between coreligionists in different parts of the world, particularly between Soviet Jewry and American Jewry. We could strengthen each other in many ways. Rabbi Levin has by now reported to Moscow's Jewish community on the great development of Jews in America. American Jews can have the satisfaction of helping to keep alive spiritually a great segment of our people. Maybe we can actually serve as a conduit for better relations between the two countries.

We hope that Rabbi Levin's visit opened the door for future visits to America by Russian Jews, that a new time is at hand and that this was the real beginning. The impact of his visit will be measured in the months and years ahead. It is an historic moment.

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## FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Mr. RANDOLPH. Mr. President, the RECORD of January 16, 1969, page 1038, indicates that I introduced S. 355, the Federal Coal Mine Health and Safety Act of 1969, a bill to improve the health and safety conditions of persons working in the coal mining industry of the United States. I made brief comments thereon. At page 1039, the RECORD reflects that S. 355 was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The RECORD of January 21, 1969, at page 1312, reports, under the heading, "Federal Coal Mine Health and Safety Act of 1969," that a letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to improve the health and safety conditions of persons working in the coal mining industry—with accompanying papers—was referred to the Committee on Interior and Insular Affairs.

Mr. President, inasmuch as the bill (S. 355) which I introduced is that to which the Assistant Secretary of the Interior referred in his letter, and inasmuch as that measure was referred to the Committee on Labor and Public Welfare, I ask unanimous consent that the letter by Assistant Secretary J. Cordell Moore explaining and supporting it be printed in the RECORD at this point and that a copy be referred also to the Committee on Labor and Public Welfare. It is entirely agreeable that the original letter be a matter of record in the Committee on Interior and Insular Affairs.

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

U.S. DEPARTMENT OF THE INTERIOR,
*Washington, D.C., January 14, 1969.*

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

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill, "To improve the health and safety conditions of persons working in the coal mining industry of the United States."

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

Last September the President proposed a new Federal Code Mine Health and Safety Act. Since then, the tragedy at Farmington, West Virginia, occurred and claimed the lives of 78 coal miners, leaving deep and lasting wounds on their families and friends. This tragedy served to dramatize and bring to the attention of the nation the health and

safety conditions in the coal mines of this country.

After the November 20 tragedy we began to re-evaluate the September legislative proposal and our performance in the field of coal mine health and safety. Every pertinent resource in this Department—technical as well as legal—has been enlisted in a sustained and intensive effort to answer a single question: What can be done to guarantee a safe and healthful working environment to the men who mine our coal?

Our approaches to this question have been along two principal lines. First, we have sought to determine whether we are doing everything possible under present law. Second, we have closely scrutinized the strong mine health and safety measure proposed last September to see what further refinements are possible.

We are also considering what additional measures, other than legislation, would provide reliable insurance against the perils faced daily by our coal miners.

In the first of these approaches we have ordered several changes in Federal inspection procedures under the existing law which are as follows:

(1) The Bureau of Mines will increase sharply the number of "spot" inspections—where an inspector looks only at part of a mine. Last year, less than 200 spot inspections were made. Next year, there will be at least 1,000 of them, in addition to the continuing series of complete regular inspections.

(2) Advance notice of inspections, regular or otherwise, will not be given by the Bureau to mine operators or labor under any circumstances. Until now we have permitted advance calls to determine whether the mine would be working on the date of the inspection. This practice will be terminated.

Incidentally, the Coal Mine Inspector's Manual also is undergoing the closest kind of scrutiny and is being revised wherever necessary to assure full and effective discharge of all Bureau responsibilities under the law and to reflect the increased emphasis laid out here.

(3) The Bureau will make special inspections of any coal mine on receiving a complaint of a violation of a Federal health or safety standard from a union representative, from the mine safety committee, or from a minimum of three mine employees. In addition, we will guarantee that the source of the complaint will be kept confidential.

(4) The frequency with which tests for methane must be made in order for a mine operator to be in compliance with the existing Act will be stipulated.

(5) The Bureau will require that every operator of an underground coal mine submit for the Director's approval a roof control plan covering all haulageways and roadways.

(6) Notices will be issued in the case of every violation, even if a violation is corrected immediately in the inspector's presence, while the inspector is still underground.

(7) Improperly rock-dusted coal and accumulations of methane in excess of 1.5 percent in the active underground working places of a mine are significant ingredients of a mine explosion and the presence of either or both of such conditions creats a danger of an explosion occurring before these conditions can be eliminated. Accordingly, in gassy underground coal mines where there are accumulations of coal dust not rock-dusted as required by the Act, or accumulations of methane in excess of 1.5 percent in the active underground working place, we are issuing withdrawal orders because the existence of either condition creates an imminent danger of a mine explosion.

We believe that more vigorous enforcement of the present Act, inadequate as it is, is essential to improve as effectively as we now can the day-to-day safety and health of coal miners and to minimize the possibility of another mine disaster like the one at Farmington.

I turn now to the new legislative proposal.

In 1952, 42 years after the public outcry at the wanton sacrifice of human life in the underground coal mine industry led to the establishment of the Bureau of Mines, the Federal Government took its first timorous and hesitant step away from voluntarism in the effort to prevent major mine disasters.

The hesitant, indeed the almost apologetic, manner in which the Federal Government entered the field of enforcing mine safety standards is illustrated by the fact that the 1952 Act was designed to control the occurrence of major disasters only—those which, as the legislative history observes, take the lives of five or more miners in a single accident. The non-disaster type of safety as well as the entire field of health were not only not covered; the intention to do so was expressly disavowed! And this, in the face of the fact that major disasters even then accounted for not more than 10 percent of the fatalities in underground coal mining. The causes of 90 percent of the fatalities in coal mining as well as the entire field of health were left where Congress found them in 1952—outside the scope of the Federal law.

Nothing more graphically illustrates the limited nature of the Federal concern with mine safety under the present law than the example cited by the then House Committee reporting out the 1952 legislation—that of "permissible equipment." The only concern that the Bureau of Mines was to have with "permissible equipment" was to determine whether its design, construction, and operation were such that it would not cause a mine explosion or a mine fire. The report stressed the fact that the legislation it was reporting out did not require the equipment to be designed or maintained with regard to the health and safety of the operator or the men working around the equipment. The Federal law, the report underscored, would not protect the operator or the men from, and these are direct quotes, "the lack of, or inadequacy of, guards or protective devices."

With the 10 percent of coal mining fatalities with which the law did concern itself, the House report in 1952 found that the basic causes were few and that they could and should be eliminated. The report expressly found that the means of eliminating these disasters were well known and that the costs were not at all prohibitive.

In the sixteen years that have elapsed since 1952, two facts have become all too clear:

(1) While there have been substantial reductions in major disasters, the Congress' expectation that they could and should be eliminated has not been realized. In the 20 years immediately preceding passage of the 1952 Act, the nation suffered 88 coal mine disasters that claimed more than 1,600 lives. In the more than 16 years since passage of the Act, we have suffered 24 major disasters with a total death toll of 309, until Farmington which added 78 more. This is progress, but hardly the type to shout about.

(2) The great mass of non-disaster type fatalities and the health hazards of underground coal mining continue unabated as there are no tools in the Federal inspector's hands to combat them.

We contend that the American people no longer are willing to accept the inevitability of injury, disease, and death as a price that we must pay for coal. We also contend that the American people will support strong legislation which may seem drastic in comparison to what is now on the books, but which is necessary to improve substantially the worker's health and safety.

That was the President's purpose last September when he proposed a new Federal Coal Mine Health and Safety Act. His aim then, as now, was to provide the best assurance possible for curbing the accidents that claim miners' lives by ones, twos, and threes; to control more effectively the conditions that give rise to coal miner's pneumoconiosis; and at the same time, to reduce disaster-type accidents to as nearly zero as is possible.

Briefly the major features of the bill are as follows:

(1) *Mandatory Health Standards.*—The proposal would for the first time provide authority for the Secretary to promulgate by regulation mandatory health standards for underground coal mines. The standards would be based on criteria developed by the Secretary of Health, Education, and Welfare.

In addition, the proposal for the first time would establish an interim mandatory dust standard for such mines. The standard was developed by the Secretary of Health, Education, and Welfare and published last month. It requires that all underground mines must reduce respirable dust concentrations in the active underground working places to achieve, as soon as technically feasible, an interim mandatory health standard of 3.0 milligrams of dust per cubic meter of air. The Secretary of the Interior would publish a compliance schedule 60 days after enactment. At this time it is our thinking that the first step in the schedule would be to require that all underground coal mines meet a standard of 4.5 milligrams of respirable dust per cubic meter of air not later than one year after enactment. The need for such an interim standard is clearly demonstrated.

(2) *Flexibility.*—The present Federal Coal Mine Safety Act, as you know, prescribes in great detail mandatory safety standards for underground coal mines but does not permit any modifications of the standards by the Secretary in response to technological changes in coal extraction and to the occurrence of new mining hazards. Also it does not permit us to change the standards by regulation if we find that they are unworkable or difficult to administer. The only way that these changes can be accomplished is through an Act of Congress which is a procedure that does not lend itself to providing expeditiously the needed responses to health and safety conditions in a dynamic industry.

We are sure that the Congress will be the first to admit that it is not equipped to develop adequate and effective mandatory health and safety standards for any industry. This is a procedure that should be left to regulations issued in accordance with congressionally established procedures. As far back as 1938 with passage of the Federal Food, Drug, and Cosmetic Act, Congress recognized the necessity for this type of flexibility of response. That Act gave the agency responsible for its administration the freedom to develop and promulgate health and safety standards and to revise old ones as the need became apparent in accordance with prescribed procedures established by Congress. This need for such flexibility in the age of rapid technological change has been acknowledged time and again by Congress during the past decade in other measures such as the Aviation Act of 1958, the Water Quality Act of 1965, the National Traffic and Motor Vehicle Act of 1966, the Federal Metal and Nonmetallic Safety Act of 1966, the Clean Air Act of 1967, the Natural Gas Pipeline Act of 1968 and the Radiation Control for Health and Safety Act of 1968.

The enclosed proposal would provide this flexibility by authorizing the Secretary to promulgate by regulation mandatory health and safety standards applicable to coal mines subject to the Act. The standards would be developed in consultation with other Federal agencies, representatives of the States, representatives of the coal mine operators and coal mine workers, and other interested persons and organizations and such advisory committees as the Secretary may appoint. The standards would be developed by taking into account available scientific data and experience gained under previous health and safety standards. The rule-making provision of section 553 of title 5 of the United States Code would apply to the promulgation of these standards.

(3) *Non-Disaster Type Accidents*—A major

thrust of the proposal is its provisions for coping with causes of the many fatal and nonfatal injuries that do not constitute major disasters. The present Act is aimed primarily, as we have already stated, at the so-called "major disasters"—that is, accidents resulting in death to five persons or more. Consequently, its standards have not enabled us to require the practices and procedures that would avoid the many accidents that kill or seriously injure coal mine workers by the ones, two, or threes. According to our figures for 1968, 203 of the 290 fatalities were recorded in the "accident" rather than the "disaster" category. In other words, nearly two and a half times as many coal miners died last year in roof-fall, haulage, or other accidents than in the catastrophic type accidents that occurred at Farmington.

The enclosed proposal would require publication of standards providing practices and procedures to prevent these types of accidents and would authorize withdrawals either where an imminent danger occurs, that is, where the existence of conditions or practices in a coal mine could reasonably be expected to cause death or serious physical harm before such conditions or practices can be abated, or where there is a failure to abate a violation of a standard within a reasonable time.

(4) *Surface Coal Mine*—The proposed legislation would be applicable to health and safety conditions to surface coal mines such as strip and auger mines which now supply over one-third of our domestic coal produced and account roughly for 12 percent of the fatal and nonfatal injuries in the coal mining industry.

(5) *Interim Safety Standards*—In addition to authorizing the issuance of mandatory standards by regulation, the proposal sets forth a series of interim safety standards, many of which are in present law. They will remain in effect until modified or superseded by later regulation of the Secretary. These standards include a number of changes which we believe are essential to reduce substantially the fatal and nonfatal accidents occurring in the industry today. Many of these have been developed to cope with a particular type of fatal accident that has already been experienced in a mine. Some were included at the specific suggestion of management or labor, or both. We believe all are technically sound and workable.

(6) *Gassy and Nongassy Mines*—The proposal would remove the differences in the interim safety standards between gassy and nongassy mines. All underground coal mines would be subject to the same standards because all such mines are potentially gassy.

In the last 16 years there have been 52 ignitions or explosions in nongassy coal mines killing 27 and injuring 54 (see enclosed Table B). The number of active coal mines which were operated as nongassy were classed gassy after 15 years is 26, while 131 mines were operated nongassy for a period up to 5 years (see enclosed Table C).

At this point, let me make it unmistakably clear that while all authority under this proposal would be vested in the Secretary as in the case of other Acts administered by this Department, it will be delegated to the Bureau of Mines which will be responsible for the day-to-day administration of the Act, just as is done today.

A more detailed statement of the provisions of this legislation is enclosed for your convenience.

We strongly urge the early enactment of this important health and safety legislation so we can begin immediately to better cope with the problems associated with the coal mining industry. Enactment of this proposal would replace a law that was called inadequate by President Truman at the time of its passage—and has been proved inadequate during the years it has been in effect—with legislation that can go a long way toward giving the coal miner his right to a safer and more healthful work environment.

By letter dated January 14, 1969, the Bureau of the Budget advised that this legislative proposal is in accord with the program of the President.

Sincerely yours,

J. CORDELL MOORE,
*Assistant Secretary of the Interior.*

## THE SECRETARY OF TRANSPORTATION

Mr. PEARSON. Mr. President, the Kansas Contractors Association, by unanimous agreement, has adopted a resolution commending President Nixon's choice of Governor Volpe for Secretary of Transportation. This expression of support, I feel, indicates that Secretary Volpe's qualifications and experience makes his selection an excellent one. I am hopeful that through the new Secretary's leadership, government and industry can work together toward solving the Nation's mounting transportation problems.

I ask unanimous consent that the contractors resolution be placed in the RECORD.

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

Whereas, Richard M. Nixon will be inaugurated as President of the United States on January 20, 1969; and

Whereas, President-elect Nixon has selected Governor John A. Volpe of Massachusetts to serve as Secretary of the Department of Transportation; and

Whereas, Secretary-Designate Volpe is a contractor, served as the first Federal Highway Administrator during the Eisenhower Administration, is a past national president of the Associated General Contractors, is well-known to many members of the Kansas Contractors Association and is familiar with the problems of the construction industry in general and the highway program in particular; Now, therefore, be it

*Resolved*, that we, the Kansas Contractors Association in this our 46th Annual Meeting, highly commend President-elect Nixon for his selection of Governor Volpe to this important post, being confident that his judgment, knowledge and experience will be used to resolve the confusion and delay which has characterized the Federal government's policies regarding the Federal Aid Highway Program in recent months; that the excellent relations between the Federal government and the states which have existed throughout the life of the highway program will be continued and strengthened, and that the Department of Transportation and most especially the office of the Federal Highway Administrator, will return forthwith to that area of endeavor in which it can best serve, the building of highways for the benefit of all of the people in every area of the United States; be it further

*Resolved*, That a copy of this resolution be sent to President-elect Nixon, Secretary-Designate Volpe, members of the Kansas Congressional delegation and that it be reproduced in an early issue of "The Construction Bulletin."

CLAUDE M. RHOADES,
*President.*

Attest:

K. W. COMFORT,
*Secretary-Manager.*

## DICTATOR FRANCO'S DEMANDS

Mr. YOUNG of Ohio. Mr. President, the administration is now negotiating for a renewal of air and naval base rights in Spain under circumstances describable only as extortion undertaken by the government of the Spanish dictator, General Franco. These bases are part of the NATO defense system. I have visited American naval and air bases in Spain and conferred with our officials there and with top officers of our Air Force and Navy. Without doubt, these bases are completely unnecessary as far as the defense of the United States is concerned. They are of no benefit to us whatever. Nevertheless, we have offered the Spanish dictator, Franco, more than $250 million to permit us to retain them for 5 more years. Franco is demanding $1 billion. In other words, Franco feels that the United States should pay him for the privilege of protecting Spain. How outrageous?

Millions of liberty-loving Spaniards regard our tremendous aid to Franco as the most powerful factor in keeping this dictator in power. The United States is damaging itself in world opinion by continuing to prop up his regime. To allow our country to be blackmailed by him must not be tolerated. We should state definitely that if Franco is willing to contribute to his country's defense by providing bases for American warships and warplanes, that is agreeable to us. Let it be clear that we will not pay bribes. If this is not agreeable to him, we should close our bases there and get out as soon as possible. Our Government, in aiding, financially, dictators such as Franco of Spain, Duvalier of Haiti, those Fascist colonels in Greece, and those dictatorial Fascist generals who overthrew the duly elected governments of Brazil and the Argentine Republic has undertaken a mistaken and dangerous policy if for no other reason that in the end the people of those countries will kick those dictators out.

## INADEQUATE FUNDING FOR HANDICAPPED CHILDREN

Mr. PROUTY. Mr. President, last week I spoke briefly about the inadequacy of former President Johnson's budget requests for the national defense student loan program. Now, I would like to bring to the attention of Congress and the Nation additional shortcomings in the budget estimates for assistance to handicapped children.

For a number of years, Mr. President, I have been concerned about the lack of assistance provided for the education of children who have physical and mental disabilities. There are in the United States over 7 million of these children who need special attention and facilities in order to learn. Recently we have been successful in enacting legislation which established within the Office of Education a Bureau of Education for the Handicapped. In addition, authorizations have been made under other acts for research and demonstration projects and for the training of professional personnel.

Some progress has been made. One-third of the handicapped children in the country are being given assistance, and some 35,000 teachers have been specially trained during the past 10 years. However, there are some 4 million children

currently without aid and there is a need for 300,000 teachers to instruct them.

We do not need additional legislation at the moment, Mr. President. We do not need higher authorizations. What we do need, however, are funds to make the programs already on the books operational. The Johnson lameduck budget is shockingly inadequate in this regard. The requests for the bureau of the handicapped are only $6 million more than was appropriated for fiscal year 1969. More appalling is the fact that four of the key programs have been held to the present level of funding.

Public Law 85-926, has been the main vehicle by which teachers were trained to assist the handicapped. However, the grants awarded have been mainly on the graduate level. This has meant that lower echelons of teachers who come into contact with handicapped children have not had extensive opportunities for training. The bureau of the handicapped is attempting to remedy this situation by reprograming some of its appropriated funds into prototype programs which will attempt to increase the manpower training potential. Although Congress authorized $55 million for Public Law 85-926, funding has been held to the 1969 level of $29.7 million. This means that the prototype programs may have to be canceled and that some existing training grants cannot be extended.

Another serious shortcoming in the budget proposals is the maintenance of the present level of funding for title VI of ESEA. Under this program grants-in-aid are provided to the States to assist them in initiating and expanding special education services. By authorizing $200 million for this program, Congress made a commitment to the States. The Johnson budget which requests a paltry $29.25 million—15 percent of the authorization—represents a major failure of the Government to meet Congress commitment to these handicapped children. The other two programs which have been held to the 1969 level of funding are the educational media and training and research in education programs.

Mr. President, we cannot allow our efforts in this field to diminish for lack of funds. We must recognize the continuing needs of these handicapped children and request additional appropriations so that the present level of assistance can be maintained and some additional progress can be made.

## COMMENDATION FOR DISTRICT OF COLUMBIA POLICE

Mr. MURPHY. Mr. President, it has been all too often that police forces throughout the Nation have been criticized for the manner in which they have attempted to uphold the laws and maintain order. But it is seldom that these men charged with the responsibility of protecting the welfare of our people are praised for exemplary performance.

At the inauguration of President Nixon we witnessed the actions of a police force that is truly committed to preserving order under law. The Metropolitan Police force of the District of Columbia reacted to an incendiary situation sparked by a band of alienated demonstrators with a sense of calm. Whatever personal anger they may have held was subdued by their careful handling of those who would desire to destroy the entire framework of our democratic form of government without thought of what to build in its stead.

A Washington Post editorial yesterday rightly termed the actions of some of the counter-inaugural demonstrators as "vandalism and violence." As this editorial stated:

> It should be remembered that the protection of the right to dissent, indispensable to a free society, can best be preserved by a recognition that it entails the expression of ideas, not an overriding of the rights of others.

The Nation's Capital—so plagued by crime and violence—is lucky, indeed, to have a police force that recognized its responsibility and planned and acted effectively and properly with forbearance and restraint. Its members are deserving of commendation.

## POVERTY AND HUMAN RESOURCES

Mr. GOODELL. Mr. President, I wish to call the attention of my distinguished colleagues to an article by Sar A. Levitan, which will appear in the 1969 January-February issue of Poverty and Human Resources.

Dr. Levitan, a renowned professor at the Center for Manpower Policy Studies of George Washington University, and a close personal friend, is well known for his study and examination of the various proposals and programs to eliminate poverty. His most recent article on this subject includes a thoughtful and astute analysis of the community self-determination bill.

Although I do not always agree with Dr. Levitan's ideas and recommendations, I am certain that "Community Self-Determination and Entrepreneurship: Their Problems and Limitations," will contribute substantially to the current dialog on poverty programs; programs in which I have a keen interest.

I am pleased to ask unanimous consent that this excellent article be printed in the RECORD.

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

COMMUNITY SELF-DETERMINATION AND ENTREPRENEURSHIP: THEIR PROMISES AND LIMITATIONS*

(By Sar A. Levitan, Center for Manpower Policy Studies, the George Washington University)

The welfare programs inaugurated by the Great Society have helped to reduce sharply the incidence of poverty, and to alleviate conditions for those who remain poor. Admittedly, the reduction of poverty was a product of labor shortages, more the result of the Vietnam war than Great Society programs. Nonetheless, new federal programs have helped absorb labor slack, and have established institutions which bear promise for the further reduction of poverty. Included among the major potential and actual accomplishments of the recent antipoverty efforts are:

Establishment of birth control aids to help reduce the number of unwanted children, and the poverty which often accompanies them;

Establishment of preschool facilities for poor children as a headstart in their educational pursuits;

Development of a health delivery system in poor neighborhoods;

Protection of the legal rights of the poor through the establishment of legal service offices;

Helping poor youth achieve a college sheepskin, a sure way to escape poverty.

NEW PANACEAS AND APPROACHES

No claim is made that the poor, or the nation for that matter, are getting their money's worth from all the Great Society efforts. But from the vast experimentation of the past few years, we have learned some important lessons and have established institutions which have great potential in helping the needy. The present danger is that as the record of the Great Society is closed, these lessons may be discarded. It is extravagant to expect that the propensity for seeking instant solutions to complicated age-old problems will diminish or disappear. Such solutions are already filling the air. The allure of these panaceas lies basically in the general disillusionment with existing and past welfare programs and the specific dissatisfaction of Negroes and other minority groups. There is a pervasive feeling that "big government" has failed and the resulting belief that the private sector could succeed in alleviating poverty. The new proposals in the antipoverty war thus focus on the need for nongovernmental and decentralized decision making.

In this context, decentralization has its advantages. When decisions are made closer to the conditions that they affect, greater adaptation, flexibility and responsiveness to needs can be expected. Decentralization may also lead to increased initiative, responsibility, and effort as a result of meaningful participation in decision making.

Though the case for decentralization is clear, it is sometimes overstated. The romantic notion that localized decision making is more responsive to the "public interest" is not always borne out. Historically, "grass roots democracy" has often permitted the most vicious disregard of local minorities. Moreover, centralization is necessary to effect quick large-scale transfers of resources from one use to another. Finally, given the shortage of trained personnel to administer welfare and related programs, centralization may be the most efficient way of utilizing limited resources.

The general direction of new proposals is towards private and decentralized decision making. Two major elements are involved in these proposals: The first aims at the involvement of the business sector in the war on poverty, letting the individual business firms make employment and location decisions with government structuring the market framework rather than actively participating. Business involvement has been encouraged by the Great Society. Reimbursements to employers for providing on-the-job training were included as part of the 1962 MDTA. Used sparingly at first, OJT was given increasing prominence. By 1967, direct payments to employers for training and retraining disadvantaged workers had become a major aspect of the antipoverty programs.

The new panacea frequently advanced to induce business to locate in slum areas or to hire, train and retrain the nation's poor is the use of tax incentives. Of course, tax policies have been used in the past to achieve socially desired ends, and it might be possible to design tax incentives to combat poverty. It must be realized, however, that such schemes are at best limited in application and cannot effectively replace the current antipoverty programs. As Senator Charles E.

* To appear in *Poverty and Human Resources*, January-February, 1969.

Goodell of New York stated: "I think we will delude ourselves and delude the people if we think that any kind of private enterprise programs will be a substitute for direct public programs." Tax incentives, according to Senator Goodell, may be used as a supplement, not a substitute, for existing antipoverty programs. Senator Goodell's point applies to many proposals which, though advertised as panaceas, are in fact limited-purpose components of a comprehensive welfare program.

The second element permeating the proposals to decentralize decision making aims at giving the poor a greater voice in their affairs. This had antecedents in the Great Society with the CAP program under the EOA and other legislation. CAP gave local agencies control over the delivery of a wide range of welfare and manpower services. But the new thrust towards decentralization seeks control over the sources of funding as well as the expenditure of these funds.

One of the new "solutions" to combat poverty and cure the ills of the ghetto would make capitalists of the poor. According to this argument, if capital ownership were more equally distributed, wage earners would have a second income, consumption would increase, stimulating production and generating profits which would in turn facilitate further growth of the economy. The trick is to convert wage earners into collectors of dividends. According to the proponents of the second income scheme, their goal can be achieved by establishing investment trusts to purchase capital for employees with money loaned by the government. The income from capital would be used to repay these loans, and corporate taxes would be eliminated to stimulate increased dividends. Control over the sources of wealth would thus be broadly spread; and the government would no longer have to redistribute a large part of the income from capital for welfare payments. But if corporate taxes are cut and transfer payments reduced in proportion, then the "second income" will merely replace government redistribution and there will be no increase in aggregate demand. Unless the total income pie grows, the "second income" scheme would lead only to the redistribution of wealth and not its growth; without growth, the scheme is clearly confiscatory. Other proposals included in the plan are also open to question, especially the basic assumptions as to the relative importance of capital income, the distribution of capital ownership, and the blithe acceptance of the redistribution multiplier. But these "details" do not seem to bother the proponents of the second income or dim the glamour of the scheme which surprisingly has received considerable attention. A recent study by the prestigious Congressional Joint Economic Committee included the second income proposal as one alternative for income maintenance in the years ahead.

It would seem clear, then, that the attempt to find a total solution to the problems of poverty either in the involvement of the business sector or in the increased economic independence of the individual cannot be successful. Neither tax incentives nor a second income can replace the range of present antipoverty efforts.

The search for a panacea has thus been forced into another direction, one which hopes to achieve both the involvement of business and the economic independence of the poor. Advocates of such plans envision ghetto residents achieving equality with other Americans through ownership and operational control of profit-making ghetto enterprises. By creating an indigenous business leadership class, spreading personal interest in the success of local enterprises over a wider base, and binding community development to the profits of community businesses, black entrepreneurship is intended as a curative for discontent and as a key to solving ghetto problems. President-elect Richard M. Nixon stated the case for black capitalism early in 1968 in a much-publicized campaign address, "Bridges to Human Dignity":

"Philosophies, wars, power structures, all have turned historically on the basic questions of ownership—who owns the means of production, who owns land—for the simple reason that with *ownership* goes power, prestige, security, the right to decide and to choose . . .

"For a long time, we . . . have been talking about preservation of the private enterprise system, about enlisting private enterprise in the solution of our great social problems, about profits as the great motive power of our fantastically productive economy. What many of the black militants now are saying, in effect, is this: 'We believe you, and now we want a chance to apply those same principles in our own communities.'

"Our reply should not be to reject this request, but to seize upon it—and to respond to it.

"The ghettos of our cities will be remade—lastingly remade—when the people in them have the will, the power, the resources and the skills to remake them."

If the solution to the ghetto problems requires the full participation of minority groups in the business sector, there is a long road ahead. While Negroes constitute 11 percent of the population, they own or operate less than one percent of the nation's five million private businesses. Only 3.5 percent of the non-whites in the labor force are managers, officials, or proprietors compared with 14.2 percent of the white labor force. One out of every 40 whites is a proprietor, but only one out of every one thousand Negroes is a proprietor, and typically he operates a marginal business.

To increase Negro entrepreneurship, a wide variety of programs has been proposed, ranging from traditional loans to small businessmen to plans for numerous incentives for business to locate in ghetto areas and to turn the enterprises over to their residents. The proposal which has received the widest attention is the Community Self-Determination Act of 1968. Though no hearings were held in the 90th Congress, the bill received broad bipartisan support and was sponsored by more than a third of all Senators. Drafted initially by Roy Innis of CORE and Gar Alperovitz of the Kennedy Institute of Politics at Harvard, it was first introduced by four Republican Congressmen—Charles E. Goodell (since appointed Senator), Thomas B. Curtis, William B. Widnall and Robert Taft, Jr. Scores of Representatives have since joined in sponsoring this bill. In the Senate, the major sponsors were Republicans Jacob K. Javits of New York and Charles H. Percy of Illinois and Democrats Gaylord Nelson of Wisconsin and Fred R. Harris of Oklahoma. Outside Congress, support for the bill came from diverse quarters ranging from traditional conservatives to radical militants.

COMMUNITY SELF-DETERMINATION BILL

The announced purpose of the Community Self-Determination Act is to give ghetto residents control over their own destiny by "securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self determination," thus giving them power to shape their communities' economic and other activities. As envisioned by the sponsors of the bill, the goal of self-determination is two-fold. First, Negroes must have the right to own and manage their own businesses; to be producers, distributors, and entrepreneurs as well as workers and consumers. Second, the ghetto residents themselves must be able to control social services. Those involved must have the prerogative of identifying and ministering to their needs in education, welfare, and community planning. Governmental programs, it is argued, can no longer reintegrate the slums into the mainstream of American life. It is the people themselves who must be given a voice, a chance to regain their pride and to help themselves.

*1. Community development corporations*

To this end the bill provides not only for new tax regulations, but for the creation of new institutions, including neighborhood organizations and banking facilities. Central to the design is the establishment of locally organized and controlled Community Development Corporations, chartered by a National Community Corporation Certification Board (NCCCB) and owned by at least ten percent of the residents of the area. Community Development Corporations could be established in any contiguous area, urban or rural, with 5,000 to 300,000 residents over the age of 16, in which the median income or the employment level fell below national norms. Stock in the corporation would be sold at $5.00 per share or an equivalent amount of "sweat equity," each member receiving one vote regardless of his holdings.

The corporation's functions would be: 1) provision of neighborhood welfare services such as basic education, child welfare, preschool training, health care and consumer education; 2) ownership of stock in, and support of, business ventures within the area; 3) ownership or management of community housing; 4) planning of neighborhood renewal and development; 5) representation of community interests in areas of public policy; and 6) encouragement of business, labor, religious, and other organizational participation in community projects.

Management of the corporation would be in the hands of a nine-member board of directors, elected by the shareholders. CDC's business enterprises would be separated from its social functions by the establishment of a Business Management Board, elected by the CDC directors and responsible for corporation-owned or supported businesses.

Initially, the CDCs would be funded by federal grants matching the value of the stock sold (including sweat equity) at the time of charter. Later, additional revenue would come from community services provided on a contract basis to governmental or private agencies, and from profits on CDC-owned businesses. In addition, grants for some types of business ventures would be available from the Small Business Administration.

*2. Banking facilities*

To provide the banking and technical services essential to CDC success, the bill authorizes the creation of Community Development Banks (CDBs) organized by CDCs and chartered by the NCCCB. The special banks would offer consumer credit to CDC shareholders and would provide loans to local businesses, cooperatives, subsidiaries, and outside corporations which have entered into development agreements with the CDCs. The banks' functions would be limited to the CDC areas, with priority given to CDC members' needs.

The banks' capital would come from the sale of stock. With appropriations from Congress, U.S. Treasury funds would be made available for purchase of non-voting, non-dividend paying stock. Other non-voting stock paying up to six percent dividends would be issued to buyers outside the federal government. The only voting stock would be held by the individual CDCs, but this controlling stock would pay no dividends. It is contemplated that the Treasury contribution would serve as seed capital. Further expansion of capital would be achieved by the sale to the public of income bonds on a 20 to 1 ratio.

Another provision of the bill would establish a National Community Development Bank (NCDB), patterned in large part on the Domestic Development Bank proposed by Senator Javits and 19 other Republican

Senators in 1967. Its purposes would be to function as a secondary financial institution and source of technical and managerial expertise for individual CDBs, to provide banking services in poverty areas where no CDB is established.

Anticipating widespread CDC activity, the designers of the community self-development concept propose to capitalize the NCDB with $2 billion in non-voting, nondividend paying stock purchased by the U.S. Treasury. The legislation also authorizes the sale of up to $2 billion in voting and dividend paying stock to agents other than the federal government, including local CDBs.

*3. Tax carrots*

The government's role as catalyst in the community self-determination plan is defined in the tax amendments section of the bill. Since the aim of the act is to direct business profits into social service programs and to enlist the private sector in support of ghetto economic development, liberalized tax treatment is afforded individual CDCs and outside corporations entering into "turnkey" agreements with them. Under such agreements, private corporations in return for tax benefits would contract to establish plants in CDC areas, provide training for CDC management pers nnel, and eventually turn over ownership and management of the facility to the CDC or its members.

Under the proposed tax plan, the CDC and each of its subsidiaries would pay the flat rate of 22 percent on income under $25,000 and 48 percent on income over $25,000, compared with 28 and 54 percent (including surtax) paid by corporations. Dividends paid to the CDC by its subsidiaries would be tax free, while subsidiaries of profitmaking corporations pay income tax on 15 percent of the dividends paid to the parent corporation. Further, for corporations wholly owned by a CDC or an employee trust, income tax could be reduced according to a scale based on indices of poverty within the area.

Additional tax incentives are offered to outside corporations locating within the CDC area. 1) A firm would have the option of rapid amortization of turnkey plants, based on poverty indices in the area. 2) To equalize these gains, the tax benefits accruing from investment credits would normally be subject to greater taxes on the sale of the facilities. If, however, the facilities are sold to a CDC these recapture provisions would be waived. 3) In order to assure continuing investment in CDC enterprises, the usual capital gains tax imposed upon the seller of a business would be eliminated if the proceeds of the sale were reinvested in a CDC business or a CDB. 4) Like investment credits, the benefits of rapid amortization are subject to tax recapture provisions upon the sale of the facility. Under the amendments, however, these taxes would be limited to the profits of the sale that are not re-invested in CDC enterprise. 5) Turnkey contractors could claim an additional 10 percent deduction for wages of CDC members employed at the facility. This tax credit recognizes that investment in human skills should be given at least comparable tax advantage to investment in machinery, and was initially embodied in the Human Investment Act proposed by a majority of Republicans in the 90th Congress. 6) To promote sustained technical and managerial help to CDC businesses, a further tax incentive would be granted to turnkey contractors equal to 15 percent of the profits of a facility sold to a CDC and continuing for five years after the sale.

The tax treatment of turnkey contractors offers potent inducement to corporations to establish ghetto plants, train community residents in all phases of its operation, and finally transfer ownership of the company to community hands.

WILL IT WORK

The above summary of the 180-page Community Self-Development bill suggests that the proposed legislation attempts a comprehensive, unified approach to a vast array of problems. It is designed to arrest rural migration to metropolitan areas and to curb "colonial exploitation," to use a favorite slogan of militant supporters. The bill also promises to foster employment and economic growth within poverty areas. But possibly most important is the claim that the bill provides to poor a new stake in American affluence and a new voice in local policy. As Noah Webster said: "Let the people have property and they will have power."

Few would object to such noble goals, but it is important to recall that no lesser claims were made for the Economic Opportunity Act and other legislation. The question is whether the multi-pronged approach of the Community Self-Development bill offers the proper medicine for the ills of the American ghetto. The broad support garnered by the proposal is impressive, but it is no guarantee of the bill's soundness. The diverse support of the Community Self-Determination bill may be a product of initial enthusiasm for an appealing idea which has been effectively sold by its sponsors, rather than a consensus based on full understanding of the bill's provisions and implications. Reminiscent of the blind men and the elephant, varying groups of supporters may find some parts of the bill attractive but oppose others. Indeed, the sponsors of the bill have already indicated that their proposal will undergo major changes before it will be reintroduced in the 91st Congress. To conservatives, the bill holds out the promise of proving "savings" in welfare payments, while liberal supporters see the community self-determination approach as an added weapon in the arsenal of existing welfare programs. To others, the main attraction of the bill centers about its goal of developing independent political institutions in the ghetto. It may very well happen that much of the bill's support will disappear when the proposals are fully clarified and the issues explained.

Indeed, the very foundation of the bill which promises self-determination for ghetto residents in their economic and social institutions may be questioned. Initially, at least, CDCs will have to depend for operating funds upon federal largesse. Since local contributions can be in the form of "sweat equity," it is probably that in many cases CDC members will contribute little in hard cash, if the Community Action Program's experience with in-kind contribution is any indication. There is no guarantee that Congress would be more kindly disposed toward controversial activities undertaken by CDCs than it has been toward similar community action projects. Thus, there is room to question whether the CDC approach can offer community self-determination. Doubts have also been expressed as to whether the geographic areas to be encompassed by the CDCs are viable economic or political units.

The underlying philosophy of the bill is based on a primitive application of mercantile and protectionist concepts. Some proponents claim that the root problem of the ghetto is the excess of imports over exports. The solution offered through black enterprise is that if the businesses in the community were owned by residents, the dollars flowing into these businesses would remain in the ghetto, having a multiplier effect on the "Ghetto National Product." Such claims are largely rhetoric. The size of the income increment is not likely to be large, since ghetto businesses will still be marginal whether owned by blacks or whites, and the multiplier may be negligible. Also, the tax incentives offered to businesses to turn over enterprises to CDCs may be more helpful to the stockholders of the corporations than to the residents of the ghettos.

There is no guarantee, and in fact little likelihood, that once a resident of the ghetto collects enough green power he would stay there; on the contrary, he would be likely to move out. Also, the bulk of consumer needs will be met by national, brand-name goods, since ghetto residents are just as susceptible to advertisement as anyone else and just as desirous of quality goods. Finally, the whole concept of isolating the ghetto market may actually be harmful. An isolated ghetto market must rely on its own limited resources, while an integrated market can gain all the benefits which come from trade. Thus local ownership and control of economic resources may not be entirely beneficial. If common exploitation is a major grievance of ghetto dwellers, will this situation be improved by Negro ownership? Moreover will employment problems be absorbed more by establishing local enterprise than by retraining and public works projects? Will the demands of black enterprise conflict with those of black labor?

Perhaps the most crucial assumption of the bill is that the ghettos are homogeneous. While many ghetto residents share the common ills of discrimination, it does not follow that CDCs will enjoy an advantage over existing institutions and organizations in setting up and implementing priorities. Inevitably, as in other communities, conflicts will arise among the several ghetto interest groups. Given the broad goals of CDCs, friction is bound to arise between supporters of economic development and those who would emphasize service goals. For instance, industrialization in the ghetto has already been resisted in several cases despite its economic benefits because ghetto dwellers are no more anxious than the average suburbanite to have a factory next door. It is possible that the "public interest" of an area might be less efficiently served in some cases by local decision making than by more centralized methods. The record of utopian socialism is not one to encourage excessive hope for the future of CDCs.

The presumption of the ultimate viability of ghetto business is also open to question. It seems obvious that profit opportunities in poverty areas have already been explored by outside business. An expansion of enterprise embracing black ownership might only decrease the already slim profit margin. A measure advocated by some proponents of the community self-determination plan to provide geographical monopolies to CDCs, and thus allow assured markets, was not included in the bill—possibly because it could not muster political support and because it would disrupt economic activity. Few supporters remain who favor imposition of tariff walls within the United States. If CDCs prove a success, it is likely that outside business will enter and compete.

It is difficult to imagine that profits generated by CDC business could provide sufficient funds to finance needed community services, or even result in substantial economic development. Even with tax credits it is probable that some form of continued subsidy will be necessary to sustain CDCs as responsive and powerful forces within the community.

Finally, there is the uncertain claim that the organizational, managerial, and technical skills essential to CDC success lie untapped within the ghetto. Profitable economic development ventures, it goes without saying, require a high level of technical and organizational competence. In the past it might have been argued that discrimination prevented the utilization of existing ghetto talent. No such claims can be made today with the intense competition for Negro and other minority groups' executive and administrative personnel. Additional opportunities opened by CDCs are likely to spread thin the available talent and to intensify competition for their services. Furthermore, community self-determination attempts to link together diverse functions under one decision making unit, and from a purely pragmatic point of view, it is difficult to conceive of any single

management unit skilled in the arts of banking, investment, production, and public service. The difficulties of applying corporate systems analysis to ghetto problems indicates that even skilled managements cannot solve such diverse problems.

EMPIRICAL EVIDENCE

As behooves true believers, advocates of community self-development and black entrepreneurship have not been deterred by the conceptual flaws of their proposal. They rely upon faith buttressed by successful anecdotes in making their case. Projects do exist which are analogous to the proposed CDCs, but there have been few substantive evaluations. Certainly there is not enough evidence to make a conclusive prediction about the success of the CDC approach.

Nonetheless, the popularity of the concept among diverse groups and interests is undeniable. Federal agencies, private corporations and philanthropic organizations have backed projects embodying various aspects of the community self-development approach. Even the list of federal agencies that have funded Negro community enterprises ranges from the Department of Agriculture's staid Farmers Home Administration to new Community Action Programs in the Office of Economic Opportunity. Private corporations which have underwritten ghetto enterprises or subsidiaries include IBM, Xerox, Eastman Kodak, Aerojet General and many more. Among philanthropical organizations, the Ford Foundation has taken the leadership in funding Negro entrepreneurship.

The government-funded projects have a variety of aims including job creation, promotion of economic self-dependence, civic improvement, management counseling, and training. Because most of these projects are pioneer efforts, a great deal of energy has been expended on defining the jurisdiction and legitimate activities of the enterprises. Whether similar obstacles would impede CDC activities remains to be seen. More significant, however, is emerging evidence that most of the federally-funded enterprises require continued direct grants or indirect subsidies through low interest rates. Viability and profitability are essential to the CDCs if they are to serve any purpose, and projects already funded by the government indicate that the one-shot approach of the Community Self-Determination bill is not a realistic objective.

The wide publicity accorded to the private business efforts in ghetto areas is more a reflection of successful public relations campaigns than of commitment of resources. Limited experience would indicate that, while ghetto residents have shown a strong desire to exercise a voice in corporate policy, this interest has not extended to the purchase of stock when opportunities were offered. This should not be surprising: profit-sharing plans have not taken the country by storm in other areas, and there is no reason why they should be a success in ghettos. In most cases, the branch plants opened by giant corporations in ghettos act as suppliers and are guaranteed a market by the parent corporations. The relevance of this experience to a national community self-development program is therefore limited. The incentives offered under the proposed bill may be adequate to encourage corporations to locate branch plants in slum areas and may indeed be generous. Tax incentives aimed at aiding designated areas may be a double-edged sword. The aid offered to residents in one area may be detrimental to residents of contiguous or more remote areas.

The third group of existing projects includes those funded by self-help groups, occasionally with foundation assistance. The major problem of these enterprises is lack of resources. The experiments may be interesting and the experience heart-warming, but the limited funds are hardly adequate to restructure life in American slums.

EVERY LITTLE BIT HELPS

The review of the problems inherent in the community self-determination approach and its accompanying emphasis on the development of entrepreneurship is intended not to negate the idea but rather to suggest its limitations. The empirical evidence, limited as it is, indicates the obstacles the program is likely to encounter. It is clear that the proposed Community Self-Determination bill is not a magic solution to the vast problems of the ghetto, or even a substitute for old-fashioned welfare programs. Neither decentralization of decision making nor creation of black entrepreneurs is the entire requirement for ghetto improvement: while these elements are crucial ingredients of a minority group's self-esteem, the size of the resource commitment is of greater importance than whether administration is centralized or decentralized. Profits account for only one-eighth of national income, and dividends amount to only about one-third of total profits. If Negroes were to get one-tenth of all dividends, assuming that they receive none now, this redistribution of resources would amount to about .4 percent of our national income and affluent Negroes are likely to get the bulk of these additional resources. This would obviously not eradicate poverty among Negroes.

Diverse options and programs will be needed if Negroes and members of other minority groups are to get their full measure of equality. This will require not only Negro doctors, politicians and executives, but also black shopkeepers and corporate stockholders. However, ownership of a retail store is not likely to surpass a corporate executive position in social status or economic security. Economic and social equality of Negroes will therefore depend upon the providing of opportunity and the elimination of discrimination.

In the continuing attack on poverty and discrimination, black entrepreneurship and self-determination will assume an increasingly important position. This analysis suggests, however, that despite its useful ideas, the community self-determination approach should be conceived as an experimental program. The approach is sound as long as it is kept in its proper place, to pardon the expression.

## COMMENDATION FOR NEWS MEDIA

Mr. MURPHY. Mr. President, I rise today to comment briefly on the press of our Nation and the system of government to which, at one and the same time, it owes its existence and grants its immeasurable strength.

My remarks are prompted by this morning's reports that a would-be assassin fired on Russian cosmonauts in Moscow.

While the Russian news media maintained a controlled, embarrassed silence about the incident, the Western press began reporting the scanty details available, and it was not until hours later that the Soviet Foreign Ministry confirmed some of the details about the matter.

Contrast this, I urge you, with the live and complete coverage given here in Washington on Monday to the outrageous behavior of the demonstrators who hurled missiles at the President's car and taunted our law-enforcement officers with obscenities and hostile actions.

I fear that there are times when some naive people in this country forget the differences which these incidents exemplify so well, and blandly lose sight of the fact that the Soviet news network is the world's most tight-reined, insidious propaganda machine.

Mr. President, this week's incidents here in Washington and in Moscow, which I have mentioned, are a stark and timely reminder of the care we must exercise in assessing Soviet news reports distributed through media reluctant to report even such matters as plane crashes and Russian crime statistics.

It is also a powerful reminder of how blessed we are to enjoy the many benefits which flow from a free press.

While on the subject, Mr. President, I would like to mention that I have in the past been critical of some of our news media for the disproportionate amount of time and space they have devoted to some of the publicity-seeking antics of the small minority within our Nation who purposely test the limits of the right to proper dissent.

I now commend those newsmen who obviously tried so earnestly, and succeeded, in putting the dissenters' inauguration-period escapades into their proper perspective.

Widespread coverage was given to the missile throwing on Pennsylvania Avenue and the subsequent disorder along nearby streets, of course, but it was noticeable that many conscientious newsmen took great pains to point out that the demonstrators were but a small, disruptive group whose actions were reported only because they contrasted so vividly with the general pervading tone of the period.

To those newsmen who exhibited such a sense of responsibility in this matter, Mr. President, I offer my gratitude and my praise.

It is to you, ladies and gentlemen, who are insuring that the press of this Nation will, indeed, remain free.

It is you who make the American press stand out today as the symbol of journalistic responsibility and independence as we reflect on the news blackout which originally surrounded the assassination attempt on the cosmonauts.

## TRIBUTE TO THE LATE H. ALEXANDER WALKER, OF HAWAII

Mr. FONG. Mr. President, it is with deep sadness that I deliver this eulogy to the later Henry Alexander Walker, a distinguished business and civic leader of Hawaii who passed away in Honolulu on January 14.

Eighty-three years of age at the time of his death last week, Mr. Walker had given a full lifetime to the growth and development of his native Hawaii.

He was among the great builders of the Hawaiian sugar industry. He contributed significantly to the high standing and international reputation which the industry enjoys today.

He also gave outstanding service in two world wars, served as a volunteer leader in community health work, and became a world-famous orchid grower.

Mr. Walker was born in Honolulu on February 19, 1885, the son of John Smith and Jane McIntyre Walker. He was the youngest in a family of 10 children.

He was educated at Punahou Academy in Honolulu and Harvard University.

During the First World War, Mr. Walker distinguished himself in Red Cross service. In 1918 he volunteered for medical service in Siberia and spent the fall and winter months in the subzero Russian weather.

He was in charge of relief trains running from Vladivostok to the interior. He also commanded a Red Cross relief ship which traveled almost 20,000 miles around the globe to return a boatload of Czech soldiers to their home.

Mr. Walker started his long business career with two short-term jobs, one as a clerk in the Bank of Hawaii, and another as a salesman for a Boston investment business.

Returning to Hawaii in 1920, he became assistant secretary of the Hawaiian Sugar Planters Association. He later was to serve four terms as president of the HSPA.

In 1928 he joined American Factors, of which he became president and general manager 6 years later. He was Amfac's president from 1933 to 1950, and its chairman of the board from 1950 to 1960, when he retired.

He also served as president of Pioneer Mill Co., Koloa Sugar Co., Lihue Plantation Co., Makee Sugar Co., and Waimea Sugar Mill Co., and was a director of Matson Navigation Co.

During World War II he was volunteer director of the office of food control in Hawaii and later was director of the material and supplies division.

Mr. Walker also took an active interest in community welfare. He served for 18 years as chairman of the board of hospitals which administered the Hansen's Disease Settlement at Kalaupapa, Molokai.

Mr. Walker's home at 2616 Pali Highway in Honolulu, near the scene of his birth, long has been an island showplace. His mother was one of the first persons in Hawaii to raise orchids. The Walker family is renowned for the beautiful and rare orchids grown in their garden.

For more than 20 years the family orchid gardens have been opened annually as a benefit project for Stratford Hall in Virginia, birthplace of Gen. Robert E. Lee, and also for the benefit of the Outdoor Circle on Oahu.

Mr. Walker was a friend of many national leaders, including Secretaries of State John Foster Dulles and Dean Rusk. When in Hawaii, these visitors often stayed at the Walker beach home in Laie Oahu.

Mr. Walker is survived by his widow, Mrs. H. A.—Una Craig—Walker; a son, H. A. Walker, Jr., president of Amfac; two daughters, Mrs. C. E. S.—Ann Bishop—Burns, and Mrs. Percy A.—Virginia—Lilly, wife of a Navy captain in Japan; 10 grandchildren, and five great-grandchildren.

Hawaii has lost a most valuable citizen who will be sorely missed by all who had the good fortune to know him over the years.

Mrs. Fong and I join the people of Hawaii in paying tribute to the late Mr. Walker and his life of service and dedication to his nation and island community.

We extend our heartfelt sympathy and sorrowful aloha to his charming and gracious wife Una and to all the members of his family.

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## FOR DIRECT ELECTION OF PRESIDENT AND VICE PRESIDENT AND ABOLITION OF ARCHAIC ELECTORAL COLLEGE

Mr. YOUNG of Ohio. Mr. President, except for George Wallace's failure last November to carry several States he had counted on, the presidential election would have been thrown into the House of Representatives and the vice presidential into the Senate. This threat of a deadlocked, or bargained, electoral college should never be permitted to occur again.

Congress should give top priority to election reform including choosing our President and Vice President by direct vote of the people with the constitutional amendment providing that in event no candidate receives 40 percent of the total vote there will be a runoff election.

The acute interest in electoral reform evidenced after every close election fades rapidly in the period between elections. Waning public interest has helped perpetuate for too many years the cumbersome and unreasonable system under which we Americans choose our President and Vice President. The Congress should take immediate action to bring about real electoral reform. To accomplish this by 1972, no time should be lost.

Many years ago, as Congressman-at-Large from Ohio, I urged the abolition of the electoral college system and that it be replaced by the direct election of the President and the Vice President. Many other Members of Congress have done likewise over the years. Now, it appears that there is a real possibility that this vitally needed reform may soon be implemented—that its day has come.

Senators and Representatives are elected directly by the citizens of their States or congressional districts. It is ironic, then, that the Chief Executive of the Nation, the man who holds the greatest responsibility for the lives and welfare of all our citizens, is not directly chosen by those citizens, but rather by the electoral college, an anachronism in this space age.

The electoral college was originally established to assure the election of high-caliber men to the Presidency, to give greater electoral strength to the Southern States where slaves could not vote but where each slave was counted as three-fifths of a vote, and to prevent voters from clannishly supporting candidates from their own States. As the party system has developed, none of these reasons remain valid. In his book, "Paths to the Present," historian Arthur M. Schlesinger put it:

> What demoted the electoral college from a deliberative body to a puppet show was the rise of political parties. As people began taking sides on public questions, they were unwilling to leave the crucial choice of the Chief Executive to a sort of lottery. Instead, each party publicly announced its slate of electors and the candidate they would support. This usurpation of the elector's functions, though peaceably achieved, amounted to a coup d'etat. It was an amendment of the written Constitution by the unwritten constitution. The electors, while retaining the legal status of independence, became henceforth hardly more than men in livery taking orders from their parties.

The delegates to the Constitutional Convention—the Founding Fathers—were, for the most part, definitely opposed to electing the President by direct popular vote, agreeing with George Mason, of Virginia, that—

> It were as unnatural to refer the choice of a proper character for Chief Magistrate to the people, as it would be to refer a trial of colors to a blind man.

The delegates to the Convention—for the most part conservative New England merchants and southern landholders—distrusted the ability of the average citizen of that day to decide questions of such gravity. Moreover, the discussions at the Convention revealed that the delegates did not believe that it was possible for a voter in one State to know anything about the ability or character of public men in the other States scattered along our 1,500-mile shoreline.

Today, when our population is almost 100-percent literate; when all Americans have the advantage of an elementary and secondary education and millions more the advantage of a higher education; when television and radio bring candidates into every living room of the Nation; when the distance from Washington, D.C., to San Francisco, Calif., can be covered in less time than it took to travel from Washington to Baltimore at the time of the Constitutional Convention, it is absurd to maintain a vestigial reminder of an era in which the people were not fully trusted to choose their President. If George Washington, James Madison, Benjamin Franklin, John Hancock, and other patriots who helped draft the Constitution of our country were alive today, they would not know this country. We live in a different world. Transportation and comunication over thousands of miles is nearly instantaneous. We live in a new space age of change and challenge. The electoral college system no longer has any place in our Republic.

When the Supreme Court handed down the one-man, one-vote rule on the reapportioning of State legislatures and on congressional redistricting, the first major step was made toward modernizing our electoral system.

It is now high time for the Congress to take the next logical step and make the vote of every citizen count equally in the election of a President and Vice President.

The present electoral college system is riddled with real and potential evils. It permits the votes of the citizens of smaller States to weigh more heavily than those of citizens of our more populous States. At the same time, it permits outsize power to be given to third parties and minority groups in the larger States where often very few popular votes can shift all the electoral votes of a State from one candidate to another.

Furthermore, it allows the possibility of the election of a President who did not receive a plurality of the total votes cast throughout the Nation. Three times in

our history there have actually been cases in which a President was elected who received a smaller number of votes than the number received by his closest opponent: John Quincy Adams in 1824, over Jackson; Rutherford B. Hayes in 1876, over Tilden; and Benjamin Harrison in 1888, over Cleveland. In the first case, the minority President was chosen by the House of Representatives; in the other two, by a majority vote of the electoral college.

Also, under the present system there is no guarantee in many States that the electors will cast their vote for the presidential candidate who receives a majority of the votes in a particular State.

This was vividly pointed out in the last presidential election when an elector from North Carolina pledged to cast his vote for Richard Nixon disregarded that pledge and cast his vote for George Wallace.

In establishing further electoral reform, we should provide that at least in Federal elections absentee ballots, including those of absentees in the armed services, should be counted the same time as other votes. There is no reason whatever why the results of close elections involving Federal officials should be held in abeyance, sometimes for many days, pending the counting of absentee ballots. The Congress should also relax equal time restrictions for television and radio to avoid the present situation where candidates of minor parties garnering only a few thousand votes can discourage radio and television network officials from granting adequate time to major party candidates. Americans should have full opportunity to see and to hear major candidates for high public office.

Citizens who desire to contribute to the campaign funds of either party or to individual candidates should be permitted to claim a $100 contribution as tax exempt, the same as charitable contributions. Accomplishing this would help eliminate advantages favoring millionaire candidates for congressional and other offices. A reasonable maximum limit must be provided regarding expenditures made by a candidate and members of his family.

Also, in providing meaningful electoral reform, 18-year-olds should be given the right to vote.

In addition, further consideration should be given to providing for national party primaries to select candidates for President and Vice President. The conventions, meant to be deliberative bodies, have become circuses where the real desires of the rank and file of each political party are frequently ignored. Woodrow Wilson said 55 years ago:

> There ought never to be another presidential nominating convention . . . the nominations should be made directly by the people at the polls.

Mr. President, every citizen should have an equal voice in the selection of the President. The only way to assure this is by direct election of the President and Vice President. Public sentiment for this is growing. As the American Bar Association's commission on electoral college reform concluded:

> The electoral college method of electing a President of the United States is archaic, undemocratic, complex, ambiguous, indirect and dangerous. . . . While there may be no perfect method of electing a President, we believe that direct nationwide popular vote is the best of all possible methods.

Mr. President, I am happy to be a cosponsor of the Senate joint resolution introduced by the distinguished junior Senator from Indiana (Mr. BAYH) to amend the Constitution to provide for the direct election of the President and Vice President. The time is long past due for this essential reform, and I am hopeful that this proposed Constitutional Amendment will be approved by the Congress early in this session, so that it may be ratified by the States before the next presidential election.

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## COMMITTEE MEETING DURING SENATE SESSION

Mr. JACKSON. Mr. President, I ask unanimous consent that the Subcommittee on Constitutional Rights of the Committee on the Judiciary be authorized to meet during the session of the Senate today. This has been cleared on both sides of the aisle.

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

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## TOO MANY GENERALS AND ADMIRALS IN THE PENTAGON

Mr. YOUNG of Ohio. Mr. President, there are a total of 1,346 generals and admirals in our Armed Forces—442 generals in the Air Force, 521 in the Army, 76 in the Marine Corps, and 307 admirals in our Navy. Of this tremendous total, 263 have individual offices and staffs in the Pentagon, and 215 more have the same arduous service elsewhere in the Washington area. A grand total of 478, or approximately 40 percent of all the generals and admirals of our far-flung armed services, are enjoying armchair service and golf in Washington or in neighboring Virginia close by the Army-Navy Country Club.

This is just another manifestation of the fact that our Military Establishment has become overloaded with top brass and the staffs and clerks, analysts, chauffeurs, and all the other accouterments that accrue to generals and admirals.

Recently I received a very thoughtful letter from a leading attorney in central Ohio, a friend of mine who is a member of that Grand Old Party of which I am not a member. This outstanding lawyer served in the Navy during the Korean war and was stationed for a time in Washington, D.C. He wrote me as follows:

> When I was stationed in Washington, D.C., it always amused me to see Cadillacs drive up with Army Colonels and usually they were Colonels with satchels attached to their wrists going into the Internal Revenue Office or some other office across the street from my office in Washington, D.C. And many of us used to comment that there would be eight or ten Cadillacs, one right after another, all with Army Colonels with brief cases chained to their wrists and our comment was why so many from the same location, wouldn't it be possible for one to handle all the courier services, as far as the messages were concerned.

Mr. President, it appears that the same situation holds true today. In fact, on many days I know personally that 12 or more shiny limousines leave the Pentagon, in the mornings, one immediately following the other, each with one colonel with one briefcase seated majestically behind the driver. This always looks silly, and it involves an unnecessary waste of public money. A halt must be made to the continuing growth of the immense bureaucracy in the Defense Department. The Military Establishment must return to the basic concept of fighting instead of the present situation in South Vietnam with 450,000 soldiers engulfed in paperwork, drafting diagrams, writing messages, running errands for officers and performing various and diverse other noncombat activities, leaving fewer than 85,000 GIs and officers engaged in combat activities.

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## ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

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## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

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## DEPARTMENT OF DEFENSE

The VICE PRESIDENT. Under the preceding order, the Senate will resume the consideration of executive business, to consider the nomination of David Packard, of California, to be Deputy Secretary of Defense.

The Chair recognizes the Senator from Mississippi.

Mr. STENNIS. Mr. President, what is the pending business before the Senate?

The VICE PRESIDENT. The nomination will be stated.

The legislative clerk read the nomination of David Packard, of California, to be Deputy Secretary of Defense.

Mr. STENNIS. I thank the Chair.

Mr. President, the Committee on Armed Services went fully into the question of the nomination of Mr. David Packard for Deputy Secretary of Defense. The office itself is not an ordinary office; it has extraordinary duties, far-reaching powers, and a great multitude of decisions that come before it every year. I say that with emphasis, because I think that even though the office is that of Deputy Secretary of Defense, more matters pass through the Department of Defense itself than pass through a great many other departments, and a great deal of the work is handled by the Deputy Secretary of Defense.

The Committee on Armed Services, in a complete and exhaustive hearing, went very carefully over the major phases of the question of conflict of interest or the possibility of conflict of interest. We had an almost full attendance of the committee, and the two members who were necessarily out of town, later attended an executive meeting of the committee that lasted some 2 hours, most of the time on this nomination, the time being consumed by allowing every member to give full expression to the points involved and his version as to the conclusions.

At the end of that time, when nothing further was to be said, the nomination was approved by the Committee on Armed Services by a unanimous vote. I think that is significant, because these were an involved set of facts. We felt that we had all the facts, and at the end of our consideration there was a ready conclusion.

I do not think there was any reluctance on the part of any Senator. Members of the committee who said at first that they felt quite skeptical—and I was partly skeptical myself—in the end were entirely willing to approve the nomination, considering all the circumstances. I say that with emphasis.

I did not know the man personally or in connection with the position to which he was nominated, but I was highly impressed by Mr. Packard. I was impressed, indeed, with his readiness to disclose and frankly discuss everything. His attitude was one of humility, which does not always come from the chemicals of material success. We who listened to him were well impressed by him. He was not the type who was trying to impress us, either. Some men, it can readily be seen, are trying to impress their listeners.

Mr. President, may we have order at the desk? I think that when one is trying to present a matter to the Senate, he is entitled to do so without having someone talk so loud that his voice can readily be heard.

The VICE PRESIDENT. The Senate will be in order.

Mr. STENNIS. I was impressed, too, by the fact that this gentleman, with his partner, built his own business. It was not a case in which a man having some type of management skill was brought in and elected by a board of directors. Mr. Packard and his partner started with about $500 in capital. They were engaged in a new enterprise that was based partly on radar. Many of us remember the tremendous growth of radar. The product of Mr. Packard's firm is testing instruments. They developed their products across the board in the early days of electronics, and its growth proved to be rapid. The business is competitive, and the company is bound to have extraordinary skill in management. Mr. Packard told me—and I think the record shows this—that the company largely plowed back its profits for a long time. The business is a creation of these men themselves.

I have already described Mr. Packard's attitude before the committee. I am not here to praise anyone, but it is a fact that he conducted himself with humility.

We received testimony from men who have known him, men he did not bring here to testify, and they gave him the highest kind of recommendation. If I may call one of them by name, he is the distinguished Senator from California (Mr. CRANSTON), who has just entered the Senate for the first time. He has known Mr. Packard for many years.

That was a part of the influence. Some things have to be accepted on faith, and these testimonials were a part of the influences that built up that wall of faith in my mind.

I note that the competitors did not directly or indirectly bring in any information or send any protest to the committee.

With that as a background, the Committee on Armed Services wrestled with this matter as it has many times in the past. There is not an adequate statute on the subject, Mr. President. It is quite a challenge to Congress to try to draw one. The committee has had a general rule on it, and I desire to mention some other cases, to start with, and to make a distinction.

Sixteen years ago this month, the nomination of Mr. Wilson—I do not make any unfavorable comparison at all—was before the same committee. He was the president of General Motors Corp. Nothing was said about a trust in that case. Nothing was offered to the committee. But we found that General Motors was No. 1 on the list of 100 prime contractors for the preceding 24 months and had more than $5.5 billion worth of contracts over a 2-year period with the Department of Defense. The Korean war was still in progress. So, having, no alternative, we asked Mr. Wilson to sell his stock, and he did so.

Later—8 years ago—Mr. McNamara came before the committee, and he had stock of the Ford Motor Co. The trust idea had crept in, and he offered a proposed trust, quite different from this one, but it was not accepted, and Mr. McNamara sold his stock.

Now we have the pending nomination. Mr. Packard owns stock in the Hewlett-Packard Corp., which has a present market value of approximately $300 million, perhaps a little less. He is disposing of all the other stock he owns in companies doing business with the Department of Defense. It is not a great amount compared with the Hewlett-Packard stock, although it is a large amount, in my mind—approximately $2 million.

The committee, with the exception of the trust feature, is adhering to the general rule it has, that anyone coming in who has holdings in any company that has contracts totaling $10,000 or more with the Defense Department, excluding regulated public utilities, will have to dispose of those holdings. That is still the rule of the committee, and it is being followed in this instance.

So that brought the matter up to the question of whether or not this gentleman should be told, "If you sell your stock, we will not consider it any further." Now, why should he not sell his stock? His and his wife's stock together is about 30 percent of all the stock in this company. The undisputed testimony shows that the sale of that much stock would break the market, so to speak, and very adversely affect the value of the stock in innocent hands; that it could not be done without injuring innocent people, perhaps very substantially; and that it could adversely affect the company. So it was a matter of either going into the trust feature or saying to him, "We will not consider you any further," which would mean that all others in his category would be declared ineligible for a position such as this.

The man apparently has the very talent that we would like to see in that position, as would the President and Mr. Laird. If we make the declaration I have mentioned, not only would it disqualify him, but also, it would disqualify a great class as being ineligible on its face. So the matter was worth further consideration, to see if anything could be done.

If any Senator wishes to reject the idea of a trust altogether, he should vote against confirmation.

We went into the concept of a trust, and we have one that we think is sufficient. The trust is of this nature: He would sign an instrument that would provide that he would put this stock in trust; all the income from it would go to certain designated beneficiaries during the life of the trust, which must continue for 2 years and would continue beyond that time until he is no longer in the office he is holding. Furthermore, the instrument would provide that all of the increased value of the corpus of the stock would also go to charitable beneficiaries. That approach is well known in the business world and by the Internal Revenue Service and among the charitable and educational institutions of the country.

We have a listing of them in our files, that is, the percentage that each is to draw as to the income, but we did not put the percentages into the public record. That information is in the copy of the hearings which is on the desk of each Senator—a listing of the trust beneficiaries. The trustees of that trust would be selected separate and apart from the company or anyone affiliated with Mr. Packard. It was finally agreed that the Bank of America would be the trustee. Mr. Packard has no connection with that institution and never has had.

Another question that arose was the method of determining the amount of the increase in the value of the stock from the time he went into office to the time he left office. We were given then a simple formula which I think everyone readily understands, including the average person on the street. We start off with the average of the price on the New York Stock Exchange for the 5 days preceding the beginning of the trust, and we wind up with the average price for the 5 days immediately after the trust is terminated. If the value is greater at the end than at the beginning, an amount of that stock equal to the increase will be given to the charitable charities. The remainder of it will be returned to Mr. Packard and his wife. If it is lower than it was at the beginning, he gets back all the shares of stock, but at the lesser value.

We considered the feature that if the stock got into trouble and was about

to lose value, it might be a temptation to Mr. Packard to do something to bolster it, to do something as Deputy Secretary of Defense to bolster the value of that stock—the volume of business perhaps would bolster the value—and thereby keep it from being less valuable when he got it back than when he turned it over.

We decided clearly, all of us, that even though that was a possibility, it was very, very, remote that such a thing would happen in this gentleman's case. If a Senator wishes to reject totally the man, he should vote against him on that one point alone. This involves some faith in the man. I know that all the members of the committee who voted on this matter understood that. I do not know of any vote that was cast on the ground that the President has nominated this man and the President is entitled to have whom he chooses. I do not believe that was the spirit of our committee at all. We will be on the spot with regard to this matter.

We have to live with it, at least more closely than any other Members of the Senate. We expect to follow it up. I think that in most cases, if we are going to get talent capable of representing the Government at the counsel table in contests with some of the finest and best talent in all of this Nation, we are going to have to reach over and get someone who knows the subject matter and knows what he is doing. Otherwise, he will be a figment, regardless of how good his counsel may be. I have felt that way for many years. Year after year of service on the committee has made me broaden my views, in this troublesome matter that we must pass on over and over again without any statutory guidelines and with no firm law.

Each case has to stand on its own bottom, and that is what this matter had to stand on.

A part of the test is the character of the man and the circumstances surrounding the matter. It does not stand on one fact; it stands on all of the facts. That is the spirit in which the matter is approved and that is the spirit in which it is presented to the Senate.

Therefore, in order to reach out and save that business or that stock from going down, he had to contradict everything that has been learned about him in these hearings which extend over a lifelong active career. His life has not been limited to business, but he has an interest in people. I think his record shows that. So all that he built up in the way of a good name he would have to abandon and liquidate and throw overboard as the price of holding office. That is what I believe.

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

Mr. STENNIS. I am glad to yield to the Senator from New Hampshire, who made a real contribution in the discussion of this matter in committee.

Mr. McINTYRE. I was interested in the statements of our distinguished chairman, particularly as they concern the trust agreement which was brought out in the hearings, in which it was stated he could insulate himself with this agreement from the prices of the stocks going up. As the Senator said, he could not insulate the prices from going down. I would like to read from page 65 of the hearings where Mr. Packard's answer to my question appears.

Mr. STENNIS. I am glad to yield to the Senator for that purpose.

Mr. McINTYRE. The question asked was:

> Can you comment on this dilemma that you can insulate yourself from the price going up, and you cannot insulate yourself from that price going down?
>
> Mr. PACKARD. Senator McIntyre, that perhaps does pose a hypothetical problem, and of course I think it is necessary to think about these things, because indeed it could go down as well as go up.
>
> I can say to you I think quite honestly and quite sincerely, that I would be much more interested in getting the same number of shares back as I put in, and I wouldn't care what they were worth. I do not see that I would have any interest in the monetary value, if I simply got all the shares back, so I do not think I have really any concern on that matter.

Mr. STENNIS. I thank the Senator. That is a contribution to the debate and the Senator from New Hampshire made effective contributions in committee as well.

Mr. President, I have two other points; then I shall yield the floor.

First, I wish to illustrate that we must have someone who knows what he is doing. The other day a contract was let involving a new plane for the Navy. The contract finally went to Grumman, whoever that is. They are in New York. The contract could eventually total $5 billion. It may not go that high, or it may go higher. We do not know yet how many of those planes we will buy or how they will run. Therefore, we have to have someone who is not an amateur.

There is another aspect about that matter. This company does not create special products for the Department of Defense. This company does not build planes or ships. They are in the general business of making testing instruments. They sold a good deal of goods to the Department of Defense last year. They sold $34 million worth of goods out of total worldwide sales of $280 million.

They sell also to prime contractors on a competitive basis. Grumman would be one of these prime contractors to which I refer. Those companies compete and they all have to buy testing machines. I was amazed at the number of machines they have to have. But so far as direct contracts with the Government are concerned, many of those are out in the field, and the company deals with the contracting officer out there and he never comes to the Pentagon.

Many times they deal with "off the shelf products." Sometimes they get into a larger contract and they sell to the Army, Navy, or Air Force, for instance, a great quantity of goods at a lesser price, but it is delivered in 30 to 60 days, almost off the shelf, and that happens sometimes even in the case of large orders.

We found, so far as qualifyirg as big contractors for the Department of Defense is concerned, that it really did not work out that way.

Mr. President, I submit this nomination on behalf of the committee with the unanimous vote behind it of every member. Not only of those Senators who are present; but every member passed on it and gave an active proxy, and most of them were there when we voted.

Mrs. SMITH. Mr. President, I received a letter today from a man in Michigan taking issue with the statement that I made at the hearing on the Packard nomination—the statement that I assumed Mr. Packard was an honest man. The writer said that Mr. Packard must be dishonest because of the wealth that he had accumulated—that he could have accumulated it only through dishonesty and manipulation.

Mr. President, have we come to the point where wealth or poverty is the determinant of the honesty or integrity of a person? I do not think so and I certainly cannot accept such a concept.

The Packard nomination, in my opinion, illustrates the lack of realism in the conflict-of-interest law and the almost impossible application of that law.

I do assume that Mr. Packard is an honest man. Certainly no evidence to the contrary was presented to the committee.

I do not think that his holdings will make him a dishonest Deputy Secretary of Defense any more than his proposal on the handling of his holdings will make him any more honest.

I shall vote for his confirmation and hope the Senate will approve his nomination.

Mr. GORE. Mr. President, confirmation of Mr. Packard, who holds a substantial interest in a corporation which, according to the distinguished chairman of the committee, had direct contracts last year totaling $34 million with the very agency to which Mr. Packard has been nominated as Deputy Secretary, constitutes a conflict of interest as plain as the nose on your face.

This is not to question the honesty and integrity of Mr. Packard. That is not the question. It is not to allege or even to suspect wrongdoing. That is not the case.

In dealing with the question of conflict of interest, in considering the nomination of an appointee to a high Government position, we are not dealing with wrongdoing. We are dealing with public confidence. We are dealing with appearances. We are dealing with circumstances which, conceivably, could constitute a conflict on the part of the official between his personal interest and the public interest on the one hand, or circumstances which, on the other, would give rise to suspicion and loss of confidence on the part of the people.

Now, my dear friend and neighbor, the distinguished and able junior Senator from Mississippi, presented his case in an eloquent manner, but in a manner which dramatizes the issue. He said that he was favorably impressed by Mr. Packard, and that the heart of the case is faith in the man.

Mr. President, to the senior Senator from Tennessee, that is not the case and should not be the case. This morning, before the Finance Committee, there came two nominees for sub-Cabinet po-

sitions; namely, Dr. Charls Walker and Mr. Paul A. Volcker, nominated by President Nixon to be Under Secretaries of the Treasury.

Both men came before the committee and presented their financial statements. Both pledged to dispose of the small holdings they had which might present a conflict of interest. One nominee had a few thousand dollars, and I think the other nominee might have had property amounting to a few hundred dollars which might have constituted a conflict of interest.

Well, Mr. President, we did not lack any confidence in these men. But shall we adopt the standard here that a nominee who has contracts in the amount of $10,000 must absolve himself of possible conflict, but a man with such an impressive fortune as to have control over a corporation with $34 million worth of contracts with the agency in which he is to be second in rank does not have to have the rule applied to him?

Mr. MURPHY. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. In just a moment. I should like to develop my point first.

Mr. President, my train of thought has been temporarily interrupted, but I come back to fundamentals. I have never been much given to Bible quotations on the political platform, but two come to mind now.

In the Sermon on the Mount, Christ said, "No man can serve two masters."

I remind my able friend from Mississippi that in another passage in the Bible, we are admonished to "Abstain from all appearance of evil."

Mr. President, shall we have a precedent which applies only to businessmen? I wrote down some of the praiseworthy remarks the distinguished chairman made about Mr. Packard, and I could endorse all of them so far as my knowledge of Mr. Packard goes, but I could have said the same thing about Mr. McNamara.

Someone estimated in my hearing yesterday that if Mr. McNamara had not been required to meet the precedents of the Senate with respect to conflict of interest, each of his children today would be worth $1 million more.

I ask you, Mr. President, is this a government of men or a government of laws? Do we have principles, do we have precedents, or do we not?

The notion that every tub must stand on its own bottom means, if it means anything, that we are abandoning precedent. No longer will there be a precedent with which all appointees to high positions in the Department of Defense must comply. Every tub must stand on its own bottom. There are no precedents. If this confirmation goes through, we will have abandoned the principle of requiring men nominated to high positions to meet the conflict of interest safeguards which the Senate has traditionally required.

The able Senator from Mississippi pointed to the paucity of statutory law in this field. He is correct. There are but few statutory guide posts. Our whole society is built, in large part, upon precedent, practice, and a moral code of ethics. Our moral indices come in rich part from the Judeo-Christian ethics, from the Greeks, from the Romans, and from the common law of Great Britain.

Plato, in constructing his republic, would have provided that the philosopher-kings divest themselves of all private economic interests. But in order that they could show their qualifications to lead the people, he would have required them to operate in the marketplace to demonstrate their capacity. But once they became philosopher-kings Plato would have had them divest themselves of all their economic interests.

So you see, Mr. President, the principle with which we deal here is not new with us. Indeed, our Founding Fathers wrestled with this problem; and I believe it was in the very first Congress that convened under the Constitution that Congress enacted a law that the Secretary of the Treasury could not own Government bonds. So, since the beginning of our Republic through today, we have been dealing with this problem of a conflict of interest, or a possible conflict of interest, between the personal interests of a public official on the one hand and the public interest, on the other, subject to the action of that public official.

I do not know why it should be repeated that Mr. Packard's integrity and honesty are not questioned. It should not be necessary. Neither should it be necessary to say that this issue does not relate to the size of Mr. Packard's holdings, whether they be $300 million, $30 million, $3 million, or $30,000. Other nominees have complied with the precedents. The Senate is asked here to make an exception, to abandon the precedent in favor of this confirmation.

What would be the consequences? I do not suspect any dishonesty would flow, but I would expect the public confidence in the Defense Department to be shaken. Oh, Mr. President, every Member of this body is concerned with the alienation of the young, with their doubts of the efficacy of our system, suspicions and lack of trust in Government. I am sorry that there is this sharp alienation and disenchantment. Action such as proposed here will fan that distrust.

To the man in the street there might be an interpretation of this set of circumstances somewhat different from that given by Members of this body. Someone said to me yesterday, in the vernacular of the common man, "Do the best you can," he said. "Do not let this man trade with himself with our money." Well, this has a connotation which I do not endorse, but it illustrates the shock to public confidence by the appointment of men and confirmation of men to high executive positions with a conflict of interest as plain as the nose on one's face. Here we have a prima facie case inherent in the circumstances.

Mr. President, I would not know how to cite a segment of American industry or business which is so sensitively attuned to the programs of armament and disarmament, with complicated, sophisticated weapons systems, as the electronics industry. Is there anyone in the Chamber who can name an industry whose fortunes, whose profits and losses, whose future, whose value are so keenly tied to the multi-billion-dollar defense program as the electronics industry? I do not know of any. No one has been able to cite me one.

How can this man, as honorable and fine and able as he is, make a decision, if any, make a contribution to a decision or the adoption of a policy, if any, without its having a vital effect upon the prosperity, upon the fortune, upon the value of stock in electronics corporations? His is one of the largest, and his holdings one of the largest in one of the largest.

Let me add that this is not to say he would give preference to his own interests; but one must shun the appearance of evil; and public officials, like Caesar's wife, must be above suspicion if confidence in government and the honesty of government are to be sustained. And without public confidence in government, our system of popular government is not feasible.

There are three material factors that would be in the sharpest of conflict of interest. One would be the appreciation in the value of stock as a result of actions, decisions, contracts, timing of contracts. Another would be the loss of value or the maintenance of value. The third would be the time element.

Now suppose that Mr. Packard, after confirmation, considers and makes a decision, or contributes to a decision, on the question of deployment of antiballistic missiles. Surely, a subject so important as this would require the attention of so able a man as the Deputy Secretary. Can anyone say that this would not have a very great effect upon the value of electronics stock?

When would the economic effect be felt? Within the term of the proposed trust, or might it be 5 years from now, or 10 years from now?

This seems to me to illustrate a prima facie conflict of interest. The Senate must not permit it. It must not establish or permit to be established such a precedent. If we do so, we can never again require a big man to meet the test. I think it is just that serious.

I had not intended to discuss the terms of the trust, but since the very able and distinguished chairman of the committee referred to the terms of the trust, I think I must briefly allude to it.

This is not a complicated trust. Indeed, it is so simple that the same purpose might be accomplished by a letter addressed to his bookkeeper or his treasurer. Much has been said recently about the value of a blind trust, the kind of trust that insulates the settlor from knowing the contents of his portfolio, the value of his portfolio, or the action of his trustee with respect to the portfolio.

No such attributes are contained in this instrument of trust. Indeed, the trustee is forbidden to buy or sell. The settlor knows what he puts in the trust. He knows how many shares of stock there are. The trustee is forbidden to sell any. He does not have to be informed by the trustee of the value of his stock; it is quoted and sold on the New York Stock Exchange every day, and he can read it in the morning paper and the afternoon paper.

How does this insulate the official from the knowledge of his interest? How does

this place upon the trustee any action contrary to the will of the settlor? The answer is negative.

It is true that the trustee is directed—and, so far as I can find from the trust as printed in the record of the hearings, this is the sole ministerial direction that affects values or the size of the portfolio—to transfer to some agency, some organization, either in existence or to be created and later to be designated, a sufficient amount of stock to equal the appreciation in value, if any, of the corpus of the trust during the term of the trust.

Mr. President, this does not remove the conflict of interest. This is a generous offer, to have the earnings of the trust during the term of the trust go to charitable organizations, and any appreciation in value transferred to some unknown foundation or organization. But what of the other factors? What of the economic impact on the value of electronics stocks 5, 10, 15, or 20 years from now, if the Department of Defense, the President, and Congress decide upon the recommendation of the Department of Defense to launch upon a multibillion-dollar deployment of antiballistic missiles? And what of the conflict of interest involved in the possible loss of value of the stock in case a decision is made to reduce the level of weaponry, and not to deploy ballistic missiles, but to decide upon a program of disarmament?

I shall not go further into the trust. It is a simple trust, a so-called bookkeeping trust, that does not remove the conflict of interest in any way whatsoever. So we come back to the question posed by the able senior Senator from Mississippi: whether Mr. Packard shall be confirmed because he made a favorable impression upon the committee, because he is a man in whom we can place faith. That, the able Senator said, is the heart of the question. I do not accept that view. I would not think that is the test. The test is whether or not, by this confirmation, we create and approve a conflict of interest which is clear on its face, when we confirm as Deputy Secretary of the Department of Defense a man who has substantial holdings in a corporation with $34 million in contracts with the Department. The conflict of interest is immediately real, and promises to obtain throughout this man's tenure of office. It is a serious question before the Senate.

I close by saying that we have not found a satisfactory answer to this problem throughout the history of our Republic, and the problem has been with us throughout our history. Congress should address itself to legislation in this field, with respect to members of the legislative branch as well as of the executive branch. But the fact that we have not found an answer, the fact that we have found no satisfactory solution to this problem, should not mean that we abandon the only precedents of value that we have built up. I think we should require all members of the Cabinet and members of the sub-Cabinet, regardless of the size of their holdings, to meet the safeguards against conflict of interest. The public interest requires it, public confidence being so essential to the efficacy of our system of popular government.

Mr. DOMINICK. Mr. President, I shall take only a brief moment. I had the opportunity to listen to the Senator from Tennessee the other day when he spoke on this problem, and I have listened to him today. I have also read the transcripts of all the hearings, although I was unable to participate in the first ones; and I have the great pleasure of being able to say that the distinguished nominee was born and educated in Colorado before he moved to California.

Furthermore, two of his company's plants are in my State. I happen to know Mr. Hewlett, of Hewlett-Packard, rather well. I do not know Mr. Packard as well. I have had the opportunity of going through the Hewlett-Packard plants in Colorado. They are more or less the same as the plants in other areas of the country.

What I think has been totally overlooked in the process of this debate, particularly by the Senator from Tennessee, is that it is not a unique system which this company is making specifically for the Department of Defense. They are off-the-shelf items that are used for manufacturing purposes in many commercial operations as well as by the Department of Defense. In many instances, they are sold as a part of their operating material to contractors who have bid on defense contracts. They are sometimes sold directly to the Department of Defense as a part of its ability to check on the operations of its contractors and to determine whether its own defense work is going properly.

We could, of course, insist that Mr. Packard sell all of his stock. If we did so insist, we would not get Mr. Packard to serve, because, as he has testified in the hearings, that would have an extremely adverse effect on many persons who, in complete innocence and in total good faith, have bought shares of this company.

I think, frankly, that Mr. Packard has gone one step beyond any possible charge of trying to advantage the company or himself through financial holdings. He has gone to the extent not only of showing that he has insulated himself from any income while his trust is in existence, but he has also said that he will take a loss, but not an increase in principal, and that any increase in trust value will be distributed to charitable beneficiaries when the trust is terminated. So the very best thing that could happen to him would be that the value of the stock would hold even. Nobody knows whether that will happen without his management ability as a part of the company. Nobody knows now or can forecast what the future of the electronics industry may be. However, this is a very fine company, so we can hope for its success. But if there is any gamble, it is a gamble that the stock will go down, and Mr. Packard is willing to assume that risk all by himself. So the monetary deal has been insulated.

I listened with great interest to the Senator from Tennessee, and I think he has touched on some points which should be of concern to all of us. As to the question of what is a conflict of interest, there are some Members of the Senate—and I am sure there are members of the executive department—who still own farms on which they grow agricultural products. When Senators vote on an agricultural matter, is that a conflict of interest? If they have sold all their holdings and vote on the question, they still have the same background which they had on the subject. Are they therefore disqualified from voting on a particular measure? We could go on and on.

I am a lawyer, or used to be a lawyer. I have not practiced a bit of law—and I am not a member of any firm—since I came to Congress. But I am a lawyer. When a legal matter comes up, a matter in which I have had some past experience, whatever it may be—and I am not talking about a client now—am I disqualified from voting because of a peculiar knowledge that I may have on the particular subject?

We can say the same of almost any field of endeavor.

A short slogan, which we all have heard—I suppose I should not be promoting a product—is: "You can take Salem out of the country, but you can't take the country out of Salem," or whatever the words are. That is exactly what I am talking about in terms of the total concept of conflict of interest.

We cannot talk about conflict of interest solely in terms of money or solely in terms of fixed holdings. Yet that seems to be, almost automatically, the point that everyone brings up.

In this particular instance, Mr. Packard has developed his own company. He has built up his own company. If he were required to sell $300 million of stock, and did so, and then were nominated and cleared himself completely, he would still feel friendly toward the Hewlett-Packard Co., even without having any financial interest. That would be bound to happen. That would not mean that he was dishonest. It would not mean that he was doing anything wrong. It would simply mean that these feelings had grown up, had built up, and were naturally a part of one's background and experience. Such experience and background are helpful in doing a job well. I should say they are factors that ought to be considered on the plus side, not on the negative side.

So I take great pleasure in saying that, so far as I am concerned, Mr. Packard has demonstrated enormous administrative ability, good business judgment, and total and complete insulation from any monetary benefit that he could gain from the company which he developed, while he is conducting the tremendous job of Deputy Secretary of Defense, and that he is in all respects a person whom we need in our governmental system, a person who I personally believe will be a tower of strength in the development of policies and programs and in the administration of the Department of Defense.

Mr. BYRD of Virginia. Mr. President, this is a nomination on which I have found it difficult to make a decision. When the name of Mr. Packard was announced a month or so ago, I was pretty well convinced that I could not vote for his confirmation. The distinguished and able Senator from Tennessee (Mr. GORE)

put into words far more eloquently than could I, the problems that this nomination raises. I take seriously the conflict of interest laws. I think it is important that we follow, as much as we can, the precedents and procedures.

I read the testimony of the hearings when Mr. Wilson was nominated to be Secretary of Defense in 1953. I read the record of the committee proceedings when Mr. McNamara was nominated to be Secretary of Defense in 1961. Those two cases are not identical with what we are discussing today.

When the committee met last week to consider the nomination of Mr. Packard, only three of us, as I recall, expressed concern in regard to it. At that time, I had not concluded just how I would cast my vote. So I think there is a great deal to be said in behalf of the argument which has just been made by the Senator from Tennessee.

But in considering the entire picture, in considering the problem which the Senate faces, in considering the problems which a Chief Executive faces in attempting to bring into Government men of ability, men of experience, and men who can effectively and ably handle the vast amount of public moneys that Congress appropriates, it seems to me that not only must we seek to safeguard the public interest by avoiding conflicts of interest on the part of administrators, but also we must be reasonable in not placing impossible barriers to bringing into Government service men who have the capacity, the experience, and the ability to ably administer the affairs of Government.

The distinguished Senator from Mississippi was greatly impressed with Mr. Packard, as was I. Obviously, Mr. Packard is a man of great ability. If I am able to judge individuals, he obviously is a man of the highest integrity. But that in itself, as the distinguished Senator from Tennessee has pointed out, does not necessarily resolve the conflict-of-interest problem. Mr. Packard has, I believe, to every reasonable degree, solved that problem himself. He apparently is a very frank individual.

I recall the news accounts the day after he was nominated, and I assume he was quoted accurately. The news reports quoted him as saying:

> I have an almost impossible conflict of interest.

But Mr. Packard then set out to resolve that conflict of interest. And how did he do it? He took the total amount of his Hewlett-Packard stock, valued at approximately $300 million, and put it into a trust. From that trust he will receive not one penny of income during the entire time he serves as Deputy Secretary of Defense. Furthermore, if that stock should appreciate in value during the period of time he serves as Deputy Secretary of Defense, all the appreciated value of that stock will be distributed to a number of charitable institutions.

So Mr. Packard has sought to resolve this conflict of interest problem by saying that the roughly $700,000 that he would be entitled to each year as dividends from that stock will go not to him, while he is Deputy Secretary of Defense, but will be distributed to charitable and educational organizations. He said, further, that should the value of that stock appreciate, that, too, will go to charitable and educational organizations. So it seems to me that he has taken every reasonable precaution to prevent any public charge that he can in any way gain from his position as Deputy Secretary of Defense.

Mr. GORE. Mr. President, will the able Senator yield?

Mr. BYRD of Virginia. I should like to complete one sentence.

As for public confidence, it seems to me that if people are reasonable, they will not hold open to contempt a man who has put himself in the position of sacrificing all his income from this stock and all possible gain from an increase in its value by giving that increase in value to charity; he cannot gain, that there is no way he can gain, from his position as Deputy Secretary of Defense.

I have heard some persons question why a person would give up an income of $700,000 a year to accept a public position at about $40,000.

Some are cynical enough to feel there must be a hidden motive.

Well, having been in public life for many years, sometimes I am a bit cynical, too.

But I am convinced that there are a great many persons in our wonderful country who want to make a contribution to their fellow citizens without any desire for reward—other than the satisfaction of doing a good job.

I think Mr. Packard is such a man—and Mrs. Packard such a woman, because she, too, is making a great financial sacrifice by her husband accepting public service.

I now yield to the Senator from Tennessee.

Mr. GORE. If the circumstance with respect to the stock in the Hewlett-Packard Corp., is sufficient to meet the conflict-of-interest problem with respect to so good a man as Mr. Packard, why did the committee feel it desirable or necessary that the same good man dispose of some $2 or $3 million of holdings in other corporations?

Mr. BYRD of Virginia. I believe the committee properly required that the other stocks that he owned, totaling $2,100,000, in other companies which have business with the Defense Department, should be disposed of.

I cannot speak for the committee; I do not pretend to speak for the committee. I speak only for myself. But, as a member of the committee, I would very much prefer that Mr. Packard dispose of the Hewlett-Packard stock. Obviously, that cannot be done. There is no way in which he can dispose of $300 million of Hewlett-Packard stock without very severely handicapping a great number of innocent individuals, many of whom are employees of his company, who have bought stock as workmen in that company. Of course, the stock is listed on the stock exchange, and there are many public owners scattered throughout the Nation.

The Senator from Tennessee does have a point, and that is what has concerned me about this matter and has made it very difficult for me to make up my mind. The Senator has a point in that neither the committee nor the Senate, if it acts affirmatively on the nomination, will be adhering strictly to what has been done in the past. I might say this, however, and I am taking this from memory. I observe the committee counsel on the floor; and if I am in error about this, I hope he will correct me. As I recall, at the time that Mr. McNamara's nomination was presented for confirmation, a law was on the statute books, which subsequently was repealed, which made that case somewhat different from the case with which we are faced today.

Be that as it may, we must make a decision, it seems to me, as to whether we are going to adhere strictly to precedent, and I would prefer that we do so. But if we do that, we will eliminate from Government service an individual whom the President and the new Secretary of Defense feel can make a great contribution as Deputy Secretary of Defense.

So in considering all the factors involved in this case, I have concluded that I shall give the benefit of the doubt to the President, to the Secretary of Defense, and to Mr. Packard. I will not permit this, so far as my one vote is concerned, to be a precedent for other cases that might come before the Senate, but I expect to vote affirmatively for confirmation of the nomination of Mr. Packard.

Mr. PERCY. Mr. President, I first wish to commend the Senator from Virginia for the careful thought he obviously has given to this matter and for the thoughtful judgment he has rendered on this subject. I know it will be instructive to the Senate.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly?

Mr. PERCY. I yield.

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

The yeas and nays were ordered.

Mr. STENNIS. I thank the Senator for yielding.

Mr. PERCY. Mr. President, I also wish to commend my distinguished colleague, the Senator from Tennessee, for the very great public service that he has performed during the course of the hearings and here on the floor during these confirmation proceedings. He has fought for and protected the public interest. He has made all of us keenly aware of the complexity of these problems. I think he has improved, for a long time to come, the procedures that we will be following the questions that will be put to potential public servants, and the judgments we will make in future such proceedings.

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

Mr. PERCY. I yield.

Mr. GORE. Mr. President, I am grateful to my able and distinguished colleague. I also thank the distinguished Senator from Virginia for his generous references.

Mr. PERCY. Mr. President, my own conclusion has been comparable to that of the Senator from Virginia.

I have not been able to find a slide rule that we could use. I have not been able to find a "go" or "no go" gauge to

which we could subject an individual to determine whether or not he meets the test of conflict of interest. If the regulations, laws, and precedents were so clear that we would all understand them ahead of time, we would not have to have as extensive hearings or confirmation proceedings. Mr. Packard obviously never would have been asked to serve, if it was clear cut that he could not serve if asked.

So we are asked to sit in judgment. We are asked to weigh all of the evidence. We are asked to look at the laws, regulations, and precedents, and then, as individuals in the best judgment we personally can render, to come to a conclusion as to whether it is in the public interest that a nominee—in this case, Mr. Packard—be confirmed.

I suppose in theory we should be totally divorced of any conflict of interest ourselves, as the distinguished Senator from Tennessee pointed out. However, as we know, it is very difficult to have any issue presented to us where some of us have not had prior knowledge, or a prior position, brought about as a result of personal holdings, public experience, friendships, or whatever it may be.

I must say in this case I find myself in a rather unusual situation. I find myself sitting in judgment on a man who for years was a competitor of mine in business.

I cannot tell the Senate how many hours of sleep I have lost at night or how many conferences I have held during the day because of the efficiency and the effectiveness of the competition of Hewlett-Packard against the Bell & Howell Co.

One-half of the business of one of our major divisions—a division that I was instrumental in recommending our company acquire in California—is directly competitive with Hewlett-Packard. Although I have divested myself of one-half of my Bell & Howell holdings and I have arranged to have my investments managed by an independent investment company with instructions to avoid investments that conflict with my Senate duties, I must say I am faced with an unusual situation.

Should I disqualify myself from rendering a judgment on this nomination?

I cannot decide how anyone would interpret my vote in this case. If I were to vote "no" on confirmation, by some stretch of the imagination it might be said that I voted in that way because I do not want Hewlett-Packard to benefit, if indeed it could, or would, benefit by this appointment.

If I should vote "yea" I could be said to be saying in effect that I would like Mr. Packard out of Hewlett-Packard because it will make them less competitive and my own holdings might be made more worthwhile. So how does one resolve such "conflicts" in this particular case?

I think that really my responsibility and the responsibility of all Senators is to render the best judgment we possibly can. I have no more interest in the Bell & Howell Co. than I have as a stockholder in many other companies. But are we to say everyone in this body who owns Hewlett-Packard stock, or whose wives and children own it, should not vote because of that ownership? Should anyone who holds stock in any company that is competitive with Hewlett-Packard abstain? As a practical matter, we probably do own stock in some competitive companies and perhaps some Senators would not even know about the nature of the competition of the particular business as against Hewlett-Packard.

Therefore, I think we come back to the decision that we now have to make. We do have certain standards which have been articulated in a fine manner by the Senator from Tennessee. The distinguished Senator from Tennessee clarified many points for us.

But I think the matter boils down to this: On what kind of man are we rendering judgment? Do the circumstances in this particular situation warrant our making an exception to a precedent we have tried to have before, that a nominee must divest himself of all stocks?

With respect to the exception, I read the statement by Mr. Packard in his testimony. I went over to sit in on his hearings before the Committee on Armed Services. He made the statement that "it is not practicable for us to sell that stock; that is, 3,550,000 shares."

I asked myself whether this statement is correct. Can I assume I know enough? Therefore, I called one of the largest and most sophisticated brokerage houses and underwriters on Wall Street, headed by a man who was an adviser to the past three or four Secretaries of the Treasury, and a company that I would think would be very interested in handling the matter if there were a secondary offering. I put the question: Is that statement right? He considered it and said that in his judgment it is absolutely sound. They said that this market could not absorb that much stock. It would depress the value of the stock by millions and millions of dollars; it would injure every stockholder and every employee in that company who owns stock. They think it an eminently accurate statement of the situation.

Then, I tried to look at the nature of this business from what I know of the company. Mr. Packard said in his statement:

> The Company manufactures a broad line of electronic measuring instruments, all of which have been developed in the Company's own laboratories with company funds and all of which are sold as standard catalog articles at published prices. About 30,000 customers in a world-wide market are served each year.

The committee confirmed this statement. In other words, Hewlett-Packard is not a company that is set up to create and develop military products only for the military. It is true that the Government buys some of these products, and they buy a great many of them. However, for the most part their customers are 30,000 independent customers, among whom are the largest universities in the world and the largest companies in the world.

These products are sold by highly sophisticated technical people. They are purchased by highly sophisticated technical people. The prices are set in the competitive market place. The Government does not set those prices. The Government, through renegotiation, takes back any excess profit, but the proceeds are essentially set by the most hard-headed and shrewdest men in American business. So this is a different case than a company dependent upon research and development funds from the U.S. Government, or a company that was developing products for the Government which were later sold in byproduct form to private industry. This situation is quite the other way around. The Government benefits by having a company in this field selling to industry as a whole and I can assure the Senate that there are many other companies in the field.

This particular industry, Mr. President, is one of the most highly competitive businesses I have ever been in. The profit margins, because of the efficiency of Hewlett-Packard and other companies, are lower in this area than we would have liked to have seen it when I was head of the company 5 years ago. It was strictly because of skill, ability, and know-how.

Mr. President, I would like to add that Mr. Packard has divested himself of all other stocks, as he rightfully should, in a total amount exceeding $2,000,000. As has been so ably pointed out by the distinguished Senator from Colorado, and the distinguished Senator from Virginia, he has done everything conceivable to protect the public interest. So I say, it really gets back to the question of the man.

A statement was made by the distinguished Senator from Tennessee in which he said that if we confirmed this appointment, confidence would be destroyed in the process of confirmation. I cannot quote exactly what the Senator said, but I believe that is essentially what he said.

I wonder, confidence destroyed where? In the business community? Mr. Packard is a member of the business council and is known to the top industrialists of this country. He is highly respected by his peers in that field.

My own judgment would be that their confidence in our process of confirmation would be destroyed if we did not confirm his nomination simply because of this one consideration.

Labor? He has an outstanding labor record. He is highly thought of by the labor leaders of this country. I am sure they would be concerned if we did not act.

With the scientific community; would confidence be dissipated if we confirmed his nomination? I would say it would be the other way around. Within the educational and scientific community, Mr. Packard has the reputation of being one of the most competent men in the world, let alone in the United States of America.

I believe that the general public admires a successful man, particularly a successful man who, though he has accumulated a great deal of material wealth, gives the impression to all those who know him that he really could not care less about that. He is more interested in accomplishment, in devoting his time and energies to educational institutions—and now to government—

and to those things which will make his country better and stronger.

Thus, we have an eminently successful man, a great administrator, one of the most brilliant and creative men in America today, a problem-solver, who has been nominated to go into one of the most sophisticated and complicated businesses we have in government. He is a man who, I believe, can think through the kind of problems we face in setting priorities for the defense of the free world and the United States of America, and yet who understands the most sophisticated weapons systems.

He brings to the Defense Department a body of knowledge perhaps unparalleled in an industrialist coming into Government. He is a man who all his life has been able to set priorities and insure that whatever he was connected with—a company or an educational institution—will get the most value for the money spent. He is a man remarked by everyone I know who has known him and I have known him myself for years—for his integrity, to the extent that he could not conceivably be questioned by any of us.

I cannot imagine Mr. Packard's permitting a decision ever to be made, or ever making a decision, that would in any respect benefit directly or indirectly him or any member of his family.

(At this point, Mr. HUGHES took the chair as Presiding Officer.)

Mr. GORE. Mr. President, will the Senator from Illinois yield?

Mr. PERCY. I am delighted to yield to the Senator from Tennessee with pleasure.

Mr. GORE. I share the Senator's high estimate of Mr. Packard, based upon every bit of information that has come to me. I do not know him personally, but because of statements in this regard, a number of people have volunteered their impressions. Nothing has been unfavorable. Thus, I share the high esteem of the Senator from Illinois for Mr. Packard.

However, I believe I said that confirmation, as I saw it, with a prima facie conflict of interest appearing, would shake confidence not destroy it. If I said "destroy," I should not have used that word, because that has a totality about it which I did not wish to imply. I believe, however, I said that it would shake confidence.

The distinguished senior Senator from Michigan (Mr. HART), who has had to leave to catch a plane, asked me if I would call to the attention of the Senate a very pertinent colloquy on this point at another committee hearing, and I wonder whether the Senator from Illinois would be willing to have me do that now.

Mr. PERCY. I would be very happy to have the Senator do so.

Mr. GORE. This is with regard to the committee hearing on the confirmation of Governor Volpe.

The colloquy is as follows:

Senator COTTON. Governor, I glanced over your list of holdings and securities that you submitted to the Committee, consistent with the policy of the Committee having this in advance, and without being critical, let me ask you: Have you contemplated any arrangement of putting in trust or anything, such as Secretary Stans has resorted to?

Governor VOLPE. I believe that because my stock was in a construction firm which I founded and because buildings are visible pieces of property that can be seen as they are erected, it was necessary not only to avoid a conflict of interest insofar as the law is concerned but the spirit of the law as well. Therefore, I felt the manner in which it ought to be done would be through the sale of my stock completely. I hesitated to do this because it is a firm I founded myself. But I felt the only way that it could be done, without any shadow or possibility or appearance of conflict of interest, was to sell that stock, and I have arranged for the sale of my stock back to the corporation as provided for in our bylaws.

The Senator from Michigan (Mr. HART) then entered the colloquy, as follows:

Senator HART. Governor, congratulations, good wishes. I had not really intended to get into this conflict except to ask the clarifying question of the earlier witness, because however you approach it, it is an unsatisfactory situation. But I was struck as you described the reasoning that persuaded you to sell your construction company's stock, sell it rather than put it in trust. You felt since you had founded it and since the product was visible—buildings—you just felt it was better to sell, that it would avoid a conflict of interest.

At some other hearing I read about it in the paper, there is another distinguished American who is confronted with the same problem. He founded a business, his products are tangible, a substantial quantity are purchased by the government, but he concludes that he should not sell, and chiefly because of the devastating consequences of dumping all that stock on the market. Most people apparently agree that he need not sell.

How do you distinguish your situation from his?

Governor VOLPE. Well, first of all, I would distinguish it in this way, that although mine is a substantial construction operation, there is no comparison between the amount of money involved in my situation and the amount of money involved in the situation to which I believe your are referring: on the order of $300 million. That is what I remember by way of a figure, 300 to 1.

Mr. President, thus, if a man has $1 million, we apply the rule, but if he has $300 million, we apply another rule, or none at all.

Mr. PERCY. If I may reply to that statement, there are two very basic differences here.

The first is that Governor Volpe was confirmed to be the Secretary of a department. He will be the top man, the final decisionmaker in the area of responsibility for that department.

In this case, we are asked to confirm a man who will be the second man, who will have over him a superior who can reverse any decision and who is, as we know, one of the most sophisticated and knowledgeable men in this particular area that he could be dealing with.

The second thing is that Mr. Volpe was able to sell his stock very easily. Apparently, the company just purchased it. It could be done, and it was done.

In this case before us, it is entirely different. We know the nominee's holdings cannot be sold. The company does not have $300 million to buy back Mr. Packard's stock, and the market could not be asked to absorb it without a break in price that would constitute a very great hardship for tens of thousands of people—trusts, widows, whatever it may be, that own the stock of this company. The public would be asked to take the punishment for no reason but a forced action or arbitrary request of the Government, and because of a potential conflict of interest which many of us feel does not exist in the first instance. So I do believe the case is entirely different.

Mr. President, it is for these reasons that I support, and intend to vote for the confirmation. I believe we have benefited greatly by bringing out some of the complexities of the situation. But again, it is a matter of individual judgment on this man and this situation, and I think the evidence is overwhelmingly in favor of confirmation.

Mr. MURPHY obtained the floor.

UNANIMOUS-CONSENT AGREEMENT

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

Mr. MURPHY. I yield.

Mr. MANSFIELD Mr. President, I ask unanimous consent that there be a time limitation of 30 minutes on the pending nomination, the time to be equally divided between the distinguished Senator from Mississippi (Mr. STENNIS) and the distinguished senior Senator from Tennessee (Mr. GORE), the vote to take place not later than 4 o'clock.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

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

Mr. MURPHY. I yield.

Mr. STENNIS. How much time does the Senator want?

Mr. MURPHY. Probably 2 or 3 minutes. I believe I have been very patient. I have been in the Chamber——

Mr. STENNIS. I yield 5 minutes to the Senator from California.

Mr. MURPHY. I will take only 3 minutes.

Mr. President, I should like to congratulate my esteemed colleague from Illinois for his presentation of this matter. I am pleased to rise in support of the nomination.

Mr. Packard comes from my State, California. In examining his qualifications, his background and capabilities, some of us there were alerted and asked to do all the research and all the studies that we could.

I am pleased to say that never in my life have I heard a man receive such a glowing recommendation from all areas, from scholastic groups, industrial groups, and civic groups. No one, in my knowledge, would have the qualifications that are attributed to this man.

I heard, on three occasions, close friends, close associates, and competitors say, "I do not care what job you gave Mr. Packard to do; chances are he would do it better than anyone else."

We have spent some time talking about the amount of money he has accumulated. I think it is exciting, I think it is in keeping with American tradition, particularly when we understand that he started the business in a garage with a capitalization of less than $600.

He does not build any weapons. He does not build any weapons systems. He

is not to be compared with Secretary McNamara, whose company did build hardware, and great amounts of it, or Secretary Wilson, whose company did build hardware. Mr. Packard's company builds an instrument that is used in measuring components of electronics; and apparently it is one of the best of its kind. It is off the shelf. It is not built especially for the Government. It is not dependent upon Government contracts.

As a matter of fact, during the testimony he said something that I was very pleased to hear—that he would be in favor of competitive contracts, that a contract should go to the company that could deliver the best product at the lowest price in the fastest period of time, rather than negotiated contracts. My experience with negotiated contracts leads me to go along with that point.

However, I sincerely hope that my colleagues will understand, as I believe the majority of the committee understood, that this man has done everything possible, with the very best advice, so that in no way can he benefit from any decision he might make in this government position; and if there is damage done from other influences to his company, he is not particularly worried about that. He is a man whose public service in California and across the Nation is well known, and he is taking this job at great detriment to himself and his future. He is doing it because he wants to give the very best service he can to the country. I think the President of the United States is to be complimented on having a man of such generous spirit and a man of such great capability and a man who demands such respect.

I do not think any of my colleagues will have to worry about that after this long and distinguished public career, they would have to be concerned about Mr. Packard's being guilty of something that might lead them to believe there was a conflict of interest.

I will endorse the nomination and vote for it enthusiastically.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from New Hampshire (Mr. McINTYRE.)

Mr. McINTYRE. Mr. President, as a member of the Armed Services Committee, I must admit to certain reservations that I had as we approached the hearings on Mr. Packard. At that time, I was involved in a committee of my own, in which I felt that a conflict of interest was actually hurting my cause. As I concluded the hearings 2 or 3 days later, I found that three elements have brought me around so I can support this nomination.

The first is a peculiar one. Perhaps it is one the distinguished Senator from Tennessee (Mr. GORE) would not appreciate. But I think it is on the very size, $300 million, represented in the stock that Mr. Packard owns. There is a certain amount of integrity and insulation in the amount itself. For instance, the dividends from that stock will amount to some $720,000 annually. These dividends, under the trust, will be distributed, either annually or semiannually, to those named the beneficiaries. But witness, if you will, that Mr. Packard, from that $720,000, over a 4-year span, would have received nearly $3 million, which he is writing off to begin with. So that I found, on the size of his holdings, the conflict of interest we seem to be worried about sort of dissipated and fell apart. I think his answer was truthful. It is hard for me to conceive of being worth $300 million.

I asked him: "Would you be worried if your stock went down two points? That means you would lose $6 million."

His answer was: "That would not worry me a bit. If it did worry me, I would not be interested in this business of doing other things."

So I was impressed by the fact that, with Mr. Packard's $300 million, Mr. Packard's concern for it long had advanced beyond the concern of the man who had made his $1 million and was looking for $5 million.

As the Senator from Illinois pointed out, there is a particular factor involved, and that is the narrowness from which the Hewlett-Packard Co. operates. It is strange to say "narrow" when one thinks of $34 million of Government contracts, but it is off the shelf. It is not a component part of a missile, tank, or submarine.

As we approach the overall problem, we find, which has been admitted in the debate today, that we have very little statutory guidance on the conflict of interest problems, and it seems to me each committee sets its own standards.

I think, too, as the Senator from Virginia does, that if we followed the logical conclusion of the Senator from Tennessee, we would find that what he seeks is complete divestment, as in the McNamara case, of the stock.

That means that this man becomes ineligible, and I do not believe, with the problems that the Defense Department has today, that we can afford, as a nation, to declare ineligible for office men of the successful type of Mr. Packard.

I, too, agree that we should, as a body, do something about the conflict of interest problem.

With that, Mr. President, I close by saying that I support the nomination of Mr. Packard.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, as a member of the Armed Services Committee, it was my pleasure to sit and listen to the testimony given by Mr. Packard. I was extremely impressed with his testimony, as I have been with the man himself for many long years. I rise at this point, not to reiterate what has been said about the trust, because I think it is one of the safest ones that I have seen in the years I have been here and in my new freshmen term; but I wish to comment on one thing Mr. Packard did that I think we in Congress might well emulate: he included not only a statement of his own holdings, but a statement of the holdings of his wife.

This conflict of interest problem is something we are beginning to learn we do not know very much about. I do not believe it is encompassed in how much money or how much stock you own in General Motors, Smith & Co., Ford, or any other firm. I think if a man is basically honest, he is going to remain basically honest.

I have looked at the new conflict of interest rules for this body and the House of Representatives, and it amazes me that we file only for ourselves. My wife happens to be a woman of means. Certainly what is of interest to her is of interest to me. My children own stocks. My brother owns stocks, and my sister as well; and yet I do not have to file for them. I would suggest that we might take to heart the example of Mr. Packard, and follow through on it.

But, Mr. President, during the course of the testimony which our chairman so ably handled, one thing was brought out that impressed me more than anything else. For the last 8 years, if there has been a place in this country where there has been a real lessening of morale, it has been in the Pentagon. In fact, it got so bad over there that morale just did not exist. I have had a number of friends in the military services who have resigned rather than put up with what they have had to put up with for the last 8 years over there.

Mr. Packard made it a point to bring out what I think is the most important factor in any business: the people who work for it. They are not figures in a ledger, or punches on a tape; they are people, the most important factor to the success of any business. For that reason, I would recommend a man going into the Pentagon, after what they have put up with for 8 long years, who will listen to people who have something to offer, and not go off half-cocked on his own, with the advice of some half wornout computer.

Mr. President, I merely wished to point out that the emphasis Mr. Packard has placed on people is, to me, one of the most important facets of this matter.

Mr. PROXMIRE and Mr. ALLOTT addressed the Chair.

Mr. STENNIS. I yield 3 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. GORE. Mr. President, I yield my remaining time to the Senator from Mississippi.

Mr. STENNIS. Very well.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I simply want to add something to this debate which I could not refrain from adding, because I can add something that no one else in Congress can add. David Packard was born in the same town that I was: Pueblo, Colo. When this young lawyer who now stands before you got out of law school, it was David Packard's father, Sperry Packard, who gave the young man a place in his office and gave him some business to get started, so that he could pay off his school debts.

Sperry Packard was one of the finest men I have ever known in my life. He was not only a man of scrupulous integrity; he was also a very capable and brilliant lawyer. Knowing him as I knew him very well, for a year, in my association there in that office—never a formal association—I know what kind of stock Dave Packard came from.

But more than that, I knew Dave Packard as a high school student. I knew

his sister Ann. I knew his mother. In fact, in the spring of 1930, I used to go out in the field with Dave Packard in an attempt to help him with the hurdles, which he was then running.

Having known him, and having known his family, although my acquaintance with him since then has been only sporadic, I could not let this moment pass without saying that, having known him and his background, having known what he did at Stanford, and what he has done since, I would be most remiss, Mr. President, if I did not contribute this little personal picture of Dave Packard as I know him.

Mr. STENNIS. Mr. President, if any Senator wishes to speak, the Senator from Tennessee has yielded me his time.

Mr. MANSFIELD. Does the Senator intend to conclude the debate?

Mr. STENNIS. No; the Senator from Tennessee will. I have just a few words.

Mr. President, may I inquire what amount of time remains on each side?

The PRESIDING OFFICER. The Senator from Mississippi has used all of his time. There are 12½ minutes remaining on the other side.

Mr. STENNIS. Does the Chair understand that that time has been yielded to me?

The PRESIDING OFFICER. Yes.

Mr. STENNIS. I now yield to the Senator from Wisconsin for a question.

Mr. PROXMIRE. Mr. President, I ask the distinguished chairman of the committee about this claim which has been made over and over again on the floor and in the press, that if Mr. Packard is required to dispose of his holdings in Hewlett-Packard, it will greatly depress the stock of the company, and result in sacrifice not only on his part, but on the part of many stockholders.

I ask the chairman whether this has been explored with investment banking firms, and whether their advice has been secured about it.

It is my understanding that a large investment banking syndicate could dispose of 3 million or 5 million shares, or any amount of stock, over a period of several weeks, in the event they were asked to do so, and if the company whose stock is being sold is an established firm, with strong earnings and so forth, there might be a limited sacrifice, but not the kind of catastrophe which would occur if a man went to the market and said, "I am selling 3 million shares for whatever it will bring."

I am informed that it could be done by the investment banking syndicate with each member taking a limited amount, and being able to sell it at a point or 2 or 3 points below the market. Perhaps I am wrong on that, but I should like to know what the result would be, and whether or not this point has been explored with investment banking firms.

Mr. STENNIS. I am glad to answer the Senator's question.

This transaction would involve $300 million in value of stock, and 30 percent of the total stock of the company. We are advised, including advice by investment firms, that it could and would have a very depressing effect, and could have a very abrupt and almost disastrous effect upon the value of the stock. Depending on how long a time was taken, of course, it could be stretched away out, perhaps; or there might be enough resources in those houses, so that if they were to combine for that purpose, they could doubtless absorb the stock. But that is so far beyond the realm of reason and practice that I believe, as a practical matter, it is undoubtedly true that such an action would result in a great sacrifice on the part of innocent stockholders. It was something that the committee backed off from taking on, even if Mr. Packard had agreed to do so.

Mr. PROXMIRE. I might say that the Hewlett-Packard Co. is going to suffer a severe sacrifice anyway, because Mr. Packard is a remarkably successful leader of this firm, and the loss of his leadership undoubtedly will have an adverse effect on the company.

Mr. STENNIS. It already has.

Mr. PROXMIRE. I thank the Senator.

Mr. STENNIS. The Senator from Illinois (Mr. PERCY) had this question on his mind, too, and he made some independent inquiries.

(Mr. PERCY subsequently made the following statement, which is printed here by unanimous consent.)

Mr. PERCY. Mr. President, following my previous remarks, the distinguished Senator from Wisconsin asked a question pertinent to those remarks and I regret I was not in the Chamber at that time. I have since given him the answer and he has suggested that I make the statement for the RECORD.

The question he asked relates to the statement made by Mr. Packard before the Committee on Armed Services, that it was not practicable to sell his Hewlett-Packard stock, and whether his position is verified by expert advice.

Mr. President, I wish to say to the distinguished Senator that in order to verify this statement and make certain that it could be validated by proper authority, I contacted an outstanding investment banking firm in Washington, an outstanding firm in Philadelphia, and two of the largest firms in New York City. The composite of their judgment was that from a practical standpoint Mr. Packard's statement is absolutely fundamentally sound.

The rationale is as follows: If 3 million shares of Hewlett-Packard stock were placed on the market in a secondary offering the question would immediately go through the minds of stockholders of Hewlett-Packard, including banks, trusts, and other organizations: What is going to happen to the price of this stock?

They might decide that there is going to be a depression in the price, with one-third of the stock becoming available, and they might decide to sell their stock. Certainly demand would have already slackened; there would not be many buyers, with the prospect of some three million shares immediately becoming available. Therefore, the price immediately would begin to erode and the question would become: At what point will the floor be reached?

In such a situation, no investment company could or would set a fixed price to buy 3 million shares of the stock with the price steadily going down.

The judgment of the most outstanding authorities I could go to—the last as recently as 1 hour ago on the telephone—is that this statement is absolutely fundamentally sound and they would support it in every respect.

Mr. STENNIS. Mr. President, I have a very few minutes in which to conclude. I thank the Senator from Tennessee (Mr. GORE) for yielding time to me in this way. I shall certainly not use all his time.

I appreciate very much the fine presentation that he made of his viewpoint. He is always a formidable debater, and is not given to idle language or idle points. He brought the question into sharp focus and ably presented his views.

The question has been raised by the Senator from Tennessee: Why did not the committee require Mr. Packard to dispose of the other stock, meaning the stock of the company that had contracts with the Department of Defense? It was salable and we required him to comply with that ruling to the extent that the stock was salable, just as we have required anyone else to do so.

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

Mr. STENNIS. I yield to the Senator from Tennessee.

Mr. GORE. I am not an authority, of course, on the operations of the stock market and the marketing of securities. I think, however, for the benefit of the RECORD, I should say that some persons who are knowledgeable in the field, and upon whose expertise I have reason to rely, have told me that the stock could be handled through an underwriting agency within a reasonable time, with no serious or adverse consequences to the corporation. I do not know. But since the point had been made, I sought answers to it, and I was told by persons whom I have found to be reliable that it could be done.

Mr. STENNIS. The committee's information on that point was to the contrary.

I failed to point out that former Secretary McNamara, who held the office of Secretary of Defense for almost 8 years, and former Secretary Clifford, of the Department of Defense, as well as Mr. Nitze, said that during their periods of office no matter involving Hewlett-Packard had come to their attention. In other words, no decision concerning this company's affairs had come before them. That confirms the fact that such contracts are made at field level or by Army procurement agencies or by an Air Force or another agency, wherever it might be.

Furthermore, the new Secretary of Defense, Mr. Laird, assured us that he would take the responsibility of making certain that no matter involving Hewlett-Packard would ever go to Mr. Packard so long as Mr. Packard was Deputy Secretary of Defense. Of course, Mr. Packard made the same pledge, that he would see to it that such matters did not reach him, either.

One thing more. I did say that faith in Mr. Packard—at least, some faith—went to the heart of the matter. Of course, I had already outlined all the

other safeguards about the trust agreement and the precautions that had been put around it, until it got down, in the final analysis, to the point where it was necessary to have some faith in the man, and that faith went to the heart of the matter. I still feel that way.

One other point: Mr. Packard impressed me. I was skeptical about the nomination when I was called about it before the holidays. One thing that cleared up my mind is that he was not a coached witness. He spoke with spontaneity, firmness, and conviction. He was speaking from his heart and his mind, and he knew the answers. There was no hedging, there was no preparation.

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

Mr. STENNIS. I gladly yield.

Mr. GORE. I find it of some significance that Secretary Laird felt it advisable to tell the committee that he would issue an order that no matter affecting the Hewlett-Packard Co. would reach Mr. Packard. I do not know how Mr. Packard, as Deputy Secretary, could make decisions with respect to policy, deployment of arms, armament programs, and the further sophistication of the weapons system without its having an effect upon the electronics issue. This in itself exemplifies the existence of a conflict of interest, which we are asked to approve.

Obviously, with the unanimous support of the committee, with the recommendation of a new President, with the grace which all of us wish to extend to him, and with the flexibility we would like to accord him in the selection of his team, there is no chance to prevent the confirmation of the nomination at this point.

I should like to close by calling upon Congress to consider this debate and to let the issue on this conflict dramatize the note for a serious attack upon conflict of interest, a practice which is growing bigger and bigger in our industrialized society.

Mr. STENNIS. Mr. President, I yield 1 minute to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, earlier I commented that we hear much talk about conflict of interest without knowing much about it. We tend to associate it with nominations. I read from the Wall Streeet Journal of today an interesting report, without making any charges. The headline is:

Illinois Central Road Names as President Alan Boyd, Former Transportation Agency Chief.

The article contains the following sentence:

The Department of Transportation earlier this month announced a $25.2 million grant for a replacement of cars in the Illinois Central's 40-year-old commuter fleet.

Also, the article states that Mr. Boyd's salary will be $75,000 a year.

Is this a conflict of interest, or is it not? I do not think it is. But it is demonstrative of what we have been arguing about. We really do not know much about the field of conflict of interest.

Mr. President, I ask unanimous consent that the entire article be printed in the RECORD.

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

ILLINOIS CENTRAL ROAD NAMES AS PRESIDENT ALAN BOYD, FORMER TRANSPORTATION AGENCY CHIEF

CHICAGO.—Alan S. Boyd, President Johnson's Secretary of Transportation from the time the Department of Transportation was created until President Nixon's inauguration Monday, was elected president of the Illinois Central Railroad, chief subsidiary of Illinois Central Industries Inc.

The announcement, which surprised many members of the transportation industry, was made at a press conference and luncheon for Illinois Central shippers in Pittsburgh.

Mr. Boyd succeeds William B. Johnson as president of the railroad, with Mr. Johnson continuing as chairman and chief executive officer. He also remains chairman and president of Illinois Central Industries.

Employment of the 46-year-old Mr. Boyd is probably the most significant of a long series of major personnel changes Mr. Johnson has made since he left the presidency of Railway Express Agency Inc. to head the Illinois Central in 1966.

In the past two years he has assembled a management team that many competitors concede may be the industry's most capable. Instead of using the traditional rail industry technique of promoting from within, he has obtained a number of key executives by hiring top talent from other railroads and industries.

BOYD'S RESPONSIBILITIES

In making the announcement, Mr. Johnson indicated Mr. Boyd will head this management team and have responsibility for all the day-to-day operations of the railroad. Mr. Johnson, 50, said he expects to divide his time between railroad and holding-company duties. Sources close to Illinois Central believe Mr. Johnson eventually will relinquish his post with the railroad to devote full time to affairs of the parent holding company.

Mr. Boyd's starting salary will be $75,000 plus deferred compensation of $20,000 annually and options not yet worked out. Mr. Johnson said Mr. Boyd will assume his position April 1 after a vacation.

In his position with Illinois Central, Mr. Boyd can be expected to be of considerable help because of his expert "inside" knowledge of the complexities of Government regulation of all forms of transportation.

The Illinois Central currently is engaged in several major efforts requiring Government approval. The most significant is an application before the Interstate Commerce Commission seeking to merge with the Gulf, Mobile & Ohio Railroad. The merger would combine the 6,700-mile, 14-state Illinois Central system with the 2,700-mile, seven-state GM&O. Main routes of both roads run from Chicago directly south to the Gulf Coast; the Illinois Central also runs from Chicago to Omaha, and the GM&O from Chicago to Kansas City, Mo.

"SOUGHT BY MANY OTHERS"

Mr. Johnson noted that Mr. Boyd's services "have been sought by many others" because of his experience and qualifications, and said his decision to come to the Illinois Central should "reaffirm and hearten those who believe that railroads in general and Illinois Central in particular have important and productive work to do for the U.S. economy in the years ahead."

During his time in Washington, Mr. Boyd has been regarded as an outspoken advocate of increased cooperation among all types of transportation, repeatedly urging an end to antagonisms among the various modes. "We need to face the fact that, as we do not send dentists into court or send lawyers to fill teeth, neither should we send aircraft to do the work of trains, cars to do the work of buses, or buses to do the work of rail transit," he said.

In the press conference announcing his election, Mr. Boyd predicted there will be changes in public policies that tend to impair intermodal activity.

CITES NEEDS OF RAILROADS

He also said there has been too much regulation of the railroad industry, and the whole subject should be reviewed. Railroads have been "hamstrung" by regulations, and the industry needs more competition and freedom to compete, he said.

Asked if he blamed Government regulation more than railroad managements for the industry's ills, Mr. Boyd said the industry had enough trouble for everyone to share in spreading the responsibility.

He predicted Mr. Boyd would "provide outstanding leadership," and be "increasingly valuable" to Illinois Central as the time approaches "when the public interest demands more and more of the benefits that can be generated by intermodal operations."

Mr. Boyd said he believes a Government policy setting forth overall guidelines for railroad mergers is needed in place of the "case-by-case" approach utilized in the past. That approach, he said, has failed to recognize the "national picture."

He said Government subsidies are necessary for commuter railroad operations and possibly for longer-haul passenger runs in cases where public demand for the service exists but it can't be met on a profitable basis. The Department of Transportation earlier this month announced a $25.2 million grant for replacement of cars in the Illinois Central's 40-year-old commuter fleet.

Mr. Boyd also said he had a strong interest in improving overall railroad industry service and increasing freight car utilization. "It does little good for one railroad to break its back providing good service and then have a car delayed three or four days at a junction point," he said.

His lack of committed positions in the field of labor-management relations should help in that currently critical area for the railroads, he said.

ONCE SERVED ON CAB

Mr. Boyd was sworn in as the first Transportation Secretary in January 1967 and the department formally came into being in April of that year. Previously, he had been Under Secretary of Commerce for transportation, a member and chairman of the Civil Aeronautics Board and chairman of the Florida Railroad and Public Utilities Commission.

In Washington, the trim, tall former lawyer and military pilot was known for his candid, witty and bold style. With the possible exception of the railroads, he managed through his policy proposals and their implementation to antagonize every mode of transportation at some time or other as he went about organizing the new department, which now numbers 95,000 employes and has a $6 billion budget. "It may be that the bicycle makers are the only ones not mad at him," it was said.

At Illinois Central he will run a railroad with annual revenue in excess of $300 million and some 20,500 employes. In facing up to his new tasks, he jokingly said he recognized one immediate problem: "As a former Government official, I'll have difficulty operating with the same sense of modesty I've seen in most railroad presidents."

Mr. STENNIS. Mr. President, I thank the distinguished Senator from Tennessee for his unfailing courtesy, and I commend him for his presentation.

I yield the floor. I believe that all time has expired.

The PRESIDING OFFICER. One minute remains.

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

The PRESIDING OFFICER. All time has been yielded back.

The question is, Will the Senate advise and consent to the nomination of David Packard to be Deputy Secretary of Defense? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of Virginia. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

I further announce that, if present and voting, the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Kentucky (Mr. COOPER) is absent on official business.

The Senator from Nebraska (Mr. CURTIS), the Senator from Illinois (Mr. DIRKSEN), and the Senator from Oregon (Mr. HATFIELD) are necessarily absent.

If present and voting, the Senator from Kentucky (Mr. COOPER), the Senator from Nebraska (Mr. CURTIS), the Senator from Illinois (Mr. DIRKSEN), and the Senator from Oregon (Mr. HATFIELD) would each vote "yea."

The result was announced—yeas 82 nays 1, as follows:

[No. 13 Ex.]

YEAS—82

| | | |
|---|---|---|
| Aiken | Goodell | Packwood |
| Allen | Griffin | Pastore |
| Allott | Gurney | Pearson |
| Anderson | Hansen | Pell |
| Baker | Harris | Percy |
| Bayh | Hartke | Prouty |
| Bellmon | Holland | Proxmire |
| Bennett | Hollings | Randolph |
| Bible | Hruska | Russell |
| Boggs | Hughes | Saxbe |
| Brooke | Inouye | Schweiker |
| Burdick | Jackson | Scott |
| Byrd, Va. | Javits | Smith |
| Byrd, W. Va. | Jordan, N.C. | Sparkman |
| Cannon | Jordan, Idaho | Spong |
| Case | Kennedy | Stennis |
| Church | Long | Stevens |
| Cook | Mansfield | Symington |
| Cotton | Mathias | Talmadge |
| Cranston | McClellan | Thurmond |
| Dodd | McGee | Tower |
| Dole | McGovern | Williams, N.J. |
| Dominick | McIntyre | Williams, Del. |
| Ellender | Metcalf | Yarborough |
| Ervin | Miller | Young, N. Dak. |
| Fannin | Mundt | Young, Ohio |
| Fong | Murphy | |
| Goldwater | Nelson | |

NAYS—1

Gore

NOT VOTING—17

| | | |
|---|---|---|
| Cooper | Dirksen | Eastland |
| Curtis | Eagleton | Fulbright |
| Gravel | McCarthy | Muskie |
| Hart | Mondale | Ribicoff |
| Hatfield | Montoya | Tydings |
| Magnuson | Moss | |

So the nomination was confirmed.

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

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

## LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

## AMENDMENT OF RULE XXII

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which will be stated.

The BILL CLERK. A motion to proceed to consider Senate Resolution 11, to amend rule XXII of the Standing Rules of the Senate.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States withdrawing sundry nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

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

## THE TRANSPACIFIC AIR ROUTE CASE

Mr. GRIFFIN. Mr. President, on April 16, 1968, a veteran professional hearing examiner for the Civil Aeronautics Board, Mr. Robert L. Park, issued his recommendations in the $500 million transpacific air route case.

Based upon the merits of the case, Park proposed new routes for Eastern, Northwest, Pan American, TWA, United, Western, and Flying Tiger airlines.

Park recommended no additional routes for Braniff, American, and Continental.

The hearing examiner's recommendations were generally applauded. For example, the New York Times of April 17, 1968, carried this evaluation by Evert Clark:

> Mr. Park's proposals brought many surprises to the airline industry. They also brought the frequent observation that politics appeared not to have been involved in his recommendations, despite intensive competition for the routes.
>
> There was considerable speculation here (in Washington) that the case is so complex and Mr. Park's recommendations so thorough that neither the Board nor the President is likely to alter them drastically.

As it turned out, that prediction in the New York Times proved to be inaccurate.

Under established procedures, a hearing examiner's proposed decision in a case is subject to review by the CAB, which is politically appointed. Of course, the CAB has authority to overturn or completely revise an examiner's recommendations.

In addition, the President of the United States has authority, based upon his foreign policy responsibilities, to review any international phase of such a case, and to rule independently thereon.

On December 19, 1968, about a month before President Johnson would leave office, the CAB and the President issued their decision in the air route case.

As a result, Examiner Park's recommendations were drastically revised Braniff, Continental, and American Airlines—which were excluded by the examiner—received important and very valuable air route assignments. Eastern Airlines, which had been included in the examiner's awards, was excluded completely in the revision.

Needless to say, this represented a sharp and significant reversal of conclusions reached by Examiner Park.

Not surprisingly, the new decision by the White House and the CAB has generated considerable controversy and discussion in the airline industry and in the press.

Writing in the Sunday, January 19, 1969, issue of the New York Times, on the first page of the financial section, Robert E. Bedingfield said:

> The consensus of the airline industry on the Civil Aeronautics Board's decision last month in the Trans-Pacific route case is that the Board made the wrong awards to the wrong people for the wrong reasons. . . .

Later on, in the same article, Mr. Bedingfield wrote:

> The favors shown Braniff and Continental were considered in both the industry and in Wall Street to be politically inspired. Airline Newsletter, a publication circulated among airline executives, observed: "As expected, President Johnson seems to have made an effort to reward his friends, or to appear to have done so."

In the January 20, 1969, issue of the Washington Post, Richard Halloran wrote:

> The Johnson Administration tried hard to have the case neatly settled before it left office but instead it will be leaving the incoming administration a problem that could confront it with some painful decisions during its early days.
>
> The outgoing Administration, however, will have considerable lingering influence. C.A.B. Chairman John Crooker, reappointed chairman by President Johnson . . . is not expected to resign his post.
>
> Crooker, a Houston lawyer, has been a long-time personal friend and campaign fund raiser for President Johnson.

It will be recalled that Mr. Crooker was first appointed to the CAB last spring to fill out an unexpired term. Then, in midsummer, he was reappointed by President Johnson, and was confirmed by the Senate on August 2, 1968, for a 6-year term which would not begin until January 1, 1969. Crooker's reappointment and

confirmation came some 5 months before his old term expired.

In the January 22, 1969, issue of the Washington Post, Columnists Rowland Evans and Robert Novak wrote:

Depending on favorable Government decisions for their very survival, airlines hire men of political influence—"rainmakers" in the industry's jargon.

Later on, Mr. Evans and Mr. Novak said:

The airlines with the highest percentage of such rainmakers—Braniff, Continental and American—won highly lucrative routes from the highly political C.A.B. . . .

The C.A.B. increased Braniff's route mileage by 200 percent in the trans-Pacific case and the concurrent Caribbean-South American case. LBJ cronies Troy Post and Jimmy Ling control Braniff; the company's payroll includes LBJ insiders Walter Jenkins and Cliff Carter.

The list of rainmakers for other airlines benefitting from the C.A.B. decision after being ignored by the examiner reads like a Who's Who of the Great Society. LBJ intimate Warren Woodward is a vice president of American; ex-Johnson aides Horace Busby and Jake Jacobsen are on American's payroll. Continental is represented in Washington by (former) Secretary of Defense Clark Clifford's law firm; LBJ inside Lloyd Hand is closely connected with Continental.

Mr. President, the transpacific air route case has been under consideration for more than a decade.

In 1959, President Eisenhower requested the CAB to undertake a review of the Pacific route complex. The CAB responded and reached a decision in December 1960. On January 18, 1961—only 2 days before leaving office—President Eisenhower, for reasons of foreign policy, disapproved the CAB's recommendations on the international phase and suggested that the Board and the new administration reconsider the matter.

It is noteworthy that President Eisenhower welcomed reconsideration of the case by the Kennedy administration.

At the present time, under established procedures, the parties to this case have until tomorrow, January 24, to file petitions for reconsideration.

I know that the factors which must be taken into account in a case like this are highly complex. I would not suggest that a review by the Nixon administration should take very long.

But I strongly suggest that this case should be carefully reviewed by the new administration before any award of these multimillion-dollar air routes is made final.

The doubts about this decision suggested in the press are serious, and should not be lightly dismissed.

Therefore, in view of the widespread controversy which surrounds this case, and because of the importance of making sure that such a decision is based on the public interest, I am calling upon the new administration to stay further proceedings pending a careful but expeditious review.

Mr. President, in connection with these remarks, I ask unanimous consent to have the various articles to which I have referred printed in full in the RECORD.

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

[From the New York Times, Apr. 17, 1968]

CAB EXAMINER URGES EXPANDING PACIFIC FLIGHTS—VAST ROUTE OVERHAUL WOULD ADMIT EASTERN, TWA, AND WESTERN TO AREA

(By Evert Clark)

WASHINGTON, April 16.—A vast expansion of airline service to Hawaii, the South Pacific and the Orient was recommended today by a Civil Aeronautics Board examiner.

Urging the first overhaul of Pacific route structures in 20 years, Robert L. Park proposed that Eastern Air Lines, Trans World Airlines and Western Air Lines be admitted to the rapidly expanding Pacific market.

The new candidates would join Pan American, Northwest and United. Those three lines would be granted some new or improved routes. In addition, Flying Tiger would become the first American cargo line with Pacific authority, on a five-year experimental basis.

[The C.A.B. examiner's finding stirred mixed reaction from the carriers, ranging from severe criticism by those not recommended for new routes to approval from those suggested for additional routes. On the New York Stock Exchange, shares in the recommended airlines registered gains.]

FIRST MAJOR STEP

One effect of today's proposal would be to make Pan American and T.W.A. true round-the-world carriers of the American flag. T.W.A. now flies east from California to Hong Kong but no farther. Pan Am basically has no domestic route network but recently got interim permission to link its West Coast terminals with New York.

The recommendation is the first major step in the biggest case in C.A.B. history. It must be reviewed by the board itself—perhaps by mid-June—and then by the President.

Mr. Park's recommendation would increase competition in almost every area of the Pacific and give many inland and East Coast cities direct service to Hawaii and beyond.

New and improved services proposed today would begin early in the nineteen-seventies. Six foreign-flag carriers now compete against the three American carriers in the Pacific.

The importance of the so-called Transpacific Route Investigation was reflected in this statement by Mr. Park:

"One cannot peruse the facts in this record without being deeply impressed by the nature and extent of the involvement of this nation in the Pacific. From every point of view—defense, economic, trade, tourism—the interests of the United States are being drawn inexorably toward the countries of the Pacific basin."

Seventy-two parties have introduced evidence in the case and a transcript of 9,421 pages has been compiled from the 68 days of hearings held here and in Honolulu last year. Altogether, 18 airlines—two of which merged during the hearings—sought new or improved routes.

Mr. Park's proposals brought many surprises to the airline industry. They also brought the frequent observation that politics appeared not to have been involved in his recommendations, despite the intensive competition for the routes.

American, Continental and Braniff, considered particularly strong contenders, got no new routes. Eastern got virtually everything it had asked for. United got none of the flights beyond Hawaii that it had sought. Pan American and Northwest, the predominant Pacific carriers, were given more competition on their prime routes than many had expected.

There was considerable speculation here that the case is so complex and Mr. Park's recommendations so thorough that neither the board nor the President is likely to alter them drastically.

ACTION BY EISENHOWER

On the other hand, some observers recalled that just before he left office in January, 1961, President Eisenhower in effect threw out several years of C.A.B. work on revision of Pacific routes and told the board to restudy the case at some time well in the future. The current review is the first since his rejection.

Mr. Park's proposals essentially eliminate West Coast cities as the prime gateways to the Pacific. They would open the West, Midwest, South, South-Central and Eastern areas to direct flights, some of them nonstop.

His recommendations include:

Eastern Air Lines—Flights from 11 mainland points to the South Pacific, making it Pan American competitor there. The points are Boston, New York-Newark, Philadelphia, Washington-Baltimore, Chicago, St. Louis, Dallas-Fort Worth, Houston, New Orleans, Atlanta and Miami. Eastern would have to overfly the West Coast via Hawaii or go by way of Mexico City and Acapulco. It could serve Tahiti, American Samoa, Fiji Islands, New Zealand and Australia.

Western—Two new routes between Anchorage, Alaska and Hawaii and between Minneapolis-St. Paul, Denver, Phoenix, San Diego, Los Angeles-Long Beach and San Francisco-Oakland and Hawaii.

Pan American—Flights to the Orient from New York-Newark and Seattle-Tacoma, Portland, San Diego, Los Angeles-Long Beach and San Francisco-Oakland. Also, a new route from New York-Newark via Fairbanks, Alaska, to Japan to give Northwest its first competition on this route. For its South Pacific routes, Pan Am could now serve New York-Newark, Seattle-Tacoma, Portland and San Diego. San Diego also would be added as a Pan Am gateway to Hawaii.

Northwest—Flights from eight new mainland points to the Orient. The points are Boston, New York-Newark, Washington-Baltimore, Philadelphia, Cleveland, Detroit, Chicago and Minneapolis-St. Paul. Also service to Hawaii as part of the Orient route. Northwest also could carry local traffic from the mainland to Hawaii.

United—Nonstop service between Hawaii and 11 new mainland points: Boston, New York-Newark, Buffalo-Niagara Falls, Philadelphia, Pittsburgh, Washington-Baltimore, Cleveland, Detroit, Chicago, Kansas City and Denver.

Flying Tiger—A five-year certificate to carry mail and cargo only from 10 mainland points to Hawaii and from these points to the Orient.

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[From the New York Times, Jan. 19, 1969]

PACIFIC AIR ROUTE AWARDS: PLUMS MAY PROVE BITTER

(By Robert E. Bedingfield)

The consensus of the airline industry on the Civil Aeronautics Board's decision last month in the Trans-Pacific route case is that the board made the wrong awards to the wrong people for the wrong reasons—and that the plums it sought to distribute might prove impossible to pluck.

That applies particularly to the international awards. The related domestic awards, announced earlier this month, were also criticized, but not so warmly. The C. A. B. invited anyone aggrieved to file protests by next Friday, and many acceptances of the invitation were predicted.

The criticisms were subdued. In a regulated industry the profits from saying out loud the regulators must be out of their minds are hard to come by. One of the few persons who seemed really pleased with the awards was Robert Six, president of Continental Airlines.

His company was given permission to operate between Chicago, Kansas City, Denver, Phoenix and Los Angeles to Honolulu and Hilo. In addition, it received the right to try to crack the near monopoly of Pan American and a three-line British alliance on air travel to Australia and New Zealand.

A ROSY VIEW

Mr. Six, almost alone, buys the C. A. B.'s rosy view of travel to the lands down under

and the islands in between. He said: "The traveler has been virtually every place except the South Pacific. He will love Australia and New Zealand, because the people speak English and like Americans."

Trans World Airlines, in the route decision, won its long-sought, around-the-world route. It had been restricted to stopping at Hong Kong. Even so, T. W. A. can cross the Pacific only by the longer route touching Hawaii and Okinawa, and is specifically forbidden to serve Tokyo. Moreover, it must use the lesser airports of Ontario and Long Beach in the Los Angeles area, rather than the Los Angeles International Airport.

One critic of the decision remarked: "The C. A. B. seems to have forgotten that it is still dragging its feet on letting T. W. A. land and take off from Ontario and Long Beach in another case."

Northwest was granted authority to add New York, Newark, Philadelphia, Washington's Dulles Airport, Cleveland, Detroit, Chicago and Minneapolis-St. Paul as mainland starting points for its Great Circle route via Anchorage, Alaska. It now has just Seattle and Tacoma. Feeder flights must start from satellite fields in both Los Angeles and San Francisco. It also was granted a Central Pacific route via Hawaii from the domestic points listed.

In the board's international route decisions—those have to be approved by the President, to make sure foreign relations are weighed in the decision—Braniff Airways was authorized to serve Hawaii, but only via Mexico City and Acapulco, from its domestic terminals at Miami, Atlanta, St. Louis, New Orleans, Dallas and Houston. In the subsequent domestic decision—where the C. A. B. has the last word—Braniff got a nonstop route to Hawaii from those terminals.

In the domestic phase of the findings, Continental and Western Air Lines were given routes between the mainland and Hawaii, and expansion of the existing United Airlines service was approved.

To show the confusion that can be created by the divided responsibility for decisions, American was granted a domestic mainland-Hawaii route, but only for passengers intending to go on to Japan—after President Johnson had vetoed the board's decision that American might fly to Japan.

The President said that allowing a third carrier to join Pan American and Northwest in competition for traffic on the Tokyo run "is not at this time in the national interest." The President did urge that American be allowed to serve Hawaii without restriction.

TWO TRIBUNALS

Two commissioners, John Crooker Jr., the chairman, and G. Joseph Minetti, urged that the restrictions be lifted, but the majority of the commission let the meaningless permission stand.

One surprise to the industry was the board's failure to give anything to Eastern Airlines, after the hearing examiner, Robert L. Park, had favored Eastern for the routes that were given instead to Continental.

When all the petitioners line up Friday to ask for changes—and even Mr. Six has some requests to make, happy as he professes himself to be—they will be, in reality, addressing two tribunals. The board itself can affirm or revise the domestic rulings; if the international decisions are changed, that will be the work of President Nixon.

It would set a precedent if President Nixon upset any such decision of a preceding President, but Wall Street observers feel such a precedent would be a healthy one.

"We aren't privy to what knowledge the State Department had," one analyst of airline securities said. "The Japanese had been put on notice that a third carrier might be allowed to fly to Japan. I don't blame the Japanese for kicking, but I don't see why the State Department had to simply cave in."

Other analysts agreed that not only Japan, but many other countries, have a favored line, like Japan Air Lines, which is looked upon as a quasi-government enterprise.

"If we are going to cave in every time a national airline wants to get tough," an industry spokesman said, "it will be hard on the privately owned United States airlines, because they can all get tough if it pays off."

Aviation Week & Space Technology, a trade publication, made the same point, that the conflict between the C. A. B.'s mandate to foster air commerce and the State Department's concern for "public service as a tool of diplomacy" could only interrupt healthy route expansions in other areas.

PUBLICATION QUOTED

The favors shown Braniff and Continental were considered in both the industry and in Wall Street to be politically inspired. Airline Newsletter, a publication circulated among airline executives, observed: "As expected, President Johnson seems to have made an effort to reward his friends, or to appear to have done so."

"It was obviously a political decision," a bank analyst said. "Continental and Braniff, handling military traffic, did everything they could to butter up the Government. We were surprised that they weren't favored over Eastern in the examiner's report as well as in the decision."

As far as Continental's new routes to the South Seas and Micronesia are concerned, financial circles generally contend that the harvest Mr. Six expects is a long way off, notwithstanding the C. A. B.'s rosy estimates of potential increased traffic. Moreover, some analysts pointed out, Continental still doesn't have landing rights, and those can take a long time to get.

It is believed that obtaining landing rights, particularly in the Philippines and Japan, may prove troublesome in the case of Flying Tiger. In approving the C. A. B.'s decision to grant this all-cargo carrier a route between the United States mainland and the Orient, President Johnson said he had "serious reservation concerning the advisability of the award."

He said he would allow the board's decision to stand, since the route would be experimental, on a non-subsidy basis and limited to a five-year period. For years the Philippines have severely restricted Pan American and Northwest, both of which now serve the islands.

In the South Pacific, meanwhile, there were less than 200,000 trips from the United States in 1967, and this included Australia and New Zealand. Competing for the business were Pan American, Qantas (the Australian-owned line), Air New Zealand, British Overseas Airways, UTA (an affiliate of Air France) and a Canadian line.

REQUESTS CUT

When Pan American asked permission to make 12 flights a week to Australia instead of seven, and six a week to New Zealand instead of three, it was held to nine and four a week respectively. Now Continental will further divide the available traffic.

When Examiner Park made his report on trans-Pacific routings, he estimated that in 1970 the total United States-Orient market would be between 1.4 million and 1.5 million trips. The board, in remarks with its decisions, raised the 1970 estimate to 1.6 million passages, citing "more recent data." Industry spokesmen generally said they could not imagine what those data might be.

The C. A. B. observed that traffic to the Orient from the Pacific Northwest and California had been growing in recent years at about 20 per cent a year and intimated that this rate of growth was expected to continue.

One industry source commented that while traffic had been growing at a rate of 19 per cent a year for several years ended in 1967, the 1967-68 growth was less than 10 per cent from the larger base created by previous increases.

As part of the justification for feeding new competition into the Pacific market, the board cited the persistent high fares, which, it said, Pan American and Northwest had shown little indication to reduce.

The fares are high. One way from New York to New Zealand for $610, and $1,172-round trip, are not calculated to lure the 21-day vacation trade. Neither are $479 one-way, $922 round-trip to Tokyo—and that's in the off season. Peak fares are $499 one-way and $960 round-trip.

Analysts point out that reducing fares on international routes is not something that can be done by the United States airlines, with or without C. A. B. urging. Such fares are set by consultations of the members of the International Air Transport Association, and the I.A.T.A. of late has been more eager to raise fares than to lower them.

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[From the Washington Post, Jan. 20, 1969]

AIRLINE STORM RUMBLING OVER PACIFIC ROUTE DECISIONS

(By Richard Halloran)

A flock of disgruntled airlines, including some of the most powerful, are trying to blow the controversial Transpacific air route case wide open.

Resentment is rumbling among the carriers over recent Civil Aeronautics Board and Presidential decisions and what the carriers consider the politics-ridden, sloppy way in which the case was handled.

Spokesmen for the airlines have been cautious and circumspect in public statements but privately they make clear their dissatisfactions and their intent to have the decisions overturned if they possibly can.

The Johnson Administration tried hard to have the case neatly settled before it left office but instead will be leaving the incoming Administration a problem that could confront it with some painful decisions during its early days.

INFLUENCE LINGERS

The outgoing Administration, however, will have considerable lingering influence. CAB Chairman John Crooker, reappointed chairman by President Johnson on Dec. 31 for a one-year term, is not expected to resign his post on Jan. 20.

Crooker, a Houston lawyer, has been a longtime personal friend and campaign fund raiser for President Johnson.

CAB sources said Crooker plans to stay on at least until the Transpacific case is concluded, possibly for the entire year. Although protocol usually requires the chairman of a regulatory commission to resign with the change of Administration, some former CAB chairmen have set a precedent of not resigning.

President-elect Nixon, according to his aides, is quite aware of the timing and scope of the controversy. But they doubt the new President will insert himself into it and will concern himself with it only if it comes to him for a decision.

Airline industry sources, however, said a "common effort" is being made to get the new President to look at the case. CAB officials said the new President will have every right to review its international aspects because the international and domestic route patterns are so closely interrelated, as the CAB has pointed out repeatedly, this could bring Nixon's influence into the domestic portion.

At issue is a vast new pattern of lucrative airline routes from America throughout the Pacific islands to the Orient and Australia. Once the pattern is set, it is not likely to be changed much for many years.

Thus, the route case is important not only now but far into the future when Transpacific travel increases with bigger, faster

jets and more affluent travelers who want to range farther from home.

The Transpacific case is unusual, beyond its size and complexity, because the CAB and President Johnson have left an opening that gives dissatisfied carriers a point of attack.

APPARENT SLIPUP

In an apparent slipup between the Board and the White House, decisions on American Airline's routes were left unresolved when the case rulings were made public.

The immediate problem started on Nov. 18, when the CAB recommended to President Johnson that American * * * part of an overall revision of trans-Pacific routes.

The CAB, insiders, say, was reasonably sure the President would approve because at least six of his former aides are now associated with American. Moreover, Secretary of Commerce C. R. Smith is a former president of American.

The Japanese, however, protested strongly to the State Department that Japan did not favor having another U.S. airline besides Pan American and Northwest flying to Tokyo.

The Japanese government, which owns controlling interest in Japan Air Lines, did not want more competition for JAL. The Transpacific route is by far JAL's biggest money-maker and, in effect, subsidizes other routes flown for prestige by the Japanese flag carrier.

President Johnson, in a letter dated Dec. 17, told the CAB that "foreign policy considerations" caused him to disapprove the route award to American.

CAUGHT BY SURPRISE

The CAB, caught by surprise, published its rulings on the international portions of the case Dec. 19. It withheld its findings on the domestic phase, primarily the coveted routes to Hawaii, until it could consider revisions forced by the President's disapproval of American's Tokyo route.

CAB originally recommended that American be permitted to fly to Hawaii and on to Tokyo but not to Hawaii and turnaround back to the mainland.

The President's action meant that American could get to Hawaii but couldn't fly back.

CAB's withholding its domestic route rulings, however, touched off a roar among the carriers. Delta, Western, and National, later backed partially by Eastern, demanded that the CAB release its domestic findings immediately.

They contended that everyone should know all of the findings before they could decide what appeals for reconsideration they could make to the Board. This, in turn, touched off an argument within the Board.

LEFT UP IN AIR

Chairman Crooker and member G. Joseph Minetti argued that the American route question should be settled before the domestic findings were published. But they lost and the Board voted to issue domestic decisions Jan. 4, leaving American still up in the air.

CAB also set Jan. 24, four days after Mr. Nixon's inauguration, as the deadline for receiving petitions for reconsideration in both the international and domestic phases of the case. For 10 days after that, the Board will receive counter-arguments and then make its decision.

The CAB is confronted with at least four alternatives, with pressures coming from all over to rejigger the whole route pattern it has established.

One is simply to take away American's Hawaii route altogether and rule the case closed. A second would give American the right to fly to Hawaii and back to the mainland.

MORE TROUBLESOME

The two others are more troublesome for the Board. It could give the American route to another carrier that already has rights to fly through Hawaii to the Orient. Or it could retain American's right to fly to Hawaii but designate another terminal in the Pacific to which it must fly before turning around.

No matter what the CAB rules, it may be faced with a * * * test * * * in a ruling that is the Board's exclusive jurisdiction.

The President has complete and final say over international routes. The Board can only recommend. But the President has no authority over domestic awards.

When he disapproved CAB's recommendation on American's Tokyo route, the President said in the letter to Chairman Crooker: "I hope the Board will give consideration to amending the domestic award to American Airlines so as to enable it to serve Hawaii without long-haul restrictions."

Some carriers, privately, contend that the President's statement can be construed as interference in the Board's business. Crooker was obviously embarrassed by it and took pains to divert charges of interference.

In a dissent to issuing the domestic phase rulings, in which he was joined by Minetti, they said: "We are fully cognizant of the line of demarcation between the President's responsibilities and the Board's . . . in the area of interstate air transportation, it is exclusively the Board's . . . we do not regard the President's request for further consideration of American's mainland-Hawaii route as an attempt on his part to enter into the area of our statutory jurisdiction."

OPEN TO ACCUSATIONS

American is also in a ticklish position, for if the Board now gives it a Hawaii route, it will be open to accusations of Presidential favoritism. A spokesman for the airline declined any comment on that point.

The Transportation case, clearly the largest before the CAB in two decades, opened in February, 1967 with hearings before examiner Robert L. Park. Before Park concluded the hearings in June that year, 433 witnesses submitted testimony, 18 airlines asked for routes, dozens of municipal authorities and other interested parties presented their points of view.

Park's recommendations to the CAB were, in the main, that:

Trans World Airlines became the second U.S. round-the-world carrier, extending its service from the U.S. through Hawaii and Guam to Tokyo and then to join up with its Southeast Asia service in Hong Kong.

Eastern Airlines be put into competition with Pan American in the South Pacific, flying from 11 Eastern and Midwestern cities to Hawaii without passing through the California gateways. Eastern would be permitted to fly beyond Hawaii to Tahiti, Samoa, Fiji, New Zealand, and Australia.

Pan American, serving the Orient through Hawaii, be given a great circle route through Alaska to Japan. Northwest, flying to Japan over the great circle, would be granted a Hawaii-Central Pacific route to Asia. These awards would put the two carriers in direct competition.

United Airlines, already flying the California-Hawaii route, be given 12 Eastern and Midwestern cities from which it could fly to Hawaii non-stop. Western Airlines would get two new routes to Hawaii from Western cities and from Anchorage, Alaska.

The CAB, while accepting many of Park's basic principles for a new route pattern, drastically revised his recommended carriers. The major changes included:

Taking TWA out of Tokyo and giving it a route from Hong Kong through Taiwan and Okinawa to Guam and Hawaii—a route the Board admitted is weak. One member called it anemic. The Hawaii-Japan segment, the most profitable in the Pacific, was given to American, represented by President Johnson's ex-aides.

Taking the South Pacific route from Eastern and giving it to Continental, a line in which former presidential press secretary Pierre Salinger once served as a vice president. The Board also overruled Park's recommendation that Eastern serve Hawaii through Mexico City. It gave that route to Braniff, which has headquarters in President Johnson's home state of Texas, even though Braniff had not actively argued that it wanted the route.

Former White House aides Walter Jenkins and Ivan Sinclair are now executives with Braniff.

Taking away from Pan American the additional West Coast gateway cities that the examiner recommended to make it more competitive with Northwest. But the Board retained the recommendation that Northwest, which has headquarters in Vice President Humphrey's home town of Minneapolis, be given additional interior cities from which to fly to the Orient.

The Board's deliberations over Park's recommendations are not on the public record. But some clues about the arguments can be gleaned from the dissents attached to the CAB's findings.

TWO CONCUR TOTALLY

Only Crooker and Minetti concurred totally in the final result. Vice Chairman Robert T. Murphy criticized the elimination of TWA from Tokyo, the principal traffic point in the Orient, and pointed out that the route pattern has three carriers flying from Hawaii to Guam and Okinawa.

John G. Adams agreed with Murphy, contending that TWA's experience in Asia made it a more logical choice for Tokyo. But he agreed with the majority in the selection of Continental over Eastern for the South Pacific route.

Whitney Gilliland dissented from the entire decision. He would have chosen Eastern over Continental for part of the Hawaii route. More important, he said, he did not agree with the increase in number of carriers and argued that the same services could have been achieved without breaking up the routes among carriers.

After the CAB recommendations went to President Johnson, the White House intended to have its decisions out in time to close the case before the new Administration took over.

But there was a miscalculation. Christmas and New Year's Day do not count in the 30 days for reconsideration, which spilled the case over into the Nixon Administration. The uproar over splitting the domestic and international decisions and the sudden move to repair that threw the case even further into the new Administration.

Most airlines will wait until the Jan. 24 deadline to file their petitions for reconsideration. But many have already given indications of what they plan to do.

American says it will definitely ask that the confusion over its Hawaii run be resolved. A spokesman said it has not decided whether to ask the Board to recommend a new ruling on the Hawaii-Japan segment to the new President.

TWA says it has not decided whether to file a petition. But a spokesman said that with President Nixon having a shot at the question, they find the situation "interesting."

TO ASK RECONSIDERATION

Delta which got nothing, says it will ask for reconsideration on the domestic phase, to Hawaii, and possibly in the international, to Japan, which it originally wanted.

Eastern, which also got nothing, will petition for reconsideration on both phases, hoping to get into Hawaii and on to the South Pacific.

Pan American says it will definitely appeal the domestic decision, seeking authority to fly from interior U.S. cities to Hawaii and beyond, as Northwest will be permitted to do.

It may also seek reconsideration on the international phase.

Northwest says it is satisfied and probably will not petition on the international runs but hasn't decided on the domestic phase.

United spokesmen had no comment on their plans.

Braniff says it is "extremely pleased" but has not decided whether to appeal for more. Continental also said it is "very pleased" but will ask for more terminal cities on the mainland from which to fly to Hawaii and the South Pacific.

Western appeared happiest of all. It put out a press release last week saying it was "elated" with its awards.

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[From the Washington Post, Jan. 22, 1969]

NIXON LOOKING AT AIRLINES' HIRING OF INFLUENTIAL GOVERNMENT AIDES

(By Rowland Evans and Robert Novak)

Clouds of suspicion overhanging the half-billion-dollar Transpacific air route case will increase if the aide to former President Johnson who worked on the case becomes, as now seems probable, Washington lawyer for an airline that benefited from the case.

W. DeVier Pierson, Mr. Johnson's staffer in the stormy case, is a well-regarded young Oklahoman with a spotless record as assistant White House counsel. He would not be breaking any conflict-of-interest statute by working for the airline, and the ethical considerations are foggy.

Yet, a regulator quickly joining the well-paid ranks of the regulated typifies the syndrome of regulated industries generally and the aviation industry in particular. Depending on favorable Government decisions for their very survival, airlines hire men of political influence—"rainmakers" in the industry's jargon.

Coincidence or not, companies with the heaviest concentration of rainmakers won handsome prizes in the Transpacific case.

Thus, weeks before his inauguration, President Nixon was looking quietly and closely at not only the Transpacific case (which he must now review), but also at the whole regulatory process and its rainmaker syndrome.

At stake in that case are new air routes to Hawaii and beyond to the Orient worth $500 million in annual revenue. In an industry where more companies are ailing than healthy, the Transpacific case's final outcome could mean life or death to some airlines. Since the case opened June 15, 1965, airline payrolls have been loaded with rainmakers.

Indeed, the industry late last year was reaching into the White House so deeply that some key aides barred themselves from reviewing international aspects of the Civil Aeronautics Board's (CAB) decision—the President's constitutional responsibility in the case.

Joseph Califano, Mr. Johnson's general handyman, disqualified himself because he was joining a law firm representing Braniff International in Washington. So did White House Counsel Harry McPherson, who is joining a Washington law firm representing Northwest Airlines. The job was handled entirely by McPherson's deputy: DeVier Pierson.

By the fall of 1968, prior to Mr. Johnson's decision in the Transpacific case, airlines were also eyeing Pierson for post-Government legal service. But, Pierson told us, he refused to talk to anybody until after President Johnson's decisions were announced Dec. 19.

Since then, he has been sounded out by Continental Airlines, which fared very well indeed in the Transpacific case. However, he is more likely to join a Washington law firm representing Trans World Airlines (which did fairly well in the case) and handle the TWA account there. Pierson told us he would not represent any airline in connection with the Transpacific case, which is prohibited by law anyway, but did not forever bar himself from doing airline business in private life.

Here, then, is a delicate conflict-of-interest question. If Pierson does now represent TWA, his work in the White House on the Transpacific case will be considered suspect, probably unfairly. Moreover, if the Transpacific case is reopened by Mr. Nixon, there will be whispered questions about whether Pierson as TWA's Washington counsel is completely keeping out of intrafirm discussions of this vital case.

Actually Califano, McPherson, and Pierson are the more being suspect of the rainmaker syndrome. Most airlines seek out political operators. The airlines with the highest percentage of such rainmakers—Braniff, Continental, and American—won highly lucrative routes from the highly political CAB. These three airlines had been given absolutely nothing in new routes by the CAB examiner's recommendation made after months of hearings and deliberations.

The CAB increased Braniff's route mileage by 200 per cent in the Transpacific case and the concurrent Caribbean-South America case. LBJ cronies Troy Post and Jimmy Ling control Braniff; the company's payrolls include LBJ insiders Walter Jenkins and Cliff Carter.

The list of rainmakers for other airlines benefitting from the CAB decision after being ignored by the examiner reads like a who's who of the Great Society. LBJ intimate Warren Woodward is a vice president of American; ex-Johnson aides Horace Busby and Jake Jacobsen are on American's payroll. Continental is represented in Washington by Secretary of Defense Clark Clifford's law firm; LBJ insider Lloyd Hand is closely connected with Continental.

These Democratic rainmakers may well be considerably less effective in Mr. Nixon's Washington, but politically astute airline companies have Republican rainmakers as well. That's one reason why Mr. Nixon, as he considers his inherited Transpacific mess, may decide the whole potentially corruptive system needs immediate reform.

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## DELAYS AT WASHINGTON NATIONAL AIRPORT

Mr. SPONG. Mr. President, according to the Washington Post this morning, the former Vice President, Mr. Humphrey, was delayed 3 hours leaving Washington National Airport Tuesday. As a result, he had to cancel some of his schedule in Cleveland so he would not be late for a speaking engagement.

The experience prompted Mr. Humphrey to describe the situation at Washington National as almost intolerable. He told a Cleveland press conference, according to the Post, that the airport here is trying to do a job too large for its size and facilities. The news report says Mr. Humphrey said something would have to be done to move more traffic to Dulles International Airport. He said he thought it was a shame that Dulles, which represents a great investment of taxpayers' dollars, was used so little.

Mr. President, while I regret any inconvenience Mr. Humphrey may have experienced, I am pleased that he has called attention again to the congestion that exists at National Airport and the need to shift a greater amount of National's traffic to Dulles.

Approximately 18 months ago the Civil Aeronautics Board initiated an investigation of congestion at Washington National to determine whether a greater use of the airports in the Washington area, including Dulles and Friendship, would help relieve the situation. I testified at the opening session to urge CAB action to bring about a greater use of Dulles. There was hope in the beginning that the CAB could bring about an informal agreement among the airlines to shift some of their flights to Dulles, but that has not come to pass. It now appears that if this investigation is to produce any meaningful results, the CAB will have to hold time-consuming, formal hearings before amending any existing airline certificates to require that service to Washington be furnished through Dulles.

Many Senators will recall the congested conditions at major airports in the eastern portion of the Nation last summer. That situation prompted the Federal Aviation Administration to propose rules to curtail use of certain designated high-density airports, including Washington National. I appeared at the FAA hearing, too, with the suggestion that greater use of Dulles would help relieve some of the problem at National. The FAA's proposed regulations have created a considerable controversy and there has been no positive action on the National situation from this quarter to date.

I have said repeatedly that the existence of the two federally owned airports in the vicinity of the Nation's Capital with such an imbalance of traffic as there is between National and Dulles defies any logical explanation. The most recent figures available show that more than 9 million passengers utilized National during the first 11 months of 1968 compared with only 1.6 million at Dulles.

Mr. President, again I regret the delay Mr. Humphrey experienced. I regret delay for any air traveler. Congestion at airports is a growing national problem, but there is less excuse for it here than perhaps at any other major city, and I hope the responsible Federal agencies will find a prompt solution to this intolerable situation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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## SPOTLIGHT ON SENATOR MARGARET CHASE SMITH

Mr. AIKEN. Mr. President, I hold in my hand a small, attractive magazine called "City East, a Magazine for New Yorkers."

One section of this magazine is called "Senatorial Spotlight." This month it features a biography—or a little more than a biography, a very complimentary article—on Senator MARGARET CHASE SMITH, of Maine. I ask unanimous consent that the article entitled "Senatorial Spotlight," written by George Douth, and published in City East for January 1969, be printed in the RECORD.

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

SENATORIAL SPOTLIGHT

(By George Douth)

Senator Margaret Chase Smith has always spoken out in the councils of the Senate for the strongest possible national defense—and for a firm foreign policy to match it.

As ranking Republican on the Space Committee, the Armed Services Committee, its Preparedness Investigating Subcommittee and its Central Intelligence Subcommittee; third ranking on the Appropriations Committee and second ranking on its Department of Defense Subcommittee, she exercises an influence over the whole range of national defense. No other woman has ever equaled her position of power in the United States Senate.

As a member of a subcommittee on congested areas of the Committee on Naval Affairs in the House of Representatives, she traveled throughout the country in 1943 to find the cause of bottlenecks in the Navy's war effort. It is one of the very few if not the only subcommittee that earned a Presidential Unit Citation, which was given to it by President Franklin D. Roosevelt.

When the long, hard months of subcommittee work were over Mrs. Smith found herself deeply committed to the cause of bettering national defense. The absorbing interest has continued ever since. She served on the House Naval Affairs and Armed Services Committees until her election to the Senate in 1948.

THE ARMED FORCES AND RESERVE AFFAIRS

She has been a pioneer in some important legislative landmarks for the Reserve and she takes more pride in these pioneering achievements than in banner headline battles won.

She introduced the first Reserve retirement law in 1943 and the first bill to provide drill pay for Reservists.

She introduced the legislation to provide equal death and disability coverage for Reserves on active duty—it became known as the Smith Act.

She also introduced legislation that eventually led to the executive order setting up the Reserve forces medal.

In addition to these pioneering efforts, Mrs. Smith helped write the Reserve Officer Personnel Act and much other important military legislation. She was one of the first supporters of retired pay recomputation after 1958 and fought harder for it than anyone else in the Senate.

Senator Smith has worked to improve the quality of the Reserve by making sure that those who get the important promotions earn them. She carefully reviews the records of promotion nominees—particularly those to flag rank—and has repeatedly blocked unworthy nominations. It has led her into some rousing scraps. On at least one occasion she even challenged the powerful members of her own committee in a floor fight—over the promotion of a major to a brigadier general in the National Guard, to match his appointment as adjutant general. She lost the battle but she won the war. She got the Armed Services Committee to set a firm policy that it would never approve more than a one-grade promotion at a time. The action came after she had blocked two-grade jumps for five new state adjutants.

This characteristic preparation for battle was well displayed in the Jimmy Stewart affair when, the Senator objected to the famous actor's nomination for promotion to brigadier general in the Air Force Reserve. Her grounds for opposition were partly because Stewart had not taken the annual Reserve training; largely, however, because she did not believe that he was qualified for the important post scheduled for him in the event of mobilization: Chief of Staff of the Strategic Air Command's Fifteenth Air Force.

The Air Force sent General Emmett O'Donnell to testify on behalf of Jimmy Stewart as nominee. The General did poorly. He did not have his facts in hand, and Senator Smith did. Adroit in handling documented data, imperturbable and precise, she formulated questions that cut through to the very bone, and the General soon was caught with his feathers down. In fact, the record of the hearing looked so bad when it got back to the Air Force that it was given what the White House called "clarification" for the permanent record. Clarified O'Donnell was a far cry from the confused O'Donnell of the hearing.

Altogether, Mrs. Smith thought the nomination was an unconscionable business, and other senators agreed with her when it reached the Senate floor, Stewart's promotion was not approved, although it was backed by a resounding majority of the Armed Services Committee.

Stewart's promotion came up again and this time he had done his training. Senator Smith voted in his favor—but only after the Pentagon assured her that, in the event of active duty, Stewart would be in public relations and not in the other more critical job.

Senator Smith has served as a Lieutenant Colonel in the Air Force Reserve. As the acknowledged Champion of Reserve legislation in Congress, she has been cited for her service by the Air Reserve Association, the National Guard Association and the Reserve Affairs Association.

MORALE OF THE MILITARY

According to the Senator, Pentagon policies on the Reserve since mid-December 1964 have resulted in undermining and weakening the Reserve. The attempt to push the illegal proposed merger of the Reserve and National Guard—without legislation—down the throat of the Congress was blocked.

Senator Smith remarked:

"Had the proposed plan gone through, the Army Reserve would have ceased to exist as an organization having any units since all units would have been assigned to the Army National Guard. Even though the Congress fortunately blocked this tragic proposal, the proposal nevertheless not only undermined the morale of the Reserve but put the Reserve organization and training in disastrous limbo for far too long. The harmful results still linger."

Not only did Congress prevent the merger, but permanent legislation was enacted into law to preclude any future merger since the Army Reserve must consist in part of units organized to serve as such.

The Senator has emphasized the need for legislation with a system provided for by permanent law under which Congress through the authorizing committees will annually review and authorize the strengths of the Selected Reserve of each of our Reserve components.

One important piece of women's legislation Senator Smith originated was the bill providing Regular status for nurses.

In 1957, the Air Force asked her to come on active duty and make a study of why technically trained men were leaving the service. The Air Force felt, quite correctly it turned out, that men would talk more freely to her than they would to their senior officers. Mrs. Smith spent a month on active duty, conducted over 300 interviews with all ranks from full general to airman, and wrote a 101 page report.

"I never worked so hard in my life", she said, recalling the assignment recently.

She found that lack of recognition, what the professionals call "physche income", was the important reason for people leaving the service, even more important than pay.

The Senator was impressed with the mature thinking of service people. She found that present income was not as important to most as what they could expect in the future, the income and attainment they could aspire to. Interestingly enough, the finding of the Cordiner Committee that drafted the 1958 pay act confirmed her report.

RESEARCH AND DEVELOPMENT CAPABILITY

In Senator Smith's judgment, during the Johnson Administration, there has been a serious deterioration of the strength of our national security and defense resulting from a destructive two-fold policy and theory of (a) cost effectiveness and (b) scaling down our military capability toward nothing more than parity with Russia on the theory that such parity would result in stalemate and that stalemate would result in peace. The disastrous results of this policy and theory are evident from our weakened position around the world.

The Senator has cautioned against any narrow and shortsighted emphasis on any single defense system. Instead she urged emphasis on priority for research and development because she is convinced that the foremost power and leadership will be achieved not by that nation which possesses the greatest resources, natural, military or industrial, but rather by the nation which possesses the greatest research and development capability.

The Senator has stressed that the space program is not merely a race to beat Russia to landing a man on the moon. It is not only a moon program. Instead, it is designed for the security of our country, the exploration of our universe, and the various spin-off benefits that now—not just tomorrow—provide for improvement in our health and enjoyment of daily living.

Margaret Chase Smith, daughter of George Emery and Carrie (Murry) Chase, was born in Skowhegan, Maine, December 14, 1897. She attended Skowhegan public schools and graduated from Skowhegan high school in 1916.

WOMAN AT THE HELM

Mrs. Smith was a school teacher; a telephone and woolen company executive, and a circulation manager of the hometown weekly owned by Clyde H. Smith.

The pivotal event in her life was her marriage to Clyde Smith, May 14, 1930. She served on the Republican State Committee from 1930–36, before coming to Washington with her husband. In 1937 when her husband came to Congress, she became his Congressional secretary (he didn't like the idea but she talked him into it). As such, she soon learned her way around and was drawn rapidly into the very center of the political maelstrom. After three years Clyde Smith died of a heart attack. Knowing himself to be dying—indeed on the day before he died—he appealed to the electorate to put his wife into his office.

Mrs. Smith embarked on her successful political career in June 1940, when she became a member of the United States House of Representatives from the Second Congressional District of Maine. Margaret Chase Smith served in the United States House of Representatives from 1940–49.

In 1948 she went for broke. Vision and courage being substituted for wealth, Margaret Chase Smith dropped her seat in the House and gambled everything on the Senate. If she had lost she would have been just a young lady back in Skowhegan again.

The gamble succeeded so well that Mrs. Smith won out in the primaries with more votes than all of three masculine opponents combined.

Near the beginning of this campaign she slipped on ice and broke her arm. She was off speaking again as soon as the bone was set, actually making two speeches on the very day of the accident. During most of that campaign she carried her arm in a sling.

However, her alertness of mind enabled Mrs. Smith to break ground and plant herself firmly in the U.S. Senate.

In 1948, she was elected to the Senate by the highest percentage majority and the greatest total vote majority in the history

of Maine. In 1954, when she was re-elected to a second full six-year term in the Senate, she was the top vote-getter of all candidates for all offices—and in the primary she set a new record for the total number of votes received in a contested primary.

In 1960, when she was re-elected to a third full six-year term in the Senate, for the third successive time she was a top vote-getter. Senator Smith was re-elected in 1966 for the term ending January 3, 1973.

She is the only woman to ever have been elected to four full terms in the United States Senate. She is the first woman to have been placed in nomination for President at a national convention of a major political party. In the final ballot at the 1964 Republican National Convention, she received the second highest number of votes.

Senator Smith is the only woman to serve in both houses of Congress.

The Senator insists upon the normal prerogatives of seniority, insists upon taking equal responsibility and never shirking a job, and at the same time insists upon not taking any prerogatives that would not be due a male senator of equal seniority. All politicians love the spotlight and there are opportunities where a woman could take the spotlight away from more senior colleagues; Mrs. Smith avoids any hint of such maneuvering.

One of the things that grew out of this conscious effort at balance between being a lady and being a lawmaker is the wearing of a rose, which has become Senator Smith's trademark. She wears a fresh one every day. (In summer she grows her own. In winter three are delivered to her office twice a week by a Capital Hill florist: they cost her 35 cents each.) For years Mrs. Smith wore suits on the floor of Congress so as not to overemphasize the feminine aspect. To soften the severity of the suits she began to wear a rose. Now, she wears one with everything.

DECLARATION OF CONSCIENCE

Senator Smith never calls a spade a garden implement. She says what she thinks in plain English and if she thinks someone is wrong she tells them so with unforgettable clarity.

Some remarks she made one time on U.S. military power in relation to Russia might have caused former Soviet Premier Nikita S. Khrushchev to call her "the devil in the guise of a woman."

Senator Smith is not given to frequent orations, knows how to keep her own counsel and speaks only when she has something to say. Bowdoin College noted this quality in conferring the honorary degree of Doctor of Laws upon her in 1952. The citation reads, "She is a woman of common sense, good judgment and brevity of speech."

One of her rare Senate speeches came in 1950 and is known as Margaret Chase Smith's Declaration of Conscience.

It was at a time when the late Senator Joseph R. McCarthy was making headlines with his charges that the government was being infiltrated by Communists. Senator Smith declared that it was high time to stop character assassination behind the cloak of Congressional immunity.

"The American people," she said, "are sick and tired of seeing innocent people smeared and guilty people whitewashed." She said that Democrats and Republicans alike were "playing directly into the Communist design to confuse, divide and conquer." She wanted a Republican victory, but she "didn't want to see the Republican Party ride to political victory on the four horsemen of calumny—fear, ignorance, bigotry, and smear."

She made no mention of McCarthy, although he was the obvious target of accusation. This Declaration of Conscience made a profound stir both in and out of Congress.

On the international scene the Senator has made extensive trips throughout the world from 1944 through 1961. Very few people have conferred with as many leaders of nations throughout the world as has Mrs. Smith.

In Senator Smith's judgment, the defense of the nation is not alone a matter of military force. It depends also upon foreign policies realistic in concept and unflinching in spirit.

## ORDERS FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW, 12 O'CLOCK NOON MONDAY, JANUARY 27, AND 12 O'CLOCK NOON TUESDAY, JANUARY 28, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

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

Mr. MANSFIELD. I ask unanimous consent that when the Senate completes its business tomorrow, it stand in recess until 12 o'clock noon Monday next.

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

Mr. MANSFIELD. And that when the Senate completes its business on Monday, it stand in recess until 12 o'clock noon Tuesday next.

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

## RECESS

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 33 minutes p.m.) the Senate took a recess until tomorrow, Friday, January 24, 1969, at 12 meridian.

## NOMINATIONS

Executive nominations received by the Senate January 23 (legislative day of January 10), 1969:

DEPARTMENT OF THE TREASURY

Charls E. Walker, of Connecticut, to be Under Secretary of the Treasury.

Paul A. Volcker, of New Jersey, to be Under Secretary of the Treasury for Monetary Affairs.

DEPARTMENT OF DEFENSE

Barry James Shillito, of Ohio, to be an Assistant Secretary of Defense.

U.S. INFORMATION AGENCY

Frank J. Shakespeare, Jr., of Connecticut, to be Director of the U.S. Information Agency.

## CONFIRMATIONS

Executive nominations confirmed by the Senate, January 23 (legislative day of January 10), 1969:

DEPARTMENT OF STATE

Elliot L. Richardson, of Massachusetts, to be Under Secretary of State.

Richard F. Pedersen, of California, to be Counselor of the Department of State.

COMMODITY CREDIT CORPORATION

The following-named persons to be members of the Board of Directors of the Commodity Credit Corporation:

J. Phil Campbell, of Georgia.

Clarence D. Palmby, of Virginia.

DEPARTMENT OF THE INTERIOR

Walter J. Hickel, of Alaska to be Secretary of the Interior.

DEPARTMENT OF THE TREASURY

Charls E. Walker, of Connecticut, to be Under Secretary of the Treasury.

Paul A. Volcker, of New Jersey, to be Under Secretary of the Treasury for Monetary Affairs.

DEPARTMENT OF DEFENSE

David Packard, of California, to be Deputy Secretary of Defense.

## WITHDRAWALS

Executive nominations withdrawn from the Senate January 23 (legislative day of January 10), 1969:

INDIAN CLAIMS COMMISSION

Theodore R. McKeldin, of Maryland, to be a Commissioner of the Indian Claims Commission, which was sent to the Senate on January 9, 1969.

U.S. CIRCUIT JUDGE

Harold Barefoot Sanders, Jr., of Texas, to be U.S. circuit judge, District of Columbia Circuit, vice Charles Fahy, retired, which was sent to the Senate on January 9, 1969.

U.S. DISTRICT JUDGES

David G. Bress, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Joseph C. McGarraghy, retired, which was sent to the Senate on January 9, 1969.

Cecil F. Poole, of California, to be U.S. district judge for the northern district of California, which was sent to the Senate on January 9, 1969.

William M. Byrne, Jr., of California, to be U.S. district judge for the central district of California, vice Peirson M. Hall, retired, which was sent to the Senate on January 9, 1969.

DISTRICT COURT OF GUAM

James P. Alger, of Utah, to be judge of the District Court of Guam for the term of 8 years, vice Paul D. Shriver, resigning, which was sent to the Senate on January 9, 1969.

COMMISSION ON CIVIL RIGHTS

Hector P. Garcia, of Texas, to be a member of the Commission on Civil Rights, which was sent to the Senate on January 9, 1969.

LAW ENFORCEMENT ASSISTANCE

Patrick V. Murphy, of New York, to be Administrator of Law Enforcement Assistance, which was sent to the Senate on January 9, 1969.

Wesley A. Pomeroy, of California, to be an Associate Administrator of Law Enforcement Assistance, which was sent to the Senate on January 9, 1969.

Ralph G. H. Siu, of Hawaii, to be an Associate Administrator of Law Enforcement Assistance, which was sent to the Senate on January 9, 1969.

BOARD OF PAROLE

Emory P. Roberts, of Maryland, to be a member of the Board of Parole for the term expiring September 30, 1974, vice James A. Carr, Jr., which was sent to the Senate on January 16, 1969.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1973, which was sent to the Senate on January 9, 1969.

DIPLOMATIC AND FOREIGN SERVICE

Albert W. Sherer, Jr., of Illinois, a Foreign Service officer of class 1, to be Ambassador

Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea, which was sent to the Senate on January 9, 1969.

Robert W. Komer, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey, which was sent to the Senate on January 9, 1969.

POSTMASTERS

All the postmaster nominations still pending in the Senate which were submitted to the Senate since the 91st Congress convened and prior to January 21, 1969.

# EXTENSIONS OF REMARKS

## CONSUMER EDUCATION IN THE SCHOOLS

### HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

*Thursday, January 23, 1969*

Mr. TYDINGS. Mr. President, the District of Columbia school system, in cooperation with the neighborhood legal services program of the Office of Economic Opportunity, is innovating a consumer education program which I feel should serve as an example to be followed by other communities across the Nation.

The basis of the program is a law course being offered to the elementary and junior high students in the 30 schools in the District. The course, "You and the Law—Rights and Responsibilities," is designed to teach youngsters the rudiments of the law so that they will know when creditors are taking advantage of them. The children, in turn, will have sufficient background in credit buying to be able to give advice when their parents purchase goods on credit.

An article describing the program appeared in the January 7 edition of the Washington, D.C. News. I would like to share it with my colleagues, and therefore 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:

CHILDREN TO LEARN LAW TO HELP PARENTS

D.C. schools and Neighborhood Legal Services will try to keep Washington parents from being gyped in credit buying and home purchases by giving their children a basic course in law.

Lawyers and school officials hope the 1,500 elementary and junior high students in 30 schools who take the "You and the Law—Rights and Responsibilities" course will remember what they have learned when their parents decide to buy a house or a car. Juvenile and family law as well as Constitutional safeguards also will be covered.

The law program is scheduled to start in February and March with Neighborhood Legal Services lawyers supervising what is to be taught.

Beginning today teachers are undergoing two days of orientation for the course.

A similar program has been carried on informally for three years in 11 Southeast sixth grade classes by Dr. Katherine Nutterville, an 80-year-old VISTA voluteer assigned to Neighborhood Legal Services.

The expanded law course has no specific curriculum, said Mrs. Irene Rich, program coordinator. If it is successful, parents, teachers and students may write a permanent curriculum over the summer, she said.

Under the pilot program, each class will pick a problem people in its neighborhood will face and learn how to solve it. "For example it might be how to buy a television," Mrs. Rich said.

The 30 schools carrying the program include two from the affluent area west of Rock Creek Park.

## CONGRESSMAN OTTINGER DISCUSSES "CHALLENGE FOR TODAY: A LIVABLE CITY"

### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 22, 1969*

Mr. DULSKI. Mr. Speaker, the first anniversary meeting of the New York State Association of City Councils was held last weekend in my home city of Buffalo, N.Y.

As a former member of Buffalo's common council, I am well acquainted with the problems faced by our cities today, and I am very much interested in the success of this organization. Together, through this organization, members of the city council of our cities in the Empire State may be able to help each other and, at the same time, to work collectively to deal with these problems.

The new State association is restricted to cities outside Metropolitan New York City of 30,000 or more population.

One of the main speakers at the Buffalo meeting was my colleague, the gentleman from New York (Mr. OTTINGER). Following is the text of his remarks:

CHALLENGE FOR TODAY: A "LIVEABLE" CITY

(Address by Congressman RICHARD L. OTTINGER before the New York State Association of City Councils, Buffalo, N.Y., January 17, 1969)

I am pleased and honored to join with you at this first anniversary meeting of the New York State Association of City Councils. Your membership has one of the most challenging—and, potentially, one of the most legislative responsibilities in the country today.

The formation of this Association is a welcome advance toward strengthening the role of local officials in meeting the great new challenges of urban—and suburban—America today.

The constituency you represent now comprises the overwhelming majority of our people—*and* our national problems. To a very great extent, the future of this country is going to depend on our effectiveness in resolving these problems and creating a liveable and economically viable economy.

It is my conviction that an essential ingredient in any resolution will be to strengthen and enlarge the powers and the responsibilities of the people who are most responsive to the needs of our urban population, the local officials. This is the reason that I am so enthusiastic about the formation of this Association and the role it can play.

Let's take a simple problem: transportation. If the metropolitan complex is going to work it needs a fast, efficient system for moving people around.

A modern highway system is essential to a strong and growing national economy, but experience and reason both combine to prove that automobiles and highways aren't the answer to the city's transportation problem.

I am reminded of a remark that New York Traffic Commissioner Wylie made at his final press conference upon his retirement. He was asked whether he had any answer to Manhattan's traffic congestion. He thought for a while and then said, yes he did, and he thought maybe it was the only answer. "Make all the north-south streets one way going north and in 24 hours it would be Westchester's problem."

As a Westchester representative, I can't say I'm too enthusiastic about that idea, but I do recognize a strong element of truth in it.

The answer to urban and suburban traffic congestion is to get the cars off the city streets and the only way to do that is to offer people a better way to get around.

Every local official recognizes this and would give high priority to mass transit if he could.

But the local official has relatively little power under the present system and is dependent upon the mercies of the state.

In 1967, we New Yorkers authorized a $2½ billion transportation bond issue which was to be the panacea for our transportation problems. Today, two years later, we've made virtually no progress, and what we have done has been going in the wrong direction.

Of the $523 million in bonds and notes that have been issued, 90 per cent has gone for new highways. Barely 10 per cent has been committed to the kind of mass transportation that is really needed by the new urban suburban civilization we live in today, and almost all of that has gone to make up the deficit without improving service on the fast deteriorating Long Island Railroad.

From every corner of the State, citizens are protesting against the depredations of new highways. Here in Buffalo, it is the Kenmore Expressway. In my own district, it is the Hudson River Expressway. I know there are citizens who have a suspicion that the State's answer to difficult problems is to pave them! But the State officials who have the authority are not listening, are not responsive to the real needs.

This attitude that "big brother knows best" is reflected in almost every State program affecting our cities.

In 1968, Governor Rockefeller introduced his proposal for dealing with the problem of our inner cities. What he called for was not a program of State aid to help our cities act to resolve their own individual and unique core city problems. No. He called for an Urban Development Corporation with the power to condemn private or municipal property and then build what ever the corporation thinks is a necessary project for the city. Of course, local officials can participate in hearings and present plans, modifications and alternatives, but any of you who have participated in Transportation Department hearings know how effective that is.

We are trying to approach the problems of the new urban-suburban society with governmental tools designed for a world we have left behind. The answer is not to grant unlimited powers to the State. The State must be held to strict standards which will assure full participation in planning and execution of projects to the officials who are directly responsive to the people who make up our new social structure; to give a meaningful say to the mayors and managers, the councilmen, aldermen and supervisors—and through adequate hearing provisions, to the people affected. There must also be adequate pro-

vision for court review to hold the State to the specified standards.

One result of this present course is that we have focused a disproportionate amount of time and resources on bricks and mortar solutions to the urban problem and far too little on another aspect that is quite as important in the long run—the question of whether we will be able to create a liveable environment.

By "liveable" I don't mean just pleasant, I mean an environment that is capable of supporting healthy human life.

No social institution devised by man has ever imposed a greater demand on our natural resources than our cities, and none has ever assaulted those resources so mercilessly.

I'm not talking just about the traditional resources such as timber, wildlife and minerals, I mean such resources as land, air and water.

For example, it seems hard to conceive that we could ever use all of the fresh water available to us—especially sitting here in Buffalo next to Lake Erie, a potential resource that can be measured in cubic miles. Hard to believe? Yes. But the official report of the Federal Water Resources Council proves that we are within thirty years of doing just that. The Council reported that, by the year 2010, the demand for fresh water in this nation will match the total available supply. After that, the demand will grow while the supply remains fixed.

This isn't a problem for the distant future. Over half the people alive today can expect to be alive when we pass that point of no return and children and grandchildren alive today can expect to live well beyond it.

Here in the northeast, the tremendous concentrations of people and the continuing deterioration of resources confronts us with an even more imminent crisis. In spite of the fact that we are a water rich area, we will reach our finite limit within ten years.

To meet this challenge, we must begin immediately to take the steps necessary to conserve and expand our supply. How long will it take to clean up Lake Erie? Where will the people of Buffalo go for the 150 to 200 million gallons of water they draw from the lake each day if we fail to reverse the present pollution?

We have waited far too long to begin the battle to abate pollution. We must accelerate this effort. But we must also start planning for recycling and reuse of water, for desalination and the other creative efforts that are essential to expand our water supply.

You who are faced with dealing with the real sources of pollution, the inadequate municipal sewer systems and antiquated treatment plants, know what a monumental task we face just in pollution abatement alone. I am sure that you are also very much aware of how halting and inadequate our progress has been to date.

In 1965, the people of this State authorized a $1 billion Clean Water bond issue. As of today, less than $50 million of that has been issued for treatment plants. We aren't even catching up on the problem.

Furthermore, there's good evidence that the direction we are now taking will fall far short of the mark. We have to have treatment plants, of course. But sewage treated to the presently acceptable level is a form of pollution itself. It returns to the water poor in oxygen and high in the kind of nutrients that encourage the growth of algae. Unless we take our sewage one step further and restore "life" to the water, we will end up with a new type of pollution at least serious as the type we are trying to eradicate.

In dealing with each of the threats to our environment—filthy air, polluted water, refuse, noise—we have to recognize that the environment is a very complex and interrelated system. Everything we do can have a significant impact on other crucial environmental factors—often an adverse impact.

Take those highways I was discussing earlier. Do you realize that highway construction has a significant impact on water resources? Seems hard to believe, but it does.

One of our most important water resources is the acquifer, the underground supply. This is continually replenished by rain seeping into the ground—or it would be except that more and more of the rain water doesn't get into the ground. It falls on highways and pavements or other run-off areas, it collected in storm sewers, carried directly into rivers and then lost, irretrievably lost in the ocean.

How much water do we lose that way? Well, major U.S. highways alone cost us well over 335 billion gallons a year and the highways that are planned for the next 30 years will cost another 1.5 *trillion*.

Planning adequately to protect our environmental resources from exhaustion, to keep the waste products of our new urban civilization from destroying us, is a very complex and important job. It has to be started right now. I believe that those who are most directly concerned, the local officials, must provide the impetus and play a key role in the actual planning and action.

Now, as you know, the power to plan is circumscribed by the power to pay, and the power to pay is subject to the power to tax. Unless the local official is given greater access to greater financial resources, his increased role in planning will not be effective.

Yet, the tax resources of our cities are actually shrinking, and alternatives are largely pre-empted by the State and Federal governments.

Here in Buffalo, for example, *one-third* of the real property is tax exempt. This includes the property of seven railroads, which was removed from the city's roles by the State's Railroad Relief Act, and the campuses of the two State universities. To varying degrees the same diminution in tax resource is true in each of the cities you represent.

This imposes intolerable fiscal limitation upon our urban areas.

Mayor Lindsay has again renewed his plea for Urbanaid under which the State would share income tax revenue with metropolitan governments. Some such mechanism is essential if we are to be successful in restoring to the cities effective control and direction of their own programs without further adding to the already oppressive burden of local taxation.

To the extent the State directly undertakes urban projects, much more of a voice must be given to the people affected and their local representatives.

The agenda facing you as individual legislators and as members of this organization is tremendous. What is needed is a broad revision in our political structure, the establishment of a whole new set of priorities and responsibilities.

But as big and demanding as the job is, it is one that must be done.

It is no more nor less than adaptation for survival.

Now, for the first time, as a result of our increase in population and our technological progress, we are touching the finite borders of our environment. However, unlike other species, we have a unique ability to control that environment and an almost limitless capacity for adaption—if we act.

The actions that we take now affect not only the future of this nation, but utimately the very continuance of civilization.

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## GILBERT LEGISLATION FOR HANDICAPPED PERSONS

### HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. GILBERT. Mr. Speaker, I am reintroducing legislation to permit handicapped persons to claim income tax deductions of $600 for disability and $600 for transportation to and from their place of employment. My bill would also grant a similar tax deduction for a handicapped spouse.

The bill rigorously defines and limits the degree of disability which would entitle recipients to this benefit. I propose the measure not simply because it is humanitarian but because it makes sound economic sense.

Handicapped taxpayers frequently have greater expenses than nonhandicapped taxpayers. They may need special clothes, special tools, special medical apparatus to enable them to work. Giving them an extra tax deduction encourages them to keep at their jobs. It offers them an incentive for being productive, helps to keep them from dependency on their families or on the welfare rolls.

Similarly, handicapped persons normally cannot get to work by the standard means of transit. Often they cannot ride buses and trains but need taxis. Or they have to drive specially made cars. By offering a tax deduction for transportation, it saves their wages for personal use and provides extra encouragement for continuing work.

I regard our tax structure as medieval in failing to recognize the importance of extending special benefits to the handicapped. I am convinced that the Federal Treasury would be more than repaid for these leniencies—while enabling handicapped persons to retain their independence and self-esteem.

Mr. Speaker, much of the inspiration for the legislation comes from the wonderful work done in my district by the Ruth Kirzon Group for Handicapped Children, a volunteer organization dedicated to helping disabled young people. The women who serve so selflessly in this group are an example to the Federal Government.

I will request immediate hearings on this legislation, Mr. Speaker, in the hope that it can become policy for taxpayers in the current year.

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## OPPOSITION TO PAY RAISE

### HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. NICHOLS. Mr. Speaker, the President's budget which was submitted to the Congress on January 15 contained a proposal to raise the salaries of the top officials of the executive, legislative, and judicial branches of the Government. Unless the Congress takes some action within 30 days, the raises become effective automatically under provisions of Public Law 90–206.

Two years ago when the proposal for a Presidential commission to study and recommend salaries came before the Congress, I opposed it. I am still opposed to any commission or any other small group of people not directly responsible to the people having the power to raise salaries.

A recent national poll showed that the American public's respect for the Congress has fallen to a new low. The prin-

cipal reasons for the lack of trust in Congress are actions such as those being taken on these salary increases. The Commission was designed purposely to insure a raise for Congressmen and other top Federal officials without the Congress having to go on record as voting for or against the raises. It is no wonder the public does not trust the Congress.

Now, I am not going to be hypocritical about this matter. I can use the additional salary which is being proposed. I have extra expenses just like every other Member of the Congress. While maintaining a home for my family in Sylacauga, I also have to have a place to live in the Washington area. One of my daughters is in college this year, and another goes next year.

Aside for my personal expenses, I imagine I send as many flowers, buy as many complimentary ads, donate to as many charities, and entertain as many constituents as most of the Members of this House do. And unlike many here, I have no law practice and no family business to supplement my congressional salary. So I make no bones about the fact that I could use the raise.

But there are two reasons why I oppose these substantial salary increases. First, I oppose them on the basis that our country is being confronted with a financial crisis. The 90th Congress raised taxes under the guise of fighting inflation. Now we are being told that the 10-percent surtax will have to be extended past the date it was scheduled to end. I opposed the original tax, and I am sure I will oppose the extension of it. But I cannot understand how the Members of Congress can say to the taxpayers, "We must take away some of your money to prevent you from spending it and increasing the inflationary trend in the country," while at the same time increasing their own salary and their own spending power by 40 percent.

Second, I oppose the method by which the increase is being proposed. As I have already said, I voted against the creation of the Commission to study salaries. If Members of Congress feel that they and other Federal officials deserve this increase, then let them publicly express their feelings by debating this matter on the floor of the House and then let us have a record vote on this issue. I frankly do not believe Congress deserves a raise until it exhibits some fiscal responsibility in handling the taxpayers' money.

It is not my intention to embarrass anyone on this matter. Every Member of this House must live with his own conscience and must answer to his own constituents. I certainly do not intend to go to my people and say simply that I would have voted against the raise, but the 30 days passed and no vote was taken. I want them to know, and I want my colleagues to know, that I did all I could to defeat this raise. I am joining with several other colleagues in introducing a resolution which would void the salary increases as proposed by the President. It is my hope that the Post Office and Civil Service Committee will agree to bring this resolution to the floor for a vote. Then if the House still sees fit to approve the raises by a record vote against my resolution, the House will at least have acted with honor and not by underhanded methods.

Even if it disapproves the President's proposal, the Congress could still act on salary increases through regular legislative procedure. I would even support smaller increases for some of those Federal officials covered by the report. But if salaries are going to be raised, let the Congress do it responsibly and not through devious methods.

Finally, I want to anticipate the argument of one of our colleagues who reportedly will have forms available whereby any Member can refuse the raise if it does become law. I feel that I am as valuable to my district as any other Member of Congress is to his, and I expect to receive the same compensation as any other Member. If a majority of the Members of this Congress feel that a raise is due, then I certainly am not going to waive my right to receive the same pay as they do. And, quite honestly, I believe the people of my district would think their Congressman was stupid to refuse a raise just because his opposition to it had failed.

H. RES. —

*Resolved*, That the House of Representatives hereby disapproves all of the recommendations of the President of the United States, with respect to the rates of pay of offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 225(f) of the Federal Salary Act of 1967 (81 Stat. 643; Public Law 90-206), transmitted by the President to the Congress in the budget for the fiscal year ending June 30, 1970.

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## NO ACADEMIC GHETTOS

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ANDERSON of Illinois. Mr. Speaker, several days ago Mr. Roy Wilkins, of the National Association for the Advancement of Colored People, spoke out against the actions of a small but vocal minority within the Negro community who are trying to force our colleges and universities to be run on an apartheid basis. Recognizing the current struggle for leadership within the Negro community, I personally respect the courage and integrity displayed by Mr. Wilkins in issuing his statement.

In his inaugural address, President Nixon called upon the American people to stop shouting at each other so that they could begin listening to each other in the quest for racial justice within our society. I believe that Mr. Wilkins' attempt to put an end to some of the racially motivated shouting on our Nation's campuses is a good step in that direction, and I personally commend him for his action.

On January 15, the New York Times gave editorial endorsement to Mr. Wilkins' remarks in an editorial entitled "No Academic Ghettos." I enter this editorial into the RECORD at this point so that my fellow colleagues will have the opportunity to read it should it not already have been brought to their attention:

NO ACADEMIC GHETTOS

Roy Wilkins has shown characteristic courage in calling on black college students to abandon their self-destructive campaign for Negro separatism on the nation's campuses. But even more to the point is Mr. Wilkins's attempt to stem the spineless retreat by many white administrators and faculty members under separatist pressure from a radical and immature minority among Negro undergraduates. Those who stand ready to rationalize the irresponsible demands for all-black courses, departments, dormitories and campus subdivisions are in obvious need of the warning by the executive director of the National Association for the Advancement of Colored People that they may face court actions challenging the establishment of "what are, patently, Jim Crow schools."

The disease of what can only be described as a militant black withdrawal into campus ghettos is spreading too rapidly to be taken lightly. It has led to virtual warfare at San Francisco State College and other California institutions.

It is the underlying cause of disruption at Brandeis University and at Swarthmore as well as the skirmishes at Queens College. It has led to the cancellation under fire of a dramatic presentation at Yale. And increasingly, as was the case at a recent student-faculty conference on the future of Columbia University, it has resulted in refusal by Negro students to participate in exactly the kind of concerned colloquy that alone can lead to full equality of the races in the academic community.

White bigots have long poisoned the nation's policies and practices through propagation of the myth that Negroes really prefer to stand apart. This is not the time to replace a pathological lie with a pathological ideology. Mr. Wilkins's proud warning against a return to "the lonely and dispiriting confines" of separatism's "demeaning prison" must be heeded by black and white alike.

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## PROPOSED ELIMINATION OF MILK PROGRAM IMPERILS NATION'S NUTRITION EFFORTS

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. STEIGER of Wisconsin. Mr. Speaker, the outgoing administration, in its budget proposals for fiscal 1970, has seen fit to seek a reordering of priorities in the Nation's food programs and the termination of the special school milk program. At a time when we are accumulating an ever-increasing body of knowledge indicating severe problems of hunger and malnutrition, the Congress has been asked to eliminate one of our most efficient and effective nutrition programs. More importantly, perhaps, is the fact that this action was taken apparently without the knowledge of the impact of existing programs or the dimension of the malnutrition problem.

All of the evidence accumulated in recent months indicates that present food supplement programs are totally inadequate, not just because of insufficient funding, but also because the programs have been administered in such a way as to exclude large numbers of people most in need of help. In addition, a check of the record reveals substantial confusion on the part of executive agencies responsible for the programs. Spokesmen

for the Department of Agriculture have repeatedly expressed their belief in the value of phasing out the commodity distribution program to needy families and replacing it with the food stamp program. And yet the new budget proposes an increase in funding for the commodity program approximately twice that proposed for the food stamp program.

The desire to increase the Federal effort in the school lunch programs is commendable, but this action is to be taken at the expense of the special milk program, and the net impact of the recommended changes will be a substantial reduction in the nutritional benefits provided for the Nation's schoolchildren.

In 1968, and again in 1969, approximately $103.5 million was appropriated, providing some 3 billion half pints of milk annually. The budget proposed for 1970 provides for no new appropriation; with some $14.7 million carried over from prior years, the program will be carried on at a sharply reduced rate and then phased out entirely.

The Department of Agriculture and the recently departed administration have argued that this elimination of the milk progress is justified on the grounds that other nutrition programs for children are being greatly expanded, so that a larger portion of the Nation's young people will receive lunches through the school lunch program. They also suggest, that the transfer of funds will not result in any reduction in the amount of milk actually consumed because each new lunch provided for in the budget will include milk. I find, using information from the budget, that this is not the case; indeed that the elimination of the milk program coupled with the increase in the lunch and breakfast programs will actually reduce the amount of milk consumed by approximately 2 billion half pints annually. Once the $14.7 million remaining in the milk fund is expended, the consumption of milk by the Nation's schoolchildren will be cut back even more sharply.

It has been estimated that some 66 percent of the 51 million schoolchildren have benefited from the milk program. Only 44 percent will benefit from the school lunch, special assistance, and breakfast programs after they are expanded. Approximately 94,500 schools and institutions have participated in the milk program. Under the proposed expanded nutrition programs only 82,000 schools will be included.

I am unable to comprehend the reasoning behind the changes in the proposed budget. The national nutrition survey now underway under the auspices of the Department of Health, Education, and Welfare points to severe problems of malnourishment, especially among younger age groups. Other studies, in particular "Their Daily Bread: A Study of the National School Lunch Program," have pointed up the inadequacies of our present efforts:

(1) Of 50 million public elementary and secondary school children, only about 18 million participate in the National School Lunch Program. Two out of three children do not participate.

(2) Of 50 million school children, fewer than two million, just under four per cent, are able to get a free or reduced price school lunch.

(3) Whether or not a child is eligible for a free lunch is determined not by any universally accepted formula, but by local decisions about administration and financing which may or may not have anything to do with the need of the individual child. And generally speaking, the greater the need of the children from a poor neighborhood, the less the community is able to meet it.

With respect to the special milk program, "Their Daily Bread" reported the following:

(1) The great majority of schools in the communities surveyed are included in the special milk program.

(2) The federal government reimburses more than half the cost of the first pint of milk served with lunch and slightly more on every half pint served after that. This means that out of what the children pay on the balance, plus special reimbursement based on the number of half pints served free, there is enough money to serve milk free to needy children—a far higher percentage than receive a free lunch.

From these two factors alone, it is easy to see that the milk program is working well.

In spite of all of these findings, and in spite of the fact that elimination of the milk program will reduce the nutritional services provided our schoolchildren, the authors of the new budget have asked us to abdicate our responsibilities and accept their suggested priorities for Federal nutritional efforts. I, for one, am not prepared to support these recommendations. In the past I have worked actively for basic improvements in programs designed to insure the fulfillment of the nutritional needs of every American. I intend to support such efforts this year, including the expansion and upgrading of the school lunch program.

Nonetheless, until such time as the responsible executive agencies can guarantee that all of the Nation's schoolchildren, and in particular those living in poverty, will receive nutritionally adequate and nourishing meals, no effort should be made to eliminate already proven programs designed to provide badly needed dietary supplements. Specifically, no action should be taken that will reduce the milk consumption of the Nation's children by some 2 billion half pints annually, I am confident that the Congress and the new administration will see fit to restore and hopefully increase the appropriations for so necessary and desirable a program.

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## INAUGURAL ADDRESS OF RICHARD BUELL OGILVIE, 37TH GOVERNOR OF ILLINOIS, SPRINGFIELD, ILL., JANUARY 13, 1969

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### HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ARENDS. Mr. Speaker, on Monday, January 13, Richard Buell Ogilvie was inaugurated as the 37th Governor of my beloved State of Illinois. He has had a distinguished career of public service. He has already proven himself to be not only a man of vision, but a man who gets things done.

Under leave to revise and extend my remarks I am inserting in the RECORD his truly admirable inaugural address. It will stand as a classic among inaugural addresses, not only for its eloquence, but for the truisms it expresses of the problems of our times, our common goals and for its inspirational appeal for their achievement by a united effort. While recognizing we are faced with the "challenge of change" our Governor reminds us that there are certain basic principles and traditions that do not change and to which we should adhere.

I predict Governor Ogilvie will prove to be one of the greatest Governors in the history of the great State of Illinois.

The inaugural address follows:

INAUGURAL ADDRESS OF RICHARD BUELL OGILVIE, 37TH GOVERNOR OF ILLINOIS, SPRINGFIELD, ILL., JANUARY 13, 1969

Governor Shapiro, fellow citizens of Illinois: We are gathered here today in the city of Lincoln in a time of paradox, a time that embraces the best and the worst.

We are plagued by a war, by poverty and ignorance, and by increasing violence and crimes against our people.

Yet the words of Theodore Roosevelt still ring true that "no people on earth have more cause to be thankful than ours. We are the heirs of the ages."

For it is true that more Americans than ever before are sharing an unparalleled material prosperity. We are sharing freedom under a unique government which has survived nobly while kingdoms and dictatorships and even other republics have toppled.

And, as seldom before, Americans are exercising a right vital to our way of life—the right to criticize ourselves and our conduct of our government.

Voices are raised in dissent and protest, and there is a crisis of alienation among us.

Within the boundaries which respect the rights of others, the voices must be heard. For there is much to learn to build a better land for all.

But lawless conduct beyond these bounds tears down; it does not build. And it strikes at the foundation of this unique government which is part of our spiritual heritage.

The black man, the youth and the philosopher who protest are demanding change, and they confront our conscience the way slavery, the sweatshops and other hypocrisy of earlier times stirred Americans.

Change of all kinds envelops us, and change itself sometimes seems to be the only certainty we have. The challenge of change is to harness it to bring man into harmony and balance with himself and his world.

Because of scientific change, we can defy age and disease and the heavens. We can fly into space, yet often it takes longer to cross our cities. We can build miraculous computing machines, yet we are balked in our attempt to bring education to all our children. Our minds form concepts of limitless extent, yet we must grope to find solutions to crime.

We should recognize that there is another certainty besides change—the unchanging basis of our unity, our institutions and our common beliefs: And that is our commitment to an America which Judge Learned Hand said may never be "except as the conscience and courage of Americans create it."

This unchanging belief and hope is the root of the present crisis of dissent and alienation.

We can't stand prosperity—when too many are still poor. We cannot fully accept the explosion of knowledge—when it pushes some ever higher and others into deepening ignorance. We are uncomfortable at the gap

between what we believe and what we have achieved.

But none of us should forget that we share common traditions and common aspirations, and we shall share a common fate.

We are gathered here today in affirmation of this unity and this common faith in our capacity to achieve our highest aims under self-government.

The occasion of our gathering is timeless and familiar, but the challenge is ever new. It is a time, as President Wilson said, when "men's hopes call upon us to say what we will do."

I am proud to stand before you as your governor. And I am deeply conscious of the demands on the office of governor to serve with equal devotion the hopes of Cairo and Chicago, of young and old, of black and white.

As we begin this new administration in Illinois, let us bow to the past and to those who time of service has ended. Let us look to the future, too, but above all, let us commit ourselves to the present—and to present action.

None of us can predict with certainty the full nature or extent of the problems we will face in the next four years. But we can establish how we will perform.

We can determine now the nature of our conduct, the quality of our response, and the character of our stewardship.

We shall hold no objective more important than to mobilize the full force of this state government against poverty and ignorance.

For these are the twin scourges of our society. They are the roots of crime and of the decay of our cities.

In this effort, we shall take the initiative—searching our problems and solutions, rather than waiting to react when situations have become crises.

As a vital part of our concern for social problems, we shall move to exploit our economic potential for the benefit of all the people, and in so doing we shall improve our already prestigious economic position among the states.

Further, we shall preserve and restore our natural resources. For we are seemingly at war not only with ourselves, but also with nature. We have the power to destroy nature, and we have already done so to an alarming degree. This process must be stopped—in fact, rolled back.

We are not content to stop short of that America which our conscience and courage can create. And our expectations are ever rising.

We expect more of life, and we expect more of government, both for ourselves and for the less fortunate. With your support, this new administration can match its efforts to our collective expectations.

Our goal is simply this: To enlarge the opportunities and satisfactions of life in Illinois.

Bearing this in mind, let us work together, putting aside partisanship in a common effort to achieve common goals.

Let our actions be based always on respect for individual dignity.

Let us re-dedicate ourselves to individual opportunity and to individual responsibility, the great human developers.

For our part, we in this new administration pledge to be responsive to the needs and the will of the people. Our purpose must be to serve.

We pledge to create effective checks on official arbitrariness and abuses.

We pledge to operate this administration in a spirit of full disclosure, assuring public access to public information.

And we pledge to work for diffusion of official power and responsibility so that state and local governments—the governments closest to the people—can succeed in partnership with the federal government.

In state government itself, self-discipline and innovation must go hand in hand.

State government must be reorganized to become a management tool for accomplishment. It must be sharpened to become the agent for constructive change instead of the custodian of an accumulation of separate and unresponsive agencies and programs.

There is no use in shuffling the boxes around on an organization chart if Illinois begs in Washington and quarrels with its own cities.

We must have a strict system of priorities under annual budget controls that will help us do our most important jobs well, while letting other tasks wait their turn.

We have sought—and continue to seek—men in government who are devoted to work, animated by principle, and committed to success.

They must find better ways of doing the traditional jobs of state government, and they must have the perception to recognize new needs and goals.

All of us must discipline ourselves so that we can work effectively with all sections of the state, to avoid bickering our way into stalemate.

We are going to think not in terms of human misery, but in terms of increasing the potential for human happiness.

We are going to attempt to turn life's dead-end streets into new avenues of opportunity.

Our prisons and mental hospitals must not be ends in themselves, but rather they must be means to repair and renew human lives.

Above all, we must put an end to the historic split between Chicago and the rest of the state. This dichotomy has cost us dearly in wasted bitterness and squandered effort.

More than ever before, the different parts of Illinois, like the different parts of the nation, are united in their interdependence. No single section can stand apart from the rest. We are all Illinoisans together, and together we must make progress in the cities, in the suburbs, in the towns, and on the farms.

All our goals, in short, must be positive—to heal where there is hurt, to rebuild where there is damage, to succeed where we have failed.

In the days ahead, we have one special and immense opportunity. And that is to create a new constitution that will help us achieve present and future goals.

The constitutional convention can write a new document that will live and grow, and will provide a rational basis for fair taxation and fiscal responsibility. No other task before us will demand such a moratorium on partisanship and such an exercise in citizen involvement.

In the convention, in new legislation, in all our acts and thinking, we must work together. We must stay together.

And now, on this day of dedication, I ask you all to join in a new partnership for Illinois.

We ask more of government, more of life itself. And we must give more of ourselves for what we seek. This is the sacrifice demanded for success.

For myself, I ask for your prayers. For Illinois, I ask for your time, your talent, your ideas, and, yes, your criticism.

All of us meeting here today might well remember Lincoln's admonition to a clergyman who said he hoped the Lord would be "on our side."

Lincoln replied: "The Lord is always on the side of the right. But it is my constant anxiety and prayer that I and this nation should be on the Lord's side."

So let it be for us today. For what each of us will do will be judged by our consciences and our Maker.

The final judgment will be the sum of each of our days—of what we did, or did not do, day by day.

Together we can seek the best we believe in for Illinois. This is our land, and the people shall prevail. This is our America that Carl Sandburg called—

"Seeker and finder,
Yet ever more seeker
Than finder, ever seeking its way
Amid storm and dream."

And now, confident in our dream and in our abilities, let us seek the Illinois of tomorrow. Together, we will not fail.

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## DEDICATION OF CENTURY II IN WICHITA, KANS.

## HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. SHRIVER. Mr. Speaker, the people of Wichita, Kans., on January 11, 1969, dedicated and opened a new civic center known as Century II. It was my pleasure to be present at the dedicatory ceremonies for this magnificent new public facility.

Wichita citizens voted in 1961 to build a library and civic center and approved a $15 million bond issue to achieve their objectives. Their affirmative action has culminated in the opening of a center which will enrich and enhance education, culture, the arts, and entertainment throughout Kansas.

I hope that many of my colleagues in the Congress will have an opportunity in the future to visit Century II in Wichita.

Under the leave to extend my remarks in the RECORD, I include excerpts of the dedication address by Mr. Robert Gadberry, vice president of the 4th National Bank and Trust Co. of Wichita. His remarks follow:

DEDICATION ADDRESS BY ROBERT GADBERRY, CENTURY II, WICHITA, KANS., JAN. 11, 1969

Carl Sandburg, who has captured so well the spirit of America and the hopes of man, reflects with considerable insight in *Remembrance Rock*, "God made man a changer. He can change himself into a fish and dive deep and stay under water unafraid of any sea animals. He can change himself into a bird and travel farther with heavier cargo, wider wings, fiercer claws and beak than any bird. *God must have wanted man to be a changer.* Else God wouldn't have put that awful unrest in him."

Apollo 8's recent lunar excursion was successful not because man sought to prove the Buck Rogers comic strips of my generation to be prophetic; the mission was not undertaken just because it would be prestigious in the struggle for supremacy with any other world power; billions were not gulped into a program of such magnitude because we hoped to reap direct dividends from such a national investment. It was none of these. This exciting space chapter which we have witnessed was not economic, it was not essential, it was little understood by most of us. Neither was it the clever or careless caprice of a few. Rather, it was dreamed and dared—and done—*because man is a changer.*

Man's reach is not limited to what lies above or below the earthly plane. In fact, so much more is changed every day, in each new generation, right where we are. Russell Conwell's famous "Acres of Diamonds" told the poignant story of man searching endlessly in unfamiliar and unfriendly places—digging for diamonds that were not there. Failing, the digger returned like a Prodigal Son, beaten

and begging, only to find acres of diamonds in his own backyard.

This is a moment of realization, of digging, of reverent reaching for a new dimension in our corporate and cultural life, for the changing nature of mankind has unearthed new acres of diamonds in our own backyard. Yes, Man is a changer. And this time, men of Wichita have changed not alone the skyline of a city, but here in Century II men have changed the matrix for our new-found capacity for commerce and culture, for architecture and art.

Our vision may be somewhat dimmed for we Americans have an insatiable appetite for the spectacular, for things of size and speed. We grow dizzy here today with the recitation of the immensity of this new "Wonder of the West."

Our master of ceremonies, Carl Bell, related to me that during those hurried and harried days of preparing preliminary figures for the bond proposal—in the cross-current of public pros and cons—one enthusiastic supporter called to insist that "it should be large enough to house both national political conventions at the same time." This, I think, would not be, as the poet wrote, "a consummation to be devoutly wished," however commendable his public spirited insistence on both adequacy and bipartisanship in planning.

Incidentally, that was but one voice from many choruses that rose in the community. Agreement was not automatic. Size, location, financing, services, the color of the dome—all these were the subject of much debate. But cultural interests, civic leaders, the Chamber of Commerce, a progressive City Commission formed a catalyst and a city, heeding the wisdom of an Old Testament proverb, "Where there is no vision—the people perish" voted on May 23, 1961, to build a new library and civic center.

Even the most optimistic had their doubts. Industrial layoffs and a dragging economy should have exerted a negative pressure. A community that was less than enchanted with its immersion in the needed but less artistic demands of schools and sewers, roads and reservoirs, could hardly be expected to vote fifteen million dollars for a library and Civic Center. But man is a changer! And men wanted to erase the Forum and construct in its place that which we proudly dedicate today—Century II.

This is historic ground in this site. Here is the original homestead of Wm. Greiffenstein, once called "The Father of Wichita." In the emerging peace of the frontier at Wichita's birth, it is said that Indians frequently pitched their tepees in Greiffenstein's yard. The latter platted Wichita. His original homestead on the banks of the Arkansas was bought for the city in 1890 for the sum of $6,000. The purpose was not for building a convention hall. That may have been the far vision of a few but the near look was to commercial needs. The land was bought for an open market where wagon hay could be bought and sold and for truck gardeners to sell their produce.

Enabling legislation in 1909 gave the City of Wichita the power to vote bonds for an auditorium and market house. Bonds in the amount of $150,000 were voted, a contract let in March, 1910, and just ten months later, January 25, 1911, the Forum was finished.

The Forum—in 1911—ranked ninth in the United States in seating capacity. So, our forbears were changers, too, and their visions were viable.

Fifty-five years to the day—January 25, 1966—groundbreaking ceremonies for Century II were held. Blueprints for the new became the death knell for the old. Savages of destruction without ceremony or sentiment demolished the Forum, insensitive to the memory of circuses, conventions, concerts, exhibits, sporting events and religious services it had hosted. No fragments of the Forum remain like the worn and ragged remnants of the Seven Wonders of the ancient world, the Temple of Diana or the Colossus of Rhodes. Even the remains of those wonders would be less noteworthy if they did not remind us of the eternal soul of a culture and a civilization.

So it will be with Century II! However well constructed; however unique its design; however adequate to the physical demands, its promise is not in brick and mortar. Its great value is not in the economic bargain it represents at $18 per square foot. Other cities have spent two and three times that square foot cost for like space. Parenthetically, I should add, the architect estimates this $12,600,000 project would cost 25% more if it were bid today.

And we cannot measure her worth on the basis of whatever modest assessment is required to supplement her direct revenues. None of these is the yardstick by which we measure the greatness of Century II for vision and culture, whatever their importance and influence, are difficult to measure.

We do not just dedicate a building today—we discover new purpose. It is not so important that five thousand may gather here to witness some sporting event. It is important that we teach our children and each new generation of the contribution of competition in a free enterprise society. And to see that sportsmanship is a companion to the competitive spirit of America. It is not important how many may gather here in convention. But how essential it is that we provide physically for the meeting of men who can assemble here in the mutual exchange of ideas, the vitality of a free society.

Exhibition Hall is not a matter of square footage but it will be the parade ground of man's unending genius for the new and the better.

It is not the number of concerts or recitals performed here that is important. But how thrilling it is to contemplate how a gently-drawn bow across the strings of some singing instrument might inspire some boy or girl to musical excellence. Numberless are those who because of the grandeur of music will be inspired to seek a perfection in whatever they profess or practice.

And the visual arts—which I would hope could be developed here by the citizens of Wichita—might display again the rewards of human expression. Or the drama of the Theatre may awaken in others some new hope for solution to the tormenting problems of each succeeding generation.

Aldous Huxley in "Ends and Means" said, "The finest works of art are precious among other reasons because they make it possible for us to know if only imperfectly and for a little while what it actually feels like to think subtly and feel nobly."

Here—in Century II—we can feel noble. Men will walk here with pride and purpose. Men will laugh and men will cry here. We will convene in great numbers; compete in smaller numbers. All of this because there were men of vision who built a building we call Century II. It is ours, but belongs more to generations that will follow. They will share with us the exhilaration we sense in the genius of builders and the expression of artists.

Wm. Faulkner, writing "A Fable" said, "Man will survive because he has that in him which will endure even beyond the ultimate worthless tideless rock, freezing slowly in the last red and heatless sunset, because already the next star in the blue immensity of space will be already clamorous with the uproar of his debarkation, his puny and inexhaustible voice still talking, still planning; and there too after the last ding dong of doom has rung and died there will still be one sound more: his voice, planning still to build something higher and faster and louder; more efficient and louder and faster than ever before."

We hear that voice and we glimpse that vision because man is a changer.

What wonders have been wrought in that change! Change that takes the shape of Century II, but change that will mould the dynamic and creative soul of a city.

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## ONE MAN'S RECOLLECTIONS ABOUT NIXON FAMILY

### HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. GOODLING. Mr. Speaker, now that Richard Milhous Nixon is our President, all of us are keenly interested in his background.

I am proud to say that President Nixon's mother and father were once residents of my congressional district, and the President paid his parents frequent visits.

Mr. Harry McLaughlin, a noted reporter from my congressional district, has had the good fortune of visiting the Nixon home, and he has written a very interesting account of his association with the Nixon family. This article appears in the January 19, 1969, issue of the Sunday Harrisburg Patriot, entitled "One Man's Recollections About Nixon Family."

Because Mr. McLaughlin's piece presents some interesting highlights on the family of President Richard Milhous Nixon, I insert it into the CONGRESSIONAL RECORD and commend it to the attention of my colleagues:

ONE MAN'S RECOLLECTIONS ABOUT NIXON FAMILY

(By Harry McLaughlin)

Tomorrow, Richard Milhous Nixon becomes the nation's 37th president.

His inaugural address more than likely will reflect his ideas and feelings toward his fellow man, and to those who know him well, it will come as little surprise if he mentions, at least briefly, his family training as a boy and young man.

He might even reflect upon the influence of his mother and father on his outlook of life. He comes from a closely-knit family, and that will be evidenced at the inaugural events. On hand for this historic day will be 179 relatives of the President-elect and of his wife, Pat.

Nixon's loyalty for family also extends to friends, new or old. He figures loyalty and friendship is a two-way street, and it isn't something that changes with election disappointments or victories.

He learned that lesson from his mother and father, Mrs. Hannah Milhous Nixon and Francis (Frank) Nixon. Their friends and neighbors of Menges Mills, York County, will attest to this attribute.

The elder Nixons, who died several years ago in California after selling their York farm, never forgot the Menges Mills postmaster and his wife, the Carl Stambaughs; or the Donald Sterners, and his mother, Mrs. Florence Sterner, or this writer's family. Neither did the president-elect or his family.

My memories of Mrs. Nixon, whom I affectionately called "Mother Nixon," are quite vivid. She was a modest, religious, soft-spoken woman, who in her own quiet way, accomplished what she set out to do.

I met the president's mother in the early 1950's at the Menges Mills farm in the first of a dozen or more sessions, all professionally arranged in my role as a newspaperman. I

appreciated her trust in me because at the time, her "Richard" (as she always referred to him) was under strong political criticism from some national newspaper reporters and columnists, especially Drew Pearson.

"I won't say anything that could hurt Richard," Mrs. Nixon repeated frequently. However, one sensed she was deeply "hurt" by published unflattering remarks about the family. The then U.S. senator's mother could not allow herself to be quoted.

When Nixon was elected vice president in 1952, after a hectic campaign involving his personal financial situation, his mother took the late York photographer, Bob Motter, and me, on a personal tour of the Nixon home in Washington, to refute certain Pearson remarks. We were in the company of Mrs. Florence Sterner, who then was her Menges Mills constant companion and "dear friend."

Photographer Motter and I were the only newsmen permitted into the Nixon home upon the vice president-elect's return to Washington from California after the 1952 election, and we were present only because of "Mother Nixon's" invitation. The exclusive photo shown in this column was taken by Motter only minutes after Mr. and Mrs. Nixon arrived home that historic November, 1952, day to rejoin his mother and daughters.

He and Pat were greeted by their daughters, Julie and Patricia; his mother, and Mrs. Sterner, Motter and this writer, inside the residence.

To the surprise of the Sterner family, the Stambaughs, to Motter, to the McLaughlins, "Mother Nixon" arranged inaugural invitations, and the "red carpet" treatment was extended to each of us that year.

The Stambaughs and Sterners were also "extra special" friends of other members of the Nixon family. The elder Mrs. Sterner spent many evenings with the elder Nixons, and usually they argued the merits of President Truman's administration.

Carl Stambaugh, a Democrat, who was postmaster during the seven-year stay of the Nixons in Menges Mills, also owned and operated the community store which was frequented daily by members of the distinguished family.

"Tricia and Julie like the ice cream cones, and they usually ate the ice cream while sitting on the front steps of the store. The farm was only a little more than a mile from the store, a good walk for them. Mother Nixon was baby-sitter for the vice-president's girls while he and Pat traveled around the world, and especially during the two vice presidential campaigns. The elder Nixons moved east after Richard was elected a congressman in 1947 to be near him, the postmaster recalled.

The president-elect's younger brother, Edward, graduated from West York High School in 1948 and was the York County high school high jump champion in his senior year. Last fall, he returned for a campaign visit to the farm and to the school, and laughingly discussed his track talents with his coach, C. C. Richards, who is still a teacher at the high school.

Edward also spent a lot of his leisure time at the Menges Mills store, Stambaugh said.

When the president-elect spent weekends and summer vacations at the farm, he often used the Stambaugh store telephone because the York Telephone and Telegraph Co. had refused to install one at the farm because of installation technicalities.

In 1957, "Mother Nixon" again informed her son's staff that she wanted the Sterners, Stambaughs, and the McLaughlins, to be her guests at the inauguration. We all expressed surprise, of course, but we were pleased, needless to say.

I recall my most serious interview with the mother of the 37th president came during the period when it appeared that her son might be removed from the 1952 ticket because of extensive criticism.

"How do you feel about the criticism?" I asked her. "They are unfair," she answered. Could she be quoted for publication? "I'd better check with his staff first," she said.

Permission was granted by Nixon's staff and her historic remarks proved to be a real "scoop." She later sent the famous "my son" telegram to Gen. Eisenhower.

"Mother Nixon" was a fine writer of letters, and they always were done in longhand. Those addressed to the McLaughlins are now secure in a downtown bank safe deposit box, along with personal notes and letters from the president-elect and members of his staff.

Although both elder Nixons have died, members of the presidential family continue to honor her memory in relation to York County.

The Stambaughs, who suffered a Christmas Eve tragedy when their son and daughter-in-law were killed in the ill-fated Bradford airplane crash, earlier decided to reject a Nixon inaugural invitation. When another Nixon brother, Donald, telephoned from Washington and urged them to attend, they accepted. Edward also insisted.

"I remember you telling Mother and me in 1961 during a visit to the farm that Richard would be elected president some day," Edward told Postmaster Stambaugh.

The Stambaughs will be housed with the Nixon family, and their 179 relatives, in a Washington hotel, and attend all the events, including the ball, with the entire Nixon clan.

The Nixon family is also responsible for "special" invitations extended to the Sterners, the Sterling Myers family (now owners of the former Nixon farm), and the McLaughlin family, including my daughter, Mrs. Donna Bieda, a Windsor Manor Elementary School teacher. Our first indication of a personal non-political Nixon invitation came in a Dec. 12 letter from Miss Rose Mary Woods, a long-time friend.

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## INCENTIVES TO LOCATE RURAL INDUSTRIES

### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ZWACH. Mr. Speaker, I am introducing a bill today which I believe provides the cornerstone for the application of the treatment of the many wounds that our cities and Nation are presently suffering. Those are the severe problems of masses of people living in our cities and whose numbers and needs overtax the facilities for education, for recreation, for jobs, for transportation, for garbage collection, and for mass transportation; and finally, the breakdown of the maintenance of both mental and moral structures. This bill is one designed to provide an incentive for the location of new plants and industries in the less congested parts of our Nation.

Both parties, during this past campaign noted the real need for the maintenance of people in our countryside areas. Both parties have then suggested the need for this type of congressional dictate.

Very simply, this bill gives authority and encouragement to private enterprise to build new industries in cities of under 10,000 and to train and employ people who are less advantaged now, or may not have found a satisfactory method of providing for the needs of their families or responsibilities.

I would like to convey to you my deep concern and interest in this matter as the logical partial solution to the whole array of crises that are facing our Nation today. I urge your consideration and early action on this bill.

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## A TRIBUTE TO THE FREEDOM LOVING UKRAINIAN PEOPLE

### HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. WEICKER. Mr. Speaker, I feel it fitting to pay tribute to all freedom loving Ukrainian people both here and abroad.

The Ukrainian Americans who have contributed so much to the growth, development, and culture of the United States, are dedicated to seeing the restoration of freedom and national statehood to their homeland, the Ukraine and other captive nations whose people are oppressed under the domination of the Soviet Union.

Yesterday marked the 51st anniversary of the Proclamation of Freedom and Independence of the Ukrainian Republic and the 50th anniversary of the Act of Union which united the Western Ukraine with the Ukrainian National Republic.

A half century ago thousands of persons thronged St. Sophia Square in Kiev to hear the Act of Union read.

It was a momentous day as the act stated:

> From today on, there shall be united in one great Ukraine the long separated parts of Ukraine-Galicia, Bukovina, Hungarian and Dnieper Ukraine. The eternal dreams, for which the finest sons of Ukraine lived and died, have been fulfilled. From today on there shall be only one independent Ukrainian National Republic. From today on the Ukrainian people, freed by the mighty upsurge of their own strength, have the opportunity to unite all the endeavors of their sons for the creation of an indivisible, independent Ukrainian State for the good and the welfare of the working people.

The freedom and unity in the Ukraine was short lived however, as Russia and Poland stepped in and easily overcame the new nation. By 1920 the independent Ukrainian state was completely in the hands of its enemies.

Since this time, the Ukraine has been under Communist yoke but within the hearts of its people here and abroad the love of liberty and freedom is strong.

Because of this love of liberty and desire for freedom the Ukrainian people have paid a high price. There have been mass deportations of Ukrainians to Siberia, intellectuals have been abused and jailed, there have been mass trials and then ruthless persecution of suspected Ukrainian leaders. But despite cruelty and systematic genocide by the Soviet oppressors, the spark of freedom still smolders in the hearts of Ukrainian patriots.

It is appropriate that on this day, we who live in this great United States that

is dedicated to the principles of justice, liberty, and freedom, remember and honor the courageous people of the Ukraine. May their goal of independence, unity, and freedom someday be achieved.

BRIGHTER ON THE FARM FRONT

## HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MIZE. Mr. Speaker, Kansas is a leader among States in agricultural exports. Her produce joins that of other States in promoting a consistent balance-of-payments surplus in commodity exchange of about $1 billion per year.

In fiscal 1968, Kansas was sixth among the States, providing $296 million in commodities for sale abroad. Nationwide our farmers and ranchers produced $6.3 billion in commodities for export, over $4.7 billion of which was marketed commercially.

If the Nation cannot proceed without this cushion of hard currency sales, so also is Kansas dependent upon the continued availability of markets and production potential. In Kansas, agribusiness generates over $5 billion in business activity annually, from an investment base of some $8.2 billion.

As we begin substantive deliberations this year, it is incumbent upon the Congress to insure continued expansion of agricultural exports through programs such as Public Law 480, commonly called food for peace. The foundations so carefully constructed in past years must serve as a base for future market development.

The trend is upward, and this trend was dramatized by a recent editorial appearing in the Topeka Daily Capital. Because agribusiness is crucial to the economy of all America today, and instrumental in our hopes for an improved balance-of-payments position tomorrow, I know the editorial will be of interest and comfort to my colleagues. I therefore insert it in the RECORD at this point:

[From the Topeka (Kans.) Daily Capital, Jan. 15, 1969]

BRIGHTER ON FARM FRONT

A forecast that potential exports of Kansas farm products could markedly increase the next few years was cheering news.

Dr. Paul L. Kelley, head of Kansas State University's economics department, told the Kansas State Board of Agriculture U.S. farm exports could double from $6 billion to $12 billion or more before 1980.

Exports of feed grains, one of Kansas' major crops, could be helped by sales to nations of Western Europe and Japan, together with sales to emerging nations, he said.

A major factor in prices farmers in Kansas and elsewhere might receive from exports will be the type of trading policies the United States develops in the decade ahead.

If these policies are realistic and based on the need to bolster our agricultural economy as well as to aid nations abroad they will be instrumental in providing greater farm income in Kansas.

Although farm prices have been discouragingly low in recent months, additional and growing foreign markets could be of great help in making them rise.

Dr. Kelley also was optimistic about domestic market prospects and forecast that one of the most important factors affecting Kansans could be rising beef production in the state.

He predicted a "vast new beef belt in the next decade" with production possibly doubling by 1978, together with a 30 per cent increase in Kansas hog production by 1980.

Although the number of Kansas farmers has sharply declined in recent years, agriculture still is a major source of income in the state, as modern techniques are used to produce more and more food.

The welfare of Kansas is to great extent dependent upon farmers and stockmen receiving good prices for their products. That the prospect looks better is heartening.

REPRESENTATIVE IN CONGRESS FOR THE DISTRICT OF COLUMBIA

## HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. NELSEN. Mr. Speaker, I am today introducing a joint resolution proposing an amendment to the Constitution of the United States providing for a voting representative for the District of Columbia in the U.S. Congress.

I have served for 10 years in Congress as a friend of the District on the House District Committee, and I could not be more certain that it is the full right of the citizens of Washington, D.C., to have elected representation in the Congress, especially in the consideration of such fundamental matters as taxation, and other matters that have such a direct impact on their daily lives. Nothing should prevent the election of such a representative in the Congress. It is a question of right and an action which is long overdue.

I, for one would welcome this new member with great enthusiasm, not only because he rightfully belongs in the Congress, but because I believe he would be of tremendous assistance to the Congress when it deliberates on District affairs. He would provide for the citizens of the District a strong voice in the House. He would be intimately aware of the many problems affecting the 800,000 citizens of the District of Columbia. He would provide close, regular and continuing liaison between the Congress and the local community. He would have a knowledgeable voice in presenting to the Congress the District's position on such vital areas as taxation and school needs. Most of all he would have a vote.

I am fully aware that the constitutional status of the District is unlike that of the 50 States and the territories in a number of respects, the most fundamental difference being that it is established by the Constitution as the permanent seat of the Federal Government and subject to continuing congressional control. The Federal interest must be paramount and inviolable. Nonetheless, there still is no justifiable reason that I know of why the District taxpayers should not have direct congressional representation in the Congress over such vital issues that affect their daily lives.

Realizing, of course, that the constitutional amending process is a lengthy one, and in order that the District might have an interim voice while awaiting the ratification by the States of the proposed amendment, I am also introducing a bill which would provide the District with a nonvoting Delegate to the House. This Delegate would fill the void and serve as the District's voice in Congress during the amending process. This provision would, of course, require only a law. My bill would provide for the election of this nonvoting Delegate by the residents of the District of Columbia and require that he be appointed to serve on the House District Committee.

I urge my colleagues on the Judiciary and District Committees to rapidly move on this much needed legislation in order that the citizens of the District of Columbia may obtain their voice in Congress at the earliest possible time.

JUDGE ANTHONY C. MITCHELL, EMINENT NEW JERSEY JURIST, RETIRES

## HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. CAHILL. Mr. Speaker, on Tuesday evening of this week the Camden County Bar Association sponsored a testimonial dinner at the Cherry Hill Inn, Camden County, N.J., in honor of Judge Anthony C. Mitchell, recently retired from the bench. The dinner was attended by more members of the bar than any similar occasion in the history of the Camden County Bar Association. The attendance was in itself a tribute to Judge Mitchell and a very real expression of the affection, admiration, and esteem in which he is held by all members of the bar. Affectionately and popularly known as "Tony," Judge Mitchell has earned the respect of not only the lawyers of south Jersey, but of the entire State of New Jersey. His later success, as a member of the New Jersey bench, was indicated in his youth and early manhood.

Judge Anthony C. Mitchell was born in Clinton, Mass., on August 8, 1898, and received his preliminary education in that city. He attended Holy Cross College in Worcester, Mass., and received his A.B. degree in 1920, graduating magna cum laude.

He left his native State and decided to teach school for a few years. In the mid-1920's he moved to Merchantville and became active in the real estate business for several years.

Subsequently, he attended Rutgers Law School, and received his LL.B. degree in 1934. He served his clerkship with the late Judge Samuel M. Shay in Camden, N.J., and was admitted to the bar in 1935 and became a counsellor-at-law in 1939. He commenced the practice of law in association with Firmin Michel & John Penn in Camden, N.J.

During World War I Judge Mitchell served in the U.S. Navy.

During his time as a legal practitioner he served the public in many capacities

for a number of years, including first assistant prosecutor of Camden County, county treasurer of Camden County, president of the New Jersey State Board of Tax Appeals, and in 1956 he was appointed a county court judge of Camden County. During his judgeship he presided over many publicized criminal cases, and was one of the outstanding criminal judges in south Jersey. The judge retired from the bench in August of 1968.

Before Judge Mitchell's appointment to the bench, he also served as attorney for a number of municipalities in Camden County and their agencies.

He is married to the former Rose Mary Smith, of Johnstown, Pa., and resides with his family at 209 West Maple Avenue, Merchantville, N.J. They have three children: Ann, a schoolteacher in the Merchantville schools; Thomas, who is completing his last year at Dickinson School of Law, and Carol, who is a student at Hood College.

Mr. Speaker, the Member of this House now addressing this body is of a different political party than was Judge Mitchell before his appointment to the county court. This Member of Congress found himself in many campaigns opposing candidates supported by Tony Mitchell while he was active in politics. We debated the issues head to head in many campaigns. We opposed each other in the courtroom when Tony was a prosecuting attorney and I was the defense attorney. I have appeared before Judge Mitchell during his years on the bench. In some of the cases I was successful; in others I was unsuccessful.

During all our years of association and during all our experiences I have always found Tony Mitchell the same—forthright, frank, honest, courageous. Tony Mitchell called a spade a spade; you always knew where you stood with Tony.

Added to his many other qualities is a great sense of humor and the ability to "take it as well as hand it out." The bar, the bench, the citizens of Camden County are richer as a result of Tony Mitchell. All of us regret his retirement. All of us who know him expect to see continued constructive activity for many years from Tony Mitchell. All of us pray that he will enjoy good health so that we in turn may enjoy his friendship in the years ahead.

Mr. Speaker, I know I speak for every member of the south Jersey bar and every citizen of south Jersey when I say to Tony Mitchell, "Congratulations on your lifetime of service to your community and your State. You have our best wishes for great happiness and continued good health in the years ahead."

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## REMEMBERING UKRAINIAN INDEPENDENCE

## HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. JOELSON. Mr. Speaker, I am pleased to insert in the CONGRESSIONAL RECORD an article which appeared in the Herald-News of January 15, 1969, in the congressional district which I represent. It shows that the glorious days of Ukrainian independence are not forgotten. I am sure that we all join Father Orestes Iwaniuk and the parishioners of St. Mary's Ukrainian Orthodox Church of Clifton in the fervent hope and prayer that the people of the Ukraine will live again under freedom.

The article follows:

CLIFTON CHURCH TO MARK 51ST ANNIVERSARY OF INDEPENDENCE OF UKRAINE ON JANUARY 22

CLIFTON.—St. Mary's Ukrainian Orthodox Church, 73–81 Washington Ave., will celebrate the 51st anniversary of the independence of The Ukraine at a Mass at 10 a.m. next Wednesday.

The celebrant is the Rt. Rev. Orestes Iwaniuk, archmandrite and pastor of the church.

Facts about the Ukraine have been given by Father Iwaniuk, as follows:

"In the central part of Europe is located a beautiful sunny and fertile land called The Ukraine. Geographically, The Ukraine represents an area of over 250,000 square miles. The Ukrainian ethnographical territory stretches from the Carpathian mountains in the west to the River Don and the foothills of the Caucasus in the east. In the west, The Ukraine borders on Rumania, Hungary, Czechoslovakia and Poland; to the north on Byelorussia; to the east on Russia and the peoples of the Caucasus. In the south, her long and well-developed coast on the Black Sea gives her access to the Mediterranean. Great Ukraine with its capital at Kiev; Western Ukraine with its capital at Lvov; Carpatho-Ukraine with its capital at Uzhorod, and Basarabia, and Bukovina with its capital at Czernivcy.

"The population of The Ukraine is over 55 million, of whom 50 million are Greek Orthodox and five million, Greek Catholic. The Ukraine is one of Europe's richest and industrially most developed countries. The Ukraine, still known as the grainery of Europe, has become the breadbasket and sugarbowl of the Muscovite empire.

"In 1917, with the overthrow of the Czarist regime, the Ukrainians who for centuries had been desperately fighting the Russian domination over their country, took the chance and hoisted their banner of freedom. They proceeded to form a Ukrainian National Republic.

"On Jan. 22, 1919, all the Ukrainian territories joined together and proclaimed a free and independent Democratic Republic of the Ukrainian people. But the Russian Bolshevik government in Moscow declared war on The Ukraine, and the superior forces of the Red Army invaded The Ukraine in 1920.

RUTHLESS TERROR

"The years of the new Soviet regime in The Ukraine were marked by ruthless terror on the part of the occupying troops. The purges and large-scale deportations were conducted under the personal supervision of the highest Communist officials. They schemed to eliminate the Ukrainian separation and anti-Communist attitude by the mass killing of the Ukrainian people. They deliberately staged the famine which took eight million Ukrainian lives in 1932–33.

"They must be held responsible for this terrible genocide, the barbarous destruction of Ukrainian learning, science and religion, the forced collectivization, the persecutions of millions of innocent and peace-loving Ukrainian workers, peasants and intellectuals.

"Both Ukrainian orthodox and Catholic churches were destroyed. Metropolitans, bishops and clergy-priests were imprisoned, subjected to forced labor or killed.

"A country with a distinct culture and political history, The Ukraine has developed under strong western influences. It is not and has never been an organic part of Russia, but is conquered land whose people have been subjected to a government imposed and controlled by Muscovite rulers, old and new.

"During the last world war, the Ukrainians organized the Underground Ukrainian Insurgent Army which started fighting both the Nazis and the Bolsheviks in order to regain freedom for The Ukraine. Even today, 20 years after the defeat of Germany, the Ukrainian people are still fighting against the Moscow troops and against the Soviet rulers.

"The emblem of the Ukrainian national state is the Trident, The Ukrainian national colors are blue and yellow. On Jan. 22, the Ukrainian people in the U.S., Canada, Great Britain, Australia, Germany, France and other countries will celebrate the anniversary of the Ukrainian National Republic."

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## AIMED TO DISCREDIT

## HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DEL CLAWSON. Mr. Speaker, an editorial which appeared on January 19, 1969, in the Herald-American and Call-Enterprise, a semiweekly newspaper serving the 23d District of California, seems to have touched upon the focal point in the controversy over the appointment of Walter J. Hickel as Secretary of the Interior. Under leave to extend my remarks in the CONGRESSIONAL RECORD I want to bring this discussion to the attention of my colleagues in the House of Representatives. The column follows:

CURRENT COMMENT: AIMED TO DISCREDIT

(By Warren Butler)

There is a despicable campaign in progress to discredit Governor Walter J. Hickel of Alaska as he prepares to answer the summons of President-elect Nixon to take office as the new Secretary of the Interior of the United States. The underhanded character of the campaign is clearly indicated by a cartoon in the St. Louis Post-Dispatch which depicts Governor Hickel smoking and tossing a lighted match in the forest as the well known Smokey Bear looks on. Were the cartoon published depicting a private citizen not involved in any public position it would be clearly libelous as no such incident took place. It is pointedly designed to hold the man up to personal ridicule and public contempt.

Were it not for the fact that Governor Hickel already held a public office and faced the inquiry of the United States Senate prior to a vote on his confirmation to the new office such a cartoon would not be a privileged publication and no newspaper would dare to touch it.

DEVELOPMENT ADVOCATE

All this campaign has been based on an alleged remark from Hickel that there has been too much conservation for conservation's sake. The fact is that Hickel has been an ardent advocate of the development of Alaska's natural resources in opposition to those who want to keep it a complete wilderness. As a builder by experience he knows what development can do for people in giving them employment and strengthening the country economically.

His views have made him the target of a strange political combination. One is the so-called New Left which supposedly champions the cause of the little people with small incomes. The other group, while they call them-

selves conservationists, are more accurately described as preservationists and they consist mostly of the rich and super rich individuals. They are laughingly described by many people as the "deep breathers".

GOOD PROTESTORS

These are the people who regularly shout protests about water conservation projects regardless of whether anyone needs the water or not. They particularly oppose hydroelectric power projects regardless of the benefits to people generally that are involved. They say that atomic power should be developed instead and then they oppose the sites proposed to be used for atomic reactors.

Hickel has been a target of attack by these people because he favors development of the gigantic north slope of Alaska which is the center of a concentration of some of the richest natural resources in the world including vast oil deposits. The area is now devoted mainly to hunting by Eskimos and white men rich enough to do their hunting by airplanes at an estimated cost of $2500 per polar bear.

One can have considerable sympathy for the Eskimos who have had this area to hunt in for centuries. But the needs of the vast population of this planet in our times hardly justifies this kind of preservation.

REAL CONSERVATION

Genuine conservation makes sense. It was a great advance in this country when the laws were so designed as to make it worthwhile to replace forests with new growth and the policy is beginning to pay off economically. We are making much progress in providing for restoration of land after strip mining. We have a big soil conservation program, not to return it to a state of nature but to make properly feasible its continued use to produce for all of us.

One of the very great problems of our economy is to develop oil resources in this country to furnish employment to American citizens and to keep vast imports (that could upset our economy) within reasonable limits. Making these oil resources available also gives us reassurance in case we are attacked by an enemy, as any modern war floats on a sea of oil.

Natural resource development here in the west is of special importance as without it we can have little additional development and what civilization we do have could wither and die away.

Of course we want to curb pollution of air and water and no sensible person loves beer can litter. But to have the good life it is essential that we develop our resources in a sensible manner. And the recreation that nature's bounty makes possible should be enjoyed by all, not just a few rich men. Instead of permitting a few people to fish in the wilderness we need the modern fish hatcheries that permit millions to enjoy this sport. The needs of people must be met. Otherwise we are just kidding ourselves.

Let's give the new Secretary of the Interior a chance to prove himself.

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## UKRAINIAN NATIONAL REPUBLIC MARKS 51ST ANNIVERSARY

### HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. KLEPPE. Mr. Speaker, the military invasion and occupation of Czechoslovakia by military forces of the Soviet Union represents another bloodstained chapter in the long and continuing record of Communist aggression against the forces of freedom everywhere. As we reflect upon the present plight of Czechoslovakia, I believe it is especially appropriate to bring to the attention of the world again the ordeal of the people of the Ukraine who have been the victims of Soviet oppression for more than half a century. They will not rest until they have regained their freedom.

I include as a part of my remarks, the following letter which I received from Dr. Anthony Zukowsky of Steele, N. Dak., president of the North Dakota branch of the Ukrainian Congress Committee of America, Inc.:

January 22nd will mark the 51st Anniversary of the Proclamation of Independence of the Ukrainian National Republic and the Golden Anniversary of the Act of Union, whereby all Ukrainian lands were united into one independent and sovereign state of Ukrainian Nation. The Independence of Ukraine was proclaimed in Kiev, the capitol of Ukraine on January 22nd 1918 and the Act of Union took place one year later, on January 22nd 1919, also in Kiev.

The Ukrainian National Republic was recognized by a number of foreign Governments including that of Soviet Russia. The latter, however, almost simultaneously with the recognition, declared war and began a large scale invasion of Ukraine. For almost 3½ years the Ukrainian people waged a gallant struggle in defense of their country, alone and unaided. The free Ukraine was subdued to a puppet regime of the Soviet Socialistic Republic.

The freedom loving people of Ukraine have not acepted the Soviet-Russian domination and have been fighting for the re-establishment of their independence by all means accessible to them for the past 50 years.

During World War II the Ukrainian people organized a powerful underground resistance movement known as the Ukrainian Partisan Army (UPA) which fought not only against the Nazi regime but against the Soviets as well. Stalin and Khrushchev unleased a bloody persecution and reprisals against the Ukrainian people in the late 1940's. Relentless and harsh persecution of the Ukrainians continued after the death of Stalin and after the ouster of Khrushchev from the top leadership in the Kremlin. The Brezhnev-Kosygin leadership is bent on keeping the Soviet-Russian Empire intact by persecution and deportation of Ukrainian youth and Ukrainian intellectuals. Over 200 young Ukrainian University professors, poets, writers, scientists, lawyers, literary critics and radio-TV commentators were arrested recently on charges of anti-Soviet propaganda. Recently the International and U.S. Press has been providing a vast amount of documentation on the suppression of the Ukrainian culture.

Briefly the Kremlin rule in Ukraine can be described as follows: Exploitation of Ukraine's economic resources for the benefit of Moscow and its imperialistic ventures in Asia, Africa, and Latin American. Genocide and systematic deportation of Ukrainians to central Asia. Arrest and trials of Ukrainian patriots defending freedom of their country. Terror and assassination of Ukrainian leaders outside the Ukraine. Persecution of all religions in Ukraine. Enforced Russification, aiming at the cultural and linguistic genocide of the Ukrainian people.

All the available evidence of the western observers shows that the ever-increasing tempo of repression has failed to intimidate the Ukrainian people and the Russian leadership in the Kremlin feared that Ukraine would actively support the liberal movement of their satellite country of Czechoslovakia. Since the Kremlin leaders were convinced the liberal ideas of Czechoslovakia would help the Ukrainian liberals and other Captive Nations.

Both the U.S. Congress and the President of the United States have expressed their concern over the captive non-Russian nations in the USSR by enacting the "Captive Nations Week Resolution" in July 1959.

The Ukrainian-American community in our state and in the whole United States will observe the forthcoming fifty-first Anniversary of the Ukrainian Independence and the 50th Anniversary of the Act of Union in fitting and solemn celebration.

Therefore, since it is almost 75 years that Ukrainians came to our state and made a substantial contribution to its development, we kindly request that you attend the ceremonies in commemoration of this anniversary and make your statement on that day. This anniversary provides an appropriate occasion not only for the U.S. Government and American people but the free world to demonstrate their sympathy and understanding of the aspiration of the Ukrainian people.

We extend our sincere thanks and appreciation for the favorable response in the past on this and other matters and we hope you will continue to help the Ukrainian Nation.

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## THE NUKES ARE IN HOT WATER

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. CARTER. Mr. Speaker, in the January 20 issue of Sports Illustrated, there appeared an article which, from the viewpoint of a conservationist, described the impact that nuclear powerplants have on surrounding bodies of water and the animal and plant life therein.

Although one does not have to agree with everything the author asserts and implies, I think it is of value because it is well written and is indicative of the growing body of literature dealing with man and his environment and natural resources.

In short, it is a focus for both utility executives and conservationists to begin a rational discussion of what might be a tremendous problem in the future.

At this point, Mr. Speaker, I would like to have the article inserted in the RECORD, as follows:

THE NUKES ARE IN HOT WATER

(NOTE.—Utility companies are going full steam ahead on the construction of nuclear plants, but the threat of thermal pollution may force a cooling-off period.)

(By Robert H. Boyle)

What literally may become the "hottest" conservation fight in the history of the U.S. has begun. The fight is over nuclear power plants and the damage they can inflict on the natural environment. The opponents are the Atomic Energy Commission and utilities versus aroused fishermen, sailors, swimmers, homeowners and a growing number of scientists. More than 100 nuclear plants are on the drawing boards, and before the fight (or war, to use a more appropriate term) is over, almost every major lake and river and stretches of Atlantic, Gulf and Pacific coasts are likely to become battlegrounds.

There are several objections to nuclear plants, but the immediate uproar is over thermal pollution caused by hot-water discharges from the plants. In order to compete economically with so-called fossil-fueled plants, which are fired by coal, oil or gas, nuclear plants must be of much larger capacity. Despite their size, they are not as efficient as fossil-fueled plants in utilizing the steam heat produced, and they thus require enor-

mous amounts of water to cool the waste heat. In consequence, the plants are being built next to natural bodies of water, thus assuring a continuous flow. The water is passed through a condenser where it becomes anywhere from 11° to 25° Fahrenheit hotter from absorbing the waste heat, and it is then shot back into the body of water from which it came. A one-million-kilowatt nuclear plant, typical of those being planned, requires 850,000 gallons of water a minute for cooling, and in the course of a day this means that almost 1.2 billion gallons of water will be drawn in, heated and spewed out again. That is quite a lot of water. To give an idea, a nuclear plant only half the size now being built at Vernon, Vt. will use more than half the minimal flow of the Connecticut River. With nuclear plants proliferating, estimates are that by 1980 the power industry will require one-sixth of the total freshwater flow from the entire U.S. landmass for cooling. If one sets aside high spring flows, the industry will be using about one-half the flow during the other three seasons of the year.

Thermal pollution from a single nuclear plant can do all sorts of damage to the receiving waters. For instance, thermal pollution decreases the dissolved oxygen content, increases the toxicity of pollutants, makes water turbid (which prevents adequate sunlight penetration), spurs the growth of noxious blue-green algae (the stink of it literally can peel the paint off nearby houses), increases the metabolic rates of fish and other organisms, changes their behavior or interferes with their reproductive cycles, and often kills them outright.

Every species has its own fatal temperature, and fish which are virtually unable to regulate their body heat, live within relatively narrow temperature spans as compared to man or other mammals. Even if a fish is able to survive in water a few degrees below the lethal temperature, it may not be able to thrive because its functions are impaired. In addition to the dangers posed by the hot-water discharge, there are other problems. Small fish or eggs or other organisms can be sucked up the intake pipe and given a fast trip through a condenser, where they are cooked or battered to death. According to a study by Dr. Joseph A. Mihurksy of the Chesapeake Biological Laboratory, up to 95% of the organisms that passed through a power plant on the Patuxent estuary in Maryland died. A plant near a fish spawning or nursery ground could be deadly. Moreover, in order to keep the pipes and condensers from becoming fouled by barnacles and mussels, plant personnel periodically clean them out with acids, detergents or chemicals such as chlorine. These powerful biocides are then flushed into the receiving waters. In salt or brackish water, heavy metals corroded from the condenser are a problem. Copper concentrations can turn shellfish green and make them unfit for consumption.

Given the nature, threat and extent of thermal pollution, one might expect that the appropriate state or federal agencies concerned with water quality or wildlife would be attempting to cope with the problem by insisting that all nuclear plants be provided with cooling devices (to simplify, a closed-circuit system similar to an automobile radiator would suffice) that would offer no thermal, physical or chemical damage to aquatic life.

But for the most part, this is not the case. The Federal Water Pollution Control Administration in the Department of the Interior cannot even attempt to take any action until after a plant has been built, damage inflicted and a protest mounted. In an effort to remedy this, the FWPCA is now in the midst of a bureaucratic wrangle with the Atomic Energy Commission, which licenses all nuclear plants. The FWPCA wants the AEC to deal with thermal pollution during licensing hearings, but the AEC absolutely refuses to do this on the grounds that it lacks statutory jurisdiction. The AEC maintains that it has jurisdiction over radiological hazards only, and if fish are dying from thermal pollution or if a river or bay is rank from algal blooms caused by hot water, well, it is just too bad, but there is nothing the commission can do. This attitude has seemed unreasonable to many persons, including Senator Edmund Muskie, whose Senate Subcommittee on Air and Water Pollution has held extensive hearings on thermal pollution. But the AEC is a power unto itself and not about to be moved. Indeed, it has been said that although Glenn Seaborg, the chairman of the AEC, won a Nobel Prize in chemistry for finding that the impact of neutrons on uranium produces plutonium, he has yet to discover hot water. Alleged lack of jurisdiction aside, the AEC apparently is not interested in preventing thermal pollution because, in the words of Harold Price, its director of regulations, this "would impose a burden on the nuclear that is not imposed on the conventional power plants." Since Price's statement, the Federal Power Commission, which has the say-so over fossil-fueled plants, has taken thermal pollution into account, but the AEC attitude remains the same. If the AEC seems strangely solicitous of the financial investment that power companies would have to make (about 5% to 10% of total construction cost) to stop nuclear plants from frying fish or cooking waterways wholesale, it is worth noting that for years the commission has served as a training ground for utility personnel.

The power companies themselves usually refuse to recognize that thermal pollution exists. In fact, the very term thermal pollution is avoided these days by power officials, who use instead more benign terminology, such as "thermal addition" or "thermal enrichment." As McGregor Smith, chairman of the board of the Florida Power & Light Company, which is planning two reactors on Biscayne Bay, told the Muskie subcommittee with some heat (if that is the word): "The term 'thermal pollution' is so misleading and so injurious to the development of nuclear power that, for the good of the country and the public, it should be discarded. A better, more meaningful and fairer term would be 'thermal effect.'"

On other occasions, power officials have denied that thermal effect/addition/enrichment/pollution defile waterways. This was the case with Melvin D. Engle, chief mechanical engineer for the Pennsylvania Power & Light Company, who wrote an article, *Condensing Water—How Does It Affect the River?*, which appeared in the January 1961 issue of *Mechanical Engineering*. The gist of the article, which dealt with the company's Martins Creek plant, a large, coal-fired plant on the Delaware River, was that "power plants are good neighbors," because a study conducted for the company by the Lehigh University Institute of Research under the direction of Dr. F. J. Trembley revealed "no harmful effects to fish or plant life." A copy of this article was submitted to the Muskie subcommittee last year by Tor Kolflat, a partner in Sargent & Lundy, a Chicago engineering firm which has designed many of the nation's private utility plants, after he testified to substantiate a point about the Delaware. What Kolflat did not produce, as was later made evident by Professor Frank Parker of Vanderbilt University, was another article in the May 1961 issue of *Mechanical Engineering*, by the Lehigh scientists involved in the Martins Creek study. They charged Engle with misstatements that "contradict research findings as reported to the company, or which present 'facts' not established by the research, or which are misleading because of omission or distortion of parts of the data." For instance, Engle wrote there were "no fish kills" from the hot water discharged, but the Lehigh scientists pointed out, "This contradicts the research findings of fish kills in the heated water the river as well as in the effluent canal, as given in three different progress reports. These reports included direct observations of fish in the river actually seen dying with symptoms known to be associated with heat death."

Given the intransigence of the AEC and the utilities which the commission is supposed to police in the public interest, it is no wonder that opponents of thermal pollution have become angry. One of the fiercest battles has been fought in the northwest, where six nuclear plants are planned for the Columbia River, the first a one-million-kilowatt nuke to be built by Portland General Electric Company at Rainier, Oreg., near the mouth of the river where the fishing is still good. Originally, the Columbia was a surging cold-water river, but in the past 30 years it has become a quiet staircase of dammed warmwater lagoons.

To many fishermen, the nuclear plant at Rainier promised to be the straw that would break the Columbia's back. The Washington State Sportsmen's Council immediately launched a program of resistance to the nuke. Last spring when E. C. Itschner, a vice-president of Portland General Electric, said that the hot water discharged from the nuclear plant would raise the river temperature only three-tenths of 1°, L. H. Mabbott, then president of the council, branded the statement "a fairy tale." Mabbott pointed out that the plant would be on a tidal stretch of the Columbia, and instead of moving down and out the hot water would slosh back and forth, putting a thermal plug near the mouth of the river.

In September, Dr. Richard W. Van Driel, the new president of the Washington State Sportsmen's Council, denounced Portland General Electric for issuing bids for construction of the Rainier plant "without permit or license of any kind or plans for the protection of aquatic resources." Dr. Van Driel noted, "The public has a right to know what the plans are for disposition of the heat from these huge plants before licenses are issued and before financial commitments are made."

Three months ago Portland General Electric announced it would install a cooling system at its Rainier plant. Says Dr. Van Driel: "We're not relaxing one bit. We've still got to be on guard. We won't let the pressure off."

Three thousand miles to the east a savage fight rages over nuclear plants not far from New York City. Despite localized heavy loads of organic pollution,, many northeastern rivers and estuaries still support immense stocks of fish. Knock out one or two key estuaries and goodby fish. For instance, the striped bass spawned in the Hudson River eventually spend part of their adult lives on the north Jersey coast down to Barnegat Bay and in Long Island Sound, administered by the states of New York and Connecticut. Thus, nuclear plants on the Hudson, the Jersey shore or one either side of the Sound may imperil bass, the most sought-after fish in the region, and as of now unchecked nukes are in operation or under consideration in all three areas.

The Hudson, the basic source of supply, is the most endangered, and it offers the classic case in nuclear fish kills to prove the point. In the fall of 1962 a relatively tiny nuclear plant (265,000 kilowatts) began operation at Indian Point, a former park, on the river 40 miles above the Battery. This Consolidated Edison Company plant fronts on important grounds for both young stripers hatched upriver and for mature bass that migrate from the coast to spend the winter before spawning in the spring. During the first six months of operation, the Indian Point Plant killed tons upon tons of fish.

Although an attorney for Con Ed later admitted to a congressional committee investigating the kill that "the Indian Point thing was bad, there is no question about it," the company was not required to pay any indemnity—the standard fine for a private citizen is $27.50 or more for each fish—and soon applied to the AEC for a license to build a larger plant next door to the first. This plant will be completed next year, and a third one next to the others is scheduled for operation in 1971. When all three units are in operation, they will shoot back 2.1 million gallons of water a minute into the Hudson at a temperature 16.4° hotter than the river. Con Ed also has plans for a fourth unit near Indian Point, and last spring the company announced it was going to put more nukes at unspoiled Montrose Point two miles south of Indian Point. This came as a surprise to the Catholic Kolping Society, which owns a 52-acre estate there and had no idea of selling, even though the Con Ed blueprint called for this land to serve as the heart of the project. It probably also came as a surprise to Chairman Charles Luce, who, only a month earlier, had written a stockholder that Con Ed could not put another nuke on the river, because it would "heat the waters of the Hudson too much." The Kolping Society has since refused offers from Con Ed to pack up and get out, and Con Ed has threatened to institute condemnation proceedings.

Besides Indian and Montrose Points, other nukes are rumored for this stretch of the Hudson, which would boost the total number to eight or nine, easily the greatest single concentration of plants in the world.

When directors of the Hudson River Fishermen's Association met with Con Ed officials last May to point out that hot-water discharges from proposed nuclear plants would violate state standards for tidal saltwater, Arthur Pearson, a senior engineer for Con Ed, said that the utility was going to get the state to classify the lower Hudson as a freshwater stream. This was apparently too much even for state officials, who now are simply trying to rejigger temperature standards to benefit all the utilities.

Long Island Sound is also in for a rash of plants. The United Illuminating Company of Bridgeport has a plant at Millstone Point, Conn. that will begin operation in a year, while the Connecticut Yankee nuke at Haddam Neck, 20 miles up the Connecticut River from the Sound, has been operating since 1967. Last Aug. 8, *The Middletown* (Conn.) *Press* reported that a party of canoeists going down the Connecticut had taken temperatures of 97° near the plant while 1,000 yards upstream the water temperature was only 72°.

The United Illuminating Company plans a huge nuke in Westport, Conn. on wild Cockenoe Island, a short distance offshore from the Westport town beach and the largest public beach in Norwalk. United Illuminating does not even serve the Westport-Norwalk area, and the company was not very illuminating about purchasing the island, keeping its ownership secret for more than a year. Public outcry has induced State Representative Edwin Green of Westport to introduce a bill in the state assembly, which, if passed, will amend the present law and give a town's power of condemnation priority over a utility company's right of eminent domain.

On the other side of the Sound, Long Island Lighting Company is planning two nukes at Shoreham, and the company is also seeking to acquire a site on Lloyd Neck, where a local organization, the Lloyd Harbor Study Group, composed largely of energetic housewives, is ready to do battle. On the western end of the Sound, Con Edison recently acquired David's Island from the city of New Rochelle. Four one-million-kilowatt reactors are to go there with no cooling devices, because, as a Con Ed executive erroneously says, "the water in Long Island Sound is changed daily by tides." The city fathers are immensely proud of the deal because of the tax revenues they claim New Rochelle will reap, but opposition has developed in the form of two new organizations, Citizens for a Second Look and the Long Island Sound Association, which Dom Pirone, who fishes for striped bass in both the Hudson and the Sound, helped to organize. The Long Island Sound Association is not only attempting to coordinate all nuclear opposition on the Sound but has joined forces with the Hudson River Fishermen's Association and other groups outside the area, including the Citizens Committee to Save Cayuga Lake in upstate New York.

The Cayuga Lake fight is interesting because it pits a utility, the New York State Electric and Gas Corporation, not against housewives, however energetic they may be, but against a bristling platoon of Cornell faculty. The controversy started last winter when a local paper reported that the utility company was planning to put a nuke to be called the Bell Station on the east shore of Cayuga, 16 miles north of Ithaca. The Bell Station was to be an 830,000-kilowatt plant, and to cool the condenser, the plant would take in and shoot back 750 million gallons of water a day 25° hotter than the bottom temperature of the lake. Dean Arnold, a research fellow in biology at Cornell, called the company to ask for more information, and he was told, "We are not in the habit of discussing our plans with the public." That was enough to fuel indignation at Cornell.

The Citizens Committee to Save Cayuga was formed and responded in a number of ways. Most importantly perhaps, it had 17 Cornell scientists, led by Dr. A. W. Eipper, prepare a paper to state the case against the plant. The paper, "Thermal Pollution of Cayuga Lake by a Proposed Power Plant," points out that Cayuga, like the other four Finger Lakes, is very deep and cold. From top to bottom, it is stratified into warm and cold layers during the summer and mixes throughout the winter when it turns over. During the turnover, dissolved oxygen in the upper layer is imparted to the colder bottom layer, and the bottom-dwelling species, such as lake trout, are able to live only because of this once-a-year replenishment of oxygen. The Bell nuke, however, would draw cold water from 100 feet below lake level, heat it and then discharge it at the surface. This would be ecologically disastrous to the life forms naturally acclimated to Cayuga. For one, it would upset the oxygen mixing cycle so that the lake trout would be hard put to survive, and for another it probably would turn Cayuga into a floating salad bowl of weeds and algae. In sucking up water from near the bottom, the plant would ingest nutrients that are inert from lack of sunlight. But spewed out and released into the upper layers, these nutrients—nitrates and phosphates—would become active fertilizers for plant growth. Four towns use the lake for drinking water, and blue-green algae, which imparts a disgusting taste to water, could only be eliminated at great cost. If need be, the committee is preparing to go to court to stop the utility from fouling the lake.

Any court case brought in New York State to prevent a utility from thermally polluting waters is likely to prompt the state itself to appear on the side of the polluter. The present state administration is nuclear happy, more so than any other state in the Union. A resident of Washington State who objects to thermal pollution only has to do battle against a weak state water-pollution agency and the AEC, but a New Yorker is forced to fight both the AEC and the State Atomic and Space Development Authority, a newly created bureaucracy that has so much muscle it makes the AEC look like a 97-pound weakling. This authority came into powerful existence last May when Governor Nelson A. Rockefeller, a firm believer in nukes for reasons not yet clear, pushed a bill through the closing session of the state legislature. The governor is an overwhelming figure in the state, not only by virtue of his office, but because he is the major contributor to state election campaigns, and he underwrites individual candidates as well. When Rockefeller says a bill is a must, he gets a quick response. No public hearings were held on the bill; indeed, it was just about impossible for an outsider to find a copy. The bill went through in record time; some legislators have since privately admitted that they did not even bother to read its provisions. Briefly, the bill gives the atomic authority immense powers and specifically charges it with "the maximum development and use of atomic energy. . . ." It is to have enormous sums of money at its command to subsidize both public and private plants. It has the power to condemn any lands in the state. Moreover, the authority is not subject to any of the state public service or conservation laws. In the language of the bill, all such laws are "deemed to be superseded," and should any provision of these laws seem to be in conflict with the authority this provision shall be "deemed to be superseded, modified or repealed as the case may require."

As a result of the power industry's refusal to recognize thermal pollution, a number of persons who were originally willing to live with nuclear power have begun to raise other questions. And with good reason. For instance, David Lilienthal, the first chairman of the AEC, expressed grave reservations in his book, *Change, Hope, and the Bomb*, about the potential hazards posed by nuclear plants. Then there is the Scientists' Institute for Public Information, which has shown serious concern for insufficient safeguards and the emission of pollutants during normal plant operation. SIPI's membership includes some of the most distinguished and respected names in science. The purpose of SIPI, which has its headquarters in Manhattan, is to provide scientific information to the lay citizen who is interested in nuclear energy and environmental contamination. SIPI publishes a magazine, *Scientist and Citizen*, where articles have dealt with the release of various radioactive pollutants such as Krypton 85 and Iodine 131 from nuclear plants, and the effect such emissions may have, say, on the human body. Indeed, the whole frightening problem posed by nuclear plants is succinctly dealt with in a new book, *The Careless Atom*, by Sheldon Novick, associate editor of *Scientist and Citizen*. Last September, several members of SIPI, including Dr. Barry Commoner, director of the Center for the Biology of Natural Systems at Washington University, appeared at a conference at Stratton Mountain, Vt., sponsored by the Conservation Society of Southern Vermont, on the subject of nuclear power and the environment. The Federal Power Commission, the Fish and Wildlife Service and state and local agencies sent representatives to speak at this dispassionate, coolly clinical forum, but the AEC, which had been invited to attend, refused.

All the protests against the nukes have not been without effect on the federal level. Senator Edward Kennedy of Massachusetts plans to reintroduce a bill in the current session of the Senate which would call for a two-year moratorium on nuclear plant construction. During this period, siting studies would be conducted, a thoughtful overall policy made on power requirements and hazards eliminated. Representative Richard Ottinger of New York will introduce a similar measure in the House.

Curiously, the power industry couldn't seem to care less. It's still full steam ahead. A recent article in *Nuclear News*, a trade publication, made a joke out of thermal pollu-

tion. A supposed ecologist was quoted as saying. "Who says a shift in wildlife balance is bad? If an accidental 5° rise will kill salmon in the Columbia, why not a 20° rise—on purpose—to create an Amazonlike home for species of greater importance? Angelfish bring far more per pound than salmon. What sportsman would settle for trout when he could catch piranha?"

Quips like this do not prompt laugh-ins by fishermen or other concerned citizens, but it is surprising that in its search for suitable tropical fish to replace salmon *Nuclear News* did not mention the leaf fish (*Monocirrhus polyacanthus*), which will eat only living fish and demands seven meals a day. As the late A. J. Liebling wrote more than 30 years ago after observing the leaf fish in the New York Aquarium, "It has a profile like a public utility executive and an appetite to match."

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SOUTHERN CALIFORNIA ACRO TEAM

## HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. HOSMER. Mr. Speaker, California is justifiably proud of its record in both amateur and professional sports. We have provided more major league baseball players than any other State. We have more professional athletic teams in all sports than any other State. And I suspect that some enterprising sportswriter might well prove that if California had been competing as an independent nation in the Mexico City Olympics, it might have defeated every other country except, perhaps, the Soviet Union.

And Long Beach, Calif., is probably the most sports- and recreation-minded city in that sports- and recreation-minded State. Long Beach played host to the 1968 Olympic trials in the aquatic sports and gymnastics, building the $3.7 million, 3,000-seat Belmont Plaza Olympic pool especially for the swim trials.

One of the newest championship additions to the athletic picture in Long Beach is the southern California acro team, a group of 40 girls aged 5 to 22 who comprise the outstanding women's gymnastics team in the United States.

They call themselves the Scats and they are coached by Bud Marquette, former national and Olympic coach. In addition to being the 1968 junior and senior national champions, the Scats placed two girls on the 1968 U.S. Olympic team—Wendy Cluff and Cathy Rigby. Through their efforts, the U.S. team placed higher in the all-around category than ever before in U.S. Olympic history.

This remarkable group of young ladies has been invited to compete in the United States in the World Gymnaestrada at Basel, Switzerland. In order to finance the trip, they are attempting to raise $35,000 through private, tax-deductible donations.

This is an outstanding group, and its record of 112 victories and only two defeats indicates it will be a creditable representative for the United States at Basel. I am certain all my colleagues will join me in wishing the Scats every success in their fundraising drive and at the Gymnaestrada competition in Switzerland.

A DISGRACE

## HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. KUYKENDALL. Mr. Speaker, at long last the disciples of violence and confusion in this country have exposed themselves fully to the American people. The actions of the self-styled pacifists, champions of the poor, and crusaders for a new order last weekend during the ceremonies to inaugurate a new President have shown that they are not interested in solutions but in conflict. They have made it clear that their objective is revolution and the destruction of America. They want to put an end to everybody's freedom but theirs. They have made it clear that they have no constructive goals, but want to deprive others of what most of us have honestly earned through sweat and toil.

Many Members of this body pleaded with the Attorney General and the Secretary of the Interior not to issue the permit for such a demonstration. Ensuing events proved that those of us who took this stand were right.

The actions of the dissidents over the weekend were disgusting in the eyes of the Nation and the world. For the first time since they have become the focal point of national news the public was made aware of their obscenities, and they stopped at nothing.

They besmirched the parade route with their foul mouths until mothers held their hands over the ears of their children to save some shred of respectability for a solemn and sacred occasion. In their depraved madness they tried to disrupt various events by vicious acts of sabotage and by throwing manure at decent people honoring a great moment and a new President. They painted Vietcong slogans across the front of Constitution Hall. They threw tacks across the public highway to endanger property and safety. They attempted to tear down the American flag; and in fact, did burn a number of flags.

Thank God, their excesses have at last exposed them for what they are—brutal, vicious, depraved apostles of the worst type of society akin to that espoused by the Fascists, the Nazis and the Communists.

I hope, Mr. Speaker, the message has now been made clear to the Members of Congress, to our courts, and to our law-enforcement agencies. America wants no part of these stormtroopers and that, henceforth, there will be no negotiations for permits to destroy our sacred institutions, no tolerance of criminal acts in the name of free expression.

Legitimate dissent will always be protected in our country, but from this day forward let us serve notice that those who engage in treason and anarchy will be dealt with as traitors and anarchists.

The following editorial from the Washington Evening Star of January 22, states the case clearly against coddling these criminals.

A DISGRACE

For the first time in our memory the lunatic fringe tried with some success this week to disrupt the inauguration of a President of the United States.

They didn't quite get to President Nixon. But the automobile in which he was riding with his wife was the target of a dozen or more missiles thrown by about 400 of those so-called "demonstrators" who had assembled near Fourteenth street and Pennsylvania avenue. Despite the presence of police, National Guardsmen and paratroopers, the hoodlums shouted obscenities and made obscene gestures toward the President and Mrs. Nixon. At that point, it appears, there were no arrests.

Later on, 82 arrests were made. This was after these "demonstrators," about 1,000 in all, had split up into gangs and taken to the streets. To screams of "kill the pig," they knocked down and beat a policeman. Stones, some as big as paving blocks, were hurled at police cars, breaking windshields and denting car bodies. Windows in several establishments, including St. John's Church, were broken. Then came more attempts to bait the police with obscenities and gestures. And most of this within a block or so of the White House.

As the police moved in several "youths" shouted: "It's just like Chicago," which it wasn't. Police, doubtless under orders, were notably restrained, a fact attested by the minor and relatively few injuries inflicted.

This, however, is beside the point. Police restraint is a good thing after the street fighting starts. No one would urge that these hoods should have been mercilessly beaten. But the fact remains that their performance was an outrage.

The right of protest and of peaceable assembly is one thing. Violence is something else again. And violence ought to be choked off at the very outset. The authorities knew, for the most part, who the potential troublemakers were and where they were. They should have been rounded up and taken away before, not after, they got out of hand.

To have done this, of course, would have brought forth anguished cries about violated constitutional rights. But there is another right at stake here—the right of a newly-chosen President to be inaugurated in the Nation's Capital without becoming the intended target of crackpot violence. If we are going to temporize with this sort of thing, if the lunatic fringe is to get the kid-glove treatment, the threat to future inaugurals surely will increase.

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A GREAT AMERICAN DIES

## HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. STEIGER of Arizona. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following column written in tribute to a great American, Mr. Virg Hill, who just died. As a reporter and columnist for an Arizona newspaper, his articles on government and politics were astute and always worth reading and mulling over. We shall all miss him. The column follows:

A GREAT AMERICAN DIES

Virg Hill will not write of the Arizona political scene again. Arizona will be poorer for his passing. Virg had the unique ability to write something positive about the worst of us and to see the merits of both sides of all issues. He had an uncanny knack of getting through the verbiage and pomposity that inundates all political issues and to come up with the issue unadorned.

His keen wit and articulate but gentle

needle made him much in demand for public speaking, a capability not found in many journalists.

How many political figures in Arizona have sought his council will never be known, for he was not one to boast of his influence. I know that all those that did receive an honest and forthright appraisal and any confidences were respected in a manner that is almost certainly unmatched in the history of political journalism.

His approach was genuinely nonpartisan, his concern was genuinely Arizona and his method was all Hill.

His comparison of Arizona and Kansas politics were a delight.

If all representatives of the media had Virg Hill's ability and honor, this would be a better world.

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STATEMENT BY HON. DOMINICK V. DANIELS, OF NEW JERSEY, ON H.R. 766

## HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DANIELS of New Jersey. Mr. Speaker, I have introduced H.R. 766, to amend title 39, United States Code, to provide an established workweek, a new system of overtime compensation and night work differential for postal field service employees, and for other purposes. I take this time to explain my bill and request my colleagues to favorably consider this legislation.

Well over 3 years have passed since the Congress enacted Public Law 89-301 which most of us assumed and certainly hoped would end, once and for all, the archaic post office practice of giving our dedicated postal employees compensatory time off in lieu of overtime.

Indeed, it was my understanding that this law was further designed to establish a basic Monday through Friday workweek—most of the time, for most employees.

In other words, we passed a law to stabilize, insofar as possible, the working conditions in the Nation's post offices and, in particular, to insure reasonable overtime pay beyond the normal 40-hour workweek consistent with prevailing practices in the private sector throughout the Nation.

Public Law 89-301 has failed of its purpose, and has done so on a continuing and coast-to-coast basis. Not only do thousands of postal clerks feel disillusioned, but their morale has also suffered. Under the circumstances it is not surprising that we hear so much these days of inefficiency and unrest among the rank and file of postal employees.

As a matter of fact, it may interest my colleagues in the House to know that one postal union—the United Federation of Postal Clerks, AFL-CIO—has brought action in the Federal courts of the District of Columbia seeking a ruling by the courts interpreting the law and a halt to the Department's alleged violations of its provisions. At the moment, an appeal by the union is pending in the U.S. District Court of Appeals here in Washington.

This is not a new issue. More than 3 years ago, I introduced legislation which, had it been enacted, would have ended most of this controversial rescheduling of career annual rate regular postal clerks and other employees. Unfortunately, Senate amendments to this version had to be accepted in the closing hours of the first session of the 89th Congress if we were to have any law at all.

Again in the 90th Congress, I introduce H.R. 5407 as an amendment to Public Law 89-301 when it was already evident that additional legislative action was needed to enforce the principles of the law. Unfortunately, this legislation died with the 90th Congress.

On the opening day of the 91st Congress, I again introduced new legislation to achieve these old but still worthy objectives. That bill is H.R. 766 and, in my judgment, it deserves the prompt and serious consideration of the Congress.

Simply stated, H.R. 766 would achieve these ends:

First. It would establish beyond all challenge a basic, permanent, Monday-through-Friday workweek in the postal service composed of five 8-hour days with overtime pay for all employees who work in excess of 8 hours in any one day.

Second. It would require payment of 150 percent of basic hourly pay—that is time and one-half—for all work in excess of 8 hours in 1 day and for work on Saturdays.

Third. It would require payment of 200 percent of basic hourly rates—that is double time—for work on Sundays and legal holidays. It further provides for 250 percent of basic hourly day pay for work on Christmas Day.

Finally, I have included in H.R. 766 something new, something not included in the previous versions, and yet again something that is long overdue—some 40 years overdue, I might add.

A final provision of my bill would increase from 10 to 20 percent the night differential paid to postal employees who work between the hours of 6 p.m. and 6 a.m.

I say this increment for the men and women who move the mails during the long, lonely hours of the night is overdue—for the 10-percent night differential was enacted by the 70th Congress back in May 1928, more than 40 years ago.

Surely times have changed sufficiently in 40 years of our history to warrant a more generous scale of pay for those dedicated employees—most of them family men—whose duties require them to apply their talents in the dark reaches of the night to the all-important job of keeping the mails moving.

We hear and read a great deal these days about the need for better postal service, for improved management techniques, for automation, and all the rest of it. I submit that a few simple changes, such as I have outlined and such as are embodied in H.R. 766, would go a long way toward achieving the renewed dedication and the pride of craftsmanship that are the principle keystones of any human enterprise and lacking which no human institution—including the postal service—can hope to fulfill its mission.

PRESIDENT NIXON'S POLICY FOR RURAL AMERICA

## HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. EVINS of Tennessee. Mr. Speaker, President Nixon said in a recent article that today's rural problems are the urban problems of tomorrow. It is most encouraging as the new President takes office to know that he believes in equal opportunity for rural America.

President Nixon made this observation in the article which appeared in the magazine Rural America:

We are beginning to see that what we call the urban problem has its roots in our rural areas. What I here purpose is that we deal with this problem at its source, instead of attacking it only at the point of its great visibility.

This has been my belief and philosophy for many years and I am delighted to learn of the strong position which President Nixon has taken on the matter of rural development.

In this connection I am placing in the RECORD the article from Rural America. The article follows:

EQUAL OPPORTUNITY—OUR POLICY FOR RURAL AMERICA

We are beginning to see that what we call the urban problem has its roots in our rural areas. What I here propose is that we deal with this problem at its source, instead of attacking it only at the point of its greatest visibility.

"Ill fares the land, to hastening ills a prey . . ." was written of the English countryside nearly 200 years ago. But it might be written of rural America today.

Our rural areas are being depleted of people. Since 1960 the farm population has been declining at an annual rate of about 6 percent. From 1960 to 1967 the farm population declined by 4,818,000. The Department of Agriculture anticipates further out-migration.

This out-migration from our small towns and rural areas is largely the result of an agricultural revolution. Inadequate and unwise farm policies have contributed to the trend. Witness the lowest wheat prices in 26 years. Our farm population has fallen from 18 percent of the total population two decades ago to about 5 percent today.

What becomes of these people? Most of them move into our great cities. Without necessarily desiring it and almost by default, we are becoming an urban society. Seventy percent of our people now cluster in cities that cover one percent of our land. If present trends continue unchecked, by the year 2000, 80 percent of our people will be living in urban areas and most of them will be crammed into five super metropolitan areas.

By generating a kind of "urban crush," this creates problems in the cities to which they go. By de-populating the countryside, this creates problems in the rural areas and small towns.

But move they must, if there are no nearby jobs.

Seemingly, almost everything has conspired to prevent the creation of jobs in rural areas:

Federal farm programs have cut our cotton crop to 10 million acres, compared with 43 million acres before the programs begin. Tobacco acreage is now only half as great as 35 years ago.

Local communities have not had the re-

sources, the services and utilities needed to attract industry.

Industry, which has been urban-minded, has not sufficiently sought to decentralize.

The rural labor force lacks the wide range of federal employment services available to urban workers.

Education policies have discriminated against the poorer areas. For example, the Elementary and Secondary Education Act of 1965 provides more than twice as much help per pupil to the counties ranking *highest* on the index of rural well-being as it does those ranking *lowest* ($350 as against $157). (Manpower Report of the President, April 1967, Page 116.)

WE MUST EXPAND OPPORTUNITY

Today's rural problems are the urban problems of tomorrow. The American people want a better balance between the rural and the urban sectors. There should be expanded opportunity for those who wish to live in the country to find decent work there, to have access to good education and health services, and to pursue a way of living that gives diversity and balance to our economy.

What the American people really want and will work for, they can have. We are not the helpless objects of blind economic forces; we are capable of shaping our own future.

The future vitality of our small towns and rural areas depends largely on sound planning. Our states and localities should make a greater effort to develop land use plans based on the community's available human and natural resources. This is an essential first step to diversify and to strengthen the economic base of our rural areas.

IMAGINATION AND PLANNING

Imaginative and comprehensive land use plans will open the way to the location of new industries in small towns and rural areas. Local, state and national tax policies can also provide realistic and effective economic incentives to attract industry. Improved transportation facilities, better schools, and more extensive public utilities in rural areas will also serve the same goal. The Federal Government can help in a very direct way by placing more emphasis on the dispersal of Government contracts to small towns and rural areas wherever possible.

An essential ingredient for broadening the economic base of small towns and rural communities is an improvement in the skills and education of the rural citizen. This creates an economic inducement to industry as well as a wider economic opportunity for the individual. In practice, it means better education of all kinds, at all levels: elementary, secondary and advanced; vocational technical and academic; continuing education for adults, apprenticeship, retraining and all the rest. It means on-the-job training as proposed in the Republican-sponsored "Human Investment Act."

What is here proposed is not a blueprint for the economy, with a certain calculated number of people on farms or a carefully computed balance between rural and urban areas. Rather, I propose that we redress the imbalance in education and opportunity which has worked to the disadvantage of the rural areas and threatens to make America predominantly urban.

To undertake the actions I propose does not introduce a rural bias; rather, it would overcome the neglect that has contributed to rural deterioration that in turn has contributed to the urban bias, largely unintended, that has been allowed to develop. I propose that we provide the equality of opportunity which will give our people a chance to develop the kind of society they want. If this is done, we can safely leave with the people themselves the decision as to the balance between rural and urban living.

## OPPOSITION TO THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARY RECOMMENDATIONS

### HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. FLOWERS. Mr. Speaker, I oppose the executive, legislative, and judicial salary recommendations made by the President in the budget for the fiscal year ending June 30, 1970. Further, I add my support to the resolutions disapproving these recommendations.

My opposition is based upon principle and conscience, and not upon the amount of the increases, even though this also appears to be exorbitant. It should be noted that the 90th Congress last year approved the act creating the Commission whose report to the President formed the basis for the President's recommendations. It is my firm opinion that the 90th Congress acted unwisely and perhaps in the fringe of constitutional permissibility in establishing the Commission to which we have referred. By its action, the 90th Congress abdicated the responsibility given to the Congress under the Constitution to fix the salary of its own Members as well as salaries in the other branches of Government. The Commission was composed of leading citizens and their findings reflecting a present imbalance between Government and industry salaries are no doubt justified. However, this is not the issue.

This Nation of ours is going through a period of great inflation. The Secretary of the Treasury has even talked in terms of the desirability of unemployment increases as a means of controlling this inflation. It does not behoove the Congress to allow a raise of its own pay and the pay of other elected and appointed governmental officials in this time of spiraling inflation. Indeed, the Congress should provide leadership and example to Americans everywhere. Henry Clay once said:

> Government is a trust, and the officers of the Government are trustees and both the trust and trustees are created for the benefit of the people.

This trust, in which we all participate, takes the form of a solemn contract of obligation between the Congressman—or other elected official—and those who have elected him to that office. When a man seeks public office, he should know full well what the pay and emoluments of that office are. By offering himself for election, he is agreeing to serve for that stipulated sum during the term to which he is elected. It is, in my judgment, a breach of trust with the people to increase the pay and the emoluments during a term covered by the most recent election. If pay is to be increased, let the increase begin 2 years from now in order that the trust not be violated.

Under the present circumstances created by the 90th Congress, no action is required on the part of this 91st Congress in order for the President's recommendations to take effect, but, as for me, I stand in opposition to the same and will support the resolutions of disapproval in this House.

## THE LABOR-MANAGEMENT TRUST FUNDS FOR SCHOLARSHIPS AND DAY CARE CENTERS

### HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. THOMPSON of New Jersey. Mr. Speaker, I am today introducing legislation to amend section 302(c) of the Labor-Management Relations Act to permit employer contributions to jointly-administered trust funds voluntarily established to finance educational scholarships for employees and their dependents, or to finance day-care centers for the young children of employees. I am pleased to report that 16 of my colleagues, from both sides of the aisle, have joined me in sponsoring this measure. An identical bill was passed by the House with broad bipartisan support in the closing days of the 90th Congress.

Section 302 of the LMRA prohibits payments by employers to employee representatives for purposes other than those set forth in section 302(c). Section 302's broad prohibition was enacted to prevent bribery, collusion, and other corrupt practices; it was not designed to outlaw labor-management cooperation for laudable ends, where adequate safeguards exist. Therefore, the Congress has approved in section 302(c) several exceptions to 302's general prohibition, including payments to funds for medical care, pension, vacation, and other programs. The legislation introduced today will add a seventh exception to section 302's prohibition, and will thus validate employer contributions to joint trust funds established to finance educational scholarships or child-care centers for the benefit of employees and their dependents. I should stress that this bill would not require such contributions, and would not require the establishment of such trust funds. Further, the bill specifically sets forth that no employer or labor organization shall be required to bargain about the establishment of these funds.

In my judgment, the merits of this bill are clear. It would encourage voluntary participation by the private sector of our economy in meeting two urgent needs: The financing of advanced education for the children of working parents, and providing adequate day-care centers for the young children of working mothers. It will help meet these needs not by appropriating Federal moneys, but rather by enlisting the wealth and creativity of our private enterprise system.

It is my hope that it will be possible to enact this bill into law with all reasonable speed. I believe it is an extremely constructive measure, which promises benefits to employers, employees, and to the Nation.

NEW BLACK UNITY: DR. KING HOLIDAY

## HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MIKVA. Mr. Speaker, on January 16, 1969, I introduced a bill, H.R. 3807, to designate January 15, the birthday of Martin Luther King, Jr., a national legal holiday. In doing so I joined the gentleman from Michigan (Mr. CONYERS) and several Members of the Senate including Senator BROOKE of Massachusetts. Support for this well-deserved tribute to a great national leader has been growing, not only in my own State of Illinois, but throughout the Nation. An article which recently appeared in the Chicago Daily News indicates the extent to which this proposal has the support of blacks, both militants and nonmilitants, in the Chicago area. I wish to include this article in the RECORD as an indication of the united and growing support for the Martin Luther King, Jr., national holiday idea.

Support for the January 15 legal holiday proposal is coming, moreover, Mr. Speaker, not only from blacks but from all segments of the community. This is because it is recognized that to honor Martin Luther King, Jr., is not only to honor a black man, although black he was, nor is it only to honor a great leader in the nonviolent civil rights movement in America, although the preeminent leader of that movement Dr. King indisputably was. Rather, the designation of Martin Luther King, Jr.'s, birthday as a national legal holiday would be a recognition of the greatness of this man as a dedicated and compassionate human being, as an inspired and inspiring leader of men, and as an apostle, in the truest sense of the word, of the cause of peace. The establishment of a Martin Luther King, Jr., national holiday would, in short, Mr. Speaker, indicate that this Nation has reached a point at which it can, without reference to a man's creed or the color of his skin, honor greatness where greatness is shown, recognize leadership where leadership has been so inspiringly exercised, and pay tribute to restraint, compassion and a sense of moral justice when those qualities are so sorely needed in this Nation.

Recently, Mr. Speaker, I was advised that the Woodlawn Business Men's Association, an active, and integrated, Chicago businessmen's group, voted its support for the Martin Luther King, Jr., birthday-holiday proposal. Mr. Marshall Stern, president of the association, informed me on January 17, 1969, that the association had passed and sent to me and to the Southern Christian Leadership Conference the following resolution:

The Woodlawn Business Men's Association resolves that we are in favor of January 15th, the birthday of Martin Luther King, Jr., being designated as a national legal holiday.

It is my great pleasure, Mr. Speaker, to include this resolution at this point in the RECORD, for I feel that it demonstrates far more eloquently than I could the support from both whites and blacks for the proposal to honor Dr. King's memory.

Another example of the meaning which a Martin Luther King, Jr., national holiday would have to citizens of all ages is the number of letters from younger members of my district urging this action upon the Congress. The significance of Dr. King's ideals to millions of Americans was forcefully brought home to me by the simple words of one young constituent:

He was fighting for our country too. I think that he was the first to talk about nonviolence.

These two essential thoughts which Dr. King symbolizes in the minds of so many Americans—the struggle to build a better nation and the attempt to do it by peaceful means—are part of the reason that I have sponsored this legislation.

Yesterday I received a letter from Rev. Calvin S. Morris, associate director of the Southern Christian Leadership Conference's Operation Breadbasket. Operation Breadbasket, Mr. Speaker, is the outstanding example I have seen of self-help efforts among black Chicagoans. Reverend Morris sent to me petitions signed by members of the Southwestern Baptist Church, 8640 South Michigan Avenue, in Chicago. These petitions, addressed to the President and the Congress, urge that legislation to establish Martin Luther King's birthday as a national legal holiday—legislation such as I introduced last week—be passed. The petitions are signed by close to 75 petitioners, many of them residents of my district, the Second Congressional District of Illinois. Here is yet another example of the strong and growing support for the Martin Luther King, Jr., national holiday proposal.

The support which I have described here, Mr. Speaker, comes from groups ranging from the Catholic Interracial Council to the Concerned Transit Workers of Chicago. In this time of growing racial tension and distrust, no action by the Congress would provide more tangible evidence of our concern for the cause of peaceful improvement of race relations, and of our respect for nonviolent efforts by blacks themselves to erase the last vestiges of the cruel and shameful policies of segregation and discrimination, than the designation of a Martin Luther King, Jr., national legal holiday.

The newspaper article referred to follows:

[From the Chicago (Ill.) Daily News, Jan. 15, 1969]

NEW BLACK UNITY: DR. KING HOLIDAY

(By L. F. Palmer, Jr.)

The declaration of Dr. Martin Luther King Jr.'s birthday as a holiday by several black groups is an indication of the current mood of blacks and of a growing unity in the freedom movement.

The Rev. Jesse Jackson, national director of Operation Breadbasket, Monday called for black people to stay away from work or school Wednesday to mark the birthday of the man who introduced nonviolence as a weapon in the Negro's struggle for freedom.

The young minister said both President-elect Richard M. Nixon and the Congress have been asked to declare January 15 a national holiday in honor of Dr. King. The same request has been made locally to Mayor Richard J. Daley.

"But we don't need permission from downtown," Mr. Jackson said. "All we need is a commitment to our own needs."

Cooperating with the Southern Christian Leadership Conference, the parent organization of Operation Breadbasket, are some 15 organizations.

Significantly, they include the same groups that banded together to provide support to the Rev. George Clements and the Rev. Rollins Lambert in the controversy over John Cardinal Cody's naming of a black pastor to St. Dorothy's Roman Catholic parish.

This is a confederation with degrees of militancy spanning the spectrum. By joining in a second project, the organizations are giving clear indications of a unity move.

According to the latest public school head count, announced last November, there are 306,848 black pupils attending the city's public schools. This is 52.9 percent of the total. How many will observe the holiday cannot be predicted.

There are 7,467 black teachers in the city system, about a third of the total. Among the groups supporting the Wednesday holiday is the Teachers Division of Operation Breadbasket.

The Chicago Urban League estimates that there are 400,000 to 450,000 black workers in the Chicago area.

Mr. Jackson said the Rev. Ralph Abernathy, who succeeded Dr. King as president of SCLC, issued the call for a national holiday.

According to Mr. Jackson, Nixon has not "given his position" on a King holiday.

"We have asked the administration to enter into a coalition with us and we will wait until shortly after Mr. Nixon's inaugural," Mr. Jackson said.

"But we have decided we will be free, not according to the administration's time table but according to our own."

The black holiday also will be marked by a memorial service at Fellowship Baptist Church, 45th Place and Princeton, at 11 a.m.

The groups sponsoring the Wednesday holiday, aside from Operation Breadbasket, are the Afro-American Fireman's League, the Afro-American Patrolman's League, the Black Consortium, Black Panther Party, Black Priests Caucus Catholic Interracial Council and Chicago Conference of Laymen.

Also, Committee for One Society, Concerned Black Catholics, Concerned Transit Workers, St. Dorothy Parish Council, Inner City Priests Council, Martin Luther King Laymen's League, Black P Stone Nation, and Jobs Now.

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OVERWHELMING MAJORITY OF SMALL BUSINESSMEN IN NATION SUPPORT RURAL TAX INCENTIVE BILL

## HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. EVINS of Tennessee. Mr. Speaker, on the opening day of the 91st Congress—January 3 last—I introduced H.R. 799, a bill to encourage rural development through tax incentives for industrial and commercial development.

As one who has fought through the years for increased emphasis on rural development, it is encouraging to note that the importance of building a stronger rural America has been endorsed by a poll of the membership of the National Federation of Independent Business, Inc., an organization representing more than a quarter million small businessmen.

In a news release the Federation reports that a recent poll showed that two-thirds of the Nation's small businessmen favor the tax incentive principle for rural development.

Because of the interest of my col-

leagues and the Nation generally in this subject, I am placing the news release of the National Federation of Independent Business in the RECORD.

The release follows:

[From the National Federation of Independent Business, Inc., San Mateo, Calif., and Washington, D.C.]

(NOTE.—The Brief Facts: The scarcity of employment opportunities in rural and small town areas and the concentration of industry into crowded metropolitan centers are twin problems reflecting economic imbalance in the United States. One Congressional plan to stimulate location of new enterprises in "small town America" would provide tax incentives for businesses which establish new facilities in underdeveloped areas, providing that at least 20 new jobs are created. This tax incentive approach is favored by 63 percent of the independent business owners polled by the National Federation of Independent Business, and opposed by 31 percent with 6 percent undecided.)

THE RELEASE

A tax incentive program to induce economic expansion of rural and small-town America could prove a most effective solution to the twin problems of rural stagnation and urban over-concentration. More effective, perhaps, than massive government spending programs.

That's the prevailing opinion among the nation's independent business proprietors, revealed in a poll by the National Federation of Independent Business. Sixty-three percent of the businessmen endorse a Congressional proposal to give special tax treatment to firms which, when expanding, choose to put their new plants or offices in non-urban areas.

These businessmen see it as a no-expenditure approach to the problem of economic imbalance which is creating, on the one hand, "a rural wasteland" and on the other, "an urban slum".

Nationally, 31 percent of the proprietors oppose the plan and 6 percent are undecided.

In Tennessee, 66 percent approve the idea, 28 percent dissent, and 6 percent have no firm opinion. Federation membership is 263,149.

The proposal first made by Representative Joe L. Evins of Tennessee, Chairman of the House Small Business Committee, following committee hearings in 1967 has been reintroduced by him in the current session. Business owners then favored it by a 2–1 margin.

Its major provisions are a 7 percent tax credit for machinery and equipment costs (in addition to the present 7 percent investment tax credit now in effect) and quick amortization of real estate expenses for companies when they establish branch operations in "small town America", provided that at least 20 new jobs are created. Tax allowances for training new workers from the immediate area are also included.

Representative Evins believes this would help de-centralize the U.S. economy, which has crowded 70 percent of the population into little more than 1 percent of the land area.

He—and the businessmen—are concerned with the continued exodus of young people from small towns to large cities. The Economic Development Administration has said the continued migration of job-seekers results from "the push of poor rural conditions rather than the pull of urban economic opportunities."

For every 177 rural youths reaching working age, the Department of Agriculture has said, there are only 100 new jobs. More than half a million non-farm jobs need to be created in rural areas each year to halt the farm-to-city migration, experts say.

The rural job development program pushed by Representative Evins received bipartisan support late in the 90th Congress, and it fits in with President Nixon's view that tax incentives to private enterprise can be an effective means of achieving social and economic goals. The additional seven percent tax credit on equipment plus the "tax recovery" of real estate costs in five years would be strong incentives for any expanding company.

Few of the independent businessmen who support the plan would be likely to qualify for its tax benefits, which would go mostly to big business. However, those in "small-town America" would gain indirectly by the location of new enterprises in their communities.

In view of the depressed farm prices during a period of inflation, the National Federation of Independent Business believes the rural-aid bill should receive prompt attention from the 91st Congress.

State tabulation follows:

STATE BREAKDOWN FIGURES—ENACT LEGISLATION TO ALLOW A 7-PERCENT TAX CREDIT TO ENCOURAGE REDEVELOPMENT OF RURAL AREAS

| State | Percent in favor | Percent against | Percent undecided |
|---|---|---|---|
| Alabama | 67 | 27 | 6 |
| Alaska | 70 | 27 | 3 |
| Arizona | 57 | 37 | 6 |
| Arkansas | 69 | 28 | 3 |
| California | 57 | 37 | 6 |
| Colorado | 66 | 29 | 5 |
| Connecticut | 57 | 36 | 7 |
| Delaware | 57 | 40 | 3 |
| Florida | 61 | 33 | 6 |
| Georgia | 72 | 25 | 3 |
| Hawaii | 68 | 29 | 3 |
| Idaho | 66 | 29 | 5 |
| Illinois | 60 | 34 | 6 |
| Indiana | 60 | 34 | 6 |
| Iowa | 69 | 25 | 6 |
| Kansas | 68 | 27 | 5 |
| Kentucky | 55 | 39 | 6 |
| Louisiana | 68 | 25 | 7 |
| Maine | 62 | 30 | 8 |
| Maryland | 63 | 31 | 6 |
| Massachusetts | 59 | 33 | 8 |
| Michigan | 60 | 34 | 6 |
| Minnesota | 72 | 22 | 6 |
| Mississippi | 70 | 24 | 6 |
| Missouri | 67 | 27 | 6 |
| Montana | 60 | 34 | 6 |
| Nebraska | 75 | 22 | 3 |
| Nevada | 62 | 31 | 7 |
| New Hampshire | 63 | 34 | 3 |
| New Jersey | 60 | 34 | 6 |
| New Mexico | 68 | 28 | 4 |
| New York | 64 | 31 | 5 |
| North Carolina | 61 | 34 | 5 |
| North Dakota | 76 | 18 | 6 |
| Ohio | 58 | 36 | 6 |
| Oklahoma | 70 | 26 | 4 |
| Oregon | 54 | 38 | 8 |
| Pennsylvania | 63 | 32 | 5 |
| Rhode Island | 56 | 44 | |
| South Carolina | 64 | 31 | 5 |
| South Dakota | 73 | 24 | 3 |
| Tennessee | 66 | 28 | 6 |
| Texas | 63 | 32 | 5 |
| Utah | 66 | 26 | 8 |
| Vermont | 62 | 33 | 5 |
| Virginia | 67 | 26 | 7 |
| Washington | 61 | 33 | 6 |
| Washington, D.C. | 55 | 36 | 9 |
| West Virginia | 60 | 26 | 14 |
| Wisconsin | 61 | 33 | 6 |
| Wyoming | 69 | 27 | 4 |

## GILBERT FULL OPPORTUNITY ACT

### HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. GILBERT. Mr. Speaker, one of the lessons we have learned in recent years is that this society cannot cure poverty, slums, and illiteracy by gimmickry. There are apparently no tricks for dealing adequately with the problems that have been building in our country for decades, perhaps even centuries. Our new President suggests that "black capitalism" may be a panacea, but it is obviously only one facet of a massive, multipronged attack which is necessary to correct our deficiencies. I cannot overemphasize that it will take a great deal of money and a great deal of energy to achieve a decent, just society. But I, for one, am determined to set nothing less as a goal. For that reason, I join with the distinguished gentleman from Michigan (Mr. CONYERS) and others of my colleagues in sponsoring with enthusiasm the Full Opportunity Act of 1969.

Mr. Speaker, this act proposes to spend some $30 billion a year to cure our domestic ills. On an absolute scale, this is a prodigious amount. But it is a fraction of our military budget. It is less than we spent on the Vietnam war in its peak years. It is a small percentage of the gross national income. And it is, in my view, an enormous bargain in the perspective of the magnitude of our country's domestic problems.

The measure proposes to create 3 million subprofessional public service jobs in schools, hospitals, law enforcement and recreation through Federal grants to governmental and nonprofit agencies. Let me emphasize that these are not make-work jobs. We need workers, even semiskilled workers, in our schools, hospitals, police forces and recreation departments. This will be the kind of program that, on one hand, meets the needs of the unemployed and, on the other, performs the kind of social services the country desperately requires.

This measure also proposes constructing one million low and moderate income housing units a year for the next 10 years. It also proposes extending the fair housing laws to cover every unit of housing in the Nation.

The Full Opportunity Act of 1969 also would funnel important sums of money into the schools of the ghettos, to compensate for the educational and domestic deficiencies from which so many talented and worthy young people in our slums suffer. The act would also provide substantial student loans for post high school education, whether college, technical or vocational.

The bill would raise the minimum wage to a level of $2 an hour and set an annual floor on family income of $4,000 a year. It would extend and provide rigorous enforcement of equal opportunity laws in employment. It would thus channel energies into productive work, without discrimination, and would see to it, at the same time, that every family in America is adequately provided for.

Mr. Speaker, the Full Opportunity Act has within it a plan for national rehabilitation in 10 years. It has a schedule of expenditures which, in some instances would grow, in others decrease, depending on the program. For instance, the primary school program would go from $1 billion to $5 billion annually between now and 1979. The employment program would decrease, over the same period, from $16 billion to zero.

I am cosponsoring this legislation, Mr. Speaker, not as an idealistic gesture but as a realistic means of correcting the Nation's unhappy social condition. I suspect that some of my colleagues will be tempted to dismiss it out of hand as

too ambitious, but I say that they will be ill advised to do so. This is a program equal to the demand, not in excess of it at all. I urge my colleagues, whatever their political persuasion, to examine this as a practical measure. I think they will find that it is good, basic, unfrivolous, important legislation.

## END OF WAR BRINGS POSSIBILITY OF SECOND HOSPITAL SHIP "HOPE"

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. HAMILTON. Mr. Speaker, the hospital ship S.S. *Hope* has been at work for almost 9 years now, quietly but effectively helping to raise the level of health in developing nations. In this time, more than 1,300 volunteer U.S. medical personnel have brought self-help teaching and treatment programs to hundreds of thousands of people on four continents.

Now there appears to be an opportunity to provide for a second *Hope*. This possibility is discussed in a recent editorial from the New Albany (Ind.) Tribune which I commend to the attention of my colleagues:

[From the New Albany (Ind.) Tribune, Dec. 6, 1968]

NEW HOPE FOR S.S. "HOPE"

Hopes are riding on the outcome of peace negotiations in Paris. Hope will be buoyed in a very literal sense should the snail's-pace talks eventually result in an end to the war in Vietnam.

This is project Hope, the nonprofit, nongovernment organization founded in 1958 to help raise the level of medical education in developing nations.

The project's famed hospital ship, the S.S. *Hope*, is on loan from the Navy, where it was called the USS *Consolation*. Since its christening in 1960, the S.S. *Hope* has conducted programs in Indonesia, South Vietnam, Peru, Ecuador, Guinea, Nicaragua and Colombia. It is currently halfway through a 10-month medical teaching and treatment mission to Ceylon.

Project Hope now seeks to add a second ship and has received word from the Defense Department that it "would look with favor upon a request for an additional hospital ship after the cessation of hostilities in the Far East." Presumably, it would be one of the Navy hospital ships now in service in Vietnam.

The need for a second ship is underscored by the fact that the project has on hand invitations from 24 nations for a visit of the S.S. *Hope*.

At the rate of one country per ship per year, even a fleet of *Hope*'s would have its work cut out for it.

## BENNETT INTRODUCES MILITARY JUSTICE REFORM LEGISLATION

### HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BENNETT. Mr. Speaker, in 1968 the Congress passed the first military justice reform legislation in 18 years. I was proud to be the sponsor of this law, 90-632.

While we successfully enacted into law this first revision in military justice since 1950, bringing a modern and more equitable statute to the military services, there are several other provisions which need to be included in the present law and for which I have been working for many years.

Today, I am introducing a bill to give Federal courts jurisdiction to try persons who are or have been connected with the Armed Forces when their discharge or civilian status allows them to escape prosecution for crimes they committed while under military control.

This bill, for example, would allow a trial for embezzlement, committed abroad, which would otherwise be impossible because of a discharge from the service.

Also, today there is no American court, military or civil, that has jurisdiction to try American dependents or civilian employees for serious crime committed abroad. This bill would provide that any person serving with, employed by, or accompanying the Armed Forces outside the United States, who commits a crime specified in the Uniform Code of Military Justice, shall be tried in the U.S. district court where found or first brought. The statute of limitations for noncapital crimes would be 3 years, with maximum sentences being those authorized for the same offense under the Uniform Code of Military Justice.

Soon after World War II several incidents of serious crimes by former military personnel were discovered, but the perpetrators of these crimes were determined to be immune from trial because they were no longer subject to court-martial or American civil court jurisdiction. To attempt to remedy this the Congress enacted article 3 of the Uniform Code of Military Justice.

The need for enacting this bill I am now introducing is brought about by the Supreme Court's decision in the now famous case of Toth against Quarles, where the Court held courts-martial jurisdiction over ex-servicemen, as provided for in article 3 of the Uniform Code of Military Justice was unconstitutional. However, the Court did not preclude authorization of jurisdiction to the Federal district courts, and the provisions of title II of the bill would permit trial to take place in an American tribunal, where every constitutional safeguard would be guaranteed. In those cases where the alleged crime occurred abroad, the necessity of delivering or extraditing the accused for trial by a foreign government would be considerably less, since an American court would hereafter by this bill have jurisdiction to try the accused for the misconduct.

A copy of the bill follows:

A bill to amend title 10, United States Code, to confer jurisdiction on United States district courts to try certain civilians who are or have been connected with the Armed Forces

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (a) of section 803 (article 3) of title 10, United States Code, is amended to read as follows:

"(a) Subject to section 843 of this title (article 43), any person not subject to trial by court-martial who is charged with having committed, while in a status in which he was subject to trial by court-martial, an offense against this chapter punishable by confinement for five years or more, and who, while in such status, was not tried for such offense may be tried upon indictment for such offense—

"(1) in the United States district court for any judicial district in which any act or omission constituting an element of such offense was committed, if such offense was committed in the United States, or

"(2) in the United States district court for the judicial district in which such person is found or into which he is first brought, if such offense was committed outside the United States or on the high seas.

No person may be tried in any district court for any such offense if (1) the offense is one for which such person could not be tried by court-martial without his consent if he were in a status subject to trial by court-martial, or (2) such person has been previously tried in a State court for substantially the same offense. For the purpose of all proceedings for or ancillary to the trial of any person for any such offense in any district court of the United States, such offense shall be considered to be an offense prohibited by and punishable under the provisions of title 18, United States Code."

SEC. 2. Title 10, United States Code, is amended by adding after chapter 47 a new chapter as follows:

"Chapter 48.—TRIAL OF CERTAIN PERSONS WHO ACCOMPANY THE ARMED FORCES OUTSIDE THE UNITED STATES

"Sec.

"951. Persons subject to trial; jurisdiction of United States district courts; offenses for which persons may be tried.

"952. Statute of limitations; maximum punishment; general provisions.

"§ 951. Persons subject to trial; jurisdiction of United States district courts; offenses for which persons may be tried

"(a) Any citizen, national, or other person owing allegiance to the United States who commit any offense referred to in subsection (b) of this section while serving with, employed by, or accompanying the armed forces outside the United States shall be guilty of an offense against the United States and shall be tried for such offense in the United States district court for the judicial district in which such person is found or into which he is first brought.

"(b) The offenses for which any person described in subsection (a) of this section may be tried in a United States district court are those offenses specified in—

"(1) sections 877 through 881 of this title (articles 77–81) insofar as such sections relate to offenses referred to in clauses (2) through (5) of this subsection;

"(2) section 882 of this title (article 82);

"(3) sections 907 through 911 of this title (articles 107–111);

"(4) sections 913, 914, and 916 of this title (articles 113, 114, and 116); and

"(5) section 934 of this title (article 134) to the extent of crimes and offenses not capital.

"§ 952. Statute of limitations; maximum punishment; general provisions

"(a) An indictment may be found at any time without limitation with respect to any offenses referred to in section 951(b) of this title for which the death penalty may be imposed. Except as provided in section 843 (f) of this title (articles 43(f)), no person shall be prosecuted, tried, or punished under this chapter for any offense, not capital, unless the indictment is found or the information is instituted within three years next after such offense shall have been

committed. No person may be tried under this chapter for any offense if such person has been tried for substantially the same offense in a foreign country pursuant to a treaty or agreement to which the United States is a party.

"(b) The maximum punishment which may be imposed in the case of any person tried for an offense pursuant to this chapter shall be the same as that applicable to persons subject to trial by court-martial for the same offense, but the provisions of chapter 47 of this title relating to the forfeiture of pay and allowances shall not be applicable in the case of any person tried under authority of this chapter.

"(c) Any offense for which a person is indicted and tried under authority of this chapter shall, for the purpose of all proceedings for or ancillary to the trial of such person, be considered to be an offense prohibited by and punishable under the provisions of title 18, United States Code.

"(d) Nothing in this chapter shall be construed as depriving courts-martial, military commissions, provost courts, or other military tribunals of concurrent jurisdiction with respect to offenders or offenses that by statute or law of war may be tried by courts-martial, military commissions, provost courts, or military tribunals.

"(e) As used in this chapter, the term 'outside the United States' means outside the several States, Commonwealth of Puerto Rico, Virgin Islands, Canal Zone, and the special maritime and territorial jurisdiction of the United States."

SEC. 3. (a) The table of chapters at the beginning of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice--- 801"

the following:

"48. Trial of Certain Persons Who Accompany the Armed Forces Outside the United States---------- 951".

"(b) The table of chapters preceding chapter 31 of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice--- 801"

the following:

"48. Trial of Certain Persons Who Accompany the Armed Forces Outside the United States---------- 951".

SEC. 4. This Act shall become effective sixty days after enactment.

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## ON BEHALF OF INTERNATIONAL UNDERSTANDING

### HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. JOHNSON of California. Mr. Speaker, some 13 years ago, the faculty and the student body of Chico State College and the people of the city of Chico, Calif., decided to convert into positive action a conviction that true international understanding among the peoples of the world is the only way to real peace.

They recognized that while understanding between governments is important, it cannot be accomplished without understanding among peoples and in order to bring this about many individuals and community groups must accept the responsibility of furthering the cause of international understanding through individual efforts. The program developed in Chico should stand as a shining example of what can be accomplished in a small college community.

Thirteen years ago the General Douglas MacArthur Scholarship was established by the community to assist young students from foreign lands to continue their education in the United States. This education includes both formal studies at Chico State College, and just as important the education in the American way of life through what one of its most ardent supporters, Bill Lee, of the Chico Enterprise Record describes as a "hand-in-hand experience of friendship, understanding, and cooperation."

This has been accomplished only through the dedicated and untiring cooperation of many, many people. Without minimizing the efforts of all these people, it is appropriate, however, to make special mention of the contributions of Editor Lee, the Chico Enterprise Record and its publisher, Mr. A. M. Bramwell.

Mr. Speaker, I would like to commend this progressive community newspaper, its publisher, and its editor for its civic-minded contributions to this all-important cause of world peace. I know the community shares my views on their efforts.

A few days ago one of Bill Lee's outstanding editorials concluded:

Both the college and the community can be proud of and grateful for the work it is doing.

Let me add that the Nation can be proud of this community dedication to a better, more peaceful world.

At this time, Mr. Speaker, I insert in the CONGRESSIONAL RECORD Mr. Lee's editorial reviewing the 13-year history of the General Douglas MacArthur Scholarship program, an editorial entitled appropriately: "On Behalf of International Understanding":

ON BEHALF OF INTERNATIONAL UNDERSTANDING

Since its inception in 1955, the General Douglas MacArthur Scholarship program at Chico State College has become one of the most promising enhancements of international understanding in the realm of American higher education.

Admittedly, the MacArthur program is small indeed when measured on the vast financial yardsticks employed by huge foundations such as those based on the Ford and Rockefeller fortunes.

But from the standpoint of proportionate impact, the giants in the field might well take a back seat to the local MacArthur Foundation.

For example, in its brief 13-year existence, MacArthur Scholarship awards have assisted dozens of youngsters from foreign lands in furthering their education here. A partial listing includes students from Hong Kong, Thailand, Tanzania, Jordan, Iran, the Azores, Nigeria, Japan, Korea, Taiwan (Formosa), India and Indonesia.

Yet the geographical scope and the amount of money involved are not the main distinguishing characteristics of the MacArthur Scholarship program. The unique nature of the program makes its awards—in the minds of recipients—mean a great deal more than mere financial assistance. Rather, through personal association with the campus and off-campus volunteers who play key rolls in the MacArthur program, the youngsters from foreign lands undergo a "hand-in-hand" experience of friendship, understanding and cooperation.

This important relationship is, of course, impossible of attainment by the huge, depersonalized national and government foundation with their salaried executives and staffs.

Significantly, the MacArthur Scholarship program enables the foreign students to become participants in—rather than wards of—the local campus and lay community. And this, in the final analysis, is what international understanding and cooperation is all about.

Included in the MacArthur program here are a number of activities of campus and community involvement. For example, an open-to-the-public International Dinner is held each year on or near the Jan. 26 birthday anniversary of the late Douglas MacArthur. The dinner is a popular one (last year's crowd exceeded 250) and acquaintances established during the dinner and program often lead to long-standing relationships which extend into the realms of friendship and correspondence years after the foreign students have returned to their distant lands.

A second feature is the annual selection of a "Most World-Minded Student." Picked from outside the ranks of foreign students themselves, the person receiving this honor is a young American who by his high interest and volunteer activities has contributed to the international spirit on the local campus.

At the present time, the MacArthur Scholarship Foundation is setting in motion another outstanding feature—selection of a "Most World-Minded Citizen" from among the ranks of adults in the college's geographical service area.

The award will be a permanent trophy to be kept on display at Chico State. It will be engraved with the name of each year's winner. A smaller trophy will be awarded personally to the honoree.

Any organization, club or service group in the area may nominate citizens for the award. Thus far, Mrs. B. W. Shaper and Mrs. Sidney W. (Rita) Shnayer, both of Chico, and Fred Butterbaugh, a Paradise teacher, have been nominated.

The nomination period will close Dec. 31. Thus, organizations intending to participate should act with dispatch. Information and nomination papers may be obtained by contacting Fayette Brown, chairman of the committee, in care of the MacArthur Scholarship Foundation at Chico State College.

The "Most World-Minded Citizen" award will be a new and important feature of the scholarship program—and a significant honor of its annual dinner.

The award will be based on the same principles as the scholarship program itself—international understanding, cooperation and peace. These factors pay special homage to the closing decade of General MacArthur's long life—the period during which he dedicated himself to the cause of peace and to the establishment of a free and democratic form of government for the people of Japan, the nation he had helped defeat.

In summary, the General Douglas MacArthur Scholarship program and its related activities add up to a powerful instrument for international understanding and cooperation. Both the college and the community can be proud of and grateful for the work it is doing.

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## SOME ESSENTIAL FACTS ABOUT CALIFORNIA—THE NO. 1 AGRICULTURE STATE

### HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. TALCOTT. Mr. Speaker, recently at a dinner here in Washington, given by the Agriculture Council of California to honor the California congressional dele-

gation, Robert McInturf, president, made some dramatic revelations regarding the condition of agriculture in California. I insert a portion of Mr. McInturf's remarks which should be known and understood by every Member of the Congress.

His remarks are timely and pertinent to the attempted boycott of California table grapes in some eastern cities. Some shaggy, indolent students and some fuzzy-thinking clergymen, who have never seen a grape grow or worked a day in their lives, are maligning an industry which provides the highest wages, the best working and living conditions of any grape pickers in the world, and trying to deprive people of one of the most delicious, delightful, and nutritious foods. I hope some of these social marauders will read the following facts and then ask themselves if they are really trying to strike against and boycott the right people, at the right place, at the right time. Most reasonable, knowledgeable persons think not. Remarks mentioned above follow:

REMARKS MADE BY ROBERT MCINTURF, PRESIDENT OF THE AGRICULTURAL COUNCIL OF CALIFORNIA, AT A DINNER JANUARY 14, 1969, HONORING THE CALIFORNIA CONGRESSIONAL DELEGATION

The Agricultural Council of California, representing some 70 major agricultural cooperatives with approximately 100,000 farmer members throughout our state, is this year celebrating their 50th Anniversary of service to California agriculture. Although most of the Council's activities fall in the field of legislation, education and public relations within our State, they have found it necessary the past few years to also represent California Cooperatives and agriculture on a national basis. We want to thank each member of the California Delegation for their cooperation when we have called on them here in Washington.

Your dinner here tonight was made up entirely of products grown and marketed cooperatively in California. These are but a few of the 230 crops that are grown commercially in our state, and that have made it the number one agricultural state in the nation. Our number one industry, agriculture, accounts for in excess of four billion dollars gross income annually with one-third of this amount being marketed through our agricultural cooperatives.

We feel that the strength of our cooperatives in California has contributed significantly to the fact that only five of our 230 crops receive federal subsidies and the income from such subsidies accounts for less than two percent of our annual farm income.

It is interesting to note that while California agriculture continues to contribute over nine percent of the total gross farm income for the nation, its share of the net farm income has declined over the past ten years from nine and one-half percent to six percent. This means, of course, that the cost-price squeeze has been felt more keenly by farmers in our state than in any other state of the nation.

California farm workers enjoy the highest average farm wages with greater benefits than anywhere in the country, yet harassment of farm labor has been more acute in our state than in all other states combined. Although, we would like to be paying even higher farm wages, we have not yet figured a way to automatically add on 15 percent to the price of our commodity to supplement the wages of our employees, as is the case with many restaurants and was the case with this dinner served tonight. California agriculture, with its wide diversity of crops has problems that are unique to our state. Legislation that would put California at a competitive disadvantage with other parts of the country could have a serious effect on the economy of our state.

The next few years will be critical ones for agriculture. Our industry has made this the best fed nation in this World, with the consumer spending a smaller percentage of his spendable dollar for food each year, in fact, a decline from 26 percent twenty years ago to 17 percent today. Agriculture can afford this subsidization of consumers only if its farmers, too, share in the fruits of their efforts.

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## PRESCHOOL CENTERS SUPPLEMENTARY EDUCATION ACT

### HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. FEIGHAN. Mr. Speaker, together with Congresswoman MINK and several other distinguished colleagues, I have today introduced two bills which afford vast educational opportunities to both child and teacher. The first of these two measures provides Federal funds for improving the education service in public and private nonprofit child day care centers.

Under this legislation, day care centers, which now furnish primarily custodial care, would be expanded and equipped to provide a basic educational foundation for preschool children. This is essentially the function of the Headstart program, which has operated with increasing success since its inception 5 years ago. This measure would supplement Headstart by extending the opportunities for preschool education to those children not presently eligible because the income of their parents is greater than the limitation imposed by the Federal Government.

So many of our young people today are hampered in their ability to learn simply because they have not received a good foundation at the preschool level. Education is the cornerstone of advancement in our society, and although this legislation would not reach every one of our children, it would grant increased opportunities to many more of our youngsters.

Entitled the "Preschool Centers Supplementary Education Act," the bill would authorize $300,000,000 yearly for distribution to the participating States who in turn would allocate the funds to child day care centers selected by a designated State agency.

At the other end of the spectrum, I have introduced a bill to provide funds for the continuing education of our professional teachers in the elementary and secondary levels through the establishment of study grants to selected teachers on sabbatical leave from their classrooms. With the tremendous strides made in elementary, secondary, and graduate education in recent years, it is only appropriate that progressive programs be made available to our Nation's teachers. Unfortunately circumstances often tend to impede our educators from continuing their quest for learning. This bill encourages experienced teachers to supplement their education and practical classroom experience by providing them with a 12-month paid sabbatical grant once every 7 years.

As you know, Mr. Speaker, I have vigorously supported educational assistance on all levels and I firmly believe that we should extend this assistance to our teachers. It is essential that our educators have ample opportunity to profit from the continuous innovations in teaching curriculum and methodology and the rapid changes occurring in all areas of learning. When our teachers profit, our students profit, and our country reaps the largest profit of all.

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## GONZALEZ REINTRODUCES BILLS TO CURB WAR PROFITEERING

### HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. GONZALEZ. Mr. Speaker, last week I reintroduced two pieces of legislation which are greatly needed to better protect our tax dollar from war profiteering. I am pleased that joining me as a cosponsor of these bills is my colleague from California, Mr. GEORGE E. BROWN, JR.

Few American citizens in this day and age give second thoughts to announcements that their Government is spending millions of dollars for another piece of military hardware. Most assume this is what it costs to keep our defenses strong. But such an assumption is probably false. The 40-plus billions of tax dollars that are being awarded for prime military contracts is what the Government pays for military hardware, by no means what it costs to produce that hardware. The truth is we have little idea how much it costs defense contractors to supply goods and services; we only know how much we are paying. It is the position of Adm. Hyman Rickover, who built our nuclear Navy, that the Defense Department is generally paying more to the domestic contractor than his legitimate costs and a fair profit would warrant.

Perhaps the most disturbing question I have encountered in trying to determine the true costs of defense hardware is whether the Department of Defense has the will to get value received for tax dollars spent. The Department of Defense sticks to a shaky position that profits on defense contracts are declining—even with the Vietnam buildup and even to the point that crucially important defense suppliers are going broke.

That the Defense Department would blithely continue to hold this position flies in the face of our historic experience with wartime defense buying. All documentation shows that American defense contractors always make higher profits during the chaos and rush of wartime than they make in peacetime.

Specifically, Department of Defense officials are ignoring the best available evidence that profits on Vietnam procurement are rising significantly. The

latest bit of evidence lies in the report issued last month by the Renegotiation Board that they are experiencing an "exceptional upswing" in potential cases of excessive profits on Government contracts.

For the Department of Defense to admit that profits are rising would be to admit increased opportunities for profiteering, and would require at least entertaining the idea that procurement controls should be improved.

If the Deparment of Defense would say "we can't be bothered" by how much war profiteering exists, it would be most refreshing. But "unconcern" does not seem a very accurate description. It appears that certain defense officials are actively suppressing evidence of profiteering. John M. McGee, for example, was a petroleum inspector in Thailand until he claimed that the United Sates lost in theft at least 5.5 million gallons of petroleum products in 1967 due to bribery, forgery and Government laxity. He was transferred, although the General Accounting Office has substantiated his charges.

I stated that the Department of Defense is ignoring the best available evidence that profiteering is increasing. I do not claim that all studies are ignored by the Department of Defense, however. Those studies which discount rising profits are cited, no matter how suspect or solitary they may be.

Nor do I claim that the studies and examples I have pointed to time and time again are anything more than the best available evidence. They are not conclusive, for the simple reason that nobody in or out of Government can say with authority what profits are being made on defense work. Meaningful figures have never been gathered. On half the defense contracts, no cost or profit data on the completed contract is required. And data from those types of contracts which require realized cost and profit figures are not reliable, to my mind, for they are susceptible to a variety of accounting tricks by those who might wish to disguise profits as costs.

I am reintroducing my resolution which would establish a special House committee to conduct a full and complete investigation of our military procurement. I do so because many dark recesses abound. It is impossible to determine just how much profiteering is going on. I believe the indications of increased profiteering are clear calls for creditable information. We must know the extent and methods of profiteering before we can prescribe a cure. It is my personal belief that the individual examples of profiteering which have surfaced are just the tips of icebergs—that the bulk of profiteering is still hidden below chilling waters.

I am also reintroducing my bill to strengthen the Renegotiation Board. It is the same bill I sponsored in the 90th Congress. Although Congress extended the Renegotiation Act last year, my bill still remains valid, for we only tightened renegotiation in one minor instance. It was a significant instance, however, if only symbolically. It was the first time since renegotiation was established under the present Board in 1951 that Congress had not restricted and debilitated the powers of the Board in amending its charter. Also, the Board was extended for 3 years, instead of the usual two.

However, the Board should be made permanent, as my bill provides. The reasons are simple:

First. As the only independent agency which is single mindedly patrolling defense profits, it is doing a vital job efficiently and effectively. In the last fiscal year, the Board affected the return to the Treasury of $39 million in excessive profits on Government contracts on total operating expenses of $2.6 million.

Second. The Board will always have a job to do. It is doubtful that the defense budget will ever drop below $70 billion a year. We have all heard reports of the weapons systems which are jammed up in the pipeline waiting for a drop in the involvement in Vietnam to release funds for them.

My bill would also restore the Renegotiation Board to its Korean war strength in 5 years. This would be recognition that we have been spending more on Vietnam than we did in the most expensive Korean year. I am confident the Board would be no less effective in rooting out excessive profits with restored, expanded jurisdiction. I explained my amendments in detail last year. For anyone who is interested, I am requesting unanimous consent that a list of my remarks on this subject be included at the end of this statement.

Admiral Rickover believes the activities of the Renegotiation Board should be further strengthened and expanded beyond the scope of my bill. He suggests that the Board review every contract over $100,000 on a contract by contract basis, and that instead of lumping together all a contractor's work for fiscal year renegotiation, that groupings of sales with similar cost and profit requirements be renegotiated together.

Here is an example of the situation Admiral Rickover seeks to prevent. One of the Nation's largest defense contractors negotiated for a propulsion turbine for an aircraft carrier. The company demanded profits of 25 percent of the contract, although they had agreed to profits of 10 percent on an earlier turbine. Also, they claimed their costs would nearly double in the 6 years from the first contract. But in violation of the law, the company refused to certify that their cost estimates were "accurate, complete, and current." In effect, they refused to say their cost estimates were honest, or whether the costs were inflated in order to hide extra profits above and beyond the 25 percent written into the contract. Because the company was really the sole source supplier of an engine needed to power a ship for Vietnam, an Assistant Secretary of the Navy was forced to sign a waiver of the cost certification provision of the Truth in Negotiations Act. To me, this is just a sophisticated type of extortion.

This company is home free with an undetermined profit from the taxpayer. No law can touch them. The company is large enough that it must submit for renegotiation on a total, fiscal year basis. But this only means the company will use the low profit it makes on the millions of electrical components it sells to the Government to mask the millions in profits it made on the turbine. Admiral Rickover proposes to renegotiate large contracts by themselves, and not lump mass produced switches with custom turbines.

I endorse the Rickover proposals, but I am not introducing them as legislation. I do not believe they have a chance of enactment at present. I could only get a minor part of my more modest changes accepted last year when the charter of the Renegotiation Board had to be extended. I do not detect sufficient interest, in an off year, for any strengthening of renegotiation. Further, the sharp departure from fiscal year renegotiation would in itself stir up controversy. These are the realities as I see them, cruel as they may be to the American taxpayer.

It is difficult to gain support for the Board. Fiscal year renegotiation and the statutory requirements of determining what constitutes excessive profits cannot be explained in a few words. Also, the legal structures that a filing with the Board be as strictly confidential as an income tax report mean that few examples of the Board's work are evident. Only in those few cases when a contractor appeals a Board determination to the U.S. Tax Court have details on their work become known, and only in relation to contracts awarded years earlier.

The Board is so generally unappreciated that it is understaffed. Failure of Congress to give the Board an exemption from the Revenue Expenditure and Control Act of 1968 means the Board will have fewer employees to police an increasing workload of Vietnam contracts.

I believe it is a tragedy that renegotiation languishes. The Board is an independent agency free from any taint of collusion with privileged contractors and free from self-serving denials that no profiteering exists. In addition, the Board is imminently fair to the contractors, for those who have appealed the amount of the Board's determination of excessive profits amount to less than 3 percent of the total who file.

I am reintroducing my bill to strengthen the Renegotiation Board in the belief it is fully capable of efficiently protecting more of the taxpayers' dollars from profiteering.

Mr. Speaker, in addition to the list of my remarks on profiteering, under unanimous consent I include here an article on the Renegotiation Board by Mr. William Wyant of the St. Louis Post-Dispatch.

REMARKS OF U.S. REPRESENTATIVE HENRY B. GONZALEZ IN THE DAILY CONGRESSIONAL RECORD CONCERNING THE RENEGOTIATION BOARD, AND WAR PROFITEERING

1966

Mar. 14, page 5513; Sep. 28, page 23218ff.

1967

Jan. 17, page H273ff; Sep. 14, page H11962ff; Oct. 10, page H13191; Oct. 11, page H13319; Oct. 12, page H13363; Oct. 17, page H13546ff.

Oct. 18, page H13671; Oct. 19, page H13739; Oct. 20, page H13773; Nov. 30, page H16122ff; Dec. 11, page H16663ff.

1968

Jan. 16, Cleveland Plain Dealer Favors Gonzalez Renegotiation Bill, H72–H76.

Jan. 22, Congressmen Vanik and Feighan Introduce Gonzalez Renegotiation Bill, H195–H199.

Jan. 31, Cleveland Plain-Dealer Urges Hearings On Gonzalez Renegotiation Bill, H672.

Feb. 21, Bill To Strengthen Renegotiation Board, H1274–H1275.

Mar. 12, Renegotiation Board Hearings, H1853–H1857.

Apr. 9, Future Of Renegotiation Board, H2716–H2718.

Apr. 29, Admiral Rickover Endorses the Renegotiation Board, E3480–E3481.

May 8, Debate on Renegotiation Board appropriations, H3499.

May 10, The Nation's Press Reports On The Renegotiation Board, E4074–E4077.

May 27, Debate on H.R. 17324 amending the Renegotiation Act, H4288–H4289, H4292–H4296.

May 28, Gonzalez Calls For Special Committee To Investigate War Profiteering, H4369–H4372.

June 4, Debate on H.R. 17268 amending the Defense Production Act, H4509, H4511–H4515.

June 19, Gonzalez Testifies On War Profits And The Defense Production Act, E5608–E5609.

July 16, Alarm About War Profiteering, H6763–H6764.

July 22, The GAO On Excessive Profit Determinations Of The Renegotiation Board, H7197–H7202.

Aug. 2, Gonzalez Refutes Secretary Of Defense On War Profiteering, H8162–H8165.

Aug. 29, Praise for Representative Charles Vanik's Fight to Curb War Profiteering, E7605–E7606; Growing Threat Of Our Military-Industrial Complex, E7617–E7622.

Sept. 5, Defense Profits: Are They Declining or Rising?, E7709–E7710.

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[From the St. Louis Post-Dispatch, Dec. 4, 1968]

CLAMOR GROWS FOR DAMPER ON PROFITS ON WAR GOODS

(By William K. Wyant Jr.)

WASHINGTON, December 4.—Lawrence E. Hartwig, chairman of the Renegotiation Board, is a mild-mannered lawyer from Michigan who has been laboring since 1951 to keep contractors from gorging themselves at the federal honey-pot.

Hartwig's board, which has the task of slicing excessive profits from defense and other contracts, has been so starved by Congress and kicked around by industry that it could be called the Oliver Twist of Government agencies.

With a heavy load of Vietnam war procurement coming up for review, Hartwig has only 175 persons on his team. He has managed to pry loose authority to hire 27 more. However, in 1953, at the time of the Korean war, the board had 742 members.

Yet defense contract awards reflecting Vietnam sailed past the peak for South Korea in fiscal 1967, reaching 44.6 billion dollars against 43.6 for 1952, the highest Korean year. For fiscal 1968, ended last summer, the figure was 43.8, a slight drop but still higher than the Korean maximum.

Hartwig, a 62-year-old Phi Beta Kappa member who plays golf when he gets a chance, was glad to get the extra 27 and a $400,000 budget increase this year, bringing the board up to $3,000,000. In 1953 and 1954, the budget was above $5,000,000 annually but that was before Congress clipped the board's wings.

It is expected that as the big Vietnam spending comes home to roost—the build-up started in 1965 and there is a time lag of about two years—Hartwig will seek a substantial increase in force and more money for the 1970 period.

As things are, the backlog of unfinished negotiation cases has increased ominously. The carry-over in fiscal 1966, before Vietnam, was only 464 cases. In 1967 it jumped to 678 and in 1968, just ended, to 938. The estimate for the current year is 1263.

Hartwig, who has been with the Government since the early 1940's was named to the Renegotiation Board by President Harry S. Truman when it was organized after the outbreak of the Korean War. President John F. Kennedy designated him chairman in 1961.

The board is charged with reviewing the "reasonableness" of costs and profits not only in defense contracts but those of the Maritime Administration, the Federal Maritime Administration, the Federal Maritime Board, the General Services Administration, the National Aeronautics and Space Administration, and the Federal Aviation Administration.

There is no rule of thumb for what is reasonable. Contractors whose renegotiable sales in the fiscal year total $1,000,000 or more must file reports, much in the way they file annual returns with the Internal Revenue Service.

More than 80 per cent of the filings are quickly cleared as satisfactory. In fiscal 1968 the board had 4552 filings and assigned 827 cases to its two regional boards for further investigation. If a contractor disagrees with a finding of excessive profits, he may go to the United States Tax Court for relief.

Hartwig prefers the gentlemanly, reasonable approach. It is a matter of pride with him that the board is able to work out agreements with contractors most of the time. In 1968, for example, the board got agreement in 27 of its 46 excessive profits cases and had to issue a unilateral order in only 19. The orders become final if the contractors do not go to court.

The board blew the whistle on $23,069,148 in excessive profits in fiscal 1968, compared with $15,980,214 the previous year, but under federal law—just as in the case of the Internal Revenue Service—the names of the companies that will have to pay up are not disclosed unless they choose to make a legal fight.

The Renegotiation Board determined that McDonnell Aircraft Corp. of St. Louis, now McDonnell Douglas Corp., realized excessive profits of $8,000,000 in 1965. McDonnell challenged the finding in court, and for that reason the issue became public knowledge.

From 1953 through 1968, the board made determinations of excessive profits totaling $975,505,785. Of that total, $682,230,000—or about 70 per cent—was recouped by agreement and orders had to be issued on $286,980,000.

Hartwig has pointed out that the board has had to issue only 399 orders to recoup from contractors, and only 152 of those went to the Tax Court. Through last June 30, the court had disposed of 120 of the 152 appeals. The board's decision was upheld in 72 cases, revised upward in six, and scaled down in 42.

Not only has the board been getting back about $18 for each dollar it spends, through its own redeterminations, but the voluntary refunds and voluntary price reductions reported by contractors in connection with renegotiation proceedings have brought savings estimated at more than 1.3 billion dollars.

These statistics have been cited as eloquent testimony of the board's effectiveness and its tendency to use reason in dealing with industry. However, the board's recoupments in recent years have been less than one tenth of 1 per cent of renegotiable sales to the Government.

Over the years, the Renegotiation Board has been enfeebled by congressional actions that diminished its jurisdiction and authority. Congress has not been willing to make the board a permanent agency, even though renegotiation statutes go back to World War II, during which more than 11 billion dollars in excess profits was salvaged.

Hartwig pressed this year for "indefinite" status, avoiding the word "permanent." Congress extended the act for three years only. The trouble with this is that it exposes the agency to attack when its lease on life is up for renewal, and makes it tougher to recruit high-quality personnel.

Again in 1956—an evil year for the board—Congress raised the "floor" under which the board cannot look for unreasonable profits to $1,000,000. It was originally $250,000 and had been raised to $500,000 in 1954. The purpose of raising the floor ostensibly was to help small business.

What has done more than anything else to pare the board's size has been the successive elevations in the "floor" and the broadening by Congress, in 1956 and other years, of the act's provisions making "standard commercial articles" exempt from renegotiation.

Hartwig tried to get the commercial exemptions eliminated this year and did manage to have the restrictions eased. These exempt transactions, which the board cannot look at, amount to several billions a year and have escalated more than a billion dollars in the Vietnam period.

A veteran public servant who has managed to survive under four Presidents and now has a fifth coming up, Hartwig is not the type who leads cavalry charges. He is a thoughtful man who reads Justice Oliver Wendell Holmes and Lafcadio Hearn. He tries to do the best he can with the legislation he has.

Champions of a stronger Renegotiation Board and a tougher environment for war profiteers are getting louder. Among them are Senator William Proxmire (Dem.), Wisconsin, Representative Henry B. Gonzalez (Dem.), Texas, and V. Adm. Hyman G. Rickover.

These critics are challenging Secretary of Defense Clark M. Clifford's statement that profits on defense procurement have gone down rather than up. The fact is, Rickover says, that profits have gone up by 25 per cent and accounting methods are so loose "we simply don't know what we are doing."

There is increasing clamor that nothing short of a full-scale congressional inquiry will get the answers and bring needed action. A World War II B–17 bomber cost $218,000 and its modern counterpart costs $7,000,000. A World War II attack submarine cost $4,700,000, its 1968 sequel costs $77,000,000.

In a defense complex where $1,000,000 is chicken feed, such escalation of costs promotes an uneasy feeling that there is a great deal more waste, mismanagement and chicanery than has come to light.

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## MR. MAGEE'S THOUGHTS

## HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. JACOBS. Mr. Speaker, I would like to bring to the attention of my colleagues the views of Mr. Eugene Magee, of Indianapolis, Ind. I believe Mr. Magee's thoughts contain a great deal of merit and would be of interest to all Members:

DECEMBER 7, 1968.

Hon. ANDREW JACOBS, Jr.,
*Washington, D.C.*

DEAR CONGRESSMAN: I listened intently to your television presentation to an answer to youth education and development and I think you are on the right path. However, I feel you are overlooking the real cause of our youth problems.

Did it ever occur to you that the greatest means of education to our youth has been withheld from them, with our modern methods of production.

In Europe and in early America we have or had no juvenile delinquency, because the son played around his father's work bench and by the time he was 18 years old, he knew his father's trade and was filling his father's shoes. He had a purpose in life and would improve on it.

Today, a man goes to work in a factory. When he enters the factory grounds at the gate, the son is separated from the father and his association and education that his father could give him stops there. The son goes his way without purpose and see what we are paying for that separation.

I am aware that insurance companies' policies frown on such practices, and have a tremendous force on companies to keep people off their grounds, not employed by them, but is it going to solve the youth problem?

I would like to hear from you about the number of carpenters, that run small shops, where the sons can frequent, that have delinquency problems or any tradesman that can work with his son.

We are losing our greatest motive for education "show the old man I can do a better job than he can," that challenge is in youth and we are losing it. Let's get rid of that fence around a factory.

EUGENE J. MAGEE,
*Indianapolis, Ind.*

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STARVATION IN NIGERIA

## HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BINGHAM. Mr. Speaker, I have today joined with a number of my colleagues in the House and Senate in cosponsoring a resolution which calls for a significant increase in the American contribution to efforts directed at saving lives presently threatened by starvation in Nigeria.

Like many other people in this country and around the world, I have watched the civil strife in Nigeria with a growing sense of horror and disbelief: horror at the rising death toll from starvation, variously estimated as high as 12,000 a day; and disbelief at the seeming callousness of the leaders of both Nigeria and Biafra and of a number of other governments which have either remained indifferent to the extent of human suffering or, in some cases, have actively fanned the flames of war. For authorities in Nigeria and Biafra, mass hunger has too often been viewed first and foremost as a military or political weapon rather than a human tragedy. For the principal arms suppliers to both sides—the Soviet Union and the United Kingdom for Nigeria and France for Biafra—political interests have taken priority over concern for the fate of the Biafran people. And for the United States—potentially perhaps the most powerful influence for peace in this conflict—political niceties have at times been put ahead of saving lives.

It is true that the United States has scrupulously refrained from furnishing arms to either side. It is also true that our Government has appealed publicly and privately to both sides to resolve their differences through peaceful negotiation. And it is also true that the American contribution to relief efforts already exceeds $26 million, represents about two-thirds of the global total, and was recently expanded further by the provision of eight additional planes to be used in airlifting food to the Biafran people. These are all praiseworthy actions. Yet in the face of continuing civil war and a steadily growing death toll from starvation, can we in good conscience argue that we have done all that should have been done?

Mr. Speaker, I fully appreciate the complexity of the political problems involved in this tragic situation. This is, after all, a civil war, in which there is a natural, and recently reinforced, reluctance to intervene in any way. It is a conflict for which the appropriate regional organization, the Organization of African Unity, has been attempting to find a peaceful settlement. And, of course, leaders on both sides of the struggle have put an incredible series of obstacles in the path of those who have sought to offer humanitarian assistance. The Nigerians have balked at air delivery of needed foodstuffs, fearing that an airlift would provide cover for greater arms deliveries to their Biafran foes. And Biafran leaders have objected to deliveries by land, fearing that Nigerian armies would follow relief convoys or that the foodstuffs themselves might be poisoned.

In these circumstances, it has been all too easy to find excuses for not taking action, excuses which are valid but totally insufficient in the face of the Nigerian tragedy. Concerned lest even humanitarian aid influence the outcome of this internal conflict, we went through months of labyrinthine negotiations on relief procedures while uncounted thousands of Biafrans, mostly children, died of starvation or were permanently crippled by deficiency diseases. Fearful of causing offense to the Nigerians, or the Biafrans, or the OAU, or the British, we have refrained from bringing the immense moral and political pressure of the United States to bear on the contending parties and their external backers in an effort to secure a negotiated end of the slaughter.

Mr. Speaker, I for one do not believe that we have met our full responsibility in dealing with the tragedy of Nigeria and Biafra. It is for that reason that I welcome, and wholeheartedly join, this initiative by my colleagues to stimulate a prompt and substantial increase in U.S. efforts to ameliorate the suffering caused by hunger in this troubled land. It is for that same reason that I hope this country will, in the days immediately ahead, apply its formidable persuasive powers to the Nigerian and Biafran leaders and to the nations still fueling the conflict with fresh supplies of arms, and will urge upon them the human necessity of bringing this terrible war to a swift and peaceful conclusion.

Mr. Speaker, I insert in the RECORD at this point the text of the resolution which has been introduced today:

H. CON. RES. 97

Whereas reliable reports indicate that there is a tragic loss of life in the Nigerian Civil War caused by starvation and disease in areas controlled by the Federal Government and under the control of the "Biafran" authorities;

Whereas present relief operations are inhibited by poor roads, bad weather, inadequate transport, and the inaccessibility of certain areas to overland supplies; and

Whereas increased shipments of food and medical supplies are needed to reduce the tragic rate of starvation: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That (1) it is the sense of the Congress that the President should act to increase significantly the amount of surplus food stocks and relief moneys as well as the number of aircraft and other vehicles of transportation as may be necessary for relief purposes to the Organization of African Unity, the International Committee of the Red Cross, or other suitable religious and charitable relief agencies now or hereafter operating in the area with the consent of the responsible authorities; and this material should be made available at the request of the participating agencies; and (2) the Government of the United States should solicit the cooperation of other nations in this humanitarian effort.

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DO NOT ELIMINATE YOUTH FARES ON NATION'S AIRLINES

## HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. OLSEN. Mr. Speaker, it was reported in the Washington Post yesterday that Civil Aeronautics Board Examiner Arthur S. Present has issued a decision eliminating youth fares on the Nation's airlines. In my opinion, this is a bad decision that will benefit no one. I urge my colleagues in the Congress to join with me in seeking CAB action to rescind Examiner Present's decision.

For the information of my colleagues, I include my letter to Board Chairman John H. Crooker, Jr., in the RECORD at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 22, 1969.*

Mr. JOHN H. CROOKER,
*Chairman, Civil Aeronautics Board,*
*Universal Building, Washington, D.C.*

DEAR CHAIRMAN CROOKER: Oliver Wendell Holmes said, "Prudence and justice are the compatible format necessary to formulate any dictate of society."

I write to you today to voice my strong objection to Examiner Arthur S. Present's decision regarding airline youth fares. I request that this ruling be reviewed and urge that it be reversed. This decision is not prudent justice, but justice run wild.

Mr. Present's charge that low cost fares for young persons discriminates against passengers over 21 fails to give proper consideration to the important fact that these young people are flying on a "space available" basis—if they did not purchase half-fare tickets, the seats would go vacant.

Prudent justice in this situation, in my opinion, would be influenced by the fact that most passengers over 21 are restricted by personal demands or schedule from flying space available; that a change to include all age groups in the standby fares would mean havoc for the reservation system; that the revenue loss resulting from elimination of the existing regulations could mean increased fares for all passengers; and that present youth fares contribute substantially to the cause of education.

The youth fare seems to me to have been a bright spot in a world that generally discriminates against young people. Insurance rates are twice as high for the individual 20 or 24 years old even if he is the safest driver in the Nation. (Statistics, you might say, justify higher rates because this category of drivers is accident prone. I submit statistics would also bear out my contention that people under 21 are less able to afford air travel. Is this not comparable justification for lower air fares *on a standby basis?*)

Persons under 21 cannot vote; persons under 25 cannot serve in the Congress; persons under 62 cannot receive Social Security retirement benefits; persons under 35 cannot be President of the United States; persons over 21 cannot enter our military academies; persons over 18 cannot serve as pages in the U.S. Congress. In each of these examples, certain age discrimination factors are involved.

I do not argue that all of these regulations should be changed. There are prudent considerations to support some of them. I do argue that there is equally prudent support for retention of the student fares.

We must, as a Nation, do all we can to encourage young people to educate themselves. Our government has acted in the last ten years to improve our education system and has spent billions of dollars in this cause. On the local level, all of us have seen examples of special prices to encourage young people to attend cultural events. The special youth fare has been an important factor in allowing young people to travel to institutions of higher learning. They also enable them to travel home more frequently to be with their families.

Further, travel alone is a form of education and I am certain many thousands of young Americans—students and non-students—have been enabled by the youth fare to see much more of their country. Surely, thousands have come to their Nation's capital who would otherwise have been unable to do so.

I ask you: What does prudence dictate in this decision?

Does it not tell us that thousands of our young people will once again turn to hitchhiking—a practice both illegal and dangerous?

Does it not tell us that young people will choose to crowd inadequate vehicles for exhausting trips on already overcrowded highways, straining their reflexes and health to make long trips as quickly as possible to reduce expenses?

Does it not tell us that Examiner Present's decision will be of benefit to no one?

Our young citizens have benefited from the current fares, and it has not been at the expense of adult, full-fare passengers because space available seats are empty seats.

Finally, strict, imprudent application of the non-discrimination ruling would threaten half-fare tickets for youngsters between 2 and 12 years of age (reservations can be made for these tickets), for military personnel, and for several other special fare categories now properly and prudently provided by our airlines.

With best regards, I am,

Sincerely yours,

ARNOLD OLSEN,
*Member of Congress.*

## THE 18-YEAR-OLD VOTE

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. FRASER. Mr. Speaker, last week I introduced a constitutional amendment to lower the voting age to 18.

My reason was primarily my faith in the education and maturity of our young people. But I am increasingly impressed by another factor—their political sophistication.

In Minnesota several young peoples' organizations—including the Young Democrats, College Republicans, Teenage Republicans, Minnesota Student Association, and Student Minnesota Education Association—have formed the Coalition for Lowering the Voting Age. The coalition is actively lobbying at the State legislature and with congressional delegation for State and Federal constitutional amendments lowering the voting age to 18.

I would like to give my encouragement and praise to the members of the coalition. They are demonstrating responsible citizenship.

The executive board of the coalition includes Gerry Sikorski, Sue Kline, Eileen Lach, and Bob Vorpahl from the Young Democrats, Jack Stone, John Tschohl, and Andee Ottum from the College Republicans, Paul Fogelberg from the Teenage Republicans, Wayne Gilbert from the Minneosta Student Association, and Michael Pehler from the Student Minneosta Education Association.

Recently the Minneapolis Star gave editorial encouragement to the coalition. I enter that editorial at this point in the RECORD.

LOWER THE VOTING AGE?

Organization of a bipartisan Coalition for Lowering the Voting Age, which met with Gov. LeVander and which intends to lobby for a constitutional amendment to give Minnesota 18-year-olds the right to vote, is perhaps the best argument for the change.

It illustrates the growing political maturity, involvement, and skill among young people. The young adults who met with LeVander were, from all accounts, a credit to their parents, their schools and their state. As a matter of fact, youthful participation is a major aspect of today's politics, from extreme right to extreme left.

There are many socio-economic reasons for this, but the older generation can take pride at least in one, and that is the fact that education has improved. So apart from the maturing social and psychological factors that stem from the nonacademic world these days, the high school graduate has a chance for education that prepares him to be a responsible citizen. Whether he is headed for college or not—and it should be remembered that a majority of high school graduates do not go to college—high school graduation is the practical dividing point as far as the average 18-year-old is concerned. Draft eligibility, of course, may account for part of this psychological reaction.

The judgment about the relation between "maturity" and age has to be arbitrary, of course. Some people, we fear, never seem to grow up. There is, however, nothing magic about age 21 as such in the law, or in fact. Depending upon the subject matter and the level of government involved, age limitations vary all over the lot.

## NOT YOURS TO GIVE

### HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. NICHOLS. Mr. Speaker, a constituent of mine recently sent me an article which I believe every Member of this House will want to read. Our country is facing a financial crisis. Inflation is increasing. Taxes have been raised and we are being asked to extend the surtax. We have before us a budget of nearly $200 billion. As we prepare to collect taxes and then spend those tax dollars, I think every Member should read this story from the life of Congressman David Crockett.

The article follows:

NOT YOURS TO GIVE

(NOTE.—From *The Life of Colonel David Crockett*, compiled by Edward S. Ellis (Philadelphia: Porter & Coates, 1884).)

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker—I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him.

"Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and instead of passing unanimously, as was generally supposed, and as, no doubt, it would, but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and, besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating $20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and

coming toward the road. I gauged my gait so that we should meet as he came to the fence. As he came up, I spoke to the man. He replied politely, but, as I thought, rather coldly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

" 'Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

" 'Well, Colonel, it is hardly worth-while to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest. . . . But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

" 'I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

" 'No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate $20,000 to some sufferers by a fire in Georgetown. Is that true?'

" 'Well, my friend, I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of $20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did.'

" 'It is not the amount, Colonel, that I complain of; it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over $13,000. There are plenty of wealthy men in and around Washington who could have given $20,000 without depriving themselves of even a luxury of life. The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

" 'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

" 'Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.'

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgement of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and, perhaps, I may exert some little influence in that way.'

" 'If I don't,' said I, 'I wish I may be shot' and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it.'

" 'No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you.'

" 'Well, I will be here. But one thing more before I say good-by. I must know your name.'

" 'My name is Bunce.'

" 'Not Horatio Bunce?'

" 'Yes.'

" 'Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend.'

" 'It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with, and I found that it gave the people an interest and a confidence in me stronger than I had ever seen manifested before.

"Though I was considerably fatigued when I reached his house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight, talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue, and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

" 'Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgment is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only.'

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

" 'And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

" 'It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so.'

"He came upon the stand and said:

" 'Fellow-citizens—It affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today.'

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress.

"Now, sir," concluded Crockett, "you know why I made that speech yesterday.

"There is one thing now to which I will call your attention. You remember that I supposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worthlessness of money, particularly so insignificant a sum as $10,000, when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

## SPECIAL HEBREW PRAYER SERVICE FOR "PUEBLO" CREWMEMBERS

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BOB WILSON. Mr. Speaker, I wish to call the attention of the Congress to the special Hebrew prayer service of deliverance conducted in San Diego by Naval Chaplain Garson Goodman for the U.S.S. *Pueblo* crewmembers of the Jewish faith.

It is ironic that the two Jewish sailors, Seaman Steven Paul Ellis and Communications Technician Steven Jay Robin, were reportedly fearful during their captivity of their Communist captors taking notice of their religion because of the current intensification of anti-Semitism in the Communist nations. The men were not able to display the "mezzuzah," a small parchment scroll contained in a religious medallion worn around one's neck as some Christians wear the cross as a symbol of their faith. The first request made by these men on the arrival in San Diego was for the symbol of their faith.

Mr. Speaker, it would appear that not only were various other basic human rights denied the crewmembers of the *Pueblo* but such a climate of fear existed that religious expression of the Jewish sailors was inhibited.

Chaplain Goodman is to be commended for conducting the appropriate services in welcoming these men at a time when he was stricken with influenza and had to leave his sickbed.

## REGAINING CONTROL OF THE SCHOOLS

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ASHBROOK. Mr. Speaker, the New York Daily News of today, January 23, ran a short editorial concerning the crisis of schools in New York City which could well be a foretaste of things to come in other cities. The editorial reads:

TRUE LIFE HORROR TALE

Beatings in the hallways, assaults on teachers and students, terrorism in the classroom. These, according to a report released Tuesday by the High School Principals Association of New York City, are as common a part of school life nowadays as reading, writing and arithmetic.

The principals blame militants, radicals and general hell-raisers for this sad state of affairs, and they fault the Board of Education for not curbing the troublemakers.

The board, according to the principals, has been more interested in keeping reports of disorders and worse from reaching the public eye. If so, the board did no more than the principals themselves in sweeping the unpleasantness under the rug until it became unmanageable.

Nonetheless, all parties owe it to the city and the students to act vigorously now and reassert their control over the schools.

On the same day, January 23, the Christian Science Monitor carried an article by Peter C. Stuart, entitled, "Turmoil in Schools Drives Out Teachers," which began with this lead:

The black-power and student-power tugs-of-war testing many American urban public schools are driving out teachers and administrators in alarming numbers—and scaring off potential recruits.

Accompanying the article was a graph of teacher resignations and retirements from 1964 through 1968 with this caption:

More than 1,800 New York teachers resigned last year. Another 800 retired, many early. Strikes, harassment, and the issue of neighborhood control of schools are cited among the causes. The teacher drain has hit other city school systems around the nation as well. And replacements are becoming increasingly hard to find.

Perhaps the example of New York City is not a truly representative one as the issue of decentralization has been an abrasive problem for some time. However, as the article indicates, other areas are experiencing difficulties in recruiting and keeping trained teaching personnel.

Here again, it would seem that the destructive permissive philosophy which permeates other segments of our society is, in the field of education, working against our best interests. Here again, as in other fields, a firm hand in enforcing the law is basic to the alleviation of this problem. Both school and municipal authorities will have to crack down hard if our public school systems are to serve their educational functions.

I include the article "Turmoil in Schools Drives Out Teachers," from the Christian Science Monitor of January 23, 1969, in the RECORD at this point:

RESIGNATIONS CLIMB IN NEW YORK—TURMOIL IN SCHOOLS DRIVES OUT TEACHERS

(By Peter C. Stuart)

NEW YORK.—The black-power and student-power tugs-of-war testing many American urban public schools are driving out teachers and administrators in alarming numbers—and scaring off potential recruits.

Unless peace is restored, some educators warn, critical shortages of qualified personnel may follow in the years ahead.

The problem is most pronounced in New York, hardest hit by school strife. But similar troubles in other major American cities suggest a problem of national dimensions.

Some school officials tend to soft-pedal the existence of any such problem. But others in the field, particularly leaders of school-employee unions, discuss it freely—and in urgent terms.

EXODUS GREW IN 1963

In New York, resignations and retirements of teachers and administrators jumped sharply in 1968 compared with the previous five years, reports the Council of Supervisory Associations, the school administrators' union. Resignations climbed more than 50 percent during embattled 1968 alone. Retirements—many of them early retirements—rose more than 20 percent.

Nationally, the exodus of experienced school personnel from troubled urban schools has become "a very difficult problem," according to George W. Jones, director of the National Education Association's Task Force for Urban Education.

Hard evidence is scarce, he explained, because people often do not disclose why they resign or retire. But the "feeling" that emerges in city after city is that teachers and administrators increasingly want to escape the social tensions at many urban schools, he said.

Besides New York, he said, the problem has surfaced in such cities as Washington, Detroit, and St. Louis.

In Philadelphia, Frank Sullivan, president of the teachers' union, said "community hostility toward teachers" is one reason why 5,200 vacancies opened during a recent 20-month period in the school system's staff of 12,500 teachers.

Two cases in New York indicate the kinds of pressures to which urban educators sometimes are subjected:

Julius Nislow, white principal of an elementary school in a predominantly black section of Brooklyn, last fall was blocked from his school by racial extremists. He and his family were threatened by letter. He went on "sick leave," then was reassigned to board-of-education headquarters.

Isidore S. Rosenman, white principal of Boys' High School in Brooklyn, was harassed by black students who provoked turmoil at the school. He, too, accepted a transfer to board-of-education headquarters.

The supervisors' union figures a total of 48 administrators have been reassigned by the board of education in this manner. Others have taken extended leaves of absence.

Teachers and administrators who resign often take jobs in the quieter suburban schools of Long Island, Westchester County, or New Jersey. But most leave the field of education entirely, according to spokesmen for the supervisors' union.

STEP-UP FORECAST

"We're losing some of our bright, young people," reported Walter J. Degnan, president of the Council of Supervisory Associations. "They won't put up with the pressures and harassment. Militants tell them not to come back and say they'll take care of them if they do."

He warned that the manpower drain would accelerate if the State Legislature approves a citywide decentralization proposal which would transfer most hiring authority to

neighborhood and school districts and abolish citywide qualifying examinations.

Mr. Degnan was asked if he foresaw critical personnel shortages.

"Worse than that," he replied. "This situation will destroy the public school system if it is allowed to continue. Furthermore, cities like Chicago, Philadelphia, and Detroit will follow if we fail."

Dan Sanders, press spokesman for New York's United Federation of Teachers, said the sharp rise in resignations and retirements has been accompanied by rank-and-file demands for easing retirement eligibility. He attributed it all to "unsafe" schools "filled with conflict."

"Recruiting is a problem, too," he said. "We're able to solve it temporarily by hiring young men looking for the draft exemption. But after the war is over, it will become a real problem."

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## COMPLEX GOVERNMENT DEMANDS STREAMLINING

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 16, 1969*

Mr. HUNGATE. Mr. Speaker, it is a privilege for me to join with 155 Members of this Chamber in sponsoring H.R. 3856, the Executive Reorganization and Management Improvement Act, and with 165 Members of the House in sponsoring H.R. 3861, the Program Information Act.

These two bills represent an effort to streamline and modernize government at all levels—a goal worthy of our attention at this period in history.

We have become a nation of 200 million people, but the individual has become an overwhelmed and sometimes forgotten member of our national operation.

As our problems and the challenges which confront our Nation grow more complex, our system of local, State, and Federal Government has grown more complex—at times a maze of redtape and regulations which can only be confronted by experts.

State and local governments, as well as public and private organizations, have turned to these "experts" for guidance in approaching the Federal bureaucracy. Lately, we have heard State and local governments criticized for developing bureaucracies which challenge the Federal Government in complexity.

At the present time there are more than 1,000 Federal aid programs—how many more no one seems able to accurately define.

The duplication, the lack of efficiency, and the amount of administrative waste are bemoaned but remain unchallenged.

The two bills which I have cosponsored would first, require annual publication of a catalog of all Federal programs and require the President to submit to the Congress recommendations for streamlining and simplifying these programs; and second, establish a Hoover-type commission to evaluate Federal programs, their effectiveness and the feasibility of proposed alternative or additional programs.

Mr. Speaker, in a time of unlimited problems and limited financial sources, we must strive for efficiency in Government. We must also rely more on the resourcefulness of State and local governments to meet these challenges.

These bills are designed not only to modernize and simplify the Federal bureaucracy but to make it easier for local government to assume more of the burden of domestic programs. This can be done by closing the "information gap" on Federal assistance programs and by making these programs more efficient and more effective.

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## UKRAINIAN INDEPENDENCE

### HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ANNUNZIO. Mr. Speaker, yesterday, January 22, marked the 51st anniversary of Ukrainian independence. On January 22, 1918, a national council at Kiev bravely declared the Ukraine to be a free and independent republic.

The spirit of nationalism demonstrated by the Ukrainians on that historic occasion has prevailed time and time again during the ensuing years, and to this day, despite the cloud of communism which hangs over the Ukraine, these courageous people remain true to the principle of self-determination.

In 1776, America declared her right to determine her destiny, and then proceeded to fight a long and wearisome war to preserve and protect that privilege.

Today we are involved in a difficult struggle in Vietnam. Our young fighting men in the Armed Forces, as well as those of us back home who support them, are engaged in this conflict because we firmly believe in the conviction that all peoples have the right to determine the government that leads them.

We were truly fortunate, for we won our struggle for independence and today we enjoy the fruits of liberty and self-determination. But we have never forgotten the sacrifices we made to achieve our national purpose, and now our hearts go out to the gallant Ukrainians who seek to achieve the self-same goal which we claimed as our inherent right almost two centuries ago.

In my own Seventh Congressional District of Illinois, as well as all over the United States, thousands upon thousands of Ukrainian Americans have joined together in commemorating the 51st anniversary of Ukrainian independence. We are fortunate to have these wonderful people among our citizens, and it is, therefore, with great pride that I join my colleagues in the House of Representatives in observing Ukrainian Independence Day.

I congratulate the Ukrainians on their steadfast efforts to regain their freedom and express my profound hope for peaceful liberation of the Ukrainian people.

## WHAT THE NAVAL AIR RESERVE LEARNED FROM THE 1968 CALLUP

### HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. RIVERS. Mr. Speaker, I would like at this time to call to the attention of the Members of the House a short and important article by Rear Adm. W. S. Guest, U.S. Navy, commander, Naval Air Reserve, concerning the experiences during the 1968 call to active duty of Naval air reservists.

The Members will recall that we heard a great deal of criticism at the time concerning preparedness of reserve units and the attitude of individual reservists. Unfortunately, as happens in such cases, equipment and personnel problems were blown out of all proportions. In regards to the Naval Air Reserve, Admiral Guest's article sets the record straight, and the Naval Reserve Association has performed a valuable public service in publishing the article. The article appeared in the NRA News for January 1969. I particularly call the attention of the Members to the fact that of the 600 reservists called, only 17 applied for delay or deferment, and of these only three were actually granted.

The article follows:

One year ago this month, six Selected Naval Air Reserve squadrons were called to active duty.

Nine months later they were released.

During that time there were complaints and misinformation spread about the Naval Air Reserve. There were also some very important lessons learned. I'd like to discuss them here so that NRA members will be fully informed of the facts concerning this partial mobilization and thus be able to answer intelligently any criticisms they may hear from those who are uninformed about the matter.

The most important lesson learned by this call-up is that first-line aircraft and weapons systems are the key to having a fully-effective Naval Air Reserve. In any foreseeable contingency, as proven in past call-ups, immediate response is an all-important factor. There may not be enough time after recall to produce new aircraft and equipment. Therefore, the Naval Air Reserve must, on a continuing basis, be outfitted with aircraft that are capable of starting fleet operations in a matter of hours or a few days.

This would correct the current situation wherein our attack and fighter jet squadrons do not right now have first-line aircraft which could be used in combat, such as in Vietnam.

At the time of the January recall, the Navy with its austere inventory of aircraft, wasn't in a very good position to outfit recalled Reserve squadrons with first-line aircraft equipped with advanced weapons systems. But any contention that the Navy was not prepared to absorb the six squadrons is erroneous. It would be illogical to say that our Navy, with its heavy commitments worldwide, was unable to use additional squadrons gainfully. But the fact remains that *extra* attack and fighter aircraft just didn't exist in the fleet. So our Reserve squadrons had to await re-programming of fleet inventories to provide them with the types of VA/VF aircraft considered suitable for use in the current combat environment.

A magazine article in September, which

was inserted in the Congressional Record, charged that "not only were Ready Reserves . . . not ready in terms of planes, equipment and training for immediate deployment, most of the units didn't have enough men to fill all its necessary jobs."

To this I must answer that at the time of the call-up, the Naval Air Reserve was manned at 100 percent of the total strength authorized by the Department of Defense. We were at the approved maximum "drill pay ceiling" set by DoD, which gave us 29,400 officers and enlisted men in 362 aviation units. However, the total wartime complement for these 362 units was 37,000. This meant that all units were level-manned at about 80 percent in order to give the most training to all Air Reservists authorized under this ceiling.

In the event of a partial mobilization, the plan—as executed in the Korean and Berlin call-ups—was to flesh out recalled squadrons to 100 percent strength by assigning additional people from other Selected Air Reserve units. However—and here's a point not many outsiders realize—in last year's call-up, involuntary recall of "individuals" *was not authorized*. Thus, we had to fill the specified quadrons with active-duty personnel and/or with volunteers from other Reserve units.

This shouldn't happen again, because we have now reorganized our Naval Air Reserve units. Squadrons, which if called to operate as integral units (fully manned with personnel and hardware) are now priority manned at or near 100 percent of fleet complement. Since we still have a drill-pay ceiling, this priority manning has had to be done at the expense of the so-called augmenting units (those which go to fleet units without equipment to bring them up to wartime personnel strength).

This doesn't, as you might deduce, detract from the importance of the augmentation units. The mobilization requirements for augmentation units still exist and are a "hard requirement" for the fleet. If, in a future recall, personnel only are needed, and in the meantime all augmenting units haven't been fully manned, we will have two alternatives:

(1) Based on "on-board" count, recall the number of augmenting units needed to meet the personnel requirements, or

(2) Recall hardware squadrons without their aircraft and equipment as the situation demands.

This same magazine article also charged that "the Navy, in activating the Reservists, took no notice of individual capabilities and talents that were not service acquired." It said that college graduates were doing blue collar jobs, business executives were doing janitorial duties, and a "stockbroker was night-guarding sleeping airplanes."

To this I say that certainly it's true in civilian life many Reservists hold positions of greater importance and prestige than in their Reserve assignments. This must not be looked upon as a discredit to the Reserve, but rather as reflecting the fact that the Naval Air Reserve attracts such highly qualified people—all of whom voluntarily drill in their particular assignments. Reservists, of their own choosing, participate at the level at which they are qualified militarily, irregardless of how affluent or talented they are in civilian life. Many of them, in the last call-up and now still in the Naval Air Reserve, are aware that they are qualified to seek officer status, but have chosen to enlist instead. The many college graduates who have elected to serve in an enlisted status are promoted in accordance with their abilities and their desires for increased responsibilities.

The facts don't substantiate another allegation that a lot of men applied for hardship discharges. Of the 600 Reservists recalled, only 17 applied for delay or deferment, and of these only three were actually delayed or deferred. Only one of the three was released to inactive duty after recall and the other two were delayed for just enough time to allow their graduation from college. One of these two was being processed for an officer program and needed to finish college to qualify.

The 15 who were denied deferment had not informed the Navy, before the call-up, of any hardship. Screening of the Reserve is a continuous process and no one is kept on the rolls if it is known that circumstances could be a cause for release after being mobilized.

Closely related to manpower and equipment matters was the concern over morale. Alleged poor morale of recalled squadrons because they were kept at home stations for too long a period is only partially true and is misleading. Generally speaking, morale is rarely adversely affected because people are kept home, and the six squadrons were certainly no exception to this rule. However, it is understandable that some of the Reservists felt that since they were recalled to active duty in such haste they should have been shipped out faster. Delays such as this can only be avoided in future call-ups if squadrons are fully manned, fully equipped, and fully trained so they can be inserted immediately into fleet rotation schedules with other active squadrons.

There was also the published charge that the call-up may have meant the finish of the Naval Reserve program.

This, of course, is ridiculous.

The crux of an effective Reserve gets back to the first part of this article regarding equipment. If we want a Reserve that is fully effective, then we must be willing to provide it with the kind of equipment needed in the event of a recall.

With first-line equipment, our Naval Air Reserve will be able to respond to a call-up as a true force in being—immediately usable. Without proper equipment, it can only provide partial training which will have to be completed by the fleet after recall.

The Naval Air Reserve Force encompasses almost the entire spectrum of fleet air operations; it is composed of all types of aviation units—ASW, transport, attack and fighter tactical units, plus aircraft maintenance, air intelligence, operational control and analysis support units. The degree of modernity of aircraft now in use by the tactical forces varies. The ASW elements, which comprise about 40 percent of the total Naval Air Reserve Force, now have aircraft comparable to fleet aircraft and this is reflected in their much greater readiness for use in the fleet.

VP squadrons, which fly P2Hs and P2Es, are ready for practically immediate employment in the fleet. Carrier-based ASW squadrons and helicopter squadrons which fly S2D/Es and SH3As, respectively, would be ready for employment after a short period involving completion of carrier landing qualifications.

The P2 Neptunes are being phased out of fleet ASW squadrons and are being replaced by P3 Orions. In the Naval Air Reserve we have only a token training program in the Orions, but hopefully, we'll be getting these planes in the not too distant future. Our transport squadrons, although flying antiquated C54 and C118 aircraft, are ready immediately for logistic support of the fleet within the capabilities of these obsolescent transports.

In closing, I want to say that I believe that the current international situation justifies equipping our Naval Air Reserve components with first-line aircraft and fleet-type weapons systems. This would provide two essential defense assets: (1) a strategic Reserve aircraft "pool" to offset fleet combat losses during the time required to obtain authority and to manufacture replacement aircraft, and (2) truly ready combat squadrons almost instantly capable of augmenting fleet aviation when needed.

## CONGRESSIONAL DELAY OF POSTAL POLICY IMPLEMENTATION

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. HAMILTON. Mr. Speaker, a few days ago H.R. 2783 was introduced which, if enacted, will delay implementation of congressional policy governing implementation of special rate fourth-class mail postal regulations from January 15 to July 1.

I regret, of course, that Congress must involve itself in the timing of the application of the conditions of mailing. It is only one more example of the jungle of restrictions which surround postal management today. Hopefully, Congress will soon enact H.R. 1382, a bill to establish a Postal Service Corporation, which would retain for Congress its policy-making role, but allow the postal manager to bring unfettered management leadership to the task of delivering the mail.

But, as of today, we must deal with the postal system as it is, and that requires that the Congress involve itself in these matters.

My review of the action proposed by the Postmaster General convinces me that it reflects the clear intent of Congress as required by the expenditure reduction provisions of the Revenue and Control Act, and under the specific authority granted to the Postmaster General in section 108(a)(6) of the Postal Revenue and Federal Salary Act of 1967—Public Law 90-206, approved December 16, 1967.

This section added the following new provisions to section 4554 of title 39 of the United States Code—the section governing special rate fourth-class mail:

(e) Articles may be mailed under this section in quantities of one thousand or more in a single mailing, as defined by the Postmaster General, only in the manner directed by him.

On June 29, 1968, the Post Office Department published a notice of proposed rulemaking to implement section 4554(e). The proposal would have required, first, effective October 1, 1968, that identical pieces mailed in quantities of 1,000 or more be sorted and sacked to the first three digits of the ZIP code; and, second, effective January 15, 1969, that all pieces—whether identical or not—included in a mailing of 1,000 or more bear the full ZIP code and be sorted and sacked by three-digit ZIP code areas.

Thereafter, the book publishing and record industry raised objections to the second-stage requirement. Accordingly, to meet these objections as far as possible without losing the financial and operating savings envisioned by the proposal, the Department, in finally adopting the regulations on August 9, 1968, modified the second stage by making a number of concessions to the fourth-class mailers concerned.

As adopted, the regulations, rather than requiring nonidentical pieces to be sorted and sacked to three-digit ZIP

code areas, now ask only that they be sorted and sacked to States. In addition, mailers will not be required to merge the nonidentical pieces with identical pieces as initially proposed.

Articles in the special rate fourth-class category contribute greatly to the Department's expenditures and add considerably to those postal costs which must be met from general tax revenues. For example, the 1967 cost ascertainment report shows total volume of these mailings as 239,347,000 pieces producing $63,138,000 revenue. The apportioned costs are shown as $143,756,000. Thus, cost coverage is only 43.9 percent The taxpayers lose $80,618,000 annually, of which amount this regulation is designed to recapture but $4,044,555. In other words, after this regulation is fully effective the taxpayers will still be subsidizing this category of mail in the sum of $76.6 million annually. This is a heavy subsidy by the taxpayer, indeed.

I recognize, as does the Post Office Department, that determination of the postal rate structure still is the prerogative and the responsibility of the Congress. In carrying out that responsibility Congress passed Public Law 90–206 containing the enabling legislative clause giving the Postmaster General the authority to prescribe the detailed conditions for mailing. Recognizing that the cost-revenue relationship for what it is, the Postmaster General would be remiss in not implementing section 108 of Public Law 90–206.

The proposed regulations which H.R. 2783 is directed at delaying represent a modest approach to an improvement of the cost coverages on this class of mail. The plain fact is, as earlier stated, that the total program to reduce operating costs by an estimated $4,044,555, when measured against the fourth-class revenue deficit of over $80,000,000 is a modest attempt, indeed, at cost reduction.

The Postmaster General has previously informed both the House and Senate Committees on Post Office and Civil Service that he did not feel he would be properly discharging his responsibilities if he delayed implementation of these new regulations.

It has been stated that the Postmaster General has been unresponsive to congressional and mailer representations regarding the impact of the January 15 regulations. Respectfully, Mr. Speaker, I should point out that responses have been made by the Department. By letter dated August 3, 1968, the Postmaster General informed the Subcommittee on Postal Rates that based upon its representations, as well as those of affected mailers, he had decided to dramatically lessen the impact of the final regulations he was publishing as contrasted to the regulations proposed in the initial notice.

The proposed regulation as now published is considerably less stringent, less costly, and more easily conformed to than that originally contemplated. The change was twofold. First, it eliminated the requirement that nonidentical pieces be merged with identical pieces. Second, it reduced the sorting requirements for nonidentical pieces from a three-digit ZIP code area sort to a much less sophisticated State sort.

It has also been represented that the Postmaster General has not fully considered industry proposals, the principal ones of which, in return for deletion of the January 15, 1969, second step, would have increased the daily mailing provision from 1,000 to 5,000 pieces with the industry willing to presort and sack mailings in excess of 5,000 pieces to the full five-digit ZIP code areas effective October 1, 1968.

I am informed that the industry proposal was carefully considered by the Postmaster General and his staff before publication of the final rules on August 9, 1968.

The Postmaster General could not accept the industry proposal for several reasons. First, it was not consistent with the basic law, Public Law 90–206, which provided that single mailings of 1,000 or more pieces should conform to the Postmaster General's rules defining the conditions of mailing.

The 5,000-piece minimum requirement would have eliminated the majority of the users of this category from any premailing requirements, thus shifting the burden to a minority of users.

Second, the overall cost reduction to the Department would not have been as great.

It appears to me that the Postmaster General is fully warranted in implementing these new regulations in view of congressional concern about the Post Office Department annual deficit. In fact, it is his duty to do so. I also feel that the Postmaster General has been responsive to congressional and mailer representations on this issue; he has made a significant modification of the proposal which is now much less stringent on mailers while at the same time enabling the Department to realize a significant portion of the cost reduction anticipated by his earlier proposal. The Postmaster General would not be discharging his responsibilities to the taxpayers if he delayed the effective date.

Mr. Speaker, H.R. 2783 would delay postal regulations which went into effect on October 1, 1968, and with which a substantial part of the industry is already complying. The sponsor of H.R. 2783 has stated that only three companies have obtained preliminary injunctions from Federal district judges suspending implementation of those regulations while another six or seven companies have filed requests for such preliminary injunctions. All other mailers affected by the regulations are complying. Inasmuch as these firms have made arrangements to comply, I see no reason to request the Postmaster General to rescind the regulations.

Mr. Speaker, during the second session of the 90th Congress the Committee on Post Office and Civil Service of the House of Representatives reported out a bill whose provisions were very similar to those incorporated in H.R. 2783. I might add that, although this bill was reported by the committee, neither the House of Representatives nor the U.S. Senate saw fit to take any further action in conjunction with the Postmaster General's implementation of the regulations. In view of the serious revenue-cost deficiency of fourth-class mail, I urge that the Postmaster General be fully supported in his efforts to comply with the clear intent of Congress by implementing section 4554(e) of title 39, United States Code.

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## NOTHING SACRED

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ASHBROOK. Mr. Speaker, I am sure that most of those TV viewers who saw the American soldier felled by a rock and the pelting of President Nixon's limousine with objects as it proceeded along Pennsylvania Avenue during the inauguration parade were infuriated by this sick form of dissent. Yet the same elements which participated in the riot at the Democratic Convention in Chicago in August were present in Washington for the inauguration, and, as was to be expected, a number of them were arrested for assulting policemen and carrying dangerous weapons. The National Mobilization Committee to End the War in Vietnam—NMC—had prepared in advance for the ceremonies and had been successful in obtaining permission to use Federal grounds for their assemblage.

The Chicago Tribune of January 22 featured an extensive article by Ronald Koziol of the Tribune's Washington office which describes the program of disruption carried out by these radical groups.

It goes without saying that the American public has long been fed up with the coddling of these radical groups who abuse the right of free speech and assembly, among other things. These exponents of anarchy and revolution must be publicized for what they are so that their future programs of disruption can be thwarted by lawful citizens and their officials in every town and city in the Nation.

The detailed article, "Cop Goading Works Again at Inaugural," by Ronald Koziol is useful in placing on the record the latest excesses of these groups, and for this reason I place it in the RECORD at this point:

COP GOADING WORKS AGAIN AT INAUGURAL

(By Ronald Koziol)

WASHINGTON, January 21.—Radical leaders of anti-war groups achieved what they set out to do here during President Nixon's inauguration—disrupt, confuse, and battle the police, investigators conceded today. And, in the end, Washington police reacted much as Chicago police did during the Democratic convention in August.

The three days of counter-inaugural skirmishes resulted in 109 arrests, at least four police confrontations, and 30 reported injuries to police and demonstrators.

The charges against those arrested ranged from assaulting policemen to carrying dangerous weapons.

SAME LEADERS INVOLVED

Investigators, in their day-after evaluations, noted striking similarities between the disruptive tactics at the inauguration and the disorders which occurred during the Democratic convention.

Both disorders were organized and planned by leaders of the National Mobilization Committee to End the War in Viet Nam [N. M. C.]. These included David Dellinger and Rennie Davis, who set up offices and spent two months in Washington laying the groundwork. In Chicago, N. M. C. leaders planned for six months.

On Sunday, the N. M. C. declared that it was no longer handling planning and was stepping out of the picture "because there were certain people making plans to disrupt."

OFFERS NO RESTRAINTS

This was the same tactic employed by the N. M. C. in Chicago, where the radical leaders disassociated themselves from the disorders after the violent confrontation in front of the Conrad Hilton hotel.

However, it was the N. M. C. which openly enlisted the support, both in Chicago and Washington, of the militant yippies and scores of other violence-prone anti-war demonstrators.

Davis was observed by police at the scene of one of the confrontations yesterday during the inaugural parade. At no time did he make any attempt to dissuade the mob, nor was he close enough to risk being hit by police clubs.

Investigators pointed out that the N.M.C. again supplied the planning and financial aid and the militants supplied the street troops needed to confront police and embarrass local and federal officials.

One of the most active groups here for the demonstrations was the Ohio chapter of the Students for a Democratic Society. Two weeks ago THE TRIBUNE disclosed S.D.S. plans to battle police and force the presence of troops at the inauguration.

ADVISE ON TACTICS

On Friday, an underground militant newspaper called for action to take place on the north side of Pennsylvania avenue because "on the south side there was no place to run if the going gets good."

Police noted that the yippies and many Ohio S.D.S. members were in the forefront of confrontations. As in Chicago only a few Negroes took part in the disorders.

National guard and federal troops in full battle gear had been placed in reserve and were used to contain the activities of the protesters.

An elite group of Washington policemen, all volunteers and known as the civil disorder unit, used their three-foot long riot sticks willingly to club demonstrators along the Pennsylvania avenue parade route and later at the scene of a 40-minute battle a block from the White House.

TROOPER HIT BY ROCK

The protesters still managed to hurl rocks, sticks, eggs, cherry bombs, and two paint-filled bottles at the Presidential cavalcade. All missed their mark, but a trooper from the 82d airborne division was injured when he was struck on the head by a rock.

As in Chicago, Washington police finally reacted with swinging clubs. The first encounter came when 100 policemen were given the order to move the demonstrators away from a rope lining the street. The police waded into the first four rows, driving their clubs into demonstrators abdomens, and clubbing others on the head. All of the protesters in the first few rows wore army or football helmets.

CARRIED TO SQUADROL

Some protesters who resisted or did not move fast enough were clubbed and carried to a waiting police squadrol, just as in Chicago. The scene was repeated in the second battle near the White House, with police swinging clubs as they charged the demonstrators in an effort to disperse them.

Prior to that confrontation, the unkempt demonstrators had fired a continuous stream of verbal abuse at the police lines. Shouts of "police are pigs", and "remember Chicago" were repeated over and over. These were the mildest yells.

The same four-letter words used by demonstrators in Chicago were repeated here with the names of Nixon and Agnew substituted for Johnson, Humphrey, and Daley.

Because of tight security and the fact that the parade route was completely roped off along the edge of the sidewalk, the demonstrators' confrontations with police occurred several blocks away from television cameras. In Chicago, stationary cameras were set up outside of the Conrad Hilton.

Inclement weather and mid-year examinations in colleges played a major role in keeping down the size of the demonstrators to slightly more than 5,000. This peak was reached Sunday during a counter-inaugural parade. The rainy weather also forced cancellation of several planned demonstrations.

CALL FOR ACTION

A factional split was noted on Sunday when a group of howling yippies and other militants started their own parade while Dellinger was addressing 3,000 persons in a tent near the Washington monument. One yippie said, "We're tired of hearing speeches and we'll find our own action." This they did as a battle ensued at the end of the march when the mob disobeyed police orders.

Washington authorities are still trying to pinpoint the source of financial backing for the demonstrations. The huge tent cost the N. M. C. more than $10,000, it was learned, plus the cost of insurance, loud-speakers, office space, and printing materials.

As in Chicago, local authorities will get stuck with the bill to restore the tent site area. The N. M. C. was not required to post a restoration bond. The city of Chicago had to restore an entire one-block section of Grant park across from the Hilton with new sod after the August disorders.

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## NEW BOOK DEPICTS LIFE IN THE MIDDLE SOUTH

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BOB WILSON. Mr. Speaker, I take this time to commend a recently published book, "The Great Blue Heron," by Mary E. Wadlington, which depicts life with its stark tragedies, failures, and injustices. The background, in the Middle South, without the romanticism of the Old South or the vulgarity and profanities of the so-called New Left, is accurate. "The Great Blue Heron," written in simple pure English, quietly and effectively tells the story of one man's effort to achieve justice for his black and poor white brothers.

The characters are real, haunting, and unforgettable. This book presents no cure-all, no false optimism, but points the only way to achieve justice.

Lawyers, judges, academic personnel, and public library readers have read and enjoyed this book, as have my wife and I. I commend it to all those who hope that law and order may be established in our country. It represents the real source of our troubles: brutality, the child of ignorance.

## A LINCOLN-SCAPEGOAT WILDERNESS FOR MONTANA

### HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. OLSEN. Mr. Speaker, I am pleased to introduce a bill today to establish a Lincoln-Scapegoat Wilderness for Montana.

For more than half a century, citizens of Montana and the Nation have been aware of the need to protect an especially fragile and beautiful area of national forest wild land astraddle the Continental Divide in west central Montana. The Lincoln back country and Scapegoat Mountain area have been a source of attraction ever since the Lewis and Clark Expedition, fur trappers, and hunters came upon the region many years ago. Since the middle 1800's, several generations of Montana citizens and others have used and enjoyed the Lincoln-Scapegoat country as wilderness. Yet, as part of the general national forest system, the area has received no special protective classification. Only its rugged inaccessibility and lack of significant timber and other commodity resources have saved its magnificent and primeval qualities from development.

In 1963, the Forest Service announced plans to develop the area for timber production and intensive recreational use. The Montana Wilderness Association, the Montana Wildlife Federation, the Montana Fish and Game Department, businessmen, ranchers, and many others urged that this irreplaceable area be given wilderness protection.

Last year, a public hearing was held in Montana on a bill cosponsored by Senators LEE METCALF and MIKE MANSFIELD to establish the area as wilderness and place it in the national wilderness preservation system. Mr. Speaker, this measure received overwhelming support by citizens from all parts of Montana and the Nation. It was strongly endorsed by conservationists, ranchers, businessmen, and professional natural resource educators.

Montana's Gov. Forrest Anderson, as well as former Gov. Tim Babcock, voiced enthusiastic support for this proposal. My colleague from the eastern district of Montana, Representative JAMES BATTIN, testified in favor of it and has introduced similar legislation in this Congress. So the legislation truly has widespread bipartisan support.

The Lincoln-Scapegoat area consists of approximately 240,000 acres of incomparable mountain wild country contiguous on the southeast to the Bob Marshall Wilderness. It is located some 60 miles northwest of Helena, near the recreational community of Lincoln.

Exquisite natural scenes of high mountain snowfields, rushing streams, tranquil lakes, and narrow valleys carpeted with wildflowers characterize the area. Scapegoat and Red Mountains, both of which rise above 9,000 feet, are scenically spectacular.

Signs of man's activity are extremely rare. With the exception of a few ranger cabins and limited foot and horseback trails, the Lincoln-Scapegoat area is completely undeveloped and wild. It is one of America's finest examples of undedicated pristine wilderness.

The area has a long history of wilderness use for horseback riding, hiking, backpacking, camping, sightseeing, hunting, and fishing. Recreational use ranges from family camping and hiking in the lower areas to horseback packtrips and backpacking outings into the rugged high country. Several State and national conservation organizations conduct annual trips into the area, which supports a significant guiding and outfitting industry.

A rich variety of wildlife makes the area especially attractive to recreationists. Bighorn sheep, mountain goats, grizzly bear, and moose inhabit these mountains, along with elk, deer, black bear, and cougar. This is one of the few remaining haunts of the endangered grizzly bear within the lower 48 States. The noble grizzly needs wilderness to survive. Other wildlife includes the wolverine, ptarmigan, bald eagle, and Montana grayling. Here, also, on the headwaters of both the Columbia and Missouri Rivers, is found one of the principal natural sources of the endangered native cutthroat. The area furnishes high-quality wilderness hunting in season and unexcelled oportunities to observe and study wildlife in undisturbed natural surroundings.

Most of the area is at alpine and subalpine elevations. Five small wilderness rivers—the East Fork, North Fork, and Landers Fork of the Blackfoot, as well as the headwaters of the Dearborn and the South Fork of the Sun River—flow through the area. Slopes are steep, and the glacial soils are shallow and fragile. Wilderness designation would protect critical watershed values.

Mineral explorations to date indicate that the mineral potential of the area is not significant. There is no grazing of domestic livestock, other than recreational stock, in the area encompassed by this legislation. No private lands are located within the proposed wilderness. No water development plans pertain to it. The merchantable timber in the area is poor in quantity and quality. Most of it consists of lodgepole pine—a low-quality lumber species which occurs throughout millions of acres in nearby roaded areas of the national forests. Roading, logging, and development of this area for intensive recreational purposes would not contribute to best possible land use and is not justified when the higher wilderness values of the area are considered. Many campgrounds and other sites for developed recreation are found nearby, outside the proposed wilderness.

I am personally acquainted with the Lincoln-Scapegoat area, and I believe that such wild beauty spots should be protected and preserved in accordance with the national forest multiple-use principle which provides for the management of appropriate areas for wilderness purposes.

A Lincoln-Scapegoat Wilderness is the best way to assure protection and wise use of this magnificent area for all Montana citizens and their many visitors. To achieve these objectives, I urge prompt enactment of my bill.

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## A GREAT FIRST LADY

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. TEAGUE of Texas. Mr. Speaker, there are many Members of the House, I am sure, who share the great admiration of Lady Bird Johnson with me and feel that she has been one, if not the finest of our First Ladies. I now also know that at least one columnist also shared that feeling, Mr. James J. Kilpatrick, whose editorial in a recent issue of the Washington Post will show:

A STIRRUP CUP FOR LADY BIRD

(By James J. Kilpatrick)

There are times of hello and good-bye in our town. Up on Capitol Hill, the new Congress has convened and the old-timers have vanished. Down the avenue, the Democratic exodus continues. It is impossible to voice all the farewells a reporter might wish to put in words, but there's one in particular that ought to be made—to Mrs. Claudia Alta Taylor Johnson. She's been a great First Lady.

Just a few days ago, Mrs. Johnson wound up her fortieth trip "to discover America." In 96 hours, she covered 6,000 miles. It was enough to exhaust the Campfire Girls of the press who hike the trails behind her, but Lady Bird came through, as she always does, with the old smile going strong.

In the past five years, she's traveled at least 200,000 miles. She's gone down the Rio Grande in a rubber raft, and gone up the Utah mountains by cable car. She has called on slum dwellers, hillbillies, and Indian tribes. If she has missed a single historic shrine or national park, the oversight has been accidental, not deliberate. In cowgirl hat, checkered shirt and muddy boots, she's won the West all over again.

These indefatigable travels have caused her to be compared with the late Eleanor Roosevelt. Mrs. R., as everyone recalls, was forever turning up in the coal mines of West Virginia and Ohio, or bounding around the dust bowls of Oklahoma and the work camps of California. But Eleanor Roosevelt was a tough old hen, stringy and chewy and full of gristle; she numbered her enemies by the thousands. Lady Bird Johnson has numbered mostly friends.

Bess Truman and Mamie Eisenhower surely were assets to their husbands. So was Jackie Kennedy, after her glamorous fashion. Yet we are likely to remember Lady Bird longer and more pleasantly than all the others of recent time. In the political sense, she had perfect pitch; her greatest gift was to hit the right note.

Last January she was hostess at a White House luncheon set up to launch a "women's crusade against crime in the streets." To speak the truth, it was more of a charade than a crusade; it was a social affair—white gloves, cream cheese and rabbit food—and subject to the same rules of good manners that apply to such occasions everywhere.

Eartha Kitt, the Negro singer, was among the invited guests. Good manners were the last thing on her mind. With deliberate, insulting rudeness, she launched into an attack on the war in Vietnam. Then she undertook to educate Mrs. Johnson in the use of narcotics.

"If you don't know what 'pot' is," she snarled at her hostess, "it's marijuana."

Mrs. Johnson kept her cool. She had tears in her eyes and a tremble in her fingers, but she never stood taller as First Lady of the land. In a dozen well-chosen sentences, she voiced her conviction that the war ought not to be permitted to keep us from trying to do those things here at home that would create "a happier and a better land." Then she went on with the luncheon.

To be sure, not all her efforts have been crowned with laurels. In their anxiety to please Mrs. Johnson, highway beautifiers have wasted a fortune in planting dinky little bushes in impossible clumps along the interstate system. Yet she has so identified herself with the beauty of America that a bench-sitter in Williamsburg recently was amused to overhear a mother scolding a negligent child: "If you throw any more candy-wrappers on the walk, I'll tell Mrs. Johnson!"

The first new issue of postage stamps in 1969 doubtless will be known to collectors as the "Lady Bird" issue. As specimens of the philatelic art, the stamps are not much; but in their exhortation to plant for more beautiful cities, highways, parks and streets, the stamps will provide a pleasant farewell to a good and gracious lady. She has a respectful stirrup cup coming as she rides on back to the ranch.

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## CENSORSHIP OF FREE SPEECH—UNESCO

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. RARICK. Mr. Speaker, the United Nations operation known as the Educational, Scientific, and Cultural Organization has now set itself up as a censorship bureau for world thought control. UNESCO would disarm words.

As the voice for a few tribal states and minority conscious groups they would prostitute education—undertake a book-burning episode by rewriting language and speech—reminiscent of the Bolshevik brainwashing techniques.

What an intellectual jungle these international directors must wander in. Could it be they distrust man so intensely they would develop a phobia that civilization is bad? Wonder what those who fear free speech and self-expression will do with Shakespeare—rewrite it or burn it?

And U.S. taxpayers contribute $9,085,000 per year from their paychecks for this prejudicial undertaking?

And the source of this progressive program—Chief Fafunwa of Nigeria. They have no prejudice in Nigeria—they exterminate them.

Mr. Speaker, under unanimous consent I submit a censorship report on UNESCO from the Christian Science Monitor for January 18, 1969, for inclusion in the CONGRESSIONAL RECORD, as follows:

UNESCO DENOUNCES "SLURS" IN LANGUAGE

UNITED NATIONS, N.Y.—Watch your language, there. You might be committing racial prejudice without knowing it.

This, in effect, is the thrust of a recent report of the UN Educational, Scientific, and Cultural Organization.

UNESCO delegates meeting in Paris to discuss how to combat racial prejudice agreed that a special precision and prudence are called for from all persons making extensive use of language for communication.

It aimed its report particularly at teachers, authors, publishers of textbooks, and other teaching materials, and those concerned with the mass media.

UNESCO advised such prudence in the use of terminology employed to describe people of differing ethnic, religious, or other groups, especially formerly colonized peoples.

The UNESCO report telescopes in on more than a dozen words which violate the new norms of unprejudicial language.

Take, for instance, the terms "tribe," "native," "savage," "primitive," "jungle," "pagan," "kaffir," "bushman," "backward," "underdeveloped," "uncivilized," "vernacular," "Negro," "colored," and "race."

RECOMMENDATIONS OUTLINED

The report stressed that such terms were "so charged with emotive potential that their use, with or without conscious pejorative intent, to describe or characterize certain ethnic, social, or religious groups generally provoked an adverse reaction on the part of these groups."

The report recommended, for instance, that:

The word "inhabitant" should be used in preference to the word "native."

The term "pagan" should not be applied to religions: Religions should be specified by name.

The word "savanna" or "wooded savanna" would be preferable to the word "jungle."

It was recommended that the use of all "contemptuous, unjust, or inadequate words be discontinued in reference to racial or societal matters."

The UNESCO report agreed that "much of the current terminology used with reference to 'race' questions was a heritage of a colonial past and often perpetuated feelings of superiority and prejudice."

COLONIALIST TINGE CITED

Many of the terms, the report said, "because of their colonialist origin, carry overtones of racial superiority vis-a-vis the onetime colonies. These terms could implant the seeds of racialism in the minds of former colonizing peoples; in any event, they offend the susceptibilities of peoples who were once colonized."

The report acknowledged that it would be difficult to dispense entirely with such terms as "race" or "tribe," which are part of current scientific terminology. "But they should be used correctly," it said.

Much of the report was excerpted from a speech given in Paris by A. Babs Fafunwa of Nigeria.

Mr. Fafunwa said that prior to the 15th century and before the beginning of intensive proselytization and colonization, there was little reference to racial discrimination in text materials.

MISSIONARY EFFECT DESCRIBED

Mr. Fafunwa said that "the early Christian missionaries in their naïveté believed that theirs was a 'civilizing' mission; that the 'noble savages' or the 'warring tribesmen' of Africa and Asia needed Christ if they were to be uplifted from their 'primitiveness.'

"The colonial powers on the other hand had to justify their action by claiming that the 'natives' were too 'primitive' to rule themselves, and they had to be 'brought up' gradually and systematically before they could reach a stage of self-government and perhaps 'self-determination.' "

Mr. Fafunwa, citing the shorter Oxford English dictionary, said that the word "tribe" is defined as "a group of persons forming a community and claiming descent from a common ancestor"; and as "a race of people; now applied especially to a primary aggregate of people in a primitive or barbarous condition under a headman or chief."

"TRIBE" USAGE LESSENS

Mr. Fafunwa said it is interesting to note that the word tribe is mainly used nowadays to describe African ethnic groups. He said it used to cover groups in "Asia and other non-European communities, but since most of the Asian countries became independent between 1947 and 1954, the word gradually disappeared from the textbooks and journals, thanks to the UNESCO effort in this direction."

He commented with some feeling: "How an ethnic group with 2 or 10 million people in East or West Africa, with a parliamentary government, can be described as a tribe and not the Irish, the Scot, the Welsh, the French, or the English, still baffles the non-European."

Both Mr. Fafunwa's and UNESCO's long-range recommendations are that UNESCO, to combat prejudice and racial discrimination in text materials:

Hold regional or international conferences of authors and publishers for the improvement of textbooks, journals, magazines, and other teaching and information materials.

Encourage learned societies in history, geography, civics, anthropology, and sociology to devote a portion of their conference programs to discussions on "bias in text materials."

Sponsor a conference of religious leaders—Christians, Muslims, Buddhists, Bahais, etc.—to discuss the religious aspects of prejudice.

They recommended also that UNESCO should assume full leadership in ensuring that such words as they referred to are eliminated from text materials and learned journals.

Mr. Fafunwa commented that "we, the people of the world, cannot afford to ignore the epithets that tend to divide us into dangerous warring factions."

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## NEW YORK STATE BAR ASSOCIATION ENDORSES ATLANTIC UNION RESOLUTION

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. FINDLEY. Mr. Speaker, the committee on Federal legislation of the New York State Bar Association has enthusiastically endorsed House Concurrent Resolution 48 of the 90th Congress calling for a U.S. delegation to discuss with representatives of other free nations possibilities of future political union. This resolution was reported out of the House Foreign Affairs Committee last year but did not come before the floor because of the rush toward adjournment. Because of this milestone in support for the Atlantic Union Resolution, I include the recommendation of the New York State Bar Association at this point in my remarks:

REPORT ON RESOLUTION CALLING FOR U.S. DELEGATION TO CONFER WITH OTHER FREE NATIONS CONCERNING FUTURE STEPS TOWARD UNITY

During the 90th Congress, the House Foreign Affairs Committee approved by an overwhelming vote a resolution (H. Con. Res. 48, 90th Congress) calling for a United States delegation to discuss with representatives of other free nations possibilities of future union. H. Rep. No. 1656, 90th Cong. 2d Sess. (1968). Because the proposal has received strong Committee approval in the House, we believe it appropriate to address our comments concerning it to the 91st Congress. We believe that the proposal for such exploration, although bold, is sound and merits approval.

The concept has received endorsement of such diverse leaders as Richard M. Nixon, Hubert H. Humphrey, Eugene J. McCarthy, Robert F. Kennedy, Dwight D. Eisenhower, Barry Goldwater and Nelson Rockefeller.

The basis for the concept is the recognition expressed by former Secretary of State Christian A. Herter that greater than national problems require greater than national solutions.

Our concern as lawyers is with the legal structure which will permit this nation to meet its large responsibilities in the most effective manner.

The resolution approved by the House Committee would not commit this country to anything. It would merely give express Congressional approval to exploration of the possibilities of a future Atlantic federation or wider union of free peoples. Although the resolution is drafted in Atlantic terms, we see nothing in it which would preclude inclusion of other free peoples in the discussions proposed or in any resulting union. Likewise, we see nothing in the resolution to preclude consultation with non-governmental as well as governmental representatives from other free nations.

The tragedy in Czechoslovakia in August, 1968, has lent new poignancy to careful exploration of these possibilities. Although the House Committee acted even before the invasion, the Committee on Federal Legislation of the New York County Lawyers' Association considered the matter immediately thereafter and unanimously approved the House Committee's action. CONGRESSIONAL RECORD, volume 114, part 21, page 28104. Their report termed the need for such consultations "beyond dispute" and noted that a precedent existed in Public Law 86-719, 74 Stat. 818, enacted September 7, 1960, which authorized participation of leading citizens in an international convention of citizens from the North Atlantic Treaty countries.

The need for such exploration is emphasized by currency crises and the need for cooperation for aiding developing nations, aside from such shocks as the Czech tragedy.

We accordingly recommend favorable consideration of the House Committee recommendations of the 90th Congress on the part of the 91st Congress.

Respectfully submitted.

COMMITTEE ON FEDERAL LEGISLATION,

Richard A. Givens, *Chairman;* Anthony P. Marshall, *Secretary;* Leslie H. Arps, Harold Baer, Jr., Mark K. Benenson, Edward S. Blackstone, Vincent L. Broderick, Mason O. Damon, David M. Dorsen, John T. Elfin, Robert B. Fiske, Jr., Lawrence W. Keepnews, Norman Kellar, Herbert C. Miller, George W. Meyers, Jr., Bernard Nussbaum, Robert Patterson, Jr., Arthur C. Stever, Jr.

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## RESCINDING FEDERAL PAY HIKES

### HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. LANGEN. Mr. Speaker, I am today joining with a number of colleagues in

the introduction of two House resolutions aimed at stopping former President Johnson's proposed pay increases for Members of Congress and other high-ranking Government officials.

The first resolution would disapprove the proposed increase and the second resolution is aimed at moving the bill from the House Post Office and Civil Service Committee so that floor action can be taken.

These pay increases should be postponed until such time as we have brought the budget into balance and have stopped inflation. It simply is not in the best interest of the Nation that Congress should encourage pay hikes at this particular time. To sanction such proposals would further aggravate both the budget and our overall fiscal position.

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## SUPPLEMENTARY EDUCATIONAL PROGRAMS IN DAY CARE CENTERS

### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MIKVA. Mr. Speaker, I rise to support Mrs. MINK's bill to provide Federal assistance to improve child care in public and private nonprofit day-care centers. Recent research by medical authorities and psychologists has demonstrated the importance of salutary influences on children even in their earliest years. Often it appears that characteristics and traits which prove to be decisive in later life are first developed before the age of 4 years. Thus it is imperative that young children have available to them from the very start the kinds of beneficial experiences and influences which will help them develop into creative, contributing citizens.

It is significant, Mr. Speaker, that other countries sometimes provide child-care facilities which far surpass those here in the United States—the richest Nation on earth. In Israel, for example, early day-care facilities are maintained which match, and often even exceed, the educational opportunities which are available to a child in his own home. Such facilities demonstrate an awareness of the importance of early child care which offers both understanding and stimulation. In America we should be able to provide no less for our young citizens.

As Mrs. MINK points out, there is a serious gap in our present educational assistance programs—a gap which may well undercut the other Federal assistance efforts by handicapping certain children to the point that they can never fully benefit from later educational opportunities which become available to them. For this reason, this proposal for pre-Headstart assistance to working mothers is absolutely indispensable to the efficient functioning of other Federal educational assistance programs. The $300 million which we authorize in this bill is in reality an investment in America's future which will pay handsome dividends in the years ahead. The investment is one which we cannot afford to forgo.

I enthusiastically support Mrs. MINK's proposal, and urge my colleagues to do so as well.

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## HON. WILLIAM S. MOORHEAD LAUDS RETURN OF RADIO GENIUS

### HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MOORHEAD. Mr. Speaker, comic genius is a rare and highly prized gift which few of us can claim but millions thrill to when it is employed by a talented professional entertainer.

This prize—the ability to make people laugh—is especially valuable today when people just seem too busy "doing their thing" to take a few moments out to chuckle.

The good people of my district in Pittsburgh, and those for many miles around the "Steel City," had numerous occasions to be cheerful when Regis Cordic, one of the best professional wits, was daily broadcasting his madcap early morning show from Pittsburgh's KDKA radio.

Rege Cordic for 22 years, 11 of them on KDKA, was the companion of thousands of Pittsburgh businessmen driving to work and housewives at home as he and a menagerie of radio characters daily ran through a dozen zany episodes—not a few of which were rather perceptively aimed at the Democratic administration who controlled the city.

In 1965, Mr. Cordic left Pittsburgh for Los Angeles where he further developed his talents in the movies, on television and radio, and with his own firm which made product commercials for those latter two mediums.

I am happy to note that next month, after 3 years too many, Mr. Cordic will return to Pittsburgh with a new Sunday radio program.

Mr. Harold V. Cohen, drama critic for the Pittsburgh Post-Gazette, in one of his recent columns, heralds the return of this creative showman to my city. I would like to bring this article to the attention of my fellow Congressmen:

CORDIC RETURNING TO RADIO HERE, ON WTAE, EVERY SUNDAY VIA TAPE

The merriest of Merry Christmases to one and all this morning, and good news, too. Santa Claus is dropping something extra special into Pa Pitt's stocking, a return to the air waves here of that Merry Madman of the Microphone, Rege Cordic.

That's right, Rege Cordic. The bearded gentleman, in whose craniological complex, roaming restlessly somewhere, lies lunacy, has just signed with WTAE-Radio to do a four-hour show, via tape from his present headquarters in Los Angeles, every Sunday, 9 a.m. to 1 p.m., beginning the middle of February.

The deal was finally closed oply yesterday after weeks of negotiations between Franklin C. Snyder, the Hearst Broadcasting Company's Pittsburgh chief, and Arnold D. Wilner, Mr. Cordic's longtime local attorney.

To give the show a flying send-off, Mr. Cordic will be heading back home around the end of January to do the first pair of programs live from the WTAE-Radio studios. They'll probably be aired on February 9 and 16.

By long-distance telephone from his home in Santa Monica, Calif., Mr. Cordic said "It will be strictly a Pittsburgh-oriented show, much the same as the show I was doing when I departed the Golden Triangle three years ago, with the old title, too, only a word added: 'Cordic and Co. West.' "

The founder, chairman of the board, president, secretary, treasurer and sergeant-at-arms of Cordic and Co. will revive a number of his most celebrated characters, Omicron, Louie the Garbage Man, Mr. Rouquefort Q. LaFarge and Mr. Murchison, among others; plans to feature interviews with Pittsburghers who have made good in Hollywood ("I have already contacted people like Henry Mancini, Regis Toomey, Gene Kelly and Frank Gorshin") and use them in sketches as well; will feature all of his old electronic gimmicks and novelties; comment on the foibles of the Pittsburgh community and spin a few records as well.

"In other words," Mr. Cordic went on, "it'll be, with the barest of exceptions, exactly as we left it."

To keep him abreast of what is happening here, he has engaged Bob McCully, the local gagman and sketch writer, to supply him with city-slanted material, and he has also signed a practically charter member of Cordic and Co., Pittsburgh's Karl Hardman, to come aboard, too.

Mr. Cordic intends to do a lot of taping with Mr. Hardman during his stay in Pittsburgh and, occasionally, Mr. Hardman will fly to the Coast to augment the Cordic-Hardman stockpile of skits.

And out in Hollywood, Mr. Cordic has lined up for Cordic and Co. West several actors who worked with him on KNX, the Columbia Broadcasting Company's affiliate in Los Angeles, for two years. He named a few of them: Pat Harrington Jr., Artie Johnson (the "Verree Interesting" character on Rowan and Martin's "Laugh-In"), Paul Winchell and Hal (The Greatest Gildersleeve) Peary.

Rege Cordic hasn't been heard regularly on local radio since December, 1965, when he left KDKA after 11 years to go with KNX in Los Angeles (he had joined the Westinghouse station here in 1954 after 11 years with WWSW). He remained with the coast operation until the end of 1967 when KNX switched to an all-news format.

Mr. Cordic emphasized that he plans to remain permanently on the West Coast but would probably come to Pittsburgh from time to time to do Cordic and Co. West live "just to stay privy to what's going on around the town so we can keep the program local and topical."

Since leaving KNX, he has done considerable commercial work, played roles in many television shows, including "The Flying Nun," "The Monkees" and "The Outcasts," and just recently went into business with Steve Allen under the corporate name of The Great American Commercial Company, organized to produce television and radio commercials for national and local accounts.

Mr. Cordic and Mr. Allen have two other partners in this enterprise, Dave Pollock and Elias Davis, writers for the Steve Allen Show who have been loaned out to script the new Glen Campbell television hour while the Allen program is on a 13-week hiatus.

In addition, Rege is working with Eddie Albert on a different kind of radio program that Mr. Albert has in mind for syndication, and the head of Cordic and Co. also is being pitched in Hollywood to head a new teevee game show that will be produced by Chuck Barris, who already has "The Dating Game," "The Newly-wed Game" and "Operation Entertainment" going for him.

"A funny thing, how I got together with Barris," Rege chuckled over the horn from

his home in Santa Monica, "he heard I was out here and looked me up.

"And told me I had been responsible for changing the course of his life. Seems Chuck had graduated from college as an engineer and early in the 50s joined the training program of the U.S. Steel Company at its Homestead Works.

"He said he used to listen to me, when I was on WWSW, driving to work every morning and after a couple of months decided that what I was doing was what he wanted to do, too, so he chucked his job in Homestead, went to New York and got into broadcasting."

WTAE-Radio is mapping a big promotion campaign for the return of Cordic and Co. to Pittsburgh and the return, of course, of The Cordic and Co. Research Laboratory which had been saving mankind for so long hereabouts with such items as Crudleigh, a car with an adjustable middle to suit the driver's mood; Old Frothingslosh, "the pale, stale ale so light the foam is on the bottom" and "Better Things for Better Living Through Chicanery."

And so, before long now, over the kilocycles which have known him so intimately for so long, will be heard again the gentleman of whom it was said in this space just half a decade ago:

"Down through nearly a score of years, over the air waves, on rostrum and dais, in the world of commerce brew-mastering the pale, stale ale of Old Frothingslosh, Rege Cordic has clearly demonstrated that the convolutions of his mind are lubricated by madness—a wonderfully comic madness everybody within the sound of his mellifluous voice, the baritone of a bull-frog in the full moon of the mating season, has long been grateful for."

And will be, every Sunday morning, grateful for again.

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## CRIMES

## HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MILLER of Ohio. Mr. Speaker, today I submitted a bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes.

The increase in crime rates has been such that it is demanding the attention of the entire Nation, and specifically of the Congress. Too many crimes are being committed by hard-core repeat offenders. Trial backlogs are growing longer, and with the requirement of the Bail Reform Act of 1966, that persons charged with crimes must be released prior to trial, and whereunder courts are not permitted to take the safety of the community into consideration in setting the terms of such release, crimes committed while on pretrial release have become a significant problem.

Prosecutors, police officials, trial judges, grand juries, and citizens are demanding our courts be provided with the authority to detain dangerous persons charged with crimes.

The measure introduced today would permit Federal courts to take into consideration the likelihood of the defendant's danger to the community in setting conditions of pretrial release. When no such condition of release will assure safety to the community and when the defendant is charged with certain specified crimes involving violence, weapons, and narcotics, then the court is empowered to detain the defendant prior to trial.

In cases where defendants, charged with Federal crimes, are on pretrial release and commit an additional offense while on such release, then courts may order detention if the defendant's continued release would pose a danger to the community.

This measure contains safeguards for the individual in that all detention orders are subject to review in 24 hours and immediate appeal thereafter.

Also this measure would strengthen the penalty provision of the Bail Act in cases where defendants are released and fail to appear for subsequent court proceedings.

I believe these changes, along with others contained in the measure submitted today, could be a long step toward a return to law and order.

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## HUGH SPARROW: RETIRED

## HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. NICHOLS. Mr. Speaker, before the people of my district honored me by sending me to the Congress, I spent two terms in the Alabama Legislature. Every State capitol has its legends and its institutions. The Birmingham News had a reporter who became both a legend and an institution at the Alabama Capitol. Hugh Sparrow covered his first session of the legislature in 1921 and every one after that until he retired just recently. I know that when the legislature convenes later this year, Hugh Sparrow will be missed. I would like to place in the RECORD an article about Mr. Sparrow which appeared in the Sunday section of the Montgomery Advertiser this past week:

HUGH SPARROW: RETIRED

(By Walter Massey)

Forty-seven years ago, a young police reporter had just started out on his beat when his editor called him back to the newspaper office.

"I want you to go to Montgomery," the editor said.

And so the young reporter left his home in Birmingham and travelled to Montgomery to cover the Legislature for The Birmingham News.

His editors were pleased with the young man's stories, so they didn't call him back home. He became a political reporter and stayed in the Capitol.

Over the years, he developed a keen eye in looking out for the public interest. He learned the state's bookkeeping system and knew how to trace misplaced state funds.

He became convinced the public didn't have much voice in the state's business—but he wrote about the floggings in the state prisons and the practice was stopped. He wrote about the need for competitive bid laws and a bill was passed. He exposed the sale of pardons and paroles; the traffic in quickie-divorces; give-away sales of state timber rights; and the leasing of a state park to a private company for next to nothing.

He was threatened, but he didn't yield to the bullying.

He was denied access to state records, but he got his information anyway.

He endured—to become undisputed dean of the Capitol reporters . . . an institution unto himself.

Then, last month, Hugh Sparrow, that reporter of reporters, retired.

Gov. Albert Brewer interrupted his press conference on Dec. 11 to pay tribute to Sparrow.

"Mr. Sparrow has dedicated his efforts to keeping the citizens of Alabama keenly aware of the inner workings of government, both on the state and local level," the Governor said.

Then, by official proclamation, the Governor set aside that day as "Hugh Wilson Sparrow Day" in Alabama, and he presented a metal plaque which can now be seen on the door of the Capitol's press room, named in honor of Sparrow by the Legislature in 1966.

During his career, Sparrow was recognized three times by the Legislature for outstanding reporting.

He received various other awards for excellence in journalism, including the Green Eyeshade Award of Sigma Delta Chi, the professional fraternity of journalism.

It was in 1921 that Hugh Sparrow covered his first session of the Legislature.

Musing on the years from then to the present, Sparrow spoke of his love for Alabama and the interest with which he has watched it grow.

"When I first came to the Capitol, there was no grass on the Capitol grounds," he recalled. "They were rutted and covered with weeds.

"It really was Goat Hill then," continued Sparrow. "Now, there are lawns and shrubs and it's really pretty.

"The tax total then was less than $1 million," he said. "This year it's up to about half a billion. If the state keeps growing like it has in the past, it will really be a whopper."

Sparrow recalled his big stories. One was about a Jefferson County murder, which solved the crime and led to the execution of the killer. A part of the episode was the killer's attempt to keep the only witness from testifying by marrying her. Sparrow caught the deception in advance during a routine check of marriage licenses in the Court House. Although the wife couldn't legally be forced to testify against her husband by trial time she agreed to do it voluntarily.

While substantiating reports of unmerciful floggings at Kilby Prison in 1948, Sparrow encountered the wrath of a prison official who had barred him from the "official" flogging records.

The man met him in a hall and said, "I ought to cut your throat."

"I don't pay attention to threats," Sparrow said, remembering the incident. "It's the man who doesn't threat that I worry about."

Another big story that Sparrow dug up, he decided not to report.

It concerned a constitutional amendment that was up for a vote and would have given more money to Birmingham schools.

"Some sob sisters," Sparrow said, "wrote stories about how the city would go broke without the bond issue. And it got defeated."

Not convinced that the city was lacking in funds, Sparrow started digging into the books.

"I found out the city had two bookkeeping systems," he stated. "I got to looking and found $1 million not accounted for. The

comptroller of the schools said I was right. So I gave them a chance to make it right and I didn't write a story about it."

Sparrow comes from a newspaper family. His father, John Sparrow, with four associates founded the Birmingham Ledger. It lasted for 25 years, until just after World War I.

Then, the Birmingham News found itself short on newsprint and bought out the Ledger because it had a good newsprint contract.

Sparrow also has a sister who is the society editor of the New Orleans Daily State, and another who is the wife of the managing editor of the New Orleans Times-Picayune.

Even though he is retired now, after a long and eventful career in journalism, Sparrow well remembers the first story which carried his by-line. He was a high school correspondent and very proud of his handiwork.

"I showed it to my father," Sparrow said. "He took one look at it and said, 'Well, I see you split an infinitive.' "

Sparrow said the most effective lobbying tactic he has seen was when an association of Mobile ship pilots got navigation laws changed by sending a burley seaman to Montgomery during the depression with a trunk full of red liquor.

"You just couldn't get red liquor during the depression," Sparrow said.

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## CONGRESS LOOKS AT THE ELECTORAL COLLEGE

### HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DAVIS of Wisconsin. Mr. Speaker, since my early days in Congress, more than 20 years ago, I have been interested in reform of the electoral college.

In this Congress I have introduced House Joint Resolution 194, and in response to the invitation of the Honorable EMANUEL CELLER, chairman of the House Committee on the Judiciary, I plan to appear in support of that resolution for reform of the electoral college before the Judiciary Committee on February 6.

I include herein a brief article which I have prepared for publication in the Gavel, the monthly publication of the Milwaukee Bar Association:

CONGRESS LOOKS AT THE ELECTORAL COLLEGE

The third party Presidential candidacy of George Wallace, creating the spectres of finagling of the Electoral College and certain delay of months in the selection of the President before agreement by 26 state delegations in the House of Representatives, has rekindled the flame of reform in our Electoral College. The case of the faithless North Carolina elector[1] has added fuel to that flame.

There are Members of Congress who resist the thought of change. They aver that the present system has successfully withstood the test of almost two centuries. They assert the validity of the compromise compact with the smaller states, which induced them to support the conversion from loose confederation to Federal Republic. They "look at the record" of only three "minority" Presidents, and only two incidents, in the first half century of our Republic where the election of the President fell into the House of Representatives. They allege that the "winner take all" unit system in the Electoral College discourages splinter parties. In short, the defenders of the present system refer to the existing Electoral College as an element of stability in our Federal Republic.

However, the recognition of the potential for shenanigans, both in the Electoral College and in the House of Representatives, the disadvantages, if not the dangers, of uncertainty and delay[2] in the formal election of the President, has broadened the base of support for change.

There are four general reform proposals under current discussion: (1) The direct national popular vote. This proposal is frequently coupled with provision for a nationwide primary for Presidential and Vice Presidential candidates. (2) The district plan which would retain the electoral vote concept with electors chosen in each Congressional District, and in addition, two at large for each state. (3) The automatic electoral vote plan which would abolish the office of elector, but retain the electoral votes of each state, on a unit basis, as now provided. (4) The proportional plan, which would divide the electoral votes within each state in accordance with the number of popular votes received, to the nearest thousandth.

Objectively, one cannot be unaware of the points of strength and weakness in all of these general proposals. On balance, I have favored the proportional plan and have sponsored joint resolutions proposing this plan with minor modifications, since the 81st Congress.

From a practical point of view, the proportional plan probably has the best likelihood, among the proposed reforms of adoption. It would provide the basic advantage of substantially reflecting the will of the individual voters without threatening the power of the states to regulate suffrage requirements. In campaign concepts, it would result in more nation-wide compaigning, as opposed to the concentration on a few of the larger "swing" states.

While, like most essential compromises, the proportional plan has its detractors, both from those who would change everything and those who would change nothing, I look upon the proportional plan as practical politically, something that can be accomplished, and something that would avoid the major pitfalls of the present system and the prospective pitfalls of each of the three alternate reform proposals above mentioned.

FOOTNOTES

[1] Dr. Lloyd W. Bailey, a North Carolina elector, pledged to the Nixon-Agnew ticket, actually cast his vote, in the Electoral College, for the Wallace-LeMay ticket. In the counting of the electoral votes in the Joint Session of Congress on January 6, 1969 this North Carolina elector's vote was challenged. In separate proceedings in Senate and House, Mr. Bailey's defecting vote was sustained. CONGRESSIONAL RECORD, pages 145–173; 196–247.

[2] The 1968 Electoral College did not meet in the state capitols until December 6. The counting of the electoral votes did not occur until January 6, 1969. If no candidate had received a majority in the Electoral College; then, it should be recalled, the election of the President would not have been by majority vote *of the Members* of the House of Representatives, but rather by the majority vote of *26 separate state delegations* in the House of Representatives. It is hardly conceivable that a President could have been elected in the House prior to the scheduled inauguration date. Meantime, the Senate would have proceeded to the election of the Vice President, who would have become Acting President until such time as the House, under these trying circumstances, could have reached a decision.

[3] H.J. Res. 51 (1949); H.J. Res. 194 (1969). (Reference not indicated in text.)

## RUTH KIRZON GROUP FOR HANDICAPPED CHILDREN

### HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. GILBERT. Mr. Speaker, I want to call the attention of my colleagues to the wonderful work done in my district by the Ruth Kirzon Group for Handicapped Children, an organization of women volunteers who give their services selflessly to young people suffering from physical or emotional disabilities.

The Ruth Kirzon Group was organized in 1946. Today it has 400 members, who work with no compensation whatever and do not even have the assistance of a paid staff.

The Ruth Kirzon Group has a visiting children's service. Members go into the homes of severely handicapped children and spend time with them, giving them comfort, helping them to laugh. They take the children out in groups for a day in the country, for a picnic or boat ride, or for the joys of a circus or a rodeo. They take children to movies, planetariums, or the theater. They introduce these handicapped young people to opportunities they have perhaps never had in their lives. They bring these children out of the shells in which many of them live and expose them to the outside world.

Members of the Ruth Kirzon Group go into the hospitals of New York, where they read to and play with the children, conduct birthday parties, give them toys and present to them such entertainment as musicians, puppeteers and magicians. They have performed these services at the following hospitals: Blythedale Convalescent Home, Coney Island Hospital, Cumberland Hospital, Fordham Hospital, Jacobi Hospital, Joint Disease Hospital, Jewish Memorial Hospital, Morrisania Hospital, and Special Surgery Hospital.

In 1950, the Ruth Kirzon Group established a scholarship committee, to enable talented high school graduates to go on to higher education, despite their physical or emotional handicaps. The scholarships have assisted in maintenance, books, equipment, transportation, and tuition for young people. The group is proud that, among its scholarship recipients, there are now doctors, lawyers, accountants, speech therapists, engineers, journalists, and commercial artists. The group also encourages scholarly achievement by making special awards to handicapped young people who graduate with distinction in their class at high school.

May I also note that the Ruth Kirzon Group sends more than 100 children each summer to a specialized summer camp for handicapped young people, for periods of not less than 3 weeks. Under proper supervision, the children learn to play ball, swim, and participate in other activities, though hobbled by crutches or confined in wheelchairs. The group has also provided therapeutic swimming pools, special equipment, and made other major physical contributions to its summer program for handicapped children.

Mr. Speaker, it is largely out of the inspiration of the Ruth Kirzon Group for Handicapped Children that I have introduced legislation to give special tax benefits to handicapped persons. My aim, like that of these selfless women, is not simply charitable, but to give independence, strength and self-esteem to the handicapped, so they too can be a useful part of our society. I urge my colleagues to consider this legislation sympathetically, keeping close to their hearts the lesson of service and decency to the handicapped that the Ruth Kirzon group has offered us.

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## PROTECTING OUR CONSUMER'S INTERESTS

### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. HORTON. Mr. Speaker, never before has a nation been so indebted to its businessmen as America. Their initiative and drive has made our economy the greatest in the world.

The American businessman of 1969 is more sophisticated and more community conscious than ever before. The American buyer is more discerning. Yet, on the shadowy fringes of the business world lurk an unscrupulous few preying on the unwary buyer.

Fraud in the marketplace has become one of the most important issues in the 91st Congress.

It is to these dishonest few that I direct the consumer legislation package I am introducing today, Mr. Speaker, in the hope that the States will be provided with sufficient leadership and assistance to fully enforce their civil consumer codes.

TIMES HAVE CHANGED

My object is not to impose a federally controlled consumer protection program, but to leave the task of consumer protection where it belongs—in the States.

When this country was young, we were a nation of farms, small towns, and growing, closely knit cities. There was a personal relationship between the seller and buyer in everyday commerce.

Instead of going to the blacksmith, the corner grocer, or the miller, we now deal with complicated products and marketing organizations where the manufacturer may be thousands of miles away from his customer.

In this 20th century, commerce is impersonal, complex, and technical. When the consumer encounters fraud and indifference in the marketplace, he has little or no recourse to satisfactory adjudication, even when he has been cheated.

ESTABLISHES CONSUMER PROTECTION OFFICE

The legislation I offer today would move the States into an active role of consumer protection by channeling funds to them for the establishment of a consumer protection office and a plan to license and regulate fair business practices.

The object of this proposal is to weed out those in the business community who thrive on deception and intimidation and to provide consumer affairs regulations at the local level.

Under the provisions of my bill, individual grants up to 50 percent of the State's consumer protection plan would be allowed. However, no State could obtain more than an amount determined by the ration of its own population to the population of all the States.

STATES QUALIFY FOR GRANTS

In order to qualify for these grants, the States would have to submit to the Secretary of Commerce for approval a plan to provide a consumer protection office within the State to deal with dishonest practices and a plan for programs to license or otherwise regulate business activities.

The bill's regulatory activities include, but are not limited to, household appliance repairmen, home movers, travel agents, and home improvement contractors. Industries with a history of consumer abuses would also be covered under these regulations.

The thrust of these regulations is aimed at false advertising and failure to perform work or services as represented for which the consumer was billed.

CONSUMER EDUCATION PROGRAMS

An important highlight of this consumer protection program is the authorization of State consumer education programs and the recommendation that courses be established within the curriculum of public schools. This would give consumers an awareness of today's problems and it would give tomorrow's consumer the understanding to deal intelligently in the marketplace.

Practices such as inflated pricing, "deceptive" giveaways, bait and switch, and other forms of false advertising which might cause people to sign contracts for unwanted and unneeded merchandise are also within the scope of this act.

Penalties are established for bogus contests, fictitious bargains, misrepresentation of guarantees, and other tactics to bilk the public.

LICENSING PROGRAMS

Finally, the bill authorizes licensing programs by which the States would establish uniform standards with which all home appliance repairmen, motor vehicle repairmen and similar service tradesmen would have to comply.

Mr. Speaker, consumer credit codes vary from State to State, and there are no effective laws to stop unscrupulous tradesmen even when they are discovered. The legal machinery may drag on for 2 or 3 years before a violator can be ordered to cease and desist.

The consumer protection office within the attorney general's office in New York City, through mediation and court action, returned $766,486.42 to the public in money, goods, and/or services in 1967 alone when individuals submitted complaints about unfair consumer practices.

MORTGAGE FRAUDS

The home-improvement industry is a $15 billion annual enterprise. In the shadowy fringes of this beneficial service swim a sea of home-improvement sharks who prey on the poor, the elderly, and the ignorant.

Many an unwary customer has found himself victim of the home-improvement shark. Lured with false and deceptive offers of attractive home repairs, the victim finds he has paid too much, received inferior work and material, and worst of all has sometimes unknowingly mortgaged his home in the bargain.

Once in the hands of the home-improvement sharks, these home mortgages are usually sold to a holder in due course for a quick profit. The loan company that bought the note, disclaiming any prior knowledge of the home improvement contract, can then forclose, forcing the unbelieving victim and his family to lose the home they had only wanted to improve.

COST OF DECEPTION

Shoddy and deceptive business practices such as this cost the American consumer between $500 million and $1 billion yearly according to the National Better Business Bureau.

Mr. Speaker, I feel my bill provides the means for the State to curb abuses and fraud in commerce. By stimulating State efforts with grants, the Federal funds we provide can have a far greater impact than if we tried to implement such a program in any other way.

This legislation offers the public the safeguards to deal with confidence in the marketplace. Equitable laws, State enforcement and a national program of consumer education are the keys to protecting our consumers interests.

By enacting this legislation, we would not be pointing the finger at any particular kind of business. What we would be doing is removing the unjust scorn on legitimate businesses by weeding out those who try to bilk the public.

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## RESOLUTION TO INCREASE RELIEF TO BIAFRA

### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DANIELS of New Jersey. Mr. Speaker, I am proud to cosponsor a House resolution to increase U.S. relief to Biafra, and at the outset of my remarks I would like to pay tribute to the two distinguished Members of this House who have taken the lead in enlisting bipartisan support for this measure. The distinguished gentleman from Minnesota (Mr. FRASER) and the distinguished gentleman from Massachusetts (Mr. MORSE). These two men deserve the gratitude of the Nation for their efforts in behalf of the desperate members of the Ibo Tribe of Biafra who stand threatened with annihilation as a result of the Nigerian civil war.

Mr. Speaker, the resolution which we have introduced today calls upon President Nixon to do all he can to increase the amount of food and other supplies which we are sending to Biafra. Further, it calls upon the Government of the United

States to do all it can to enlist the support of all nations in aiding the starving people of Biafra.

As I stand here on the floor of the House of Representatives, Mr. Speaker, I am speaking not just for myself or for those Members who are moved by basic humanitarian motives. I speak not just for those who elected me. The people of the 14th Congressional District of New Jersey who by the way, have sent hundreds of messages to me indicating their support of Biafran relief, I speak for all the people of this Nation, Republicans as well as Democrats, liberals and conservatives, northerners, and southerners.

The cause of Biafra has touched the heartstrings of this Nation. Americans have always been generous to those who have known misfortune. Once again this Nation has responded, its people have spoken. Now the Government must rise to the occasion.

Mr. Speaker, I urge prompt approval of this resolution which bears the names of almost 100 Members of this House.

## ANNUAL BUDGET ANALYSIS

## HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BOW. Mr. Speaker, the annual budget analysis by Eugene F. Rinta is being made public tomorrow, and I wish to extend it in the RECORD for the enlightenment and consideration of Members.

Mr. Rinta is an acknowledged expert on budget problems, and his summary and comments will be of great value.

The analysis follows:

THE FEDERAL BUDGET FOR 1970—A BRIEF ANALYSIS OF ITS HIGHLIGHTS

THE BUDGET PICTURE IN BRIEF—SELECTED YEARS 1960-70

| Fiscal years | (Billions) | | | | | |
|---|---|---|---|---|---|---|
| | 1960 | 1965 | 1967 | 1968 | 1969 | 1970 |
| Receipts | $92.4 | $116.8 | $149.6 | $153.7 | $186.1 | $198.7 |
| Outlays | 92.2 | 118.4 | 158.4 | 178.9 | 183.7 | 195.3 |
| Surplus (+) or deficit (−) | +0.2 | −1.6 | −8.8 | −25.2 | +2.4 | +3.4 |
| New spending authority [1] | (2) | (2) | 182.6 | 190.6 | 194.6 | 210.1 |
| Obligations incurred [1] | (2) | (2) | 168.2 | 181.8 | 189.2 | 202.0 |
| Federal debt—end of year | 290.8 | 323.1 | 341.3 | 369.7 | 365.2 | 371.5 |
| Portion held by public | 237.1 | 261.6 | 267.5 | 290.6 | 276.6 | 272.6 |

[1] Figures not available prior to 1967 under unified budget concept.
[2] Not applicable.

The table shows in condensed form the fiscal record of the Federal Government for the decade beginning with the last full fiscal year (1960) for which the Eisenhower Administration was responsible through the Johnson Administration's last year (1969) of primary responsibility. It also includes the totals of the budget plan that Mr. Johnson has recommended to Congress for the coming fiscal year, 1970.

This last Johnson budget will, of course, be subject to revision by the new Nixon Administration when it has had an opportunity to develop its own fiscal program for 1970. But the dimensions of the 1970 budget are in large measure the result of actions taken by the Johnson Administration and Congress over the last few years, so the area of discretion for the new Administration will be relatively small in its first budget year. Consequently, this Johnson budget will remain the basic budget plan for 1970 even though being subject to revisions by President Nixon through administrative action and in recommendations to Congress.

Analysis of the Johnson fiscal program for 1970 as the terminal budget of the current decade points up the following facts:

1. The planned $195.3 billion outlays in 1970 represents an increase of 112% over the 1960 total of $92.2 billion. It is an increase of 65% in the five years since 1965 when outlays were $118.4 billion while the 1965 total was an increase of only 28% over 1960 spending.

2. Rising national defense costs, including Vietnam, accounts for 35% of the $103.1 billion spending increase since 1960, interest accounts for 7%, and other nondefense spending accounts for 58% of the increase. Of the spending increase of $76.9 billion since 1965, 42% is due to increased defense spending, 7% to higher interest costs, and 51% to growth in nondefense programs.

3. The rate of spending growth, averaging $20 billion a year from 1965 to 1968, has been sharply reduced to a $5 billion increase in 1969 over 1968. This reduced rate of growth resulted primarily from a leveling off of Vietnam costs and spending restraints imposed by Congress in the last session. A renewal of more rapid growth, however, is proposed by Mr. Johnson for 1970 with a budgeted increase of $11.6 billion over 1969. Of that increase, only $0.5 billion is in defense costs and $0.8 billion is for interest. The remaining $10.3 billion is for expansion of nondefense spending.

4. Receipts rose almost as rapidly as outlays from 1960 to 1965 with the result being a modest deficit of $1.6 billion in 1965 as compared to a slight surplus of $0.2 billion in 1960. During the next three years, however, outlays rose far more rapidly than receipts with the result being three successively larger deficits aggregating $37.8 billion for the three years. The combination of sharply higher revenues and a smaller increase in spending resulting from the increased taxes and spending restraints imposed by Congress last year makes possible an estimated surplus of $2.4 billion in 1969.

5. Despite the proposed increase of $11.6 billion in outlays, another surplus of $3.4 billion is budgeted for 1970. This would be made possible by a $12.6 billion increase in receipts over 1969 which is largely based on extension of the 10% surtax and certain excise tax rates which are scheduled for reduction and on enactment of legislation which would produce $2.4 billion additional receipts from payroll taxes and user charges.

6. Proposed new spending authority and, of even more significance, estimated obligations to be incurred in 1970 substantially exceed planned 1970 outlays, as they have in all recent years. With obligations incurred exceeding outlays in the three years 1967–69 alone by over $18 billion and by almost $7 billion in the 1970 budget plans, large future increases are being built into the spending stream.

COMPARISON OF SPENDING BY FUNCTION FOR 1970 AND PRIOR YEARS

The purposes for which President Johnson recommends outlays of $195.3 billion in the 1970 fiscal year beginning next July are shown in the table that follows. For comparative purposes the table shows the expenditures for the same functions in the current year and in 1965 and 1960. The table also shows by functions the new spending authority proposed for 1970. In addition to amounts by major functional categories, the table includes amounts in parentheses for large sub-categories in which significant changes occur. The major category amounts are net figures after deduction for offsetting receipts.

[In millions]

| | Outlays | | | | Proposed new spending authority, 1970 |
|---|---|---|---|---|---|
| | Actual, 1960 | Actual, 1965 | Estimated, 1969 | Planned, 1970 | |
| National defense | $45,908 | $49,578 | $80,999 | $81,542 | $82,986 |
| Department of Defense | (41,479) | (45,973) | (77,790) | (78,471) | (80,238) |
| International affairs and finance | 3,054 | 4,340 | 3,938 | 3,755 | 4,342 |
| Economic assistance and food | (2,849) | (3,893) | (3,564) | (3,390) | (3,997) |
| Space research and technology | 401 | 5,091 | 4,247 | 3,947 | 3,758 |
| Agriculture and agricultural resources | 3,322 | 4,807 | 5,448 | 5,181 | 5,720 |
| Farm income stabilization | (2,222) | (3,234) | (4,509) | (3,921) | (4,361) |
| Natural resources | 1,015 | 2,063 | 1,898 | 1,891 | 1,708 |
| Commerce and transportation | 4,774 | 7,364 | 8,048 | 8,969 | 10,364 |
| Air transportation | (568) | (875) | (1,144) | (1,332) | (1,308) |
| Ground transportation | (2,984) | (4,092) | (4,327) | (5,081) | (6,087) |
| Community development and housing | 971 | 288 | 2,313 | 2,772 | 3,694 |
| Concentrated community development | (−) | (51) | (732) | (1,216) | (1,509) |
| Community environment | (105) | (331) | (801) | (984) | (1,128) |
| Low and moderate income housing | (145) | (81) | (935) | (1,131) | (704) |
| Education and manpower | 1,282 | 2,509 | 7,165 | 7,887 | 7,967 |
| Elementary and secondary education | (327) | (478) | (2,182) | (2,373) | (2,371) |
| Higher education | (261) | (413) | (1,368) | (1,366) | (1,047) |
| Manpower training | (4) | (336) | (1,511) | (1,685) | (1,920) |
| Health and welfare | 18,734 | 27,209 | 48,839 | 54,966 | 64,814 |
| Health programs | (761) | (1,747) | (11,379) | (12,958) | (13,647) |
| Income security payments | (17,659) | (25,111) | (36,275) | (40,497) | (49,583) |
| Social and individual services | (317) | (547) | (1,188) | (1,514) | (1,586) |
| Veterans' benefits and services | 5,426 | 5,722 | 7,692 | 7,724 | 7,939 |
| Interest | 8,299 | 10,357 | 15,171 | 15,958 | 15,958 |
| General Government | 1,334 | 2,276 | 2,948 | 3,275 | 3,312 |
| Allowance for pay increases | | | | 2,800 | 2,800 |
| Allowance for contingencies | | | 100 | 350 | 500 |
| Undistributed intragovernmental transactions | −2,296 | −3,174 | −5,105 | −5,745 | −5,745 |
| Total | 92,230 | 118,431 | 183,701 | 195,272 | 210,116 |

ANALYSIS OF MAJOR CHANGES IN SPENDING

A comparison of budgeted outlays in 1970 with current estimates for 1969 shows a net overall increase of $11.6 billion. In comparison with 1960, which was the last full budget year of the Eisenhower Administration, the

$195.3 billion 1970 spending total is up $103 billion, or 112%. In relation to the Johnson Administration's first full budget year, 1965, outlays proposed for 1970 are up $76.8 billion, or 65%.

*National defense* spending rose moderately from $45.9 billion in 1960 to $49.6 billion in 1965. Then defense costs rose rapidly during the next three years to $80.5 billion in 1968 where they leveled off with further increases of $0.5 billion expected in both 1969 and 1970. The request of $83.0 billion new spending authority for 1970 indicates somewhat higher outlays ahead unless Vietnam costs can be reduced materially. Vietnam outlays are estimated at $25.4 billion in 1970 as compared to $28.8 billion in 1969 and $26.5 billion in 1968. The new spending authority request for Vietnam operations in 1970 is $23.0 billion.

*Interest costs* have been rising substantially in recent years because of both a rapidly rising debt and unusually high interest rates. Net interest costs, after deducting interest received by the Treasury, are estimated at $16.0 billion in 1970 as compared to $15.2 billion in 1969, $10.4 billion in 1965, and $8.3 billion in 1960. Interest on the public debt will cost an estimated $16.8 billion in 1970. This compares with $16.0 billion in 1969, $11.3 billion in 1965, and $9.2 billion in 1960. Over the five-year period from 1965 through 1970 the increase in cost of interest on the public debt will be $5.5 billion, or 48%.

*International affairs*, including foreign economic aid programs, will cost an estimated $3.8 billion in 1970. This is $0.2 billion less than in 1969 and $0.9 billion less than in 1968. In fact it is the smallest total in this category since 1961. An upturn after 1970 is contemplated, however, because the new spending authority request is $4.3 billion as compared to $3.4 billion approved by Congress for 1969.

*Domestic nondefense* programs (excluding interest) account for the remainder of the budget except for the major part of a $2.8 billion allowance for civilian and military pay increases scheduled to become effective July 1, 1969. Assuming that about $1.0 billion of the scheduled pay increases are applicable to domestic nondefense programs, the 1970 total of outlays for these programs will be $98.0 billion. This is an increase of $9.3 billion over 1969. In comparison with 1965, planned 1970 outlays for domestic nondefense programs are up $40.6 billion, or 71%, in five years. The increase since 1960 is $60.7 billion and 163%.

(NOTE.—The above comparisons of outlays do not include any estimated functional allocation of the amounts of undistributed intragovernmental transactions. These amounts include government contributions for employee retirement and interest received by trust funds which are deducted from program expenditures in determining net budget outlays under the unified budget concept.)

The growth of domestic nondefense spending in the major functional categories is shown in the following table. For comparative purposes the table also shows the growth in defense, interest, and international programs.

| Outlays by function | Increase (billions) 1960 to 1965 | Increase (billions) 1965 to 1970 | Percentage increase 1960 to 1965 | Percentage increase 1965 to 1970 |
|---|---|---|---|---|
| Space research and technology | $4.7 | −$1.1 | 1,170 | −22 |
| Agriculture programs | 1.5 | .4 | 45 | 8 |
| Natural resources | 1.0 | −.2 | 102 | −8 |
| Commerce and transportation | 2.6 | 1.6 | 54 | 22 |
| Community development and housing | −.7 | 2.5 | −70 | 863 |
| Education and manpower | 1.2 | 5.4 | 96 | 214 |
| Health and welfare | $8.5 | $27.8 | 45 | 102 |
| Veterans programs | .3 | 2.0 | 5 | 35 |
| General government | .9 | 1.0 | 71 | 44 |
| Total domestic nondefense | 20.1 | [1] 40.6 | 54 | [1] 71 |
| National defense | 3.7 | 32.0 | 8 | 64 |
| Interest, net | 2.1 | 5.6 | 25 | 54 |
| International programs | 1.3 | −.6 | 42 | −13 |

[1] Includes for 1970 $1,000,000,000 allowance for pay increases and $350,000,000 allowance for contingencies.

Following are some of the more significant increases in individual nondefense programs from current estimates for 1969 to budgeted amounts for 1970:

| Federal funds | Increases in 1970—millions: Outlays | Increases in 1970—millions: Appropriations |
|---|---|---|
| Airports and air traffic control | $194 | $340 |
| Model cities programs | 465 | 438 |
| Elementary and secondary education | 191 | −85 |
| Manpower training | 174 | 439 |
| Health services and mental health | 145 | 111 |
| National Institutes of Health | 202 | 90 |
| Public assistance grants | 407 | 294 |
| Medicaid grants | 631 | 661 |
| Rehabilitation program grants | 140 | 195 |
| Social services and administration | 138 | 136 |
| Law enforcement assistance | 172 | 237 |
| Veterans readjustment benefits | 109 | 118 |
| Total of above items | 2,968 | 2,974 |
| TRUST FUNDS | | |
| Old-age and survivors insurance | 2,497 | 4,543 |
| Disability insurance | 297 | 599 |
| Health insurance | 629 | 53 |
| Highway programs | 857 | 506 |
| Total of above trust fund items | 4,280 | 5,701 |

In addition to the above program increases for 1970, a very costly item will be pay increases for Federal civilian and military personnel scheduled under existing law to become effective July 1, 1969. The total cost of these pay raises is estimated in the budget at $2.8 billion. This amount represents a 7% increase for both civilian and military personnel. About $1.75 billion will be given civilian employees and $1.05 billion to the military.

RENEWED SPENDING GROWTH AFTER 1969 RESTRAINT

In enacting the Revenue and Expenditure Control Act of 1968 (P.L. 90-364), Congress provided that budget outlays in 1969 would have to be held to a level at least $6 billion below the budget estimate of $186.1 billion and that new spending authority would have to be held at least $10 billion below the $201.7 billion proposed in the budget. Exceptions to these budget control provisions were made for Vietnam war costs and for several major "uncontrollable" programs. Thus, while outlays and spending authority for the excepted activities could exceed the budget estimates, the remaining budget items would have to be reduced $6 billion in outlays and $10 billion in new spending authority below the original budget estimates.

The Congress itself met the required $10 billion reduction in new spending authority by cutting 1969 appropriation requests in excess of that amount in the individual appropriation bills. According to the President's 1970 Budget Message, the $6 billion reduction in 1969 outlays will also be met through the combined efforts of Congress and the Executive Branch. Programs exempted from P.L. 90-364 show net increases above the original 1969 budget estimates of $6.0 billion in outlays and $6.1 billion in spending authority. If spending restraints had not been imposed by Congress and applied by the Administration, the current estimates of 1969 outlays would be $189.7 billion instead of $183.7 billion and spending authority would be in excess of $204.6 billion instead of $194.6 billion.

With the spending restraints imposed for 1969, outlays in 1969 are expected to exceed the 1968 total by only $4.8 billion and new spending authority will be only $4.0 billion above 1968. But the 1970 budget calls for increases over 1969 in the amounts of $11.6 billion in outlays and $15.5 billion in new spending authority. Renewed expenditure growth is also indicated by the substantial excess of obligations incurred, as well as new spending authority, over actual outlays in 1970 as in each of the last several years. Following are the figures for the four years beginning with 1967:

[In billions]

| Fiscal year | New spending authority | Obligations incurred | Outlays |
|---|---|---|---|
| 1967 actual | $182.6 | $168.2 | $158.4 |
| 1968 actual | 190.6 | 181.8 | 178.9 |
| 1969 estimates | 194.6 | 189.2 | 183.7 |
| 1970 estimates | 210.1 | 202.0 | 195.3 |
| Total | 777.9 | 741.2 | 716.3 |

While deobligation of spending commitments already made does occasionally occur through change of plans and cancellation of contracts, in general the obligation of appropriations inevitably leads to outlays of cash. Availability of new spending authority does not so definitely imply its commitment to expenditure. But the fact that obligations incurred in the four years through 1970 exceed the outlays in those years by $25 billion is a clear indication that there is being built into the spending stream substantial growth ahead which will be difficult to stop. Settlement of the Vietnam conflict offers the best hope, but even then large reductions in outlays will not be immediate.

THE TAX PROPOSALS IN THE BUDGET

The principal revenue proposal in the budget calls for extension to June 30, 1970 of the 10% income tax surcharge on individuals and corporations which is scheduled to expire June 30, 1969. This would provide $9.0 billion of additional revenues in 1970. Other revenue proposals, and the amounts they would produce in 1970, call for:

Delaying until January 1, 1971, instead of January 1, 1970, the reduction to 5% in the current 7% excise tax rate on automobiles and the 10% rate on telephone services to produce $0.5 billion revenues.

Raising the OASDI and health insurance taxable income base from $7,800 to $9,000 and increasing the combined tax rate on employers and employees from 9.6% to 10.4%, effective January 1, 1970, for a revenue increase of $1.7 billion.

Enacting additional user charges, primarily highway and aviation, to produce $0.4 billion new revenues.

Quarterly rather than annual collection of the Federal unemployment insurance tax to provide one-time additional revenues of $0.3 billion.

SURPLUS IN 1970 BUT STILL AN INCREASE IN DEBT

After eight consecutive deficits since 1960, a surplus of $2.4 billion is anticipated for 1969 and another surplus of $3.4 billion is budgeted for 1970. The eight deficits in the years 1961 through 1968 totaled $60.6 billion under the unified budget concept which includes trust fund operations as well as regular Federal fund accounts. During these same eight years the Federal debt rose by $78.9 billion from $290.8 billion at the end of 1960 to $369.7 billion at the end of 1968.

The fact that debt grew $78.9 billion while deficits totaled $18.3 billion less can be explained in part by increases in agency debt, such as TVA revenue bond issues, which are not used to finance budget deficits. The main reason for the difference, however, is the fact that Treasury debt changes are primarily caused by deficits and surpluses in Federal fund transactions rather than by total transactions in the unified budget. This is illustrated by changes in the Federal debt in 1969 and 1970.

Gross Federal debt is expected to drop by $4.5 billion in 1969 from $369.7 billion to $365.2 billion. But this reduction will be more than accounted for by elimination from Federal debt of $10.9 billion debt obligations of three mixed ownership financing agencies converted to complete private ownership in 1969. Treasury debt, however, will rise by $4.9 billion in 1969 from $345.3 billion to $350.2 billion despite a budget surplus of $2.4 billion. This increase in Treasury debt is due to the fact that a deficit of almost $7 billion is expected in the Federal fund accounts.

Even though a surplus of $3.4 billion is budgeted for 1970, gross Federal Debt is expected to rise by $6.3 billion in 1970, with Treasury debt rising $7.2 billion and agency debt dropping $0.9 billion. The primary explanation for the debt increase is the fact that Federal fund operations in 1970 are expected to result in a deficit of $6.8 billion.

The budget surpluses in 1969 and 1970, despite deficits of $7.0 billion and $6.8 billion in Federal fund operations, are made possible because of excesses of estimated receipts over outlays in the dedicated trust funds in the amounts of $9.4 billion in 1969 and $10.2 billion in 1970. But the Congress as well as the new Nixon Administration should bear in mind that these trust fund surpluses are not available for general expenditure purposes other than as loans from the respective trust funds. And they should remember in their consideration of the 1970 budget that, while the unified budget shows surpluses for both 1969 and 1970, the general revenue and expenditure accounts still show large deficits for these years. These are facts which are not in the 1970 Budget Message or readily apparent in the budget document although they are in the official supplementary Special Analyses to the budget.

EUGENE F. RINTA,
*Research Director.*

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THE NIXON CABINET

## HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. WINN. Mr. Speaker, Mr. Russell K. Berg, an outstanding labor leader and international president of the Boilermakers-Blacksmiths Union has presented one of the most objective and penetrating analyses of the Nixon Cabinet that has come to my attention in recent weeks. I present here, for the interest of my colleagues, Mr. Berg's comments:

COMMENTS BY RUSSELL K. BERG

President-elect Nixon's choice of cabinet members fit the qualifications Mr. Nixon has established for the top officials in his administration—proficient men conspicuously lacking in the kind of glamour that marked the Eisenhower and Kennedy administrations.

His choice of William Pierce Rogers as secretary of state, the supreme cabinet job, is a positive sign that Mr. Nixon is going to run the government not through glittering experts with high reputations in their fields but through trusted old friends, some of them long-time cronies, whose loyalties to him are beyond question.

Rogers goes to the State Department with two advantages: An intimacy with the President that no secretary of state has had in at least half a century; and a lawyer's approach to foreign policy. Rogers is well-known from his days as President Eisenhower's attorney general and highly-regarded.

Another theme Mr. Nixon's major cabinet choices reflect is that they are not tied to policies of the past.

There is, finally, one other Nixon characteristic that his choice of top cabinet aides illuminates: His refusal to take chances with outsiders he doesn't know well or who might have the slightest taint of divided loyalty.

With Rogers and Nixon's secretary of defense Rep. Melvin Laird, at the top and an old-friend, Robert Finch, nailing down the key domestic affairs cabinet post, Nixon will be surrounded by loyal intimates.

Thus, Nixon, promises to bring the most personalized administration to Washington that the town has seen since Franklin Roosevelt's second administration.

It has been said that Nixon has always been uneasy with strangers, that he has never been comfortable outside his small circle of intimates. Thus, he is simply bringing the whole circle to Washington with him to make out of it what has all the earmarks of a good cabinet.

It would seem that what Mr. Nixon has done is to pick a cabinet in which certain members will be policymakers and others will be administrators who will carry out the policies laid down by the President and some of the special advisers he will have at his elbow.

For instance, it seems to be a known fact that Rogers is not a foreign-policy expert. But he is a good administrator and, as a former head of the Department of Justice, he knows a great deal about the organization problems inside a big government department.

George P. Shultz, Nixon's choice for Secretary of Labor, has had practical experience as co-chairman of the Armour Automation Commission which should prove particularly helpful in meeting the serious problems of manpower retraining, technological unemployment and job opportunities.

Constitutionally, cabinet members are "principal officers . . . of the executive department and public ministers" appointed by the President. But historically and as a matter of practical government, the cabinet is whatever the President wants to make it.

Richard M. Nixon seems to have chosen a body of individualistic, capable men as his advisers in the numerous and important fields of executive responsibility. Most are relatively unknown to the public. Within a matter of months the American people will know some of their names very well.

They will be directly involved with the prospects of war and peace in Vietnam and elsewhere; the general foreign policy of the United States and the multitude of domestic issues and decisions that confront the nation. They will, we hope, offer fresh approaches to old problems. Inevitably they will make mistakes, and Congress and various interests and groups about the country will become rapidly disenchanted with some of them.

But every President shapes his own administration. And it is our impression that Richard Nixon will be a strong President and firm authority within the limits of that powerful office. White House advisers, along with formal members of the cabinet, may play important roles. Mr. Nixon says he wants an interchange of ideas and opinions. But final decisions, and properly so, will be made by the man who holds the ultimate responsibility.

Time will tell the influence these men who make up the President's cabinet will exert on the quality of life in the nation and on events that affect the future of the world.

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DR. LUTHER HOLCOMB

## HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. TEAGUE of Texas. Mr. Speaker, it would be superfluous for me to say that there are many fine Texans holding positions of import in Washington, as all of my colleagues are well aware of this. One of these, however, is my good friend, Dr. Luther Holcomb, Vice Chairman of the Equal Employment Opportunity Commission.

Recently, Mr. Louis C. Harris, writing for the Augusta Chronicle, did a very commendable job in bringing Dr. Holcomb to the attention of his readers. Under leave to extend my remarks, I wish to include this article:

NOT ALL BUREAUCRATS ARE BAD

(By Louis C. Harris)

We have a regrettable tendency, those of us who do not always subscribe to the nostrums concocted in Washington as cures for what supposedly ails us, to regard all bureaucrats as impractical meddlers striving to extract sunbeams from cucumbers.

But such is not the case. In fact, I can now say that one of my very good friends is a bureaucrat!

The gentleman to whom I refer is Dr. Luther Holcomb, the vice chairman of the Equal Employment Opportunity Commission whom I came to know for the first time in Athens last year when he spoke on a program of the Georgia Press Institute.

An ordained minister who originally hailed from Texas, Luther Holcomb is one man for sure who has not permitted his role in national affairs to wrap one with his ideals, principles, his sense of humor, nor his concept of fair play.

But because the mark of Washington was upon him, I recall how surprised some of us were when, hearing Dr. Holcomb for the first time, we received an altogether rational and unemotional approach toward achieving equal employment opportunities for men everywhere.

It was with a large measure of delight—and with no surprise at all—that I read another of Luther Holcomb's speeches the other day after receiving a copy from Stan Smith, the general manager of the American Newspaper Publishers Association and, coincidentally, a former Chronicle staffer.

Stan sent along the speech to various newspaper editors around the country because it had to do, primarily, with the EEOC's ruling in connection with the use of sex labels in classified ads. To eliminate any semblance of "discrimination" in advertising, EEOC said newspapers must no longer list ads under "male" and "female" classifications. Luther Holcomb dissented.

He contended that in such advertising the newspaper is not doing the hiring, but is simply providing a service to the advertiser. Thus, he said, EEOC has no jurisdiction, in the first place. By the same token, he argued, the classification of ads under the heading of male and female is a time-saver for those seeking jobs, as well as for those seeking employes. Havoc will result, he pointed out, if personnel departments are besieged with

male applicants unwittingly applying for jobs modeling feminine apparel, or with female applicants for the position of locker room attendant at a men's gymnasium.

As thoroughly in accord as one might expect me to be with Dr. Holcomb's premises, I found far more impressive what he had to say, later on in his talk, as he offered his audience "some observations on issues pertinent to the times."

"Despite America's seemingly infinite capacity for growth and flexibility," he said, "the truth is that our society as now organized has been stretched taut . . . America is 'supercharged.' 'Hyperemotionalism' is on the rise. As a nation, as a people we are capable of creating the greatest good for the greatest number, but we are also capable through self-deception of bringing chaos upon our society." Then he said:

"The time of divisiveness is over. It is now our solemn obligation to stand united and occupy ourselves with the fundamentals and imperatives of the transition to a new adminstration . . .

"Our new President-elect is aware of the gravity of our social cleavages, but he alone cannot restore unity. Although he has been chosen to lead our nation, the people must cooperate by following. We must learn to respect each other despite our diveralties and to trust each other despite our differences . . . I believe every American should commit himself to unite in spirit with the President."

As for the job he holds, Dr. Holcomb explained that the original concept of Title VII of the Civil Rights Act, which created EEOC, "was to acknowledge the existence of job discrimination, to make the public aware of it, and by elimination of job discrimination to give minority groups the 'opportunity to achieve' that is uniquely American. It was never intended," he added, "that Title VII become a permanent part of the functions of the federal system . . .

Said Dr. Holcomb: "The private enterprise system is the backbone of America. American business is known for its creative and progressive techniques, and those innovative methods must be put to use in eradicating discrimination in employment opportunity.

"Likewise," said he, "government must seek a common-sense, down-to-earth approach to problem-solving at every level. Past bureaucratic methods must be alleviated. Government and business, working together, must develop an equitable way to include minorities in every aspect of American opportunity. A revolution of responsibility on the part of all Americans—including minorities—must occur.

Just as I said, Luther Holcomb is an unusual bureaucrat. We need more like him.

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## INDEPENDENCE OF THE UKRAINE

### HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ESCH. Mr. Speaker, 50 years ago on January 22, 1918, the Ukrainian Central Rada proclaimed the independence of the Ukraine from Russia. This monumental act could occur only because of the unremitting efforts of the Ukrainian people to retain their sovereignty. This was no easy task. These courageous people, plagued by war and internal strife, were subjected to hardships of great severity at the hands of the Russians. Still they worked and fought together, and with the Russians greatly weakened by the revolution of 1917, the Ukrainans seized this opportunity to declare their freedom.

At this time, the Moscow government recognized the independence of the Ukraine, but the Russians later chose to ignore their commitment. The Ukrainians were subjected to acts of military aggression and subversion which brought to an end their short-lived freedom. They were the victims of harsh treatment. Millions died of starvation in an attempt to resist Soviet collectivization of their farms. Ukrainian youth were shipped off to remote areas of the Soviet Union, and religious persecution was devastating.

Even in the face of such severe adversity, these gallant people have not lost their sense of nationalism. They have continually resisted Soviet domination.

I, along with the millions of people of the world dedicated to freedom and the democratic way of life, want to commemorate the 50th anniversary of the Ukrainian independence. May we here in a country dedicated to these ideals never cease to be thankful for the privilege of inheriting these rights and pledge to do our utmost to extend these rights to countries not as fortunate as ours.

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## ANNIVERSARY OF UKRAINE INDEPENDENCE

### HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ST. ONGE. Mr. Speaker, January 22 marked the 50th anniversary of the union of the Ukraine, and the 51st anniversary of the proclamation of the free and independent Ukrainian Republic.

The Act of Union stated the aspirations of the Ukrainian people in stirring prose, a part of which is quoted below:

> From today on there shall be only one independent Ukrainian National Republic. From today on the Ukrainian people, freed by the mighty upsurge of their own strength, have the opportunity to unite all the endeavors of their sons for the creation of an indivisible, independent Ukrainian State for the good and the welfare of the working people.

Tragically these dreams went unfulfilled for, as even former Premier Khrushchev admitted in 1956, Stalin planned the total annihilation of the Ukrainian people because of their opposition and resistance to Russian communism. This persecution continues to the present day with a program for the systematic dismemberment of the Ukrainian nation, and the suppression of its people and culture.

History has clearly demonstrated that no people can indefinitely be denied their right to self-determination, without this leading to the eventual destruction of the oppressor. Let us hope that the Soviet Union is wise enough to heed this lesson and permit the natural union of the Ukrainian nation, containing as it does a common language, culture, and people. By doing so the Russians will not only be recognizing the legitimate right of the Ukrainian people to their own sovereignty, but will also assist in the maintenance of its own stability. In addition, it would also herald a welcome departure, in the eyes of the world, away from Russia's present role as the chief practitioner of imperiocolonialism.

In the meantime, let us never forget the suffering of the brave Ukrainian people and the heroic sacrifices made in their quest for liberty and freedom. By keeping alive the flame of hope for eventual independence we will be offering the most significant commemoration of these important anniversaries.

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## IRISH IMMIGRATION: A FAIR AND REALISTIC SOLUTION TO THE PROBLEM

### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. RODINO. Mr. Speaker, on January 6 I reintroduced legislation—H.R. 2118—which I submitted in the 90th Congress to resolve the problem of immigration from Ireland and other Western European nations that has developed following full implementation of the Immigration and Nationality Act Amendments of 1965 on July 1, 1968.

I firmly believe that present U.S. immigration policy, established by the 1965 act, is just and realistic. It is a policy founded on three basic principles: Reuniting families, giving preference to those who will contribute to our expanding society, and offering asylum to refugees.

With approval of the 1965 act Congress eliminated the last vestige of the odious national origins quota system as a basis for the selection of immigrants to the United States. That discriminatory system recognized neither passage of time nor the dignity of the individual. It was conceived during an era of unrealistic fear of immigration accentuated by a period of economic uneasiness. The immigration quotas which it established based on place of birth were designed to serve a twofold purpose: To restrict numerically the volume of immigration into the United States and to select immigrants in such a way as to preserve the balance between the various ethnic elements in the American population.

The system, however, was highly unsatisfactory from every viewpoint. In the first place, it failed to maintain the ethnic balance of the American population as it was designed and intended, since the nations favored with high quotas left them largely unused. In fact, statistics establish that only one of every three immigrants since World War II actually was admitted to the United States as a quota immigrant.

Most repugnant, too, was the system's built-in discrimination and lack of imagination which is antithetical to the very concepts of freedom and equality for which the United States stands. As the late President Kennedy said, in submitting a special immigration message to Congress to accomplish needed reforms:

The enactment of this legislation will not resolve all our important problems in the field of immigration. It will, however, provide a sound basis upon which we can build in developing an immigration law that serves the national interest and reflects in every detail the principles of equality and human dignity to which our Nation subscribed.

But despite the fundamental equity of our immigration policy, it is a fact that the 1965 act created unintended problems and inequities. One of the most serious is the drop in immigration from Ireland and other Western European nations which were traditional sources of immigration to the United States.

The difficulty developed as a result of the 3-year phaseout period before the 1965 act became fully effective. During this period unused quota numbers were put in an immigration pool. However, no part of annual quotas was deducted, so countries such as Ireland found it easier to make use of their great abundance of nonpreference numbers and as a consequence there was no build-up of priorities under the preferences. Thus, for those countries there was, in effect, business as usual under the national origins system during the phaseout period. But by guaranteeing that countries such as Ireland, Germany, and Great Britain would not be disadvantaged by quota deductions during the phaseout period, the law only served to place them at a disadvantage after July 1, 1968.

Mr. Speaker, I believe the bill I have introduced represents a fair and flexible response to this problem that will, at the same time, avoid any retrogressive move in the direction of national origins favoritism and thereby negate the objectives of the 1965 act.

Under H.R. 2118, which has been cosponsored by my distinguished colleague from Pennsylvania (Mr. EILBERG), 50 percent of the unused visa numbers from fiscal year 1968 would be reserved in a pool for use by the President to alleviate undue hardships such as in the Irish immigration situation. Furthermore, the bill provides that the remainder of the numbers not reserved may be reallocated on a first-come, first-served basis to those preference categories which are presently oversubscribed. The bill, therefore, will accomplish two objectives:

First. Permit Irish immigrants to continue to come to the United States during its proposed 2-year operation; and

Second. Eliminate some of the backlog in the preference categories, thus allowing Ireland and other countries of Western Europe to compete favorably for visa numbers.

Statistics clearly indicate that my bill should resolve the problem. For example, during the phaseout period—December 1, 1965 to July 1, 1968—Ireland had an annual quota of 17,756 visa numbers. Yet the total of visas issued, conditional entries and adjustments of status for immigrants born in Ireland was only 3,188 in fiscal year 1966, 2,816 in fiscal year 1967 and 3,916 in fiscal year 1968. It is evident that heretofore Irish immigration has not been limited by a lack of visa numbers. However, the very fact that the Irish did not have to wait for visas in the past resulted in the situation now with no Irish on the preference waiting lists.

My bill will remedy this defect, and will I am sure provide an ample number of visa numbers since Irish immigration has in fact decreased, as evidenced by the statistics on immigration during the phaseout period. It is a feasible, fair, and realistic solution to the problem and will not breach the policy of the 1965 act which established an annual ceiling of 170,000 on immigration from the Eastern Hemisphere and a per country limitation of 20,000.

Mr. Speaker, there is a tradition of Irish immigration to the United States, and we all recognize the magnificent role of citizens of Irish heritage in building this great Nation. The hardship felt by the Irish who are turned away without visas is immense, and it is a matter of special concern to me to remove the obstacle created by the 1965 act. I intend to seek early consideration of this legislation, for I feel it is timely, necessary and will provide relief from the inequity that has developed.

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A TRIBUTE TO WILLIAM C. FOSTER

## HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. FRASER. Mr. Speaker, William C. Foster, Director of the U.S. Arms Control and Disarmament Agency, resigned a few days ago after more than 7 years of distinguished service in the cause of peace. No one has understood better than Bill Foster that the most urgent and important concern facing all people is putting an end to the arms race. With modern arsenals, man has the frightening power to destroy himself and his physical environment quickly and effortlessly. Yet Bill Foster takes his leave with many milestones on the road to peace rightfully credited to his leadership.

In 1958, Mr. Foster was appointed an adviser to the Secretary of State on arms control policies. Later that year he was selected to head the U.S. delegation to the Geneva Technical Conference on the Problem of Surprise Attack. His experience in Geneva led him to recommend the establishment of a full-time organized effort in the arms control field, a recommendation that came to fruition in 1961 with the establishment of ACDA. Bill Foster was the natural choice to head the new agency.

Seldom has a new undertaking of such importance had the fortune to be headed at its most crucial period by so able a leader. A former Under Secretary of Commerce, Administrator of the Marshall plan, Deputy Secretary of Defense and Presidential adviser, Bill Foster had earned the respect of Government leaders. As an industrial executive, he had been president of a steel products company, president of a national chemists' association, and chairman of a nuclear energy corporation.

With his business and Government expertise, Bill Foster was the right man to bring arms control and disarmament considerations into focus on national security matters. His efforts have brought us to realize that we cannot rest our policies on the deceptive foundation of military might alone. Under his leadership the Agency has put its stamp on arms control agreements that enhance our safety and security.

Mr. Foster has distinguished himself in the arduous task of international negotiations. As chief U.S. representative to the Eighteen Nation Disarmament Conference in Geneva and as delegate to the United Nations, Bill Foster is to be commended for his accomplishments. The Limited Test Ban Treaty, the Washington-Moscow "hot line," the Outer Space Treaty and the Nonproliferation Treaty owe much to his efforts. The Nonproliferation Treaty alone took 4 years to negotiate. It is unlikely that the treaty would have been concluded without Mr. Foster's convictions and patience.

As a congressional adviser to the Geneva Disarmament Conference and as a member of the Foreign Affairs Committee, I have known and admired Bill Foster. One could go on at greater length reciting his accomplishments and his credentials. But his personal qualities also merit attention and go far to explain the attainment of such a distinguished career. He is a man of warmth and charm, of dignity and humility, of integrity and commitment. Because of Bill Foster's dedication to peace, his able leadership of his Agency, and his remarkable qualities as a negotiator, our loss on his retirement is severe. We extend to him our best wishes for the future.

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UKRAINIAN NATIONAL INDEPENDENCE

## HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BROOMFIELD. Mr. Speaker, January 22 marks the 51st anniversary of the Ukrainian independence. On this date in 1918 the newly created Ukrainian Government was among the first to declare its independence from the Russian empire. We note with sadness that this independence was short lived as the greatly outnumbered Ukrainians were quickly conquered anew by the new Communist regime in Russia.

A Communist tyranny even more oppressive than the czarist regimes settled over this unfortunate land. Many of the people made their escape to more hospitable lands but their love for their homeland has never been abandoned. Their sincere desire to see their nation again free has never diminished.

Ukraine is the largest non-Russian nation in both Eastern Europe and the Soviet Union empire. For more than five decades the Ukrainian people, both in captive Soviet Russia and in the free world have kept alive their dream of independence.

Today, I am happy to join with my colleagues in a fervent wish that the Ukrainian homeland may again see the light of freedom from tyranny and oppression.

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HAWAII CITIZENS RESPOND MAGNIFICENTLY TO PLEAS FOR BLOOD IN WAKE OF "ENTERPRISE" FIRE

## HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MATSUNAGA. Mr. Speaker, there were many heroes aboard the aircraft carrier U.S.S. *Enterprise* on Tuesday, January 14, when the mammoth nuclear-powered ship, while on her way to a fourth tour in Vietnam waters, was rocked by explosions as fire swept across her flight deck.

This naval disaster was the worst to occur in central Pacific waters in recent years. When the call for blood donors to help the injured of the *Enterprise* reached Hawaii, the response of the citizens of the Island State was overwhelming. Within 2 hours after the appeal, the shortage at the blood bank of Hawaii was wiped out as citizens from every walk of life lined up to give blood.

As the Honolulu Star-Bulletin so aptly commented:

It represents more than just a transfusion of blood. It's a transfusion of spirit.

I know that my colleagues and the readers of the RECORD would wish to join with me in paying tribute to the spirit of the people of Hawaii for their heroic response to the call for help for the injured of the *Enterprise*.

I submit for the RECORD a report of the incident by Janos Gereben, from the January 15, 1969, issue of the Honolulu Star-Bulletin:

TRAGEDY ON "ENTERPRISE" BRINGS FLOOD OF DONORS

(By Janos Gereben)

The Blood Bank of Hawaii announced two months ago that it is "low on all types of blood, particularly the A's and O's."

Yesterday, in a matter of two hours, that shortage was wiped out and today Honolulu is one of the very few cities in the world with a sufficient supply of whole blood.

When Tripler Hospital put out the call at 9:30 a.m. for blood donors to help the injured of the Enterprise, the people of Honolulu responded with unhesitating action seldom seen in peacetime.

"Everybody came," said Sgt. Ralph Yoder of the Tripler information office.

"Businessmen, military dependents, guys driving down the street and hearing the appeal, airmen who just finished a 24-hour work shift, our own patients, newsmen covering the story."

By 11:30 a.m., would-be donors, estimated at 1,000, created a traffic jam on the freeways near the access road to Tripler and the hospital's blood bank called off its appeal, suggesting that the Queen's Medical Center Blood Bank be used.

Queen's was jammed, too, by this time. Normally operating from noon on Tuesdays, the Blood bank there called in its whole staff of 30 and started working at 10:30 a.m.

Edwin E. Harris, administrator of the Blood Bank, said about 200 donors were processed ("all we could handle"), and hundreds advised to come back or make appointments.

About 350 donors were processed at Tripler and the information office there said, "We are squared away; all our immediate needs are filled."

But Harris at Queen's stressed that the need will continue for days and perhaps weeks.

Whole blood, unlike plasma, cannot be stored beyond 21 days and the wounded of the Enterprise will continue to need blood.

Harris announced that the Blood Bank at Queen's will be open 8 a.m. to 4 p.m. on weekdays, except on Tuesdays when it operates noon to 8:30.

He asked prospective donors to call for an appointment at 536-7771.

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RELIEF FOR NIGERIA-BIAFRA

## HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ASHLEY. Mr. Speaker, unless we act quickly and with a sense of utmost urgency, the Nigeria-Biafra Civil War will soon leave as many as 25,000 people a day dead of starvation. This cruel conflict, from which neither side can emerge as a meaningful victor, now threatens to end millions of lives by slow and lingering suffering and death.

It is for this reason that I am joining today with 89 of my colleagues in sponsorship of a concurrent resolution calling upon the President to do more to stop the senseless suffering that is stemming from this dispute. This is an issue which unites and summons us all who care for their fellowmen, and it is in this spirit that we call others to join us.

Mr. Speaker, the concurrent resolution urges the President to make available increased amounts of surplus food, relief moneys, noncombat aircraft, and such other vehicles of transport as may be needed for relief purposes. It further expresses the sense of Congress that this relief assistance be made available to the Organization of African Unity, UNICEF, the International Committee of the Red Cross, and such other suitable religious and charitable relief agencies as may be operating in the area with the consent of the responsible authorities. Finally, the resolution urges our Government to seek the cooperation of other nations in this humanitarian effort.

The United States has already given about $23.7 million in relief, much of it in the form of Public Law 480 food. Our Government also recently announced that it was selling, for a minimal fee, eight surplus C-97G Stratofreighters to the church groups and the International Committee of the Red Cross. Four of the planes are to go to the American religious consortium, Joint Church Aid, U.S.A., and four to the Red Cross. The sale of these aircraft is an important forward step. However, much more must be done. With this additional cargo capacity, relief flights will not be able to carry in more than 250 tons a day, while the daily amount needed has been estimated from 1,000 to 2,500 tons. It is obvious that more planes are needed.

Mr. Speaker, the resolution also calls for the provision of "other vehicles of transportation." It is possible that, while the relief crisis is still urgent, agreement may be reached by the disputants to open a water channel or a land corridor for the transshipment of relief supplies. We are making it clear to our Government that we in the Congress also favor arrangements by which barges or trucks could be made available to take full advantage of such a breakthrough.

Mr. Speaker, the resolution concludes by urging our Government to solicit the cooperation of other nations in this humanitarian effort. It was designed to avoid direct U.S. involvement in the dispute. This does not imply that we should be indifferent to the factors which brought about this war and which now prolong it. On the contrary, we should make the utmost use of our diplomatic channels in African capitals and in London, Paris, the U.N., and elsewhere, to persuade the two sides to negotiate and compromise rather than continue to rely on the use of force. But the purpose of this resolution is to fulfill our moral obligation to save innocent lives. The relief operations could be undertaken by the relief agencies with the minimum necessary cooperation of the Africans themselves.

Mr. Speaker, Great Britain, France, and the Soviet Union are already directly involved in the supply of arms to one side or the other and this convergence of big powers fosters a continuation of the fighting. There is no easy solution to the internal and external issues which are working to divide this suffering land. This resolution does not indicate ways by which political or military pressures might bring about a cease-fire or an arms embargo or a lasting political solution. Yet I see no reason why the morally imperative action to save lives cannot progress swiftly while the lengthy and complex work for a negotiated settlement is pursued through other channels. With every day's delay, more men, women, and children—especially children—are dying needlessly. We must meet our humanitarian obligations.

Mr. Speaker, I urge action without delay.

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AMEND THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968

## HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. KOCH. Mr. Speaker, today I am pleased to join as a cosponsor on Mr. RYAN'S bill amending the Housing and Urban Development Act of 1968. It would make interest subsidy and rent supplement benefits available to existing State and municipally financed low- and middle-income housing. Under the present law, housing programs completed before the 1968 act are ineligible for these benefits. These programs, seriously affected by rising interest and rents, would find relief under the proposed amendment.

Rent increases are a major issue with

my constituents in the 17th Congressional District and the residents throughout New York City. I am concerned not only over the plight of those caught in the rent squeeze, but also in the relentless exodus of the city's middle-class residents to the suburbs—a condition for which rising rents are largely responsible. These are people the city can ill afford to lose, yet 1 million of them have left the city for the suburbs in the last decade.

The adoption of this amendment is one measure that seeks to deal with the critical problem of rising rents in New York City. The relief provided for the existing housing programs will aid many tenants when enacted.

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UKRAINIAN INDEPENDENCE DAY

## HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BUTTON. Mr. Speaker, 51 years ago on January 22, 1918, millions of Ukrainians savored the joys of independence and freedom that our forefathers felt after our own Revolution. The dreams that were realized on that glorious day in 1918 were soon dashed with the Soviet expansion of 1920 which followed the Russian Bolshevik revolution. Since that time 45 million people have been isolated from the free world. They are deprived of the basic freedoms which we hold so dear. We who know freedom observe this 51st anniversary of their Independence Day with the hope that they again will know freedom.

Mr. Speaker, it is my pleasure to share with my colleagues a letter from two of the officers of the Troy, N.Y., branch of the Ukrainian Congress Committee of America, which has many members in my district. This letter demonstrates that we in America and free men everywhere will never forget and never cease to work for the renewed independence of the gallant people of the Ukraine.

The letter follows:

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA,
*Troy, N.Y., January 17, 1969.*

Hon. DANIEL BUTTON,
*U.S. Congressman:*

January 22, 1969 will mark the 51st Anniversary of the proclamation of Independence of Ukraine, and the 50th Anniversary of the Act of Union, whereby all Ukrainian ethnic lands were united into one independent and sovereign state of the Ukrainian nation. The independence of Ukraine was proclaimed in Kiev, the capital of Ukraine, on January 22, 1918, and the Act of Union took Place a year later, on January 22, 1919, also in Kiev.

The young Ukrainian democratic republic was immediately recognized by a number of foreign governments, including that of Soviet Russia. The latter, however, almost simultaneously with recognition, began a large-scale invasion of Ukraine. By 1920, Ukraine, alone and unaided, succumbed to the superior forces of Communist Russia, and in 1923 had become a part of the Soviet Union.

The Freedom loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the re-establishment of their independence by all means at their disposal.

During World War II the Ukrainians organized a powerful underground resistance movement, known as the Ukrainian Insurgent Army (UPA), which fought not only against the Nazi regime, but against the Soviet Russian occupation as well.

Bloody and relentless persecution of Ukrainians continued after the death of Stalin, and it continues now under the Brezhnev-Kosygin duumvirate.

Sincerely yours,

JOHN BAYLEK,
*Chairman-President.*
RUSSELL KOLODY,
*Secretary.*

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CLEAR THE DECKS FOR COMPETITION

## HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. FINDLEY. Mr. Speaker, an eloquent and needed appeal to the Government in behalf of the American farmer to "clear the decks for competition" was issued by the distinguished president of the American Farm Bureau Federation. Speaking at the recent annual meeting of the federation, Mr. Charles B. Shuman lashed out at import protection including the present system of payments to farmers and predicted that U.S. farm exports can be doubled. Mr. Shuman has long been a courageous and effective champion of the disciplines of the marketplace and a critic of Government-imposed disciplines. Here are his words:

THE UNITED STATES CAN DOUBLE EXPORTS

It is entirely feasible to double agricultural export sales in the next four to five years. The objective of the proposed new agricultural trade expansion legislation should be to make it possible for farm export sales to increase to the ten billion dollar level. This can be done if the State Department and the Office of the Special Representative for Trade negotiations are instructed to begin immediate negotiations with any or all free nations on either a multilateral or unilateral basis.

Our negotiators must be prepared to demand reciprocal action. If the United States is to continue to permit the importation of automobiles, chemicals, wine and steel from the European Common Market, we must be assured of access to European markets for our farm products. In order to pursue this hard-nosed bargaining policy successfully, it will be necessary for Congress to discontinue direct subsidy payments to farmers.

These payments are recognized by foreign nations as a form of export subsidy. For example, the direct payments to wheat farmers are a substitute for fair market prices and have the effect of stimulating excess production which is subsequently dumped on world markets by the Commodity Credit Corporation.

If we want to trade we must be willing to end export dumping programs. U.S. farmers must compete in the world market on an equitable basis. Only then can we demand similar action by other nations. We must also be willing to resist demands for import barriers to protect a growing list of agricultural and industrial products which have been meeting increased competition from foreign producers.

Trade is a two way street. Our foreign customers must not be denied the opportunity to earn dollars to pay for our products or be provoked into retaliatory restrictions. Agriculture has far more to gain from trade expansion than from protectionism.

However, there are occasions when imports will threaten an industry or an important segment of agriculture. The present trade expansion legislation provides for escape clause action by the President after investigation and a finding of damage by the Tariff Commission. The procedures provided for this protective action should be improved so that it will not be as difficult to obtain relief when producers of any important commodity are threatened with unfair import competition.

Subsidies and restrictions on competitors do not strengthen, they weaken. Competition is the way to grow strong—the way to greater profits. The temporary advantage of a subsidy or of import protection is rapidly lost as the protected industry sinks deeper into the ruts of complacency, inefficiency and obsolescence. Tariff or quota protections cannot guarantee continued sales because consumers will look for substitute products.

There are hundreds of examples of industries that have floundered and lost much of their business while basking in the temporary comfort of subsidies or import protection. U.S. farmers, if given the opportunity, can compete successfully in the world market for practically any commodity adapted to our conditions. It is time to clear the decks for competition—not to add further restrictions.

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UKRAINIAN INDEPENDENCE

## HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BOW. Mr. Speaker, the good citizens of Ukrainian descent in my congressional district will celebrate this weekend the 51st anniversary of the establishment of the Ukrainian National Republic in Kiev and the 50th anniversary of the Proclamation of Unification of all Ukrainian lands under the new government.

As all of us know, these historic events, offering such great promise of freedom, independence, and cultural advancement, were soon overshadowed by the Soviet conquest of the Ukraine. Many years of captivity under the repressive rule of Moscow have followed and millions of Ukrainian people have fled the Communist world.

In a recent letter to me, Wasyl Juskiw, secretary of the Canton branch of the Ukrainian Congress Committee of America, expressed the situation clearly and simply in these few words:

Ukrainians have a saying that "you can break the body but the spirit lives on." The main purpose of commemorating Ukrainian Independence Day is to keep alive this spirit of freedom and to focus the attention of all Americans on the fact that the Soviet Union from its inception was, and to this date is, a prison of many nations held in totalitarian captivity, the most recent example being Czechoslovakia.

All the captive nations, to the present day, are aspiring to freedom and independence. Ukraine is one of these captive nations.

The Canton ceremonies observing this anniversary will be conducted in St. Nicholas Ukrainian Catholic Church Sunday evening. The Honorable Stanley Cmich, mayor of Canton, has proclaimed January 26 as Ukrainian Day.

I join with my friends of Ukrainian descent and all Cantonians in the prayer that the Communist oppression of the Ukraine may soon be lifted and that the hopes and aspirations of 50 years ago may be revived in a new birth of freedom and independence for the people of this sad land.

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## RECENT EVENTS IN THE MIDDLE EAST

### HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DADDARIO. Mr. Speaker, the recent events in the Middle East have concerned us as the tension has grown and the United Nations has sought a solution. Many people in my district have written me to express their concern and to urge the expression of true American feelings. One of them has called to my attention the attached column, written by Barney Laschever, formerly of the Hartford Times, which he believes sets in perspective matters which my constituent has found reported and editorialized in a distressing fashion. I offer Mr. Laschever's column for the RECORD, as follows:

SEPARATE RULES FOR ISRAEL?

(By Barnett D. Laschever)

How pervasive, and how true, is the belief held by most Jews that there are two sets of rules in the world—one for them, and one for everyone else?

When others fight wars, the winner is in fact the winner and imposes the peace. Three times the world, through the United Nations, has imposed cease-fires that have denied Israel the opportunity to obtain a true peace.

Terrorist attacks from three fronts, and even in foreign airports, are greeted by a unanimous silence from the world community.

But retaliatory raids are over-reaction, and the Jews are acting like Nazis.

The Jews are compared with the Nazis because they try to fight a war as it should be fought—quickly and decisively—to save lives on both sides. Unlike America, Israel cannot afford the luxury of a prolonged war.

Is it not the epitome of hypocrisy for nations and people whose histories are successions of hard reactions to guerrillas to condemn Israel now? One rule for us, one for the Israelis?

One highly-placed American diplomat put it this way: The Israelis should be condemned, he said, for using official uniformed troops to respond to an "isolated" act of terrorism by only two guerrillas.

To the Israeli engineer killed on the El Al plane at Athens, it doesn't matter. He is no less dead than if the fatal bullets had been fired from the gun of a uniformed Arab soldier.

Was it over-reaction when the United States sent uniformed soldiers into Vietnam to quell Viet Cong guerrilla terrorists, and kept pouring in troops until the North Vietnamese regulars entered the fight?

Item: At the end of World War II, the Greek government sent uniformed soldiers against guerrilla terrorists in the northern part of that country.

Item: In Malaya, the British fought guerrillas with uniformed Gurkhas and other members of its armed forces.

Item: In the fading days of the British Empire, Britain used uniformed soldiers against Indian terrorists.

Go back a few years. A couple of drunken American soldiers were imprisoned by the Mexicans. American Marines were landed in Vera Cruz.

Pancho Villa and his guerrillas roamed across the Texas border. General Pershing was dispatched with the American Army.

Whether over-reaction, and it certainly was that, will lead to peace in the Middle East is a question no one can answer.

But the Israeli is remembering bitterly that walking into gas chambers also has no future.

"But why attack Beirut?" the world has cried, "peace-loving Lebanon whose government long has been controlled by Christians!" Much has been made of the Christian influence in Lebanon—by people who forget that Jews have historically fared worse at the hands of Christians than from the Arabs. More important, the guerrillas from their headquarters in Lebanon have themselves announced that the enemy was to be attacked wherever he could be found—not just in Israel.

So be it, say the Israelis.

King Hussein has said: "We are all commandos."

Israel has no land communications with anyone. No cars, trucks, trains, buses flow across its borders. To stab at its only remaining lifelines to the world—its shipping and airlines—is to aim at Israel's jugular vein. How do you react to a slash at your jugular?

The raid was ill-advised. But in their frustration and anger, and in their fear, the Israelis struck.

How naive they were, however, to think that the world would applaud because they only smashed up machinery without taking Arab lives.

They forget that Machiavelli many hundreds of years ago noted that you can kill a man's father and he will be angry with you but he will forgive you. Take or destroy his property, however, and you have made an enemy for life.

Let those who are so quick with their condemnation come up with constructive ways to settle this chronic crisis. Let them also remember that the Arabs, with their vast lands and populations, can afford to lose many wars.

The Israelis can lose only once.

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MICHAEL ASSOCIATES,
*Hartford, Conn., January 14, 1969.*

EMILIO Q. DADDARIO,
*Member of Congress,*
*House of Representatives,*
*Washington, D.C.*

DEAR "MIM:" Having just returned with Mrs. Goldman from a tour of Israel, have been taking particular note of all the discussions, news reports and editorials regarding Israel and their Neighbouring Countries.

Not only have I found these news reports and editorials distressing and one sided. I have also found our own action in condemning Israel in the U.N. very unworthy of the Standards of our great Country, as to fair play, and trustworthiness.

I would advise all those who condemn Israel, to visit the Memorial for Six Million. There they will finally realize why Israel can not afford to lose Two and a Half Million more Jews to be destroyed, together perhaps with more millions throughout the world.

I am taking the liberty of enclosing a Column by Bernard D. Laschever which appeared on the editorial page of The Hartford Times, Sunday, January 12, 1969.

I Believe that Mr. Laschever, aptly spells out the case for all the Peoples of Israel, and why the Jewry of the World are so concerned in this, thus request that you read and place same into The Congressional Record, so as to bring to the attention of our legislators.

I would also at this time, send my thanks, for the magnificent calendar, which I received from your office, I am with personal regards,

Respectfully yours,
M. MICHAEL GOLDMAN.

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JANUARY 14, 1969.

Mr. BERNARD D. LASCHEVER,
*Sunday Editor, Hartford Times,*
*Hartford, Conn.*

DEAR MR. LASCHEVER: Thank you for your column of Sunday, January 12, 1969. I was most impressed with same.

Enclosed you will find a letter to our own "Mim" Daddario with whom I am personally acquainted and hold in very high esteem.

I do hope that I have not overstepped my bounds by being presumptive in requesting Congressman Daddario to place same in The Congressional Record.

Very truly yours,
M. MICHAEL GOLDMAN.

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## DEMANDS OF THE COMMON DREAM AND COMMON ASPIRATIONS OF NORTH AND SOUTH AMERICA

### HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. MORSE. Mr. Speaker, as a longtime student of Latin America, a member of the Foreign Affairs Inter-American Subcommittee and a Representative from the Commonwealth of Massachusetts, it is an especial privilege and a double source of pleasure for me to call to the attention of my colleagues the address of Minister Jorge de Sá Almeida, Chargé d'Affaires of Brazil, at the decoration ceremony to honor Ambassador John Moors Cabot, of Massachusetts, former U.S. Ambassador to Brazil.

Ambassador Cabot was presented the Grand Cross of the National Order of the "Cruzeiro do Sul," the highest decoration conferred upon foreigners by the Brazilian Government.

As Minister Almeida so eloquently and aptly stated, the "common aspirations" and "common dream" that North and South America share "demand honest interpreters, men of good will, and wisdom to make them understood," and both he and Ambassador Cabot are two of the finest of this type.

The address follows:

ADDRESS BY MINISTER JORGE DE SÁ ALMEIDA, CHARGÉ D'AFFAIRES OF BRAZIL A.I. ON THE DECORATION CEREMONY OF AMBASSADOR JOHN MOORS CABOT, HELD AT THE BRAZILIAN EMBASSY JANUARY 13, 1969

(NOTE—Ambassador Cabot has served twice in Brazil and received the "Grã-Cruz" of the Southern Cross Order, the highest decoration conferred upon foreigners by the Brazilian Government.)

My dear Ambassador Cabot: It is for me both an honor and a great pleasure to present to you the Grand Cross of the National Order of the "Cruzeiro do Sul", the image of that same constellation which you have so often seen in the southern skies in your many years of distinguished service in several countries of this Hemisphere.

You have written that America is our common destiny, and you have followed, step after successful step, that destiny since the early beginnings of your career as Vice Consul in Callao, and Third Secretary in the

Dominican Republic, through assignments in Mexico, Guatemala, Argentina and Colombia, all the way to becoming a well known and esteemed Ambassador to Brazil, a well rounded diplomat knowledgeable in inter-American affairs. Coming from the North of this country, which your ancestors helped to discover and settle your diplomatic destiny has associated you with the south of this Continent.

We Brazilians were most fortunate in the choice you made of the main field of your activities, since you have twice held posts among us, as Second Secretary, in 1932, and as Ambassador, in 1961, a "double blessing", which as the bard wrote is a "double joy." We in South America have many things in common with you, in North America, including a destiny. You are well aware that those common aspirations and that common American dream demand honest interpreters, men of good will and wisdom to make them understood.

Allow me to say that it is mainly owing to the dedication and unceasing efforts of men such as you—and of such as many honoring us with their presence here, today—that the Inter-American System entered the present phase of sound mutuality and practical financial and economic cooperation, and left, hopefully for good, the past when South and North America lived in blissful reciprocal ignorance, and could afford the luxury in the old Victorian style, of passing occasional self-gratifying moral judgments on each other. Together, we now face realities, such as trends in international trade, questions of market integration; self-supporting development, rates of "per capita" growth—and last but not least the need to strive in common for our common dignity of Americans, of men of this New World which we all want to call our own. North and South America have by now learnt to live together and to respect each other, and indeed to respect their differences of approach, of language, of domestic political evolution.

You understand us so well, Mr. Ambassador. I am, for that reason, glad you were teaching in the famous Fletcher School of International Affairs, thus giving the benefit of your experience to a younger generation. Diplomats should become either teachers or writers, for they acquire so much knowledge in the day-to-day business of their trade, while they have so often to keep silent, even if they may, in good Ambassadorial ways, find comfort in the precious line of Virgil "Felix qui potuit rerum cognoscere causas." Fortunately you have been both a writer and a teacher, and we wish you well in these exciting activities for which you will now have more time.

For you, Mr. Ambassador, this Cross of the interpreter, of the diplomat, of the man who has bridged the gulf between two cultures, is a Cross you have in a way borne with gallantry all the time since your early days as Vice Consul in Callao. It will, I trust, rest lightly on your shoulders. May it bring you luck in all your endeavors as that Northern Star which led your ancestors to the discovery of a New World, as new and full of hope as that of the Cosmic Space which is now being revealed to us by your heroic fellow-countrymen.

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## TOP-LEVEL FEDERAL SALARY INCREASES SHOULD BE DISAPPROVED

### HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. NELSEN. Mr. Speaker, I am today joining with other colleagues in sponsoring two House resolutions designed to bring about House defeat of the increased pay recommndations proposed by former President Johnson.

The only way these unjustified salary increases can be defeated at this point is through a House vote. My bills are designed to assure that this vote occurs.

While some claim that salary adjustments are justified, I maintain that this action would surely trigger another inflationary round that the country cannot stand. Congress should set a responsible example, and avoid the inflationary merry-go-round that already has everybody dizzy.

Since formal House disapproval is the only action now possible to stop the raises which otherwise become effective February 15, it is hoped quick action on these resolutions will be forthcoming.

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## AMBASSADOR YOST, THE U.N. AND WORLD PEACE

### HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ZABLOCKI. Mr. Speaker, President Nixon's selection of Ambassador Charles W. Yost as the permanent United States representative in the United Nanations has been widely applauded by Americans of all ranks and persuasions who share the belief that the world organization is an important instrument of world peace.

An interesting article about Ambassador Yost's outlook on the United Nations, and his outstanding qualifications for his new job, appeared recently in the Milwaukee Journal.

Written by Attorney Bruno V. Bitker of Milwaukee, the article contains some valuable insights into Ambassador Yost's prognosis about the future course of world affairs. For this reason, I am inserting it into the RECORD.

Attorney Bitker is a recognized and respected specialist on matters involving the U.N. He has served for 9 years as chairman of the Wisconsin Governor's Committee for the United Nations and has met Ambassador Yost on a number of occasions in that period. Most recently, he was a member of the U.S. Commission on the International Human Rights Year 1968.

The article follows:

[From the Milwaukee Journal, Jan. 12, 1969]

AMBASSADOR YOST'S ADVANCED IDEAS ON THE U.N.

(By Bruno V. Bitker)

One of the real surprises among the cabinet and key advisers selected by President-Elect Nixon was Charles W. Yost as chief ambassador to the United Nations.

Yost's predecessors have been for the most part men of considerable national prominence. Many of them, such as Henry Cabot Lodge, Adlai Stevenson, and Arthur Goldberg, had political followings. Yost, although highly respected in the world of diplomacy, cannot be said to have either public prominence or a political base.

Although usually identified as a Democrat—he did act as an adviser on international affairs to Hubert Humphrey—it would be more accurate to describe him as nonpolitical. Until his resignation in 1966 as second in command at the United States mission to the UN, he was a widely experienced career officer in the foreign service.

One reason for surprise at his selection emanates from the advanced and innovative ideas set forth in what he has written since becoming senior research fellow with the Council on Foreign Relations in New York city. Some of his ideas in the area of international relations are not those usually associated with President-Elect Nixon.

In his book, "The Insecurity of Nations," published last winter, Yost states forcefully his concepts of what the United Nations could and should be, in order to be an effective force in peace keeping. Both in his book and in recent magazine articles. Yost emphasizes his main thesis: That only if all nations submerge their national interests in the interests of all mankind can there be security for any nation. Thus he says:

"The primary cause of the insecurity of nations persists—the very attribute on which nations pride themselves most—their sovereign independence, their 'sacred egoism,' their insubordination to any interest broader or higher than their own. The tragic character of their condition lies, moreover, in their habitual failure to understand what their own interests really are, to recognize that the interests of all are in the modern world so bound together that those of one nation cannot be served over the long run without all being served, that those of one nation cannot be imperiled without all being imperiled."

"There will never be security for nations and peoples until there exists some impartial and effective international authority," he writes, "expressing man's best instincts and common interests, designed and empowered to keep the peace, restrain aggressive governments, control national armaments, negotiate and enforce peaceful settlements, facilitate peaceful change, and assist new states to develop and modernize.

"The nature of the modern world is such that it will not tolerate a pax Romana, pax Britannica, pax Sovietica or pax Americana. Peace-keeping, if it is not in practice to become war-making, is a task that henceforth has to be performed collectively."

In reference to the theory of the value of regional organizations in assuring world peace, he notes that:

"Nor are regional organizations any more generously endowed with power by their members. The Organization of American States has a relatively long tradtion, but neither the United States nor the other 20 republics are willing to confide to the organization the right to intervene or to forbid intervention, the right to determine levels of economic assistance or standards of social and political performance."

To those who insist that the hopes for peace through subordination of nationalistic fears or ambitions are pure fantasies, he says:

"The revival and re-enforcement of the United Nations no doubt seems, and at the moment may be, Utopian. The point to be made again and again, to be hammered unmercifully into our proud hard, silly heads, is that the attempt to achieve the security of nations by national means under modern circumstances is still more Utopian."

This is a positive assertion of where American security lies. But it remains to be seen whether this expresses the philosophy of the Nixon administration. It also remains to be seen whether Yost will be freer to act in the United Nations than have some of his predecessors.

It remains to be seen, too, whether the inclusion of the UN ambassador in cabinet meetings will in fact elevate the post to one of near equality with the secretary of state in inner White House councils. The practice of including the ambassador in such meet-

ings was initiated by President Eisenhower with respect to the then ambassador, Henry Cabot Lodge.

RELATION TO PRESIDENT

It is now an established custom on paper. But its practical effect is uncertain. A particular ambassador may enjoy a relationship with the president so close that he feels free to telephone directly to the White House from the UN's New York headquarters without going through the office of the secretary of state or the department's bureau of international organizations. Undoubtedly Lodge enjoyed that relationship with President Eisenhower. Ambassador Goldberg reportedly had a similar direct line to President Johnson.

There does not appear at the outset to be such a close personal bond between Yost and Nixon. But Yost is a man of quiet manner who seems to play down the personal approach. It is possible that his reticence could produce better results than have the more dramatic efforts of some of his predecessors. It should be noted, too, that as a career diplomat Yost is known and highly regarded by the "establishment" within the state department.

The anomaly whereby the UN ambassadorial post ranks a seat at the cabinet table has raised problems. On the one hand it has indicated to the world that the president of the United States recognizes the special importance of the United Nations. But if one examines the bureaucratic chart of the department, the UN ambassador is not only under the secretary of state, but his direct contact with the department, in theory, is at least two steps down the line. He deals with the assistant secretary of state for international affairs, who in turn is responsible to the undersecretary of state.

All of this has resulted in confusion, and on occasions, created resentments between officials who previously have been on amicable terms. It has stimulated much discussion on the proper role of a chief ambassador to the UN.

Yost's long experience in operating through recognized lines of authority may help smooth over some rough spots which have disturbed other ambassadors. The result could be most constructive in influencing the foreign policies of the United States. The effectiveness of the UN ambassador should not be measured by whether he is an intimate of the president or on close terms with cabinet members, but by what he accomplishes through the United Nations.

For years the United States has taken a negative position on the admission of Communist China into the United Nations. It is an issue bound to arise again in 1969. This is what Yost has said on this question:

"She should be invited without delay, and without regard for her current disorders, into the United Nations, and into all other appropriate international organizations. Initially, she will no doubt refuse; she will prove, when she does come in, a most prickly and disruptive partner. . . . The stakes in this case, however, are too high to permit or excuse boggling by the rest of the world. . . . Both China's sobriety and its friendship are essential to world order."

NIXON-YOST ACCORD?

But when Nixon introduced his new UN ambassador at a press conference he indicated no enthusiastic belief that the UN could mediate between the United States and the USSR, nor did he express any hope that the superpowers would even submit significant decisions to the UN affecting their respective vital interests. One wonders whether his future policies will be in harmony with the ideas of Ambassador Yost, who says:

"If mankind is to continue to prosper, perhaps even to survive to the end of this century, there is going to have to be a rather rapid assimilation of nation-states into a more coherent and functional international system."

It may be true that the world is still reluctant to support a stable international order that would exclude war as a way of settling international disputes. But the grinding necessity of the times may force the world to do what needs to be done. Yost has pointed the way.

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## COMMENTARY ON THE CURRENT REBELLION OF SOME OF OUR YOUTH

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DERWINSKI. Mr. Speaker, it was with great interest that I noted the commentary on the current rebellion of some of our youth as analyzed by Rev. John B. Sheerin, C.S.P., in the January 10 New Word, the official Catholic newspaper of the Archdiocese of Chicago.

The article was especially intriguing since Father Sheerin generally inclines to the liberal point of view. This is obviously a thought provoking article.

Under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

SUM AND SUBSTANCE—YOUNG REBELS COULD BECOME OLD TYRANTS

(By John B. Sheerin, C.S.P.)

The youth revolt was probably the biggest news event of 1968 except for Apollo 8's moon voyage. Much as we sympathize with many of the young rebels' protests against the Establishment, there is one angle of the phenomenon that makes us all a bit uneasy.

There is a little tyrant in every rebel and today's campus rebels may turn out to be tomorrow's tinhorn dictators. Rebellion seems to spawn authoritarianism, and the rebel of one generation too often becomes the tyrant of the next.

This was brought home to me vividly by an article in the Times Literary Supplement, (London, Dec. 26.) The subject of the article was Rousseau, architect of the French Revolution, and the title was "The Dictatorial Libertarian."

It was Rousseau who lamented that "man is born free but is everywhere in chains" and he urged a return to the pristine state of the noble savage, unfettered by governmental laws and the customary restrictions of civilization. Rousseau was a living paradox, the rebel in him constantly being dominated by the dictator.

He wailed that the King was the enemy of freedom but somehow managed to look upon the high-handed Republican magistrate as the friend of freedom.

The writer of the Times article shows that Rousseau believed that no man should have a master in any shape or form, and yet he found no difficulty in his writings in advocating the subjection of religion to the State.

Moreover, he felt that this religion, a form of civil religion, must be vigorously enforced: anyone who does not accept it must be banished, and anyone who apostatizes from this civil religion is to be put to death "for he has committed the greatest crime."

The Times writer quotes a Rousseau expert as saying that the French philosopher was a rebel and yet had within him the attributes of the tyrant.

He aspired to harden himself against anything that smacked of submission or effeminacy. "It is conceivable that this fear of femininity is the primary factor that shaped . . . the authoritarian element in his personality."

So too with conscience. He extolled conscience in one of his earlier works, saying that the voice of conscience within the individual is infallible "since conscience never deceives us." But in a later volume, he insisted that the General Will of the community was supreme above individual conscience.

It reminds us of the SDS rioters at Columbia who claimed a right in conscience to use violence but denied to the police the same right of conscience. In one work he extolled Natural Law as "that holy and imprescriptible law which speaks to the heart and reason of man." Then he turned around and pronounced in all solemnity that the only competent interpreter of Natural Law is the State.

In his early days, Rousseau loved the theater but time marched on and the great libertarian wanted to banish the theater. In one of his writings, he condemned theaters as temples of luxury and vice.

His dislike for femininity probably dated back to his childhood when one of his female guardians used to spank him but this fear drove him to extreme lengths. The young rebel who crusaded for freedom eventually advocated that the nation preserve its masculinity by stern military discipline, militant civil religion and Spartan living.

Today the Establishment needs reform, and some of the protests of the young rebels among us are most laudable, especially their protests against the American involvement in the Vietnam war. But I confess I feel a bit uncomfortable when the young rebels attempt to pull down everything overnight.

It is one thing to disturb the equanimity of a few old fogies in Congress who are still living in the age of McKinley. It is something else again to burn American flags, destroy property, shout obscenity and parade in the nude.

Rebels who declare war on civilized society today, too soon become the strong-armed law-and-order Fuehrers of tomorrow.

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## CONQUEST, WAR, FAMINE, AND DEATH DEFY RELIEF IN BIAFRA

### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. HORTON. Mr. Speaker, the Four Horsemen of the Apocalypse are ravaging a land called Biafra. Mesmerized by the political and military factors interwoven in this tragedy, the U.S. Government has wisely avoided politico-military involvement in Biafra by channeling relief support to this land through international relief agencies which are presently supplying an inadequate lifeline of food and medical supplies to Biafrans by air.

The toll of millions of innocent victims in the Nigerian-Biafran war from famine and malnutrition is well known. The 200 tons of food reaching Biafra every day is simply not enough to meet the minimum relief needs of a people who need 10 times that amount to survive.

Today I am cosponsoring a concurrent resolution with like-minded colleagues in the House who believe that the United States must bring more relief to those

in need, and bring it without directly involving this country in the war itself.

Our resolution expresses the sense of Congress that the President should act to increase significantly food stocks, relief money, medical supplies, and aircraft and other vehicles needed for relief purposes by the Organization of African Unity, the International Committee of the Red Cross, or other religious and charitable relief agencies operating in the area.

It is my hope that we can fulfill our humanitarian obligations and at the same time avoid diplomatic and military pitfalls of direct involvement in cold war polemics.

Astute observers the world over point out that those nations which are most vulnerable to takeover by Communist and totalitarian or military regimes are those whose people suffer from hunger, from a lack of education and from general hopelessness concerning their condition.

Hunger, unlike other responsibilities of government, cannot await long and drawn out deliberations before action is taken.

We, here in America, are faced with a moral obligation to do all we can to prevent this appalling starvation in Biafra and Nigeria from becoming the major disaster of our times.

Mr. Speaker, in closing I would like to pay special tribute to all those across the Nation who responded to the plight of the starving people of Biafra. In particular, I would like to call attention to a group of concerned citizens in Rochester, N.Y., who were among the first to raise their voices in concern by forming a group called "Emergency Relief for Biafrans."

These concerned Americans, and all those like them, serve as the conscience of a nation. Let us respond with positive action on this resolution and help drive the Four Horsemen from Biafra.

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## THIS GIFTED AGE

## HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. WHALEN. Mr. Speaker, it is a distinct pleasure for me to insert in the CONGRESSIONAL RECORD, and thereby bring to the attention of my colleagues, the inaugural address, "This Gifted Age," of Dr. Brage Golding, the first president of Wright State University, of Dayton, Ohio.

I had the honor of sponsoring the act of the Ohio General Assembly which established the university in 1965. I believe it is indicative of the university's promising future that a man of Dr. Golding's capabilities and stature was chosen to lead it through the extremely important early years.

President Golding came to Wright State from a career that has combined academic, administrative, and industrial experience. He has been director of research for the Lilly Varnish Co., and professor and head of the school of chemical engineering at Purdue University, the latter position he held from 1959 until 1966, when he accepted the presidency of Wright State.

Because of his interest in improving engineering education and to better understand its changing character throughout the world, he participated in the first Inter-American Congress of Chemical Engineering Education in Puerto Rico, and subsequently spent 3 months visiting many of the major universities of the United Kingdom and the continent to meet with European innovators in engineering education.

Dr. Golding's inaugural address bespeaks his longstanding commitment to higher education and his realization of the unique role of the urban university today. Therefore, Mr. Speaker, I am indeed pleased to insert President Golding's address at this point in the RECORD:

THIS GIFTED AGE

*Upon this gifted age in its dark hour,*
*Rains from the sky a meteoric shower Of facts . . . they lie unquestioned, uncombined.*

Distinguished guests, Teachers and students of the University, Ladies and Gentlemen: Those three lines from Sonnet 137 by Edna St. Vincent Millay contain the central theme of the events of this week at this University. At this time and in this place there could be no more eloquent theme.

We observe today a singular occasion: the inauguration of the first president of a new university. The significance of this occasion lies not in the inauguration itself but in the dedication of a new university; a university that is automatically a contemporary one—so far as its students are concerned. Our future lies in the fact that we have a unique opportunity to brighten this dark hour, to examine the shower of facts, and to permit this gifted age to become a reality for our students.

My purpose today is to examine the task ahead and to determine the role of Wright State as a new university facing the future in especially dramatic circumstances. Such a new institution, born here and now, must be sensitive to the problems and opportunities of the future or it will have failed before it has begun!

To determine our place in the educational spectrum, a brief history of higher education in the United States is in order. Of course, it all started with Harvard. Harvard's first graduating class in 1655 contained eleven students, nine of whom were prepared for the ministry. Until the middle of the nineteenth century, higher education was confined to the affluent and privileged few. Education was limited to the liberal arts and the ministry. The prime movers of higher education were the religious institutions, and little contribution was made by government until the nineteenth century. There were a few exceptions: the state of New Jersey supported Rutgers in 1766, and before the end of that century other state supported universities had been formed in Georgia, North Carolina, Vermont and Tennessee.

In the early nineteenth century, education was still concentrated in the liberal arts and the ministry. Not until 1822 was a professional school of medicine established at the University of Vermont. Law schools then appeared at Georgia and North Carolina; dentistry at Maryland; and engineering and law at Alabama, all prior to 1860. The professional schools were beginning to make significant inroads in the liberal arts schools. Well into the nineteenth century, higher education continued to be almost entirely the prerogative of the small upper social and economic stratum of the country.

The Civil War marked a point of change in higher education. The Morrill Act was adopted by Congress in 1862, requiring that the proceeds from the sale of certain state lands and landscript be invested, the yield from these investments to be used by *each* state—and I quote in part from Section 4 of the Morrill Act, ". . . To the endowment, support and maintenance of at least one college where the leading object shall be . . . to teach such branches of learning as are related to agriculture and the mechanic arts . . . in order to promote the liberal and practical education of the industrial classes . . ."

The progressive legislation had an immediate effect. Iowa, which just four years before had chartered its own college, was the first to accept the land grant conditions and become a participant.

Vermont also joined the program that first year. By 1865, Massachusetts had split its land grant between two institutions: the already established but private Massachusetts Institute of Technology and a new Massachusetts Agricultural College. By 1900, land grants had been assigned to 26 state universities.

Thus, the state universities were here at the beginning of this century. Who were the students? The practicability of higher education had been clear to the farsighted legislators who sponsored the Morrill Act, but it had not reached the masses of the working population. Higher education now was becoming available to the upper middle class, but even these were a more or less privileged minority.

Only during and after World War I did the colleges and universities begin to develop the curricula and student bodies which interacted to provide America with the basis for the finest system of practical education beyond the high school in the world. Indeed, their success has exceeded all expectations. Since the time of the second World War and the advent of the G.I. Bill of Rights, virtually any person who had the ambition and ability, theoretically at least, could go to college and attain a degree. This is not to say that there was equality of opportunity throughout the land, but the means were there for many of those who chose to take advantage of them. The unparalleled success of the land grant colleges was provided primarily by the streaming of the *middle class* to school, particularly when science and technology had developed sufficiently to demonstrate the advantages of a college education as a passport to a better life.

With the advantage of hindsight, we can see that the history of American higher education moved through two major evolutions prior to World War II, in terms of types of institutions, kind of education offered, and clientele served by the program. In the early period the emphasis was classical, the institutions were small and private for the most part, and the student bodies were distinctly upper-class. In the second period, with public resources involved on a fairly large scale, the undertaking became larger; the subject matter came to include the professions, agriculture, and the so-called mechanic arts; and the middle classes of the towns and farms of the nation began to go to college.

Now we are entering the third evolutionary stage in American higher education. The populace has been moving rapidly into the cities, and the universities' eternal task of accumulating, creating, and dispensing human knowledge must necessarily be done now in an urban context. More important, the commitment to universal access to higher education now is taken seriously; the urban

masses of people from all social and economic levels are being invited to participate—and are expecting to participate—and the new economy, in fact, is *requiring* them to participate. In a new university, at this point in time, we must think carefully about our role and our methods in the years ahead.

First, we should consider for a moment the basic obligations of any American college or university, so that we might then reconsider those obligations in the light of these modern, revolutionary conditions. All institutions of higher education share the goals of achieving excellence in teaching, research, and public service. Note the words on the great seal of this University: *Ad Docendum, Investigandum, Serviendum.*

Concerning excellence in teaching and the complementary learning process, I shall limit myself to one observation: that man can successfully realize his full potential and cope with the great problems of mankind only after he has attained some insights into the nature of his physical, social, and moral environment; and some knowledge of values, institutions, principles, facts; and of rational inquiry and analysis. The faculty of a university provides the key to the attainment of such insight, knowledge, inquiry, and analysis. Only through the expertise of the faculty will the student be able to approach the limits of his abilities.

It is therefore essential that all students be exposed to a wide range of disciplines, to opportunities for living and working with others, to avenues for self-development, and to means for communicating well with others.

Concerning research: to advance the frontiers of knowledge in our respective disciplines and professions in a scholarly obligation; to strengthen the capacity of man to accommodate successfully to the new challenges of a world of revolutionary change is mandatory. A university has an objectivity and an impartiality toward knowledge development which is unique in our society. We must, to operate successfully, operate in a free environment—subject only to the rigorous demands of truth. No tests of practicability can be imposed on research—nor on course work, I might add.

As to public service, I endorse this characteristically American university objective—that we assist private and public institutions, locally and nationally—to the extent feasible and compatible with scholarship and impartiality—in discovering the factual bases for economic, scientific, and social policy. I believe this objective to be particularly appropriate to a primarily urban university. Moreover, I believe the university itself—as an entity comprised of more than the sum of its individuals—should actively engage in public service when such engagement can contribute to man's realization of his intellectual potential.

Let us now examine the role of the contemporary public *urban* university. Such a university can and must do for today's urban society what land grant colleges have done for the agricultural society of a century ago—by facing the demands of the multitudes to whom a higher education has, heretofore, not been available and extending to them for the first time the educational and economic advantages so long desired.

In the face of the urgencies of this revolutionary time, there is a tendency to confuse the role of the university itself with the roles of the individuals within it. The university itself is a legal entity, a body corporate, a community. It is a place for widely differing individual pursuits. The university itself, as a legal entity, has *one* role; the individuals within it quite properly have *various* other roles to play. I have some convictions about what the university itself in our time should and should not be, in order that its wealth of individuals may more effectively and more freely do the things that individuals should do.

The urban university must be *responsive* to, but not *subject* to, society's needs. Too much frenetic effort spent in trying to solve, by direct action, every urgent short-range problem of the larger community dissipates the energies and subverts the true function of the university.

There are many things that a university should *not* be: the university is *not*, as many would have it, merely a place where its various members can withdraw from the world to pursue their own interests. As Dr. Morris Abram, president of Brandeis University, so well stated at his inauguration earlier this month, a university is *not* a church or political party. It does not itself vote. It is, however, filled with people who think, vote, and participate in every level of life. While all members of the community should feel free to speak out on subjects of interest or concern, the university itself must not be partisan. It must not become a monolithic, ideological vested interest. (A partisan institution is hospitable only to those who support its tenets—it cannot be pluralistic—it cannot be a community—and it will not long be a residence for scholars.)

Further, I believe it is not the function of the university to duplicate the experiences which can better be acquired in the outside world—in the hospitals, the ghettos, the home, the religious institutions, the office or factory—although many activists today would have it so. Such activists have asked whether four years spent in school acquiring what they term non-relevant knowledge is a waste of time—whether the time might be more usefully spent in attacking the ills of the world immediately and directly.

The answer lies, I believe, in the understanding of what a university can and cannot do best. A university is not a social-action agency; it is not a tool or servant of some governmental or political interest in the pursuit of selected social or economic ends—no matter how deserving they might be. The best capability of a university, and of its people, is in the achievement of *understanding* of various scientific, social, or political ends—not in the achieving of those ends as such. It follows, then, that the members of the university should understand that the primary purpose of this place is the achievement of *knowledge* and *understanding;* and that each in his turn, as an individual citizen or as one of a group of citizens, has every right and freedom to apply his understanding by participation in the various *other* institutions organized for direct action. Some of the recent university crises have arisen because the individual has confused his own freedom and commitment with those of the university and has tried to draw his university, with all of its other equally valid commitments, along some narrow ideological channel in which he happens to believe. Through a better common understanding of what a university is *not*, it seems to me that we can have a freer environment within the university for the individual.

I have spoken at some length of what a contemporary urban university should *not* be. What, then, *should* it be? The University, or any educational facility for that matter, exists as it does because it has been found to be the most convenient and efficient organization for transmitting knowledge and skills, and, more important, for teaching the student the rational approach to thinking, within some minimum period of time. Since the university obviously cannot teach all that needs to be known to man in just a few years, its programs should be flexible, yet must be sufficiently structured to insure that the student obtain a successively more sophisticated comprehension of his course of study.

A further and vital function of a university must be to open the minds of our students, young and old, and by means of dispassionate inquiry reduce the social, religious, and ethnic prejudices and bigotry acquired over a period of years.

The benefits issuing from a university are not unilaterally directed to the student. The faculty member, the administrator, and the community are also the beneficiaries of the university's sphere of influence.

In the urban university, the social scientist can study real, as well as theoretical, problems of public concern. The professional educator is able to see school growth and management problems at first hand—such as having 1,500 unexpected students enroll as happened to us this fall. The engineer and scientist can relate to the dramatic developments of industrial technology and work with the city's industrial and research facilities.

Because investigation, experimentation, confirmation of fact, testing, and evaluation are particularly suited to the university scholar, the community is afforded an expanding source of competence and talent from which to draw in the solution of its problems.

The university can be and *should* be a center of continuing education. Belatedly the nation is discovering that people can and *should* go on learning throughout life. Already this university and many others are carrying on this kind of education enthusiastically and on such a scale that a truly great proportion of our efforts is not for the earning of the magical degree but for the purpose of enabling a sensible adult to learn something that he believes he should learn.

The university can also create within its sphere of influence a climate in which the arts can flourish . . . not only by broadening the base of interest and participation, but, as important, by maintaining and insisting upon high quality in the creative arts.

I have given you some of the history of education; we have explored the role of universities in general, and of a public urban university in particular. Now what about Wright State and its future?

This University is contemporary, automatically. The physical plant is completely new. The "now" student attends Wright State. Therefore, the future of this University depends essentially upon our faculty. Will they be contemporary? Unshackled? Freed from academic rigor mortis? They must—and I know they will. Our uniqueness *must* spring from the realization that here and now we have an opportunity to brighten this dark hour and make this gifted age a reality for our students.

But, if we are so concerned with our contemporary status why then this traditional ceremony in medieval garb? This is to remind us that the future is a reflection of the past, and that academic progress in modern times still requires the traditional search for the truth; facts before action; thought before speech; and due consideration for the rights of others—all of these being the hallmarks of a scholar of today as well as yesterday.

From these scholars, these professors, each student must acquire a personal philosophy which makes him aware of his own individuality and importance as well as that of his fellow man.

From these scholars, these professors—and I intend to contribute with them—our students must become inspired to realize their full potentials, thus giving to the future the gift of this gifted age.

MEDAL OF HONOR

## HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. EVANS of Colorado. Mr. Speaker, on January 16 President Johnson presented the Medal of Honor to four of the Nation's newest heroes of the Vietnam conflict at a formal White House ceremony. One of these men who received the country's greatest measure of intrinsic recognition is S. Sgt. Drew D. Dix, U.S. Army, of Pueblo, Colo. Sergeant Dix's wife, Betty, and their two sons, Dennis and Kevin, reside with the Sergeant's parents, Mr. and Mrs. Harold L. Dix, at 2910 Country Club Drive, Pueblo, Colo. Sergeant Dix is now stationed with the 6th Special Forces Group, Fort Bragg, N.C. His father, a retired Army Reserve captain, works at the CF&I Steel Corp. in Pueblo.

I was proud to accompany this outstanding soldier and his family at the White House ceremony where a grateful Nation bestowed its highest honor upon him. The incredible exploits of Sergeant Dix epitomize the highest measure of devotion to the precepts of honor, duty, country to which the Army is dedicated. His heroic actions certainly represent conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty—the official citation reads as follows:

Staff Sergeant Drew D. Dix distinguished himself by exceptional heroism on 31 January and 1 February 1968 while serving as a unit advisor in Chau Phu, Chau Doc Province, Republic of Vietnam. Two heavily armed Viet Cong battalions attacked the Province capital city of Chau Phu on 31 January 1968, resulting in the complete breakdown and fragmentation of the defenses of the city. Sergeant Dix, with a patrol of Vietnamese soldiers, was recalled to assist in the defense of Chau Phu. Learning that a nurse was trapped in a house near the center of the city, Sergeant Dix organized a relief force, successfullly rescued the nurse, and returned her to the safety of the Tactical Operations Center. Being informed of other trapped civilians within the city, Sergeant Dix voluntarily led another force to rescue eight civilian employees located in a building which was under heavy mortar and small arm fire. Sergeant Dix then returned to the center of the city. Upon approaching a building, he was subjected to intense automatic rifle and machine gun fire from an unknown number of Viet Cong. He personally assaulted the building, killing six Viet Cong, and rescuing two Filipinos. The following day Sergeant Dix, still on his own volition, assembled a 20 man force and though under intense enemy fire cleared the Viet Cong out of the hotel, theater, and other adjacent buildings within the city. During this portion of the attack, Army Republic of Vietnam soldiers, inspired by the heroism and success of Sergeant Dix, rallied and commenced firing upon the Viet Cong. Sergeant Dix captured 20 prisoners including a high ranking Viet Cong official. He then attacked enemy troops who had entered the residence of the Deputy Province Chief and was successful in rescuing the official's wife and children. Sergeant Dix's personal heroic actions resulted in 14 confirmed Viet Cong killed in action and possibly 25 more, the capture of 20 prisoners, 15 weapons, and the rescue of the 14 United States and Free World civilians. The heroism of Sergeant Dix was in the highest tradition and reflects great credit upon the United States Army.

DANIEL PATRICK MOYNIHAN

## HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BINGHAM. Mr. Speaker, those of us who have known Daniel Patrick Moynihan over the years will be watching with interest to see how he fares in the new administration, what he will say, and what he will be able to accomplish. From his past record, it seems doubtful that he will be able to maintain the "passion for anonymity" that used to be associated with White House aides. Indeed, it would be a crying shame if this colorful and irreverent personality were to become an indistinguishable part of a gray and solemn assemblage of talent.

I take considerable pride in the fact that Pat Moynihan has achieved the distinction of being the only man selected for a post close to the seat of power by Presidents Kennedy and Nixon, for I was largely responsible for Pat Moynihan's first undertaking a government job—as assistant to the secretary to the Governor in Albany, N.Y., in 1955. A friendly and fair portrayal of this remarkable man was contained in the "T. R. B." column in a recent New Republic. The article follows:

T. R. B. FROM WASHINGTON

PAT AMONG THE MINNOWS

If you dropped a goldfish into a tankful of minnows it would be as conspicuous as Daniel Patrick Moynihan is likely to be in months ahead. In the school of drab lawyers, bankers and real estate promoters that Richard Nixon is assembling for his official family, Pat Moynihan is a startling oddity.

Just the thought of the admirable Irishman in this congregation of cool fish boggles the mind. Washington will be a livelier place while it lasts, and he has taken a two-year leave of absence as director of the Harvard-MIT Joint Center for Urban Studies. Some think the stay will be considerably shorter. Mr. Moynihan observes himself that his first task is to "shut up." That feat itself is one to come running to watch and as contrary to Nature as its opposite would be, to hear a giraffe, for instance (without vocal cords), speak.

Pat Moynihan is a passionate reformer, and a crusader for the poor. He also carries controversy as a boy carries a kite. Some men are born with the gentle art of self-publicity. Teddy Roosevelt was; Mayor LaGuardia was. Mr. Moynihan could recite "Mary had a little lamb" in Central Park and would probably be charged by somebody with inciting a riot. As Assistant Secretary of Labor he got out a report showing the decay of Negro families due to the poverty that grinds many ghetto units into the mold of matriarchy. It looked all right; it sounded compassionate; Lyndon Johnson drew on it in a celebrated speech at Howard University, June, 1965. And then all hell broke loose.

Negroes charged that it was patronizing. Southern newspapers denounced its reform proposals. The Social Worker Establishment saw its dogma challenged. Eager-beaver liberals with short fuses called him a racist.

Tall, blue-eyed, chubby-cheeked urbanologist Pat Moynihan reacted with the hurt feelings of a small child whose fingers have been slapped for trying to help. The Johnson Administration gave him the same mean look that the little boy got who said the Emperor had on no clothes.

He appeared before Americans for Democratic Action in 1967 (of whose board he was a member) to say "liberals must somehow overcome the curious condescension which takes the form of sticking up for and explaining away anything, however outrageous, which Negroes, individually and collectively, might do." Another storm! Bemused conservatives canonized him; militant leftists called him a Judas. And gregarious, mercurial, slum-born Moynihan, the man who said tragically after the Kennedy assassination, "you're not Irish if you don't know your heart's meant to be broken," went on to higher and livelier things.

THE POOR NEED MONEY

For example, he wrote a chapter for the paperback book, *Republican Papers* (1968), edited by Defense Secretary-designate Melvin Laird. And he said things that would crisp the hair of many Republicans. Primarily he argued that what the poor need most is money. Not social theories. Not make-up classes or political organization. The poor must have jobs and government should be the employer of last resort; he said there must be some sort of federal income maintenance and that "the best known way is through a family (or children's) allowance."

This is the man Mr. Nixon has picked to head a Cabinet-level Council on Urban Affairs, which is supposed to be the counterpart on the domestic side of the one Henry A. Kissinger will head on foreign affairs.

In a way there is a kind of logic about it. Mr. Moynihan doubtless feels he eschews controversy. After all, how did *he* know, when his publishers picked next month to bring out his new book that he would then be in the sub-cabinet? The book's title is mild, too, isn't it?—*Maximum Feasible Understanding*. It paraphrases the current welfare law requiring the poor to have "maximum feasible participation" in community councils. With a forthcoming book like that who needs to speak?

Like Mr. Nixon, Pat Moynihan believes there is over-centralization in the poverty program; that there is a place for profit-making in harnessing industry to slum relief; that some theorists have been less interested in the poor than in their own nostrums. But after that it is hard to see how Mr. Nixon will go along with the deeper Moynihan credo.

FAMILY ALLOWANCES

The family allowance (Canada's "baby bonus") would cost an estimated $9 billion a year. Nobody knows how much government job guarantees would cost. What will the self-confident, self-made businessmen in the Nixon cabinet feel about the declaration that "what is needed now is a strategy of *income equalization*" (his italics) or that social restlessness will continue "until the incomes of the poor are brought up to average levels"?

Mr. Moynihan will tell the Republicans that the US is the only industrial democracy without a family allowance, that it devotes the lowest percentage of Gross National Product to social welfare of any Western democracy, and that the biggest Republican liability is that the "party became associated with unemployment in the mind of the electorate."

One's jaw drops over Moynihan's seeming

capacity to goad all groups while remaining one of the nicest men around—the John Birch founder has just warned Nixon against him and he has infuriated many liberals; his report on Negro families irked Lyndon Johnson, militant Negroes, Southern whites and welfare dogmatists—a high score for one try! Even as Mr. Nixon introduced him in New York over TV there was a funny scene as the irrepressible Pat intervened several times.

Let's see, he ought to appeal to clan feeling of fellow Irish; but no, in a magazine article last year he backed birth control and tactfully declared "a conspicuous streak of this kind of feeling (race prejudice) is to be found among a certain type of Catholic preoccupied with problems of contraception and dirty magazines to a point injurious to spiritual life."

This is a goldfish to watch in the Washington minnow tank.

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## REPRESENTATIVE GILBERT GUDE PRESENTS LEGISLATIVE AGENDA FOR THE DISTRICT OF COLUMBIA

### HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. WINN. Mr. Speaker, I would like to take this opportunity to call your attention to an example of the deep interest and work which one of my colleagues devotes to the District of Columbia in his membership on the House District Committee.

The gentleman from Maryland (Mr. GUDE) has written to President Richard M. Nixon suggesting a legislative agenda for the District which the chief executive could present to Congress "without delay." Especially concerned about the crime situation here in Washington the gentleman from Maryland (Mr. GUDE) has taken the recommendations of the President's Commission on Crime in the District of Columbia, as well as those of other groups such as the District of Columbia Bar Association, and done considerable research of the various efforts at implementation here in the District.

We on the House District Committee are pleased that the Congress has responded in several cases; but, as Mr. GUDE points out, there is extensive "unfinished business" which challenges us and the government and citizens of the District, if we are to wage a coordinated, effective war on crime.

The complete text of Mr. GUDE's letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 14, 1969.*

President-elect RICHARD M. NIXON,
*Washington, D.C.*

DEAR MR. PRESIDENT ELECT: With the commencement of the 91st Congress, I have been giving considerable thought to the continuing role of Congress in the District of Columbia, and feel that I would like to outline my ideas and my interest in working with you in building a greater and better Federal City. More than ever before, we on the House District Committee must face our responsibility in District affairs. We in Congress represent the Nation, and must represent and act on the Nation's concern over her Capital.

During my first term in the Congress as a member of the House District Committee, I have striven to delve deeply into the machinations, both organizational and human, of our 7th largest city. Representing a Washington Metropolitan area constituency, I feel it imperative that the suburbanite, who is undeniably affected by them, be cognizant of and involved in urban problems if we are to make headway in our cities. The District is no exception.

In the up-coming two years of the 91st Congress, I feel we have the machinery for progress. I strongly and actively stressed the importance of Reorganization Plan #3 last session as a member of the House Government Operations Committee and have been pleased with the changes it was designed to, and did, make toward a more representative government. I myself have joined with concerned District citizens and officials to testify before the City Council regarding District affairs. I have on numerous occasions conferred with District officials on such crucial matters as improvement of police protection, riot reinsurance for District businesses, juvenile problems, consumer affairs, and improvement of the court system. I am convinced that Members of Congress and citizens of the District will be pleased as certain areas of rule making are transferred from Congress to the City Council, such as in the case of the air pollution law enacted last year. A closer working relationship between Congress and the District of Columbia is imperative for a better attack against the District's problems.

As recommended by the Kerner Commission, there must be more citizen participation in the District's policy making, rather than in reaction to it. I actively supported the direct election of the school board, I have co-sponsored in the House a measure to provide for voting representation here in Congress for District residents and plan to reintroduce such a measure. Feeling that this is the next essential step, I pressed in Miami to have this important proposal included in the Republican platform.

As you are well aware, the focus of attention on problems of the Metropolitan area and all across the country is on the crime situation. Citizens of the area are indeed grateful that your Administration will make this high on your list of priorities following January 20.

Many citizens through many public and private institutions have been grappling with the problem with growing concern over the recent years. A landmark point in their efforts was made by the publication of the President's Commission on Crime in the District of Columbia's Report in December 1966. This Report, as well as other proposals such as recommendations of the D.C. Bar Association, have given a good point of departure to combat crime and a yardstick to measure progress.

Although every recommendation has not had broad acceptance, there are certain items which, because of their nature and general acceptance, I hope will become priority items on a legislative agenda for the District which you could present to the 91st Congress without delay.

The legal community and the public in general are seriously concerned about crimes committed by those on bail awaiting trial. As a result, several Congressmen have introduced legislation to amend the Bail Reform Act; we are also awaiting the completion and recommendations of the Hart Committee of the Judicial Conference as well as the outcome of the Senate hearings commencing January 21. Therefore, a law to detain for quick trial those arrestees who would with some certainty commit crimes if released, is a priority item for your legislative recommendations. However, this is really only a beginning for a comprehensive anti-crime legislative agenda.

Measures are needed within the Court system which would serve to reduce materially the time between apprehension and disposition of an offender, which now takes an average of 9½ months. More Assistant U.S. Attorneys and judges are gravely needed to eliminate the present backlog of felony cases in the U.S. District Court. I feel that the Administration should back additional funds for attorneys and support measures to employ visiting judges from other jurisdictions to take care of the backlog. Legislation should be enacted to provide for more judges on the D.C. Court of General Sessions and the Juvenile Court for this same purpose.

There should be legislation to transfer non-support and paternity cases from the Juvenile Court, in order that Juvenile judges may concentrate on juvenile offenders. The lack of integration and the ineffectiveness of the entire juvenile system was severely criticized by the Commission. This crucial area in the crime war, that of juvenile crime, should receive much emphasis.

In order to provide for an increasingly professional police force, there should be legislation for educational pay incentives for force members who receive professional training at the college level in the expanding fields of law enforcement and police administration.

In addition to these specific items, there should be new priorities in funding. For instance, an already appointed committee to study possible revisions in the D.C. Criminal Code provided for in the D.C. Crime Bill has not been funded.

Your Administration's support of funding salary increases and additional personnel in the rehabilitation area is critical if the above items of legislation are to be effective. Unless the quality and number of personnel at facilities, such as the Receiving Home, Junior Village, the Juvenile Facilities at Laurel, and the Detention Centers, are improved and increased, all of the additional efforts that we invest into the police and the courts will be lost. Counselors, cottage matrons and masters, probation officers, and other rehabilitative personnel are as vital a link in the legal machinery as the policeman and the judge.

I would also hope that the necessary, long-overdue funds to create a new Receiving Home would be stressed. In addition, only by funding separate facilities to care for neglected juveniles and juveniles involved in non-support cases will we separate all the unfortunate young people from those accused of delinquency. This is just one aspect of the dismally neglected area of crime *prevention*, explored and deplored by the Crime Commission.

In the area of rehabilitation, we must face the fact that the narcotics problem is highly correlated to criminal activity. Expanded support is needed for those facilities which provide comprehensive treatment to the narcotics addict and restore him from his anti-social role to a productive role in society. The District's need in the narcotics addiction field I find is identical to that of other areas in the country and emphasizes the similarity of the Nation's metropolitan problems.

The present D.C. drug addiction treatment facility is devoting some effort to preventive action, but this aspect, the staff realizes, is woefully inadequate. The science of curing drug addiction is at such a point that money invested in preventive education will yield results a thousand fold greater in terms of preventing human misery and crime.

Although this agenda of urgent items of unfinished business in the crime war is extensive, we can point to accomplishments of the 90th Congress and other activities

which show that many are at work in our crime war here in the District. During the last two years, Congress passed legislation to increase the salaries of law enforcement officers, judges, and teachers. The police force is legislated to be at its strongest, and such an objective must be reached. We were successful in obtaining two more judges to sit on the D.C. Court of General Sessions, but this increase did not achieve the quality of strength that several of my colleagues and I advocated the bench should attain.

Some of the activity in response to the Crime Commission's Report is in the realm of research and study and unfortunately the results of such activity may not be felt for some years. A comprehensive management study of the District Court system was begun in July 1968 by the Judicial Conference which will take two to three years. A data system is being coordinated by the Mayor's Office of Crime Analysis to integrate information to follow an individual from arrest through rehabilitation programs. Progress reports of the implementation of the Commission's recommendations are being researched by the various agencies affected and submitted to the Crime Analysis Office. The Department of Corrections has been doing this every two months.

The economic life of the city has been put in jeopardy by the continuing delays, often pure obstructionism, in developing a balanced regional transportation system of freeways and rapid rail transit. A considerable amount of statesmanship and enlightened leadership will be required to overcome past obstacles to development of this badly needed transportation system for the National Capital region.

The Washington Metropolitan area I view as the Nation in microcosm. The above efforts are in essence what is needed in all of our urban centers. The crisis and the challenge faces all of us.

Mr. President-elect, I have great hopes for "District Day" during the 91st Congress. But confronted with daily reports of increasing instances of crime, we cannot rest on our accomplishments of the past. The continuing research efforts must be supported, given the complexity of the problems we face. But we must take every realistic, substantive action now.

The job of Congress, the District Government, and area citizens is without a doubt a prodigious one. But as I embark upon my second term as a Representative and a District Committee member, I will continue to enlarge my knowledge of the District and accordingly increase my effective activity. I am anxious to work with you in every way possible to make our Federal City—and our Metropolitan Region—a model for the Nation in every respect.

Sincerely,

GILBERT GUDE.

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## CUBAN CRISIS

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. JACOBS. Mr. Speaker, the following remarks were made by Theodore Sorensen at Ferdinand, Ind., on January 13, 1969:

Dean Acheson is right when he claims we were lucky in the Cuban crisis. His proposals to bomb the missile sites were discussed thoroughly. Our biggest luck was not taking his advice.

## AVIATION SAFETY: A STEP BACKWARD

### HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. OTTINGER. Mr. Speaker, for more than a year I have urged the Federal Aviation Administration to require that all aircraft be equipped with crash locator beacons. The Armed Forces have been using these small, inexpensive, lifesaving devices for several years, and more than a thousand flightcrews downed in Vietnam have been saved because their aircraft were equipped with locators.

Last year, the FAA took what I hailed then as a modest, but important step forward when it issued an advance notice of proposed rulemaking which would have required pilots to carry crash locator beacons on flights over hazardous terrain.

Just recently, the FAA, with no notice to interested Members of Congress, quietly withdrew the proposed regulation. I have been told that it will not even reconsider the rule for at least a year.

In my view, this is simply unconscionable. The FAA knows how effective crash locator beacons are. The agency even conducted a successful test of this equipment over terrain where the Olen family of Oregon died of exposure and starvation, despite intensive search efforts, weeks after their light plane crashed.

The proof is overwhelming that crash locator beacons can save lives. With faster aircraft carrying vastly increased passenger loads about to come into service, we can overlook no feasible step to improve safety standards. And let us not overlook the fact that air search and rescue missions are costing this Nation upward of $60 million each year—largely because of the time spent in pinpointing the location of downed aircraft by methods made obsolete a decade ago.

Mr. Speaker, I offer for insertion in the RECORD a letter from me to David Thomas, Acting Administrator of the FAA, urging reconsideration of the agency's policy regarding crash locators, and an article from a recent issue of the AOPA Pilot, describing successful tests of this equipment—tests in which the FAA participated:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 20, 1969.*

Hon. DAVID THOMAS,
*Acting Administrator,*
*Federal Aviation Administration,*
*Washington, D.C.*

DEAR MR. THOMAS: I was shocked and disappointed to learn that the Federal Aviation Administration has withdrawn its advance notice of proposed rule-making with respect to the carrying of crash locator beacons on flights over hazardous terrain.

As you know, for more than a year I have urged the FAA to make this equipment mandatory for all flights, by all aircraft. You are aware that the armed forces have been using crash locator beacons with marked success in Vietnam and a recent test in which the FAA participated demonstrated their effectiveness in civilian use.

We are currently spending about $60 million a year on search and rescue missions for downed pilots and passengers. Officials in charge of those operations have repeatedly told me that it is their opinion that lives have been endangered and lost because of long delays in pinpointing the locations of downed aircraft.

In my view, there simply is no excuse for further delay on the FAA's part in requiring crash locator beacons for aircraft certification. The cost to aircraft owners is no longer too great; anyone capable of purchasing and maintaining a piece of equipment selling for upwards of $10,000 should be able to bear an additional $100 or $200 burden designed to save his life and the lives of those who may accompany him.

I believe that FAA can and should handle this administratively. However, I am fully prepared to introduce legislation directing the FAA to require crash locator beacons in order for aircraft to receive certification. Continued timidity in this area will make the FAA responsible for the unnecessary loss of lives.

Sincerely,

RICHARD L. OTTINGER,
*Member of Congress.*

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GET LOST!

(By Don Downie)

(NOTE.—Pilot instructed to fly away and find good hiding place for Cessna 150 in crash-locator beacon exercise. The most inaccessible landing place he could find is located without too much difficulty by plane using regular VHF equipment.)

The FAA told us to "get lost!"

Garrett Corporation asked that we get lost—but well!

So we got lost, not once but twice in three days. Both times were located in a remarkably short period of time; once by a single aircraft from the Nevada Civil Air Patrol, the second time by an FAA DC-3. On the second exercise, it took "the Friendlies'" ubiquitous DC-3 just 17 minutes to zero in and fly the 64 statute miles from Las Vegas, Nev., to our unannounced landing on the dirt strip at Pierce Ferry, at the mouth of the Grand Canyon in Arizona.

These two exercises in search and rescue—with emphasis on the rescue—took place out of the Las Vegas (LAS) International Airport. Our aircraft, a Cessna 150, N50215, was probably the most sought-after small plane that had done down (intentionally) for a long time. This Cessna trainer was strictly stock except for a four-pound Garrett-AiResearch "Downed Aircraft Locator Beacon" installed in the fin. This unit has an impact switch that would turn it on no matter what happened.

Fortunately, we were working on a practice exercise in airborne hide-and-seek that didn't require flying into the side of a mountain to make the problem work. But we did have a problem: "get lost." A group of perhaps 10 of us outlined "the ground rules" (and flight rules, too) in the Thunderbird Motel on the evening preceding the first flight.

As the discussion developed, Rollin Cooper (AOPA 9782), a consultant for Garrett in the beacon business, took no more than 10 minutes to explain the basic electronic search procedure to CAP Pilot L. K. Dixon, who flew the next day in a Beech *Travel Air* with observer Dick Case (AOPA 129529). FAA Western Region crews were on hand to monitor the exercise while my daughter, Dana, and I were target for the next day in the 150.

Essentially, the location system called for climbing as high as possible along the suspected area of the missing airplane until

the first tone of the locator beacon was heard. "Then drop in altitude until the signal vanishes," explained Rollin Cooper. "When you lose the signal, circle back in a climb to where you lost contact. Then turn 90° either to the right or left and drop down again in altitude. When the signal disappears, climb back up and do it again. This random type of search pattern requires no special VHF-DF equipment, just the standard VHF receiver."

That's all the briefing our single search crew had. The next day it took Dixon and Case an hour to pick up the first signal from our beacon and less than an hour and a half more to come streaking in over the top of us. During this search, they had covered most of the northern half of Arizona.

During our briefing, we outlined our "lost airplane" project as being up to 45° off-course. Sometimes people get way out beyond that. So, we proposed a flight from LAS to PHX (Phoenix). After the meeting broke up, Dana and I unfolded the sectional charts and played a preflight game of cat-and-mouse. First we marked out the on-course route from LAS to PHX. Then we angled a line 45° to either side of course. Dirty pool? Not really. If this electronic rescue system would work, let's really find out.

After considerable doodling, we looked at the tiny dirt strip at Tuweep, seven miles north of the Grand Canyon and 118 statute miles 67 degrees northeast of LAS. Here we played a little dirty pool in an effort to find out for sure whether or not this system would really work. Tuweep is 39° north of the regular V105 airway to Phoenix via Prescott, but it's actually 53° north of a directline course.

Neither of us had ever landed at Tuweep before, but it turned out to be an ideal location for a missing-aircraft search. The little dirt strip showed on the sectional chart as 3,400 feet of dirt at an elevation of 4,675 feet, deep in a box canyon with 7,700-foot Mt. Emma, 7,840-foot Mt. Logan and 8,034-foot Mt. Trumbull ringing it to the west. A slightly lower range of unnamed hills obstructed beacon signals to the east.

Having something less than complete faith in all "black boxes," standard search and rescue capabilities and the ever-present possibility of landing way out in the "boondocks" with a blown tire, dead battery or whatever, we penned a hasty description of our proposed destination and put it in a double-sealed envelope. Just in case the dirt strip proved too soft or eroded, we added an alternate landing on one of the isolated dirt roads south of the Grand Canyon near a ranch called Frazier Well.

This double-sealed "flight plan" went to the FAA's veteran Public Affairs man Gene Kropf, who had a bad cold and was planning to monitor our "exercise" from a ground station near Boulder City. I picked up the letter, still unopened, much, much later the next afternoon.

The next morning we arrived at Las Vegas International (McCarran), pre flighted N50215 and inspected the four-pound Garrett installation mounted in the fin. Cooper explained that the impact switch, set for 5 G's, would trigger the system automatically, but that merely inserting a dime in the slot of the beacon and turning the head would activate the two-channel 243 mHz and 121.5 mHz emergency frequencies. For purposes of this test, the Garrett beacon was crystal-controlled to 121.0 mHz and 242 mHz. To obtain additional "mileage" from the test program, we carried a small, portable "Life Pak" (see PILOT, Nov. 1968) beacon set on 121.6. Both systems worked perfectly.

We took off, headed out "on course" and then drifted far to the north over the fascinating, forebodingly rugged terrain east of the entrance to the Grand Canyon. Unless you could touch down safely on a sand bar in the bottom of the canyon, walking out would be quite a problem.

The CAP Beech *Travel Air* took off from the North Las Vegas Airport an hour and a half after we were airborne. This timing gave us sufficient time to explore the area around Tuweep, look at the single narrow road leading down toward the flight strip and decide not to try a landing off the airport. There wasn't that much reason to inject realism into the problem.

We circled Tuweep and the Department of Land Management building nearby. The open-topped hangar showed a *Super Cub* tied down inside and the windsock was right down the soft strip. Shortly after we taxied back and parked beside the hangar, we turned on the fin-mounted Garrett beacon and erected the "Life Pak" atop one corner of the weatherbeaten hangar. Soon veteran Grand Canyon resident John Riffey (AOPA 121210) drove up. He's lived in the backwoods of the Grand Canyon most of his life and learned to fly because he couldn't see enough of the country from horseback or jeep. He looked over our new 150 with both interest and suspicion.

We explained what we were doing and Riffey commented, "You picked a good spot. We don't have many visitors here and the hills all around are going to make you hard to find. However, we did have a couple of fellows spend the night two weeks ago when they ran out of daylight."

Reluctantly, Riffey excused himself, explaining that he had to drive to St. George, Utah.

After the dust of the Riffeys' car had settled, we sat in the sunshine and admired the miles and miles of solitude. Occasionally, we'd turn on the receiver in N50215 and monitor both frequencies to make sure that both frequencies were on the air. They were. We counted the contrails of at least 30 jet airliners in the next two hours, and finally quit counting. Had any one of these jets been carrying a single crystal-controlled receiver tuned to the emergency frequency, we would have been "found" under actual conditions in minutes.

After participating in these search and rescue exercises, it is one reporter's opinion that the popularity and effectiveness of the entire crash locator beacon system will never approach its full potential until the airliners, just like commercial ocean-going vessels, are required by the FCC to guard the international distress frequency. [See Feb. 1968 PILOT.] Just four high-flying passenger transports could monitor the entire continental United States in less than five hours.

Electronic development engineers estimate that an "idiot light" 121.5 mHz emergency receiver would weight perhaps one pound, draw just a few watts of power and cost considerably less than $1,000 when manufactured to exacting airline specifications in the volume of 2,500 required to equip the entire domestic airline fleet in this country. Once this "idiot light" came on, all the airline crew need do would be to tune any receiver to 121.5, verify the signal and relay this information to the nearest FAA/FSS, giving their exact position. A second call should be made when the signal was lost. These two calls would alert rescue forces that an emergency existed long before a flight plan—if filed—was overdue. The airline report would also begin to locate the position of the downed beacon. Additional reports from high-flying jets would further narrow the search area, all this within a short period of time.

Without exception, every airline captain and corporate jet pilot that I've asked about this system has commented, "We have too much radio now. If this receiver can be installed with a light so that we don't have to listen to it all the time, there should be no objections."

However, managers of the "big brothers in the sky" don't seem to be interested in helping other birdmen. The powerful Airline Transport Association has gone on record as opposing the addition of this simple lifesaver in the jet cockpit.

The ATA policy, as stated to FAA officials by William B. Becker, assistant vice president for operations, is:

"The airlines are of the unanimous opinion that they can find no justification to alter their position as expressed in the ATA comments on FAA advanced Notice 68-4. The airlines are still of the opinion that because of the technical difficulties involved and the extensive equipment changes required, implementation of new equipment to automatically monitor crash locator beacons triggered by general aviation aircraft would not be justifiable. As always, the airlines stand ready, when requested in a given situation, to offer Good Samaritan service by monitoring emergency frequencies of 121.5 mHz and to relay any resulting information to appropriate agencies."

The basic emergency frequency listening watch is firmly established at sea. Yet it's not even off the ground in aviation.

Garrett's approach to the problem has been a two-frequency transmitter that broadcasts simultaneously on both the civilian (121.5) and the military (243) frequency. Every military aircraft radio delivered since World War II has a built-in guard on 243 mHz, according to Rollin Cooper. When an emergency signal is on the air, the distinctive oscillating distress signal comes into the pilot's headset regardless of what frequency he is monitoring at the time.

Back at Tuweep, we looked at our watches and relaxed in the sun. The silence was so loud it was noticeable.

As the moments ticked by, Dana and I discussed "what if . . ." We decided that we'd inspect John Riffey's house and spend the night there, if necessary. After all, there was no reason to louse up a good search exercise. And, if we weren't found that day, our "insurance letter" would bring someone over the following day. However, this was our first exposure to the potential of a locator beacon and we were understandably skeptical. But as it turned out, all this really wasn't necessary.

After we'd been on the ground for two hours and 45 minutes, we heard the reassuring roar of the CAP *Travel Air* and the ship streaked in at low altitude from over the Grand Canyon. There was no question about it, we'd been tracked down by electronics, not "eye-balled."

"N-215, we have you in sight," was L. K. Dixon's call as he circled overhead. Actually, the CAP pilot sounded tired. He should have been! In his 2½-hour high-altitude search, he had covered virtually all of Northern Arizona and the fringes of three other adjoining states.

During debriefing, search pilot Dixon commented, "Even though we had been somewhat misled by the pilots of the 'lost' airplane, we picked up an initial signal after an hour of flying at 10,000 feet. This signal lasted only a few seconds and we backtracked to pick it up again. It took us an hour and a half to finally find the Cessna, using nothing but standard VHF receivers. We would have found the ship somewhat sooner if we had made our initial track to the south of the proposed course where a number of good landing spots were available down the Sacramento Valley of Arizona, the Big Sandy River or Chino Creek."

A certain VHF "bounce" from the beacon's signal off the walls of the hills surrounding Tuweep nearly doubled the time it would have taken normally to pinpoint the ship. Dixon flew a box pattern twice around our immediate area before coming in from the open end of the narrow dead-end canyon. However, the fact that one search airplane, using only regulation communications equipment, was able to find us at all, and particularly in 2½ hours, was most impres-

sive. The locator beacon system works—but good! Actually, both the Garrett and the smaller "Life Pak" gave clear, easily identifiable line-of-sight signals. We could have been located in any kind of flyable weather.

Monitoring this exercise was one of the FAA's 80 DC-3's that fly regularly on the airways to monitor the accuracy of all nav/aids. Each of these aircraft had a VHF signal meter and all will be equipped with VHF-DF equipment by mid-summer, eliminating the time-consuming trial-and-error system now used as standard equipment.

The FAA's sensitive electronic equipment picked up our signals from 16,500 feet, miles away near Kingman, Ariz. However, the FAA's function on this particular exercise was to monitor the signal, not to "bird dog" the search airplane to our location. On a different test two days later, the FAA's N-14 demonstrated the efficiency of airborne VHF-DF equipment and found us again in just 17 minutes.

The second get-lost flight was an even more unpredictable problem. This time the copilot was my wife, Ruth, and the problem was to take off from LAS and fly "anywhere." There was no announced destination, just "get lost," and let the FAA's airborne DF equipment find us.

Just to be sneaky, and because we'd had a good look at the route two days earlier, we took the Cessna back along the same course toward Tuweep. Our flight was to the 2,600-foot-long dirt strip at Pierce Ferry that sits atop a 2,941-foot mesa at the mouth of the Grand Canyon 64 statute miles east of LAS. From the time we landed, taxied into the shade of the one Joshua tree near the airport and turned the two beacons on, it was just 17 minutes until FAA Pilot L.C. Whallon wheeled in over the canyon. The DC-3 had been circling over LAS at 10,000 feet when the beacons came on the air.

In our continuing effort to be sneaky, we'd taken along a surplus camouflage cloth to cover part of the airplane. Actually, this cloth covering was purely "window dressing" since the electronic signal from either beacon was all that the "Gooney Bird" needed to track directly to us.

We had planned something entirely new on this flight: an air-to-air intercept. As far as our crew could find out, this was the first time such an exercise had been attempted with a civilian beacon. N-14 was scheduled to go out on a random course while we took off from Pierce Ferry. The "Life Pak" was placed inside the cockpit of the 150 with its antenna as nearly vertical as possible between the front seats.

Once we were airborne, N-14 headed south and we headed north. Still being sneaky, we flew behind a couple of hills before climbing to 8,000 feet, just to give the search plane an intermittent signal. With the beacons on in flight, we found out one thing very promptly. It's almost impossible to read radio calls in the cockpit because of the "bleed off" from the beacons back to the aircraft's receiver. It's logical, because the aircraft receiver was almost sitting atop two transmitting beacons.

On any actual VHF/DF air-to-air intercept using a beacon signal, pilots of the search airplane will have to assume that the "lost pilot" isn't going to be able to hear instructions very well because of the distinctive, irritating signal. At the end of an hour in the air, there were two 150 pilots with headaches and jumpy nerves.

However, the air-to-air intercept was completely successful. N-14 tracked us down quickly and slowly pulled up alongside. Did you ever try to fly formation between a DC-3 and a Cessna 150? Most interesting! FAA pilot Whallon eased in off our right wing with his gear down and half flaps. We had a solid 90 m.p.h. indicated at 8,000 feet and still had a little power reserve.

An understandable confusion probably exists in most pilots' minds, including this reporter's, regarding the great difference in cost of various locator beacons. You can purchase 121.5 and 243 beacons the size of a pack of cigarettes from $69.95 upward. The "Life Pak" that we carried retails for $219. Garrett's basic two-channel system is $485 including dual antennas. Installation and battery options can run this total from $540 to as much as $800.

The great variation in cost, according to electronic engineers, depends upon the type and capacity of batteries used.

Operating in the relatively warm temperatures near the Grand Canyon, FAA Electronic Engineer Harman reported a clear signal from the tiny "Life Pak" with its .225 of a watt power output at a distance of 86 miles.

So, you pay your money and take your choice.

Following our LAS exercise, the beacon and fin were removed from N50215. As the first winter snows collected on the Klamath Mountains along the California-Oregon border, this same beacon was "planted" on the ground within three miles of the tragic Olen crash. Two FAA DC-3's were able to pinpoint the beacon above a solid overcast in 7 and 15 minutes with a group of press representatives aboard.

The following day the beacon was relocated slightly and a regular CAP search mission was flown by five planes of the San Jose squadron. The briefing assumed an aircraft departing from Medford, Ore., southbound and last reported over the Fort Jones VOR. The three fastest aircraft were sent to Fort Jones and made a parallel sweep 20 miles apart south along the airway. The two slower aircraft were sent south to search the flat country of the Sacramento Valley.

Again the weather was broken to overcast and the beacon was "planted" in a box canyon 23 statute miles on the 277° radial from the Redding VOR. This was again in the immediate vicinity of the Olen crash. All three aircraft searching from the north identified the beacon and located the area within four miles; one from an on-top "fix" and the other two visually within a mile while flying beneath the weather and circling around the snow-capped ridges. Both aircraft flying north heard the signal and one of these was able to establish a definite "fix" in the area. None of the CAP aircraft was equipped with VHF-DF equipment. Orientation was similar to the exercise flown in LAS once the highest signal strength of the beacon was identified. During this exercise, the beacon was turned on for 2½ hours.

The FAA's VHF-DF-equipped N-10 was in the air when the beacons were first turned on, and orbited the site atop the overcast within ten minutes.

As both an airborne and groundbound "guinea pig" for locator beacons, take it from this reporter that the system works—and well! In these days of electronic technology, it is something more than archaic to have to blunder around with a team of from five to 50 airplanes that frequently find the downed aircraft—if at all—after it's too late to do any good. In a recent 12-month period, reports show that search was initiated for 254 downed aircraft carrying 801 people. Fifty-eight of these people were never located and six people lost their lives in search effort.

Add the one, simple, inexpensive ingredient of 121.5 distress watch receivers in all high-flying turbine aircraft and it suddenly becomes practical for those of us who fly "little airplanes" to purchase some sort of an emergency beacon.

Carry the system a logical step farther. Is there any reason why this listening watch system couldn't be carried on to international jet carriers? Then we'd have worldwide rescue—not just search and rescue.

## SOUTH HADLEY, MASS., MARCHING BAND LAUDED FOR PERFORMANCE IN INAUGURAL PARADE

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BOLAND. Mr. Speaker, the South Hadley, Mass., High School band represented the Commonwealth of Massachusetts in the inaugural parade through downtown Washington this week. Known as the Marching Tigers, the 121-member band performed with remarkable flair and precision. National television correspondents reviewing the inaugural parade cited the South Hadley band's striking performance. Established several years ago with a mere handful of young musicians, the Marching Tigers has since become one of the Nation's outstanding amateur musical groups. I know my colleagues from Massachusetts join me in congratulating the band for its performance Monday.

The Holyoke, Mass., Transcript-Telegram this week published two articles on the band's trip to Washington and its participation in the parade:

SOUTH HADLEY SCHOOL BAND'S PERFORMANCE IS PRAISED

The South Hadley High School "Marching Tigers" band arrived home yesterday noon, after a nation-wide television debut in Monday's Presidential Inauguration Parade.

The band's 121 members and six chaperones started out from Washington, D.C. at 5 a.m. this morning, traveling in a three-bus caravan. According to William Cox, Peter Pan Bus Lines dispatcher, the band changed its departure schedule from midnight to 5 a.m. to allow for sight-seeing and rest.

A bus-load of the band members' parents arrived back in South Hadley at 4:30 a.m. today.

David W. Lewis, assistant principal of South Hadley High School, today praised the band's performance as "excellent." He noted that the Nixons, whose daughter Julie has visited the high school, flashed wide smiles as the Commonwealth's official band passed in review.

Sporting their colorful uniforms and led by four young ladies carrying the South Hadley High School banner, the Tiger Marching Hundred marched past the Presidential reviewing stand shortly before 4 p.m.

Area television viewers heard the commentator's remark about the band's growth and progress in recent years.

Asst. Principal Lewis said the band's appearance was "quite impressive." He said parents and friends of the band would greet the young musicians upon their return to the high school today.

Classes at South Hadley High School were let out at noon Monday to allow students to watch the Tiger Marching Hundred on television. The band members were excused from classes today, pending recovery from an exhausting but rewarding adventure.

SOUTH HADLEY BAND REPRESENTS MASSACHUSETTS IN PARADE

(By Jo An Sanborn)

WASHINGTON, D.C.—It was cold and blustery along the Inaugural Parade Route in the Capital today as 121 band members from the South Hadley High School Marching Tigers moved into their assembly point at 1:05 in the Capitol area. Yesterday at noon the band, plus six chaperones left the school

grounds by bus and arrived in Alexandria, Va., at 8:40 p.m. They are pictured here, just prior to leaving for Washington as they receive final instructions from South Hadley band director Roger W. Farnsworth.

Five students, who were bus sick were recovered today and the full complement will march in the Parade which began at 2. The South Hadley contingent was in the eighth division about the middle of the parade. The bandsmen reported to Bolling Air Force this morning and were army bused from there to the parade staging area. Earlier this morning the group went to Arlington Cemetery to see the grave of the late President Kennedy. They were due to leave Alexandria about midnight tonight. Sightseeing tours were arranged for the group after the parade. William Bernstein, a South Hadley student photographer for the school newspaper, the Spotlight, had clearance to take pictures of the band as it paraded.

Mr. Speaker, I also include in the RECORD copies of three letters outlining the band's history of accomplishments and its selection as the Massachusetts representative in the inaugural parade.

TOWN OF SOUTH HADLEY,
OFFICE OF SELECTMEN,
*South Hadley, Mass., December 12, 1968.*

Hon. EDWARD P. BOLAND,
*House of Representatives,*
*Washington, D.C.*

DEAR EDDIE: We have contacted Mr. Donald Lynch, Head Co-ordinator for the Presidential Inaugural Parade, at the Governor's Office and asked him to consider the South Hadley High School Tiger Marching Hundred when planning his program.

Listed below are some of the band's achievements:

First place in the March 1968 Holyoke St. Patrick's Day Parade for outstanding band.

First prize against thirteen (13) other bands in New England Fall Foliage Festival held in North Adam, October 6, 1968.

Bronze Trophy, third place—competed against ten (10) championship bands in Eastern United States who were asked to perform.

Performed at half time at Boston Patriot's football game on national T.V.

Band received highest possible rating at Music Festival in May, hosted in South Hadley.

We would appreciate your assistance in recommending that the South Hadley band be a participant in the parade.

Very truly yours,

ALAN K. ROOT,
*Chairman, Board of Selectmen.*

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THE 1969 PRESIDENTIAL INAUGURAL COMMITTEE, COMMONWEALTH OF MASSACHUSETTS,
*Boston, Mass., December 18, 1968.*

Hon. EDWARD P. BOLAND,
*House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN BOLAND: This is to inform you that the South Hadley High School Band has been chosen by the Massachusetts Inaugural Committee to represent the Commonwealth of Massachusetts in Washington, D.C. in the 1969 Inaugural Parade.

The Executive Committee considered many qualified bands from throughout the Commonwealth before making a final decision. Heartiest congratulations are due to the students of South Hadley High School as well as the very interested members of the South Hadley Community.

Your interest in behalf of the Tiger Marching Hundred Band is appreciated by the Executive Committee.

Sincerely,

RICHARD P. MILIANO,
*Executive Director.*

SOUTH HADLEY HIGH SCHOOL MARCHING AND CONCERT BANDS,
*South Hadley, Mass., December 18, 1968.*

Hon. EDWARD P. BOLAND,
*House of Representatives,*
*Washington, D.C.*

DEAR SIR: As you already know, the South Hadley Tiger Marching Hundred has been named Massachusetts' representatives to the Presidential Inaugural Parade. We wish to express our appreciation to you for your help in obtaining a part in the Parade as the official band to represent Massachusetts.

Our performance on January 20, 1969 will show you how thankful we are for your assistance.

Sincerely yours,

ROGER W. FARNSWORTH.

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## STANLEY DILLER TO BE HONORED AT ACHIEVEMENT AWARD DINNER

### HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. REES. Mr. Speaker, on Sunday evening, January 26, 1969, the Samuel A. Fryer Yavneh Hebrew Academy of Los Angeles will hold its achievement award dinner to honor Stanley Diller, who has been its dedicated president since 1962.

Yavneh is a full day school with facilities for 1,000, which offers religious and secular studies to elementary school students. Mr. Diller has been widely acclaimed for his crucial role in raising the necessary funds for the construction of Yavneh's attractive new school building.

Diller, who is the owner of Diller Floor Covering Co. and the Stanley Diller Enterprises, has been in the United States since 1947. Prior to that he had been held for several years in a Nazi concentration camp.

Diller is a board member of Shaarei Tefilah Congregation; Sabras Bond Committee; Sportsmen's Club of the City of Hope; American Jewish Committee; Torath Emeth Academy; Yeshiva of Lakewood, N.J.; B'nai Yitzchok Congregation of New York, and Rambam Torah Institute. He is treasurer of College Yeshiva of Trzebin, Jerusalem, and Congregation Mogen Abraham. He was named "Man of the Year" in 1967 by the Young Israel of Los Angeles. He and his wife Dorothy, who has been a great inspiration to him in his many community-related activities, are the parents of four children: Arthur, Michael, Sheryl and Brigette.

Also, I wish to commend the following four outstanding community leaders who are the cochairmen of this event:

Mark Boyar, builder and developer of the city of Lakewood, Calif., and past chairman of the United Jewish Welfare Fund, had been appointed by Governor Brown to the positions of parks commissioner and director of the rapid transit district here in Los Angeles. He has throughout his professional life devoted himself tirelessly to his community and to California.

Nathan Shapell, housing development genius and community leader, hailed for his role in the construction at Temple Beth Am—of which he is a past president—of the Memorial Wall in memory of the 6 million Jewish martyrs.

Stanley Black, leading west coast developer of office buildings; president of the Westwood Shrine Club—the youngest in its history—active in many charitable activities, including Vista Del Mar, City of Hope, Los Angeles Home for the Aged, and United Jewish Welfare Fund.

Eliot B. Feldman, prominent attorney and civic leader.

I should like also to congratulate the academy's deans, Rabbi Osher Zilberstein and Rabbi William Spigelman, for their efforts in behalf of the students and the community.

Yavneh's executive board includes Abraham Spiegel, Jack Nagel, Sanford Deutsch, Leo Presser, and Frank Horny.

Senator ALAN CRANSTON, District Attorney Evelle Younger, Mayor Sam Yorty, and myself are among the honorary cochairmen of the dinner.

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## THE ANNIVERSARY OF THE 1863 POLISH INSURRECTION

### HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. ROONEY of New York. Mr. Speaker, I am proud to remind my colleagues of a historic date of special significance to our great body of Polish-Americans who yesterday celebrated the anniversary of the 1863 Polish Insurrection.

At a time when this Nation was sadly divided and engaged in a war pitting brother against brother and State against State to eradicate slavery, youthful Polish patriots fought valiantly month after month to manifest opposition to the untenable educational and political reforms ordered by the all-powerful Czar Alexander II upon the people of Poland.

These young insurrectionists employed guerrilla warfare tactics from hideouts established throughout the country. Their persistence and their bravery succeeded in the establishment of a secret national government in Warsaw. But when the czar decided to employ his mighty military establishment to eradicate those in opposition to his rule, he easily crushed the movement and instituted a reign of terror and repression. Poland was made a vassal province under Russian rule.

January 22, Mr. Chairman, should remind all Americans that in spite of adversity, in spite of generation after generation of oppressive domination by Russian czars and Russian Reds the people of Poland still covet freedom and the precious rights involved in self-determination.

This anniversary should remind us too of the importance of the upsurge of a proud people's demands for independence which has been manifested in Poland in recent months. Because of our

deep bonds of friendship and kinship with the people of Poland we should extend the maximum of material and moral support for their efforts to throw off the shackles of enforced servitude to the Soviet Union and the puppet slave masters installed over them by the Kremlin.

It is a privilege to share in the observance of this historic date with our fine Polish-American organizations. May their relatives and friends in Poland be made aware of the depth of our affection and real concern for them.

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## RESOLUTIONS FROM THE SENATE OF THE COMMONWEALTH OF MASSACHUSETTS

### HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is my privilege to present resolutions urging the President of the United States to order an immediate increase in the discriminatory allocation of barrels of imported No. 2 fuel oil to New England and to establish an oil refinery at Machiasport, Maine, passed by the Senate of the Commonwealth of Massachusetts.

Mr. Speaker, we have spoken in behalf of this project many times. We have testified before the Foreign Trade Zones Board and before Senator McINTYRE's committee. This project is greatly needed and entirely justified. The New England region has had critical and dangerous shortages of home fuel oil. We can not allow this to continue. The Machiasport project would solve not only this great problem, but would contribute to the local, regional, and national good.

It is such an excellent project that my surprise was as great as my dismay that it was not approved immediately.

I now submit the resolutions of the Senate of the Commonwealth of Massachusetts. I hope that they are effective for gaining approval of the Machiasport project:

MASSACHUSETTS SENATE RESOLUTION

Resolution urging the President of the United States to order an immediate increase in the discriminatory allocation of barrels of imported No. 2 fuel oil to New England and to establish an oil refinery at Machiasport, Maine

Whereas the consumers of home heating oil in the Commonwealth, as well as those of the other New England states, have been discriminated against for the past decade because of stringent quotas relating to the imports of No. 2 fuel oil; and

Whereas according to the Massachusetts Consumers' Council the consumers of Massachusetts are overcharged forty-two million dollars annually because of the imposition of such quotas under the Eisenhower Administration; and

Whereas said Consumers' Council and the New England Council consistently presented the facts of such discriminatory policies before the appropriate federal bodies; and

Whereas there has been no decision to rescind the executive order establishing such quotas; and

Whereas Secretary of the Interior Stewart Udall has reportedly indicated a willingness to recommend an allocation of 30,000 barrels a day of imported No. 2 fuel oil to New England; and

Whereas the proposed Foreign Trade Zone in Portland, Maine could help to correct the inequities occasioned by the No. 2 fuel oil quota discrimination, by allowing an additional allocation of 90,000 to 101,000 barrels of No. 2 imported fuel oil; and

Whereas the establishment and operation of an oil refinery as Machiasport, Maine would relieve the shortage of No. 2 fuel oil for the consumers of heating oil in the Commonwealth in peak heating seasons and retard price increases of this necessity of life; Now, therefore, be it

*Resolved*, That the Massachusetts Senate respectfully urges President Johnson to direct the Secretary of the Interior and Secretary of Commerce to implement forthwith the Udall recommendations relative to the allocation of imported No. 2 fuel oil to New England; And be it further

*Resolved*, That the Massachusetts Senate supports the efforts of Senator Kennedy and other members of the Massachusetts Congressional delegation to gain approval of the application by the Maine Port Authority to establish, operate and maintain a general-purpose foreign trade zone in Portland, Maine and a subzone for the purpose of oil refining in Machiasport, Maine; And be it further

*Resolved*, That copies of these resolutions be forwarded by the Secretary of State to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

Senate, adopted, January 15, 1969.

NORMAN L. PIDGEON,
*Clerk.*

Attest:

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

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## HON. J. FRANK WILSON, JUDGE AND MEMBER OF CONGRESS

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. TEAGUE of Texas. Mr. Speaker, I have just learned of the passing of one of our former colleagues, the Honorable J. Frank Wilson, of Dallas, Tex., on October 13, 1968.

Frank Wilson served as a Member of the Texas delegation in the Congress from 1947 through 1955 with distinction. He was a fine Member and had a rare sense of humor that touched all with whom he came in contact. He was actually a constituent of mine, having been born in Corsicana, Tex., and educated in the public school system there. He attended several military schools in Texas and graduated from Baylor University Law School in 1923. He was admitted to the bar that same year and engaged in law practice in Dallas. He had a long tenure of public service having been chairman of the Dallas County Democratic Executive Committee from 1942 to 1945, was a delegate to the Democratic convention in 1936 and was district judge of the Criminal District Court of Texas in 1943 and 1944. He served as a Member of Congress from the 80th to the 83d Congress from which he resigned to accept a judgeship on the Criminal District Court No. 1 of Dallas.

His presence in the legal community of Dallas will be sorely missed as was his presence here in the Congress when he departed. He was truly a public servant and will be well remembered by his many friends.

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## CONFIDENT DETROIT PUTTING ITS MONEY ON THE MINICAR

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. BINGHAM. Mr. Speaker, Members may recall that, on August 19 and 26, 1965, I inserted in the CONGRESSIONAL RECORD copies of letters I had exchanged with the four leading American automobile manufacturers. The letters dealt with my proposal that the American automobile industry challenge the predominance of European manufacturers in the production of subcompact cars, which were capturing a substantial—and growing—segment of the U.S. market. I had suggested at that time that such action by the American industry could have several significant benefits for our country: lessening the balance-of-payments drain caused by purchase of European-made automobiles; creating additional employment opportunities in the United States; and helping to ease highway congestion and urban traffic jams by progressively reducing the average size of American cars.

Replies from the American automobile industry, however, laid such stress on the obstacles to production of subcompact cars that I was led to fear for the competitive spirit traditionally displayed by American business. Market potential was insufficient, we were told; Americans were looking for less austere transportation; costs of tooling up for a subcompact would be quite prohibitive; and the combination of American compacts and subcompacts manufactured by American subsidiaries abroad were presented as an adequate response to existing demand. Thus, no new initiatives were foreseen in this field. The competitive spirit, if not moribund, was certainly flagging.

It is with this background in mind that I will greet with special pleasure the appearance in April of the first Maverick, Ford Motor Co's initial entry in the subcompact sweepstakes, as I will greet with similar delight the subsequent debuts of its competitors. For these new models represent the realization of the suggestions which I put forth three and a half years ago, with their promise of benefits for all Americans, and at the same time bring welcome reassurance that the competitive spirit of American industry has regained its normal vigor.

I insert, at this point in the RECORD, a recent New York Times article describing the new cars:

CONFIDENT DETROIT PUTTING ITS MONEY ON THE MINICAR

(By Jerry M. Flint)

DETROIT.—Will car sales go up or down? What will Senate investigators and Ralph Nader uncover next?

Will Bunkie sock it to Ed?

These are some of Detroit's questions for 1969. But perhaps the biggest question—regarding the timing and scope of the automobile industry's response to competition from abroad and climbing costs at home—is answered.

The small-car revolution begins officially in April when the Ford Motor Company shows its new Maverick, a sleek two-door vehicle that is a few inches shorter than the traditional compact car, using Ford's smallest six-cylinder engine. In the fall the American Motors Corporation will show its smaller car, also several inches shorter than the compacts.

THE SECOND STAGE

The second stage of the revolution arrives in the summer of 1970, when the General Motors Corporation brings out its tinier XP-887 with a new four-cylinder engine.

Ford is developing a second small car, rear-engined, to match the G.M. Minimodel.

The Chrysler Corporation is working to adapt its French and English small-car designs for American production. American Motors is developing a luxury small car three and a half feet high.

These small and minicars are more than new models aimed at pleasing the whims of buyers. They are more than vehicles designed to win back sales from the foreigners. They embody the pride of Detroit's executives, their belief that they can outdesign and outproduce anyone in the world.

They are gambling hundreds of millions of dollars that their stylists, engineers and technology can lead the high-wage, high-profit American auto industry to victory over low-wage, low-profit foreign competition.

If Detroit loses, the automobile industry could go the way of textiles, depending on Government production for survival, but there is a scent of success in Detroit.

"Why not wait for a Maverick?" a Ford executive advised a friend.

The friend did not buy the Japanese import and is waiting.

"DRIPPING WATER"

A G.M. vice president wants the new minicar body for a Pontiac sportscar and says he will be "dripping water" on the heads of his bosses until he gets it. Translation: The new small body must be a winner if Pontiac wants it.

Detroit's revolution may be coming just in time. Last year, 9.6 million cars were sold, a record, compared with 8.3 million sales in 1967 and the old mark 9.3 million, in 1965. But one million of the car sales last year were imports, mostly from Germany, Japan and England. The import flood meant no sales or production or profit for the combined American industry.

The new small American cars, with more power and room than the imports, are to carry price tags in the $2,000 range, not far from the imports. How can Detroit hold the prices down?

For one, it has cheapened the new cars. The rear side windows of the Maverick do not roll down, they push out, saving the cost of the window mechanisms.

For another industry is seeking technological breakthroughs to speed production. G.M. engineers say they plan to roll the XP-887 off the lines at 100 an hour, almost twice the speed of the ordinary United States car line.

The new small cars may affect the 1969 sales outlook. The auto company's own predictions call for a mild downturn. Henry Ford 2d, Ford's chairman, said that 1969 would be a "normal" year, with 9.4 million car sales, down 2 per cent from 1968's record.

James M. Roche, General Motors chairman, talked of "continuing the high-level volume" and 9.3 to 9.5 million car sales. Roy D. Chapin Jr., American Motors chairman, predicted a "flattening out" and 9.2 to 9.4 million sales. Chrysler says that 1969 will match last year's record.

SALES INFLATED

"Everything still looks strong, there's no sign of any letdown," said Virgil Boyd, the company's president.

But if the new Ford and American Motors small cars can chop several hundred thousand sales from the import total and slide them to the American side, the industry could match or improve on 1968.

Why do most auto executives expect a slowup this year?

One reason is merely a feeling that the boom "can't go on," plus their experience showing that record years are often followed by declines.

Also, General Motors figures that 1968 sales were inflated by about 200,000 cars, which would have come in 1967 but for strikes. Thus, the company says, its estimate for 1969 is still in line with its projections for steady growth.

In addition, the rate of economic growth is expected to slow, with personal income and employment gains slackening because of tighter credit, the Government's spending lid and the effects of the income tax surcharge, particularly in the second quarter, when 1968 tax bills come due.

However, auto officials concede that they are still puzzled by the size of the 1967 boom, which not even Ford, the most bullish, predicted.

"I just didn't believe the third quarter," said one Big Three analyst who had told his car divisions that a slowdown was coming. "I haven't gone back to them."

The boom is credited now to faster-than-expected economic growth, plus sharp price cutting by dealers in the summer.

The possibilities for a strong showing, particularly in the last half of 1969, are bolstered by expectations that the Government's spending lid will be lifted, along with the possibilities of peace.

"With a combination of favorable developments, including a ceasefire in Vietnam, accompanied by some demobilization of the military forces, sales for the year could go above 9.6 million units," Lynn A. Townsend, Chrysler's chairman, said.

Some analysts believe they have been regularly underestimating the long-term growth of the economy and that the surcharge will hurt car demand. The expectation sales also is only a guess.

The four auto companies have scheduled 2,400,000 first-quarter car assemblies, up from 2,320,000 built last year. Most of the increase comes from General Motors, which lost production because of strikes early last year.

Ford's schedule is down from the year before, when the company was catching up with its strike losses. The schedule can be cut back if sales slacken—some overtime has already been cut from January—but the projected pace is at boom level.

One question about the industry's long-term outlook—the effect of new mass transit systems to end car-caused congestion—is considered answered in Detroit, although most officials will not say so publicly.

FUTURE HELD BRIGHT

One Detroit executive said:

"Listen, America is irrevocably on wheels. It can't get off. The other forms of transportation, excepting air are dying off."

Detroit's engineers say they can meet the air-pollution standards set by the Government. Whether the standards lead to a reduction in air pollution may be questionable, but the industry apparently has a big say in setting the standards.

The most serious attack in 1969 is expected to come from an investigation of car warranty and service problems by Senator Philip A. Hart, Democrat of Michigan.

The personalities of the industry's giants, General Motors and Ford, are also undergoing change, sharpened by the rivalry between Semon (Bunkie) Knudsen, Ford's president and a former G.M. officer, and Edward N. Cole, the General Motors president.

Mr. Cole was elected president of General Motors late in 1966; Mr. Knudsen, the son of a General Motors president then quit and moved to Ford.

Little is heard about far-out items such as the electric car.

Despite a host of innovations in the last decade—the best-selling compact, the first intermediate-size car, the luxury model standard-size car, the first and best-selling sporty cars—Ford has not been able to increase its share of the market. Even the 1969 models have not led to the increase in the market share that Ford had expected.

General Motors seems to be making a serious effort to appear as a friendly giant, rather than the cold, impersonal monolith that sent detectives to spy on the auto industry's chief critic, Ralph Nader.

Mr. Cole and his boss, James Roche, are personable men who seem able to talk easily to newsmen or Senators.

At Chrysler, car sales and profits keep going up. Some executives are unhappy with what they consider to be the lack of innovation and conservative approach shown by Mr. Townsend, with his tendency to move up men with accounting backgrounds.

American Motors turned huge losses into a small profit in 1968, paid off its debts and showed a retail sales gain.

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## WE'RE OLD FASHIONED—STILL HONOR THE FLAG

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. DERWINSKI. Mr. Speaker, this week we witnessed the dramatic inauguration of the President of the United States and we saw evidence of the great spirit and faith of our country.

Coinciding with this memorable and historic occasion, I noted with great interest an editorial in the January 16 edition of the Southwest Messenger Press, a chain of community newspapers serving southwest suburban Cook County, which presented a timely and succinct commentary honoring the American flag. It follows:

WE'RE OLD FASHIONED—STILL HONOR THE FLAG

An interesting little pamphlet, issued by one of the country's larger life insurance companies, tells the story of the flag of the United States. In describing the birth of the Stars and Stripes, it quotes George Washington: "We take the star from Heaven, the red from our Mother Country, separating it by white stripes, thus showing that we have separated from her, and the white stripes shall go down to posterity representing liberty."

According to the pamphlet, nearly a year passed after the signing of the Declaration of Independence before anything was done relative to the establishment of a national flag. But on June 14, 1777, the American Congress adopted the following resolution: "Resolved, That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation." There is a story that the American flag was first flown on July 4, 1777, when it was hoisted by Captain John Paul Jones over the war vessel Ranger. In the

years since then, the original thirteen stars have been added to many times as new states joined the Union.

In commenting on his growth, the pamphlet says, "Now it waves majestically over forty-eight States, extending across the continent; and flies over islands of the Atlantic and Pacific, and other outlying possessions. More than one hundred and thirty million people owe it allegiance, a vast assemblage composed of nearly every race in the world, but all united by one bond of loyalty and devotion to the Flag which symbolizes Liberty."

Yes, the figures are a little out of date The pamphlet was written more than forty years ago. In these days of strife and defamation of the flag, it is a wonder that we do not see the story of the American flag in print more often—or is it too old-fashioned?

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## STUDENTS FOR A DEMOCRATIC SOCIETY—SDS

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. RARICK. Mr. Speaker, many awakened Americans are concerned over the undisciplined little army of professional students known as SDS.

Many ask: "Is SDS an agency of the Communist Party, U.S.A. or of any splinter group?" "Does SDS have international ties?" "What is its relationship with other radical and subversive groups?" "Has SDS peaked or is it still growing in membership?" and "How is it financed?"

The Alabama Legislative Commission To Preserve the Peace—in the absence of other State or Federal reports—has rendered a comprehensive report to inform the American people.

I feel the report is of interest to all our colleagues and place it at this point in my remarks:

SPECIAL REPORT: CAMPUS UNREST—STUDENTS FOR A DEMOCRATIC SOCIETY

(By the Alabama Legislative Commission to Preserve the Peace)

In the scheme of things on the left, how important and how dangerous is the group of student radicals who operate under the label of Students for a Democratic Society?

This question cannot be considered merely academically in view of the overt violence and revolutionary tactics employed by this group and its followers. In addition to the overt acts by the SDS and its allies, the often stated philosophies and aims of this group take it out of the area of harmless protest. We must, then, examine it not as a student protest movement but as a present and potential threat to our society and its institutions—even as a threat to the very existence of our government.

Because this group has been, and is, operating in the State of Alabama and is now seeking to extend its influence into all college, and even high school, student bodies, this Commission has attempted to examine it from the inside as well as from the outside.

We are aware of the fact that Students for a Democratic Society has often been described as communist controlled but that no agency of government, state or federal, has made an official citation as to its status.

For the sake of clarity in this report, we shall examine the following questions:

I. Is Students for a Democratic Society an agency of the Communist Party, U.S.A., or of any recognizable communist splinter group?

II. Does SDS have international communist ties?

III. What is the relationship between SDS and other radical and subversive domestic groups?

IV. Has SDS reached its zenith of influence—or is it still growing?

V. How is SDS funded?

I. SDS—IS IT A COMMUNIST ORGANIZATION?

Students for a Democratic Society traces its heritage to the radical Socialist group, League for Industrial Democracy. Its predecessor was the student arm of LID in the 1940's and became known as Student League for Industrial Democracy (SLID). SLID was taken over by the young communist movement and ended in 1948. SDS emerged 10 years later.

The parent organization, LID, is not a communist front by pure definition. Organized by ten Socialists and Marxists in 1905, it quickly became the harbour for intellectual radicals. As an organization, it has often fought bitterly against communist party-line politics. On the other hand it has a consistent record of more than half a century of supporting most major social and economic aims of the Communist Party. Many LID members rose to high places in government, education, journalism and literature while remaining faithful supporters of LID's brand of radical socialism. These include such names as Columnist, Walter Lippmann; Labor leader, Walter Reuther; Socialist leader, Norman Thomas, and many others.

Also noted among the membership of LID are many of the most noted Communist Party liners such as Jay Lovestone, former Communist organizer (now defected); Francis J. McConnell, former Methodist Bishop and identified party functionary; Babette Deutch, poet and Marxist; Communist, Frederick Vanderbilt Field, along with scores of others who fit into the same category.

It was not until 1921 that LID changed its name from Intercollegiate Socialist Society. It was done, according to LID leaders at that time, because they thought the American public would be more tolerant of an organization with the word "democracy" in its name than it would with a socialist designation.

*Basis for citation*

1. Students for a Democratic Society adopted a non-exclusion policy when it broke away from LID, which was to say they would not exclude communists from their ranks. (New Left Notes, April, 1964)

2. SDS participated in a conference in Chicago in May, 1967, to organize action against the war in Vietnam. Participating in this conference with SDS, were the Student Mobilization Committee, the Communist Party, the Socialist Workers Party, the Young Socialists Alliance and the W.E.B. Duboise Clubs. (Report to Appropriations Sub-Committee, U.S. House of Representatives, May, 1968, by J. Edgar Hoover, Director, FBI.)

3. Fred Davis, of SDS, was a speaker at demonstrations before the Lincoln Memorial in Washington, Oct. 21, 1967, which preceded the march on the Pentagon. This march turned into a violent confrontation with military guards. Communists and radicals participated in the assault on the Pentagon, and communist literature was distributed in the crowd. Hoover, said some 125 known communist party members, some of them of high rank, participated in the action.

4. Communist Party leader, Gus Hall, described SDS as a "group we have not going for us." (Speech by Gus Hall to 1968 party convention)

5. In his report above referred to, Mr. Hoover said SDS was infiltrated by communists. In a separate report he said it was financially supported in part by the communist party.

6. SDS has openly advocated violence in overthrowing our social institutions and the government itself.

7. It has encouraged resistance to the draft and has attempted to prevent the arrest of soldiers who have gone AWOL. It publishes a draft guide in which it suggested feigning homosexuality as a draft-dodging technique. (Chicago Tribune, October 17, 1965.)

8. SDS has advocated the repeal of anti-communist laws; abolition of the House Committee on Un-American Activities; recognition of Cuba; unilateral disarmament by the United States; and admission of Red China to the United Nations. (AP report, May, 1966. May 7, 1966.)

9. SDS has formed an alliance with Progressive Labor Party, left radical communist splinter group. (report of 1968 SDS convention)

10. SDS sponsored the speech by Paul Boutelle, Socialist Workers Party candidate for president, at the University of Oklahoma. (Militant, October 30, 1967)

11. At an organizational meeting in the home of a professor of a Birmingham, Alabama college in August of 1965, Claude Williams, veteran communist party member, was active as an organizer of the SDS chapter. The meeting was held off campus. (Report by the Alabama Legislative Commission to Preserve the Peace)

12. SDS leaders called for action to "destroy the myth of American democracy" on October 14, 1968. (U.S. News & World Report, October 28, 1968)

13. SDS led riots that closed the campus of Columbia University in May, 1968 and again in September, 1968; aided in the closing of San Francisco College, November, 1968; seized and held a building at City College of New York, where they cut fire hoses, rifled and burned files and tried to keep federal and state officials from arresting a soldier who was AWOL (press reports, including National Guardian, November 16, 1968).

14. SDS called for student strike nationwide to protest national election on November 5, 1968. They used the slogan "No Class Today, No Ruling Class Tomorrow". (National Guardian, Nov. 16, 1968.)

15. According to reports from government investigating agencies at least 35 members of Students for a Democratic Society have traveled to Cuba, most of them illegally, during the past year. One of its leaders, Tom Hayden, made an unauthorized trip to Hanoi in 1967 and conferred with Ho Chi Minh. He was accompanied by Communist party ideologist, Dr. Herbert Aptheker.

16. Phillip Abbott Luce, former member of the Communist Progressive Labor Party, testified in May, 1968, that SDS gives open support to guerrilla warfare in the United States. In his testimony he recited the following quotes attributed to SDS officials:

"We are working to build a guerrilla force in an urban environment . . . We are actively organizing sedition." (Gregory Calvert, SDS National Secretary)

"Urban guerrillas are the only realistic alternative at this time to electoral politics or mass armed resistance." (Tom Hayden, former SDS President)

"We are getting ready for the revolution . . ." (Dee Jackson, Assistant National Secretary, SDS.)

We could further point out that SDS claims chapters at some 100 colleges and an unknown number of high schools, claims a membership of some 35,000, with 6,000 dues payers. In the call for disruption of the Presidential Election, SDS was able to get from a few hundred to several thousand students to demonstrate at colleges across the nation, according to the National Guardian.

The activities of SDS are given broad coverage by all elements of the communist press, including The World (formerly The Worker) People's World; National Guardian; Militant, and even the Cuban communist organ Gramma.

The heroes of SDS include Fidel Castro, Mao Tse Tung, Ho Chi Minh, Che Guevara and, of course, Karl Marx. It has threatened to create terror on campuses all over the nation and even tried co-ordinating a world wide revolutionary student movement. SDS leaders have been quoted as saying they would create "many Columbias".

SDS was active in a leadership role in the Chicago riots that virtually wrecked the Democratic Convention. Its former president, Tom Hayden, was one of those arrested. Police reported the presence of a number of known communist leaders in the riots in Chicago. (Special report by Intelligence Dept., Chicago Police)

Some of the SDS 'intellectuals' such as Carl Davidson, have continued to write SDS position papers while contributing to communist publications. Davidson, while he was an active official of SDS in 1966 wrote a paper called "Toward Student Syndicalism." In that paper he outlined how demands should be made on school authorities and if met, how greater demands should be made until authorities were forced to deny them. These denials would then become "issues" around which demonstrations could be held and radical organizing encouraged. Davidson's paper was a blueprint for campus subversion and he even advocated the setting up of "student soviets" on the campuses. Today he is a writer for the Communist publication, National Guardian.

We agree with J. Edgar Hoover when he warns that it would be an error to simply label SDS and the rest of the "new left" as communists. It goes beyond political structure. Mr. Hoover said:

"The mood of this movement, which is best typified by its primary spokesman, the Students for a Democratic Society is a mood of disillusionment, pessimism and alienation. At the center of the movement is an almost passionate desire to destroy, to annihilate, to tear down. If anything definite can be said about the Students for a Democratic Society, it is that it can be called anarchistic . . ."

II. DOES SDS HAVE INTERNATIONAL COMMUNIST TIES?

As pointed out above, SDS has developed close ties with Cuba, and with Hanoi.

Last spring the SDS chapter at Columbia University, under its leader, Mark Rudd, hosted Communist student groups for a 3 day conference. The conference was attended by communist student groups from seven countries, including France, Italy, Germany, and Mexico. (Widner Report, SDS, August 1968)

III. TIES WITH OTHER SUBVERSIVE AND RADICAL GROUPS

The SDS ties with Progressive Labor and the Communist Party have been pointed out above. It also maintains an intimate relationship with Southern Student Organizing Committee (SSOC) and Student Non-Violent Co-ordinating Committee. Both of these groups advocate the same violent tactics and revolutionary aims as does SDS. (SSOC publication PREP, 1965). It acts openly and jointly with avowed and identified communist groups.

IV. IS SDS INFLUENCE GROWING?

It is difficult to estimate the growth rate, or potential growth, of SDS. This is due partly to the proliferation of "single action" groups with more or less the same base as SDS.

It is significant that SDS has announced that it is setting up M.D.S., Movement for a Democratic Society, for the stated purpose of bringing off-campus radicals into the revolutionary struggle. MDS was announced in a release from SDS in early 1967. Since that time MDS has become a reality. It now publishes the MDS Newsletter from New Orleans. This publication claims MDS has entered the field of labor agitation and is receiving help from SDS college and high school groups, from SNCC and Progressive Labor.

The MDS Newsletter of November, 1968, recommends articles in Challenge the official publication of Progressive Labor. (MDS Newsletter, November, 1968)

Progressive Labor and SDS have joined to sponsor a group to be known as SLAP (Student Labor Action Project). Admittedly, this was blueprinted by Progressive Labor. (Ibid) SLAP explained its aims at an SDS-Progressive Labor Meeting this year in Boulder, North Carolina:

"Exploitation of the workers is the basis of this imperialist society! Students are also victimized both materially and intellectually by the same system that exploits and oppresses working people. Thus, there exists the basis for a common fight . . . We must develop a class approach, build support for the working class in all struggles, defeat anti-working class ideas, support workers' struggles, and launch anti-ruling class battles that covertly link workers and students in fighting their common enemy." (Ibid)

The growth of SDS, and its coalitions, is indicated unless there are strong forces set in motion against it.

V. HOW IS SDS FINANCED?

As we have already pointed out, SDS is receiving financial help from the Communists, according to J. Edgar Hoover. Through the sale of publications and membership dues, SDS realizes what would appear to be a small percentage of the money it spends. For special projects, such as the demonstrations in Chicago, and the assault on the Pentagon, SDS advertises for funds in such communist publications as The World and National Guardian.

In some cases, SDS has sought funds from foundations which support radical causes. It is not known whether they have actually received any such funds. The travel to Cuba project was one in which some SDS leaders said they were seeking foundation help.

FINDINGS OF THIS COMMISSION

We conclude from the foregoing evidence that Students for a Democratic Society has as its aim the overthrow, by violence and subversion, of the institutions of our society and our government; that its aim is identical with that of the Communist Party, U.S.A., and the various splinter communist groups; that it has actively and overtly conspired with known communist groups in this purpose and has attempted, and is attempting, to prosecute this course of action.

We further conclude that Students for a Democratic Society has received, and is receiving, aid and financial support, knowingly, from communist groups; that it is under substantial direction and control of one or more communist groups.

Based on its demonstrated ability to move and motivate masses of students on a large number of campuses across the nation, we find that SDS has demonstrated itself to be more than a passive threat.

Great institutions, such as Columbia, CCNY, University of Wisconsin, University of Michigan and scores of others, have discovered that you can't deal with SDS as merely another student protest, or social action group. Some of these institutions have banned SDS as a recognized student organization. This has been at both Columbia and CCNY, following serious acts of violence, destruction of property and intimidation of students, faculty and administrative officials.

While recognizing the absence of political structure at this point, we, nevertheless, conclude that Students for a Democratic Society should be considered a dangerous, radical organization which poses a threat that is equal to that of a structured communist entity.

In considering the total effect of the SDS and the new left, we cannot overlook the accompanying phenomenon on the campuses where it has exerted its greatest influence. Radical student action has been accompanied by an alarming increase in drug use, and a moral decline.

When rebellious students were forcefully removed from administrative offices at Columbia, President Grayson Kirk, expressed shocked disbelief at the evidences of drug use and sexual promiscuity that had gone on. In addition, the students had smeared the area with human excrement, cut fire hoses, destroyed records and displayed posters of Karl Marx, Castro, Che Guevera and other communist "heroes." (Report from Young Americans for Freedom at Columbia).

The rise of the student left is accompanied in virtually every case by the emergence of "under ground newspapers." These usually carry the theme of rebellion; are anti-establishment, lionize the left, and use a profusion of pornography and four letter words.

It is reasonable to assume from the evidence that rebellion of the type exemplified by SDS feeds on itself, and the by-products are predictable.

It is immaterial which comes first. Whether drug use follows rebellion, or rebellion follows drug use is as relevant as the classic "chicken or egg" debate.

Whether underground publications merely mirror a situation, or promote it, is not as important as the fact that the elements are homogeneous.

In this regard, this commission must point out that underground publications are common today on nearly all college campuses in Alabama. Underground papers are advertised in all communist publications. Some of these are produced on campuses and some are independently produced.

Drug abuse is growing on some campuses in our state and the increasing threat cannot be ignored. We feel, at this time, these are more in the nature of warning symptoms than of a full-blown disease.

The growing alliance of campus radical groups, with off-campus organizations, will pose a growing problem in the future. This is especially true where single-purpose movements such as SLAP employ their energies and talents in the field of labor agitation.

We doubt that name calling at this point would serve any useful purpose. For this reason we are not including in this report the names of faculty and instructors who are known to be encouraging student protest-type organizations. Further investigation will be required to complete the list and to verify reports now in our hands. We realize that every precaution should be taken to prevent injury to individuals and institutions. However, our decision not to use names of individuals or institutions at tihs time may be subject to change in light of future events.

We cannot overlook the important role in student rebellion that is played by adult, professional people who declare their committment against the institutions which employ them and the state which helps to finance those institutions. We do not, as a legislative creature, presume to suggest what steps should be taken to insure our educational institutions against such intellectual erosion from within and to insulate the students against the influences of faculty activists who counsel rebellion. In light of the rising tide of student revolts—many causing great loss in money, time and prestige to the institutions so victimized—we respectfully suggest that this problem must be addressed by the proper authorities. The files and facilities of this commission are, of course, open to authorized agencies in this regard.

We conclude from the evidence before us that we cannot realistically expect a lessen-

ing of student unrest within the near or intermediate future. We feel, conversely, that the forces now in motion will serve to feed a growing militancy in this field.

This commission is fully aware of the problems of intelligence that is posed, and the need for close liaison with local school administrators and civil authorities in areas that are affected or will be affected. Within the limits of our capabilities, we are undertaking this task.

Under the legislative mandate of this commission we respectfully recommend that Students for a Democratic Society, and any group under whatever name is an alter-ego of SDS, be denied administrative recognition as a student organization at any state supported institution.

Senator JOHN H. HAWKINS, JR.,
*Chairman.*
Representative IRA D. PRUITT,
*Vice Chairman.*
Senator JAMES S. CLARK,
Representative W. M. COLLINS,
Representative ROBERT C. GAFFORD,
C. EDWIN STRICKLAND, *Staff Director.*

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[From the Washington Post, Jan. 20, 1969]

CLASHES ERUPT AFTER MARCH

More than 6000 New Left demonstrators staged a lusty counter-inaugural parade down Pennsylvania Avenue yesterday amid cries for an end to the Vietnam war, racism, and capitalism.

Less than an hour after the parade, club-swinging Park police on horseback clashed with bands of demonstrators who were heckling guests going to a reception for Vice President-elect Spiro T. Agnew at the Smithsonian Museum of History and Technology on the Mall.

At least 22 persons were arrested during the day, three of them during the museum melee, the rest as the parade came to a close at the east end of the Mall.

As demonstrators were cleared from in front of the museum a number of officers were pelted and two were hospitalized. Allen Sullivan and David Lennox were reported in satisfactory condition at Washington Hospital Center.

George Washington Hospital reported five demonstrators were treated and released.

The police action started when about 1000 demonstrators blocked the Madison Drive entrance to the museum. Some were throwing mud and dirt at arriving guests.

Eight mounted policemen and several patrolmen waded into the crowd, forcing it south across the Mall.

The demonstrators screamed obscenities and threw sticks and mud at the police. A few flicked burning cigarettes and firecrackers at the police horses.

Officers clubbed at least a dozen demonstrators and attempted to catch several who had climbed trees.

After about 90 minutes, when full darkness had fallen, the situation became a standoff. The demonstrators gradually withdrew.

Earlier, at about 4 p.m., demonstrators spread tacks and nails on the pavement at 15th Street and Independence Avenue, causing several flat tires and a brief traffic tie-up. A police escort bringing President-elect Nixon into town from Andrews Air Force Base had to be rerouted.

The counter-inaugural parade went off smoothly, and scuffles between demonstrators and police and between demonstrators and march marshals erupted only near the end of the route.

Fifteen men and three women were arrested at 3d Street on the Mall when police said they refused police orders to keep to the west side of the street and move on. Several marchers threw mud at police.

When ordered to move, the demonstrators linked arms and stood their ground. There was little violence during the arrests.

The protesters came in a wild assortment of clothes, masks and body paint. They carried everything from billowing banners to symbolic coffins and toy machine guns.

The counter-inaugural activities started with a rally at 1:30 p.m. in a huge circus tent at 15th Street and Independence Avenue sw. After several speeches, during which some demonstrators shouted their impatience with the speakers and eagerness to "go into the streets," the parade got under way.

It went north up 15th Street, turned east on Pennsylvania, then south on 3d Street and ended in front of the Department of Health, Education and Welfare Building at 4th Street and Independence Avenue sw.

There, demonstrators fought among themselves for control of a flagpole. Some wanted the American flag at the top pulled down. Others wanted it to stay up.

A dozen persons grappled with each other for control of the pole as hundreds watched and cheered. March marshals and Philip Hirschkop, a lawyer for the protest organization, tried to persuade demonstrators to leave the flag alone.

Finally, police arrived and took control of the pole. After demonstrators dispersed, police lowered the flag themselves.

From that point, large bands of demonstrators drifted toward the Museum of History and Technology when someone announced on a bullhorn that the Agnew reception was taking place there.

An anonymous leaflet distributed earlier in the day also urged demonstrators to go to the museum "while the fat cats are reveling."

David Dellinger, chairman of the National Mobilization Committee to end the war in Vietnam tried to deter demonstrators by announcing on a bullhorn that there were no further activities planned until the counter-inaugural "ball at 7 p.m. in the circus tent.

Most went to the tent or dispersed elsewhere, but about 1000 went on to the museum where they clashed with police.

Earlier, during the parade, most participants followed the Mobilization instructions for an orderly march. Only small clusters of Yippies and other persons calling themselves "crazy-asses" occasionally strayed from the line of march or tried to disrupt traffic. Mobilization marshals ran along the march line endeavoring to keep order.

At the pre-march rally, Dellinger set the note for the day.

"There is a lot of confusion here . . ." he said, "but one thing's for damned sure. We know why we're here—to stop that war. We're here to do our part to liberate the black man, and we're here not only to liberate Saigon but Washington."

Other speakers at the crowded rally were Tom Melville, the ousted Maryknoll priest convicted of destroying Selective Service records in Baltimore; James Johnson, one of three Fort Hood, Tex., soldiers imprisoned in 1966 for refusing to go to Vietnam; Maralyn Webb, who spoke for the "Women's Liberation Movement"; and two active duty servicemen, Jesus Cruz and Derrick Alexander.

Singer Phil Ochs regaled the crowd with caustic antiestablishment songs.

The speakers condemned the war in Vietnam and what they called American imperialism, racism and militarism. Several said capitalism lies at the root of America's problems and should be eradicated.

"Free enterprise is the right of the powerful to oppress the weak," said Melville.

Later, as the protesters marched down Pennsylvania Avenue, they flashed V-for-victory signs to passers-by and urged them to join. Some did.

As they passed the Justice Department buildings, hundreds raised their fists and shouted "Sieg Heil, Sieg Heil."

About two dozen young men, some in uniform, who said they were active duty military servicemen, headed the parade. Vietcong, anarchist and other flags streamed over the heads of the paraders.

Members of the Rapid Transit Guerrilla Communications Theatre, some wearing white-face, marched to the lugubrious beat of a drum, humming "America" and acting out the horrors of civilian death in Vietnam.

The crowd was mostly young, mostly white. It included Yippies, hippies, clergymen, housewives, Democrats, Socialists, students and drifters.

In addition to police, Justice Department officials and Secret Servicemen warily watched the parade.

Two staff members of the President's Commission on Violence also were on hand to observe.

The counter-inaugural "ball" at the circus tent finished up yesterday's activities. An estimated 8000 persons jammed the tent inside and surrounded it eight and ten deep outside.

Loud rock music played while a light show spun across the tent's ceiling. The tent was extremely crowded and the ground became a sea of mud.

The ball was late starting after the generator for the lighting system broke down. District Fire Department officials helped restore power.

Protesters plan to observe today's Nixon-Agnew Inaugural parade from four points along Pennsylvania Avenue.

They have 100 bleacher seats at 11th and 15th Streets and will stand on the north sidewalks at 12th and 15th Streets. Mobilization leaders say no disruption is planned.

Arrested for disorderly conduct were Thomas Wodetzki, 27, New York City; John Portela, 20, Vergennes, Vt.; Robert J. Cross, 24, 1701 East-West hwy.; Henes A. Medina, 22, New York City; George B. Spears, 20, Glen Ellyn, Ill.; David J. McLaury, 21, Jackson, Mich.; Leslie H. Bayless, 23, 7421 Blair rd. nw.; Gerald J. Sheehan, 21, Irvington, N.J.; George B. Gibeaut, 21, Warrenville, Ohio; Paul H. Kelton, 21, Columbus, Ohio; Ben R. Augusten, 21, Baltimore; James L. Sauer, 23, Three Rivers, Mich.; Anthony Settanni, 21, Upper Darby, Pa.; Mary Anne Jackson, 20, Salem, Ohio; Linda Evans, 21, Fort Dodge, Iowa; Sharon Lee Post, 19, Hampton, Ohio.

Charged with destroying government property was David A. Sugarman, 24, New York City. Charged with violation of police lines were Terry Noble, 32, New York City and Robert Johnson, 23, Ypsilanti, Mich. Charged with depositing trash was James P. Padgett, 23, Silver Spring. Charged with a pedestrian violation was Michael Hyman, 18, Elmont, Long Island. Charged with carrying a dangerous weapon, a night stick, was Glenn Cohen, 21, New Castle, Pa.

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[From the Washington (D.C.) Evening Star, Jan. 20, 1969]

PROTESTERS AND POLICE CLASH BRIEFLY

(By Barry Kalb)

A day-long series of "counter inaugural" protest activities flared into disorder briefly yesterday at a Smithsonian Institution reception for Vice President-elect Spiro T. Agnew as mounted policemen charged into a crowd of about 1,500 amid a shower of debris hurled by demonstrators.

The melee outside the Museum of History and Technology in early evening was the worst incident of a day that saw some 6,000 protesters from various New Left groups stage a "wrong way" counter-inaugural parade down Pennsylvania Avenue, led by about 50 active-duty servicemen.

The parade was basically orderly but there were several minor scuffles with police. During the day police said, 19 persons—16 men and 3 women—were arrested and charged with disorderly conduct. Two U.S. Park Policemen were treated for injuries at the Washington Hospital Center and released.

As the parade broke up in front of the National Aeronautics and Space Administration headquarters at 600 Independence Ave. SW, about a quarter of the crowd walked across the Mall to the Agnew reception that was beginning about 5 p.m.

For about half an hour, protesters crowded around the Mall entrance to the museum, jeering arriving guests and throwing debris at some who had to walk through the ranks of the dissidents to get to the ceremony. There were no reports of injuries.

Then, the scene suddenly became a mass of running protesters, swinging billy clubs and mounted policemen charging into the crowd as slats, torn from park trash disposal baskets, were hurled by the protesters.

The disorder was triggered when clods of dirt and other objects were tossed at police, and shouts of "Pig" and "Sieg Heil" began to fill the area.

One officer ordered two men in a tree to come down, then began clubbing one as he hung from a branch. One protester, blood streaming down his face, was treated for an inch-long gash in his scalp.

"I don't know who hit me," he said calmly, "I was hit from behind."

Among the policemen injured was Park Police Deputy Chief A. D. Beye, who was struck with a board.

DARK BRINGS STALEMATE

As it became dark and increasingly colder, police and protesters faced off in a stalemate for about 45 minutes.

Then the crowd began to thin and people drifted off toward the counter-inaugural tent, at 15th Street and Independence Avenue, for the evening "ball."

The dissidents' day began with a 90-minute rally in the tent, erected by the sponsoring National Mobilization Committee to End the War in Vietnam. Permission for the protest activities and a site for the tent was given late in the week by the federal government, with the proviso that the tent come down this morning.

Kathleen Cleaver, wife of Black Panther Eldridge Cleaver, did not show up as announced, and the rally was short, as such events go.

After folk-singer Phil Ochs performed several numbers, Mobilization chairman David Dellinger announced "just one more speaker, a wounded GI who got out of his hospital bed to come here."

The crowd in the tent, which a moment earlier had been shouting to get on with the march, suddenly fell silent as Derrick Alexander, a 25-year-old soldier from Florida, walked to the microphone.

Alexander's right arm is missing. He has a deep scar in his forehead running back across his scalp. Both are the result of wounds he received in Vietnam, he said.

He laughed self-consciously and told the audience that he wasn't accustomed to speaking before crowds. But nobody said a word as he told them, "I represent a relatively new contingent of the peace movement . . . men in uniforms themselves."

After he was wounded, he said, "I decided my mission was to do whatever is humanly possible to end the war." Alexander said his father is a Navy captain now assigned to the Gulf of Tonkin, off Vietnam.

HALTING, NOISY MARCH

The march, which stretched for blocks past sparse Sunday crowds, was halting and noisy, with leaders constantly stopping the line to close up ranks.

Marchers momentarily surrounded a police patrol wagon on 3rd Street NW, prompting Deputy Chief Raymond Fyles to call for reinforcements, and about 10 marchers were arrested near the end of the march at 6th and Independence Ave. SW.

A weird confrontation between different factions of the crowd took place in front of the NASA building.

As marchers poured into the courtyard in front of the building, one ultra-militant group surrounded the flagpole and began to shout for the American flag to be pulled down. But after tugging by opposing groups, it was left up.

The ball, which was held up when organizers ran out of fuel for their diesel generator to heat their tent and were rescued by fuel supplied by the District, was loud, swinging and jampacked.

The scheduled climax of the ball was the "in-hog-uration," the swearing in of a pig.

DISRUPTION HINTED

About 200 of the more extreme protesters gathered this morning at Franklin Park, K Street between 13th and 14th Sts. NW, to plan activities concerning the parade.

While they gave no details, speakers intimated that there would be some sort of attempted disruption.

One helmeted young man said, "The Mobilization Against the War in Vietnam people are going to be along the route. All we have to do is get together and think alike and we can lead them, because they don't know what they're doing." The groups represented at the park included Students for a Democratic Society and Youths Against War and Fascism.

Capt. Theodore Zanders of the District police spoke with the protesters briefly and explained to them that police would assist them in getting to the parade route if they caused no trouble. But he also warned that police would be on the lookout and they would be promptly arrested for any infractions of the law.

Two arrests did occur when youths apparently grappled for possession of a Viet Cong flag.

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[From the Washington Post, Jan. 21, 1969]

SOME 250,000 APPLAUD PARADE—PROTESTERS CLASH WITH POLICE—CAR PELTED

Young protesters hurled sticks and other debris at President Nixon's limousine as it passed along the Pennsylvania Avenue Inaugural parade route yesterday.

No damage was done. The car was closed along that part of the route.

A half hour later, hundreds of demonstrators rampaged through downtown streets, stoning police, breaking store windows and blocking traffic. At least 81 persons were arrested and 12 persons injured.

The violence erupted after the National Mobilization Committee to End the War in Vietnam, which had planned an elaborate but orderly three-day counter-inauguration here, lost control over about 1000 of the protesters.

These dissidents, largely leaderless but including militant members of Students for a Democratic Society (SDS) and Youth Against War and Fascism, were already disgruntled with Sunday's counter-inaugural march and were looking for more adventurous action.

They gathered in Franklin Park at 14th and I Streets nw. at noon yesterday to map an independent action. After bickering over routes and tactics, they began streaming south on 14th Street nw. toward Pennsylvania Avenue.

Led by a man bearing a Vietcong flag, the demonstrators wore helmets, goggles, gas masks and a wild assortment of clothes.

Police halted the demonstrators briefly at 14th and Pennsylvania, but through an agreement worked out in part by Philip Hirschkop, Mobilization attorney, they were allowed to stand in one major group at 13½ Street and two smaller groups at 12th and 15th.

While waiting for the Nixon entourage, they taunted the police facing them along the avenue. Behind the police, tense authorities ordered in a supporting line of 82d Airborne paratroopers with their arms linked and rifle-bearing D.C. National Guardsmen in battle fatigues.

OBSCENE GESTURES

The demonstrators screamed obscene and irreverent slogans about Mr. Nixon and made obscene gestures.

In the crowd, scores of small American flags were burned.

"Hey, hey, Ho Chi Minh, the NLF is going to win," the dissidents shouted over and over. "The next war—revolution."

There were several pushing matches between officers and the front line of demonstrators as the police tried to keep them from pressing against the fiber glass-covered steel cable along the avenue.

At 2:57 p.m., the Nixon limousine passed. It was showered with a dozen to two dozen missiles—sticks, stones, empty drink cans and what appeared to be cherry bombs, none of which exploded.

A heavy stick struck a paratrooper in the head. Companions helped him from the scene.

Secret Service agents, their faces anxious, hovered around the slow-moving presidential car. Agents on the running-boards batted down several of the missiles.

The black limousine slowed momentarily, then sped up past the jeering crowd. Mr. Nixon's back was turned to the demonstrators. He waved to spectators on the south side of the Avenue.

The demonstrators continued shouting at the new Cabinet members-designate as they passed after Mr. Nixon. Of all the dignitaries, only Chief Justice Earl Warren was cheered.

"Walter Hickel (Interior Secretary-designate) is a tree," some shouted. "He's going to turn Alaska into a motel."

LEAVE ROUTE

Then minutes after the President passed, the crowd began to lead north on 14th Street away from the Inaugural route.

At 14th and G sts. nw., several youth suddenly began shouting, "Into the streets . . . the streets belong to the people."

In an instant, hundreds swarmed into the intersection, bellowing war whoops and running north.

In the minutes that followed, a pitched battle occurred between police and demonstrators on H Street at Lafayette Park. Youths pelted police and cars with stones and tried to occupy the street. Officers cleared it with motorcycles and squad cars.

One policeman was set upon by a howling crowd of about 35 persons at 15th and H Streets.

"LET'S GET HIM"

They surrounded Officer W. E. Larman, shouting "Pig" and "Let's get him." The officer held up his hands in a beseeching gesture as the crowd closed in on him.

He lunged at one of the demonstrators and then they swarmed over him. "Kill the pig!" youths shouted. They struck and kicked. The officer struck and kicked back.

Four more officers arrived and waded into the crowd, their clubs flailing. The youths dispersed and moved toward Lafayette Park. Larman was not seriously injured.

Rocks, some of them large paving stones, rained down on the police cars, smashing windows and denting the bodies.

At one point, a crowd of about 30 demonstrators surrounded an isolated patrol car with two officers inside. They kicked and beat on it. As they attempted to rock it, the driver spun away in a screech of rubber, barely missing some of the protesters.

A phalanx of three-wheeled motorcycle officers moved down H Street along the park, clearing demonstrators. One youth hurled a wire-bound bundle of newspapers under a cycle. Generally, the officers remained in or on their vehicles and did not use their clubs.

Helmeted foot patrolmen soon arrived. Youths threw several trash barrels into the streets. One youth was tackled by officers. A brief melee followed in which a dozen officers clubbed and kicked at demonstrators. A

young man and a girl were knocked into bushes at the Veterans Administration building.

A number of demonstrators left the scene with bleeding heads, but officers had directed most of their blows at the protesters' bodies.

The crowd scattered and ran north up 16th Street and east toward 14th Street. They smashed windows at A. C. Houghton & Son, 1418 H st., the National Housing Center, 1625 L st., the Security Bank, 1510 K st., the Gramercy Inn, 1616 Rhode Island ave., and St. John's Church on Lafayette Square, which other demonstrators had been using as a sanctuary.

Although splintered into small groups, the youths periodically threw bottles and stones at passing police cars.

Two main groups reformed as dark began to fall. The smaller group gathered at Scott Circle, then dispersed toward Dupont Circle.

The other group, numbering several hundred, gathered in McPherson Square. Demonstrators talked among themselves for a while, then began walking in a zig-zag pattern northwest from 15th and K Streets to Dupont Circle. From there, they went south on Connecticut Avenue, then west on M Street and, as night fell, began dispersing at 21st and M Streets.

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[From the Washington (D.C.) Evening Star, Jan. 21, 1969]

NIXON CAR PELTED, 82 ARRESTED IN PARADE INCIDENTS

(NOTE.—This story was written by John Fialka from reports by Barry Kalb, John Mathews, Nancy Beckham, Duncan Spencer, Paul Delaney, Kenneth Ikenberry, Harvey Kabaker and Alvin Lorman.)

A fast-moving series of confrontations between police and a group of "New Left" demonstrators spread chaos and snarled downtown traffic yesterday shortly after the start of the Inaugural parade.

A total of 82 persons were arrested, police said, including five women and eight juveniles, as a result of incidents during and after the parade.

Most of the incidents occurred after President Nixon's car met a barrage of missiles and obscene taunts as it passed a crowd of youths massed behind police lines at 14th Street and Pennsylvania Avenue NW.

As homemade smoke bombs, sticks, small rocks, pennies and wadded-up newspapers flew at his closed car from a crowd of about 400 youths, Nixon continued to smile and wave, while Secret Service agents rushed frantically between him and the crowd.

Police, rifle-carrying National Guardsmen and paratroopers pressed against the crowd in a double line as they continued to boo and curse members of Nixon's Cabinet who rode by in separate cars behind the President's limousine.

"Let's go to the White House!" someone shouted as the group began to disperse. Shortly after 3 p.m. a loose, disorganized crowd of youths began moving north on 13th and 14th Streets and then west on H Street and New York Avenue to Lafayette Square.

Dressed mostly in denims, fatigues and other hippie garb, the group included a number of the more radical "New Left" groups, including the Students for a Democratic Society and the Coalition for an Anti-Imperialist Movement (COAIM).

Many of the youths wore helmets and several self-styled "medics" accompanied them. Although several youths shouted, "It's just like Chicago!" to reporters during the events that followed, a check of parade aid stations and area hospitals revealed only 15 minor injuries resulting from police-demonstrator incidents.

The injured included one policeman complaining of chest pains and a paratrooper who was hit on the nose by a flying object as the President's car passed the crowd.

"Judging from the small amount of injuries we saw, I think the police used very intelligent restraint," said Dr. Fred C. Heath, deputy director of the D.C. Health Department, who helped coordinate work of the first-aid stations along the parade route.

As the crowd of youths began to converge on Lafayette Park from the parade route, a policeman was seen standing alone in the street near Vermont and I streets.

"He was just standing there as the crowd approached and suddenly he was engulfed. Then I saw him go down, struggling with several from the crowd," an observer said.

At this point a busful of policemen from the Civil Disturbance Unit, parked nearby, emptied. CDU men tore into the crowd, swinging their sticks. The fallen officer was rescued, apparently unhurt.

For about a minute afterward, police officers struck repeatedly at the crowd raising their sticks above their heads. A woman, dressed in a long, white "medic" gown, was clubbed on the head by one officer. Blood flowed down her face as she fell to the ground.

Prevented by police from entering Lafayette Park, the crowd massed for about five minutes in front of St. John's Episcopal Church. Youths pelted officers with rocks and pebbles they collected from a garden area along the side of the church, located across M Street from the park.

POLICE, CROWD CONVERGE

It was 3:25 p.m. A call sounded on the police radio for all available squad cars in the Northwest section of the city to converge on 16th and I and 15th and K Streets as the crowd, pushed by growing numbers of police, moved north.

Several smaller groups of youths fanned out in different directions, pursued by police. Squad cars with lights flashing veered in and out of traffic-clogged streets as a crowd of about 300 demonstrators formed on McPherson Square at 15th and I Streets.

Officers stood quietly along the sides of the square as the youths, a number of bystanders and reporters milled about. Two men climbed to the top of the statue of Gen. McPherson and attached a blue pennant with the word "Peace" to his horse's maine.

For about 10 minutes, there was relative calm. Elements of the crowd seemed about to break up when a young girl wearing a red hat and two other youths began running through the crowd to 15th and I.

"It's a game! Follow us. C'mon, it's a game!" she shouted. Within a minute about 150 youths were running with her. They ran down the middle of the street, around the corner into the 1400 block of I Street where they ran smack into a squad of surprised CDU officers who were getting out of their cars.

SWEARING GIRLS ARRESTED

The crowd suddenly reversed, running back through the park. Several police units began sweeping through the park. In front of the Home Federal Savings & Loan Association at 15th and K Streets, a reporter saw several policemen chasing a crowd, prodding with their clubs those who didn't move fast enough.

A girl turned around and pushed back. A second girl joined her, and they stood, screaming hate and obscenities at the police.

After a momentary standoff, an officer reached for the first girl. She fought back. Several officers wrestled with her and then carried her through the crowd to a waiting wagon. The second girl joined the fray and she, too, was arrested.

Although no clubs were used, officers were seen to strike the girls with their fists before putting them in the wagon.

Several other youths, enraged by the incident, struck policemen and were arrested. "Nonviolence! Peace! a young man shouted as police and the crowd faced each other. A girl shouted an obscenity at him several times. "If you don't want to struggle, go home."

By 4:10 p.m., police had cleared the crowd from McPherson Square. The next 90 minutes were filled with minor incidents in the area between the park and Connecticut Avenue.

A rock shattered a squad car's windshield near the square. Several store windows were smashed. Asst. Chief Jerry Wilson arrived near the square and ordered his men to begin breaking up small groups leaving the area.

Wilson ordered CDU officers to begin making arrests for jaywalking. At Scott Circle, Wilson saw one youth ignore a "Don't Walk" sign.

"You see that sign?" Wilson shouted and grabbed him by the shoulder. As a motorcycle patrolman was taking the youth toward a wagon, Wilson arrested another demonstrator for ignoring the same sign.

BADGES MISSING

Some policemen were seen without their badges. One of them, Deputy Chief Raymond S. Pyles, head of the Special Operations Division, said a demonstrator had grabbed his.

Some of his men, he said, removed theirs because they were afraid of losing them. He said he had asked officers to replace their badges whenever he saw one missing.

At 18th and M Streets a reporter saw a demonstrator shout an obscenity at an approaching policeman who wore no badge. The officer clubbed the youth across the back and arrested him.

Demonstrators, riot-helmeted CDU officers and well-dressed parade watchers on their way home all converged on Connecticut Avenue at about the same time, 5 p.m.

A phalanx of officers stood in front of one group of youths at Connecticut and Rhode Island Avenues as parade watchers, coming from the opposite direction, filtered through unimpeded.

Tourists and demonstrators stared at each other. Police began to unscramble a monumental traffic jam as the last groups of demonstrators began to break up around 22nd Street and New Hampshire Avenue.

About 50 youths marched to the quadrangle at George Washington University. As a park policeman and a National Guard sergeant approached them, one of the youths shouted that they were on "private property." The two walked away.

DISCLAIM CONNECTION

Although David Dellinger and other officials of the National Mobilization Committee to End the War in Vietnam disclaimed any connection with or responsibility for the group causing the disorders, Carl Rogers, a member of the Vietnam Veterans for Peace, charged that Dellinger and the others knew what would happen.

"I told Dellinger this would happen and that he would have to appeal to the kids. But he said that would be abdicating his responsibility. What happened is certainly not what the majority wanted," said Rogers.

Rogers and other leaders said that early Monday morning, members of the SDS and other more militant groups attempted to take over the Mobilization's offices of 1029 Vermont Avenue NW. Police were called and the SDS left without further incidents, they said.

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## MEMORIAL TO GEORGE V. DiPALAZZO

### HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. CONTE. Mr. Speaker, with a deep personal grief, I inform my colleagues of

the death of George V. DiPalazzo of Pittsfield, Mass. I do so not only to note the loss of a very dear friend, but also to pay tribute to an outstanding labor leader and dedicated public servant.

No words could better express my affection and regard for George than those I spoke at a testimonial in his honor, held only 2 months before his untimely passing.

At this time, therefore, I would like to insert those remarks in the RECORD, along with an obituary from the Berkshire Eagle, of January 20, 1969, and an editorial from the same newspaper, which appeared on January 21, 1969:

REMARKS OF HON. SILVIO O. CONTE, AT THE GEORGE DIPALAZZO TESTIMONIAL, NOVEMBER 16, 1968, PITTSFIELD, MASS.

It is a double pleasure for me to be here tonight as we honor an outstanding citizen. It is a pleasure, first, because the guest of honor at this testimonial dinner is an old and good friend of mine; and, second, because looking back on George DiPalazzo's distinguished career recalls enjoyable memories of my own.

You know, my career and George's have many things in common. The threads of our lives have crossed often over the years.

George and I were born in the same year—but on different sides of the Atlantic. Although both our families lived in Pittsfield, George's folks were on vacation in the old country at the time—and that was probably the longest vacation George ever had. He didn't come to America until he was five years old.

I still remember George from our Pittsfield Vocational High School days. I can remember the difficulties which faced graduates then—and how lucky both of us felt to land jobs at the Pittsfield GE. George became an apprentice tool-maker; I worked as a machinist.

When the war came, George took to the air with the Army Air Corps; I drove a bulldozer for the Seabees. And when peace returned, we each settled down to a career. In different forms, both his career and mine turned out to involve a lot of running—for one elective office or another—and a lot of good old-fashioned politicking.

In '47 George won his first office—that of shop steward in Local 255—the first step of what was to become a highly successful career as a union leader. He later became chief steward, and in 1964, he claimed the only full-time post of the local union, that of business agent.

The confidence which his fellow workers feel in him is reflected every time they go to the polls. In election after election, George has scored high. As one who knows a little about politics myself, I can tell you that George DiPalazzo's wide base of support, his organization, and most important, his record of achievement and service—are enough to make any professional politician envious.

I think I know the key to George's success. He revealed it just a couple of months ago, when he spoke at the dedication of the local's new headquarters building. Recalling the contrast between the comfortable new quarters and the union's first home, George said this: "I hope we never forget our early orange crate days, because a good local union needs dedicated members and officers more than it needs an expensive building."

When he said that, George put his finger on what makes any group strong—whether it be a union, a company, a government, or an entire society. The answer is *people*—and the successful man in any endeavor is the one who never forgets the *human* side of life's problems and promises. How especially important this is in an age of machines—and you here in Pittsfield know plenty about machines, especially GE ones! George may have spent his life around machines, but he's never forgotten about the men who operate them. George's concern with the human side is a tribute to his sense of values.

George has been much, much more than an elected official. He has been a concerned and compassionate friend to all of us and to the organization for which he has given so much: his union. George is a union man in the highest and truest sense of that term.

He is completely dedicated to the principles of the labor movement—and if you don't want to take my word for it, go over to the library, and ask how many books on labor and unionism have at one time or another been checked out to George V. DiPalazzo.

Yes, George has always done his homework—and that's why the easy-going, friendly guy you know turns into a tiger at the grievance board or bargaining table. He has led his local through many a scrape. Never afraid to take up the . . . when occasion demands, he is never reluctant to cast them aside when goodwill and good faith prevail.

George is truly a man for all seasons.

I have no doubt that George DiPalazzo could have chosen to apply his talents to any number of fields. Had he cared more about his own fortunes and less about ours, he might be a wealthier man right now.

Had he cared more about advancing his own reputation and less about the union's he might be more widely known around this country. But that sense of values I spoke about earlier—the sense of values which George developed back in the days of the orange crates—has never deserted him.

He has remained a man to whom the human aspect of things has always been foremost. I think, therefore, that he will appreciate and agree with this sentiment which another fine American expressed once. Listen to these words: "I have no other ambition so great as that of being truly esteemed by my fellow men, by rendering myself worthy of their esteem."

George, I suspect that your greatest ambition has been the same as Abraham Lincoln's was in 1832—to win the esteem of your fellow men.

This dinner tonight is the outward expression and proof that your greatest ambition has been completely fulfilled.

In closing, let me say this: as a longtime friend and admirer of George DiPalazzo and a one-time member of Local 255, I would be more than a bit disturbed if I thought that George were going to leave the labor movement completely. I'm confident, however, that his great talents will always be available.

It is no secret that the union wants and needs men of George's caliber and experience, not only on the local level but on regional and national levels, too.

George, I think I can speak for all of us when I say that *we* haven't forgotten the days of the orange crates either. None of us has forgotten or will forget the enormous contribution you have made to your fellow workers, your community, and your land.

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[From the Berkshire (Mass.) Eagle, Jan. 20, 1969]

GEORGE DIPALAZZO DIES—UNION, COMMUNITY LEADER

George V. DiPalazzo of 5 Arch St., business agent of IUE Local 255, the union for production and maintenance workers at General Electric Co. plants in Pittsfield, died yesterday at his home after a five-month illness. He was 47.

As business agent of the 5,000-member union, Mr. DiPalazzo headed one of the largest locals in the GE chain and the largest local union in Western Massachusetts.

He was Pittsfield's most respected labor leader and one of organized labor's most active civic workers. Civic, labor and industry officials today lauded his efforts for his union and community.

MANY TRIBUTES

Albert F. Litano, president of Local 255, issued the following statement: "Local 255 has lost one of the most militant and dedicated officers in its history. He will be missed by all of our members. May I, on behalf of the members of Local 255, extend our deepest sympathy to his wife and children."

Mayor Donald G. Butler: Pittsfield has lost its most respected citizen . . . Few men in our city's history have been so generous with their time, knowledge and devotion in their effort to make Pittsfield a better place in which to live. The mere fact that George was associated with a particular undertaking usually spelled success for the project. In spite of the tremendous respect in which he was held, he was most humble to the very end. The legacy which he has left to our city will probably never be matched, because men such as George just don't exist any more. Although his life was cut off in the midst of its usefulness, the remembrance of his virtues shall last until time shall be no more."

Richard L. Reinhardt, manager of relations and utilities for GE: "The death of George DiPalazzo is a loss to his family, to the union movement he served, to our community, and to his many friends here at GE and elsewhere. He was hardworking, honest and sincere. His approach was businesslike and thoughtful no matter what the cause. He will be missed by this community and by those of us who knew and respected him."

Arthur G. Melikan, GE union relations manager: "In every respect he was a man of high integrity and high purpose. He was a dedicated union leader and a true representative of the union membership. In my many years of association with him, I have always found him sincere and fair. We will miss him."

W. Rankin Furey, president, Urban Coalition: "I was shocked by George's death. I had hoped against hope for his recovery. As vice president of the Urban Coalition, we have missed him sorely in recent weeks. His loss will be serious, almost irreplaceable. For as a union leader, he was forward thinking and very sympathetic with all the problems of poverty and the underprivileged and racial and ethnic minority groups."

During the 13 years he had been a major officer of Local 255, Mr. DiPalazzo became one of the most important members of the IUE's contract negotiating committee with GE.

He announced last June that he would not seek re-election in the union's biennial election next spring. Although he did not announce his plans at that time, it was generally expected that he would stay in the union movement, probably with the IUE's GE Conference Board in New York.

Mr. DiPalazzo was born in Italy and came here at the age of 5. He graduated from Pittsfield High School in 1938, returned to take the vocational machine-shop course for two years, and joined GE in 1940 as an apprentice toolmaker. During World War II, he served in the Army Air Corps.

He joined Local 255 when he started with GE, was elected a shop steward in 1947 and held office in the local since then. In 1955 he was elected chief shop steward, the third ranking office in the local, and held that position until 1964 when he won the office of business agent, filling the vacancy created by the death of Arthur J. LaBlue.

In recent years, Mr. DiPalazzo had become one of the civic leaders of the community, serving as a trustee of Berkshire Community College and only last year being elected a vice president of the Pittsfield Urban Coalition.

WORKED FOR THE POOR

He had strong feelings about organized labor's social responsibilities to the community, especially to the poor, and made several unsuccessful attempts last year to have Local 255 participate more fully in the

antipoverty program by donating use of its Woodlawn Avenue headquarters for one year to a neighborhood antipoverty agency.

In what was to be his final speech as a union leader, he formally dedicated the new IUE Local 255 hall on Tyler Street by renewing his call for union members and the union organization to work for the poor.

He urged the members to notice the "persistence of poverty in our land of plenty." And, sharing the blame for not being able to involve Local 255 more actively in the war against poverty, Mr. DiPalazzo said: "Unfortunately, we have not been able to convince many of our members to agree that we should use more of our financial and manpower resources to help out in these problems. If our leadership has failed, then we must redouble our efforts to communicate these ideas and programs."

His last public talk was Nov. 17 when an overflow crowd of more than 500 jammed the Itam Lodge for a testimonial dinner.

Under Mr. DiPalazzo's direction, Local 255 in 1966 developed a strong program of communications to its members during national contract negotiations with GE. Mr. DiPalazzo, who was a member of the national negotiations committee, contacted his office daily during the New York negotiations and dictated information for a daily bulletin.

ACTIVE IN CHURCH

In addition to his union and civic activities, Mr. DiPalazzo was one of the most active laymen in the affairs of his church, All Souls' Chapel in Lakewood. He was a former chairman of the Catholic Charities Drive in the church and belonged to the Holy Name Society.

He had been a director of Hillcrest Hospital, a member of the Berkshire Community College Advisory Board, a member of the Panel for Environmental Studies at Williams College and the Berkshire Mental Health Association, and a director of United Community Services.

Mr. DiPalazzo is survived by his wife, the former Anne Tosetti; two sons, James A., 17, and John G., 7; and a brother, Robert A. of Pittsfield.

Friends may call at the Bencivenga Funeral Home tonight from 7 to 9 and tomorrow from 2 to 4 and 7 to 9. The funeral will be Wednesday at 9 a.m. at All Souls' Chapel. The family has requested that in lieu of flowers, donations be made to All Souls' Chapel.

[From the Berkshire (Mass.) Eagle, Jan. 21, 1969]

GEORGE V. DIPALAZZO

As should have been clear from yesterday's tributes by union spokesmen, GE executives and civic leaders, George V. DiPalazzo was a very special labor leader indeed.

He was a highly respected business agent of IUE Local 255, the largest local union in Western Massachusetts. A conscientious worker, he knew union affairs through and through. When he attended a meeting, he came armed with facts. When he spoke, quietly but firmly, people listened.

This was not just because he told members what they wanted to hear. George DiPalazzo had high hopes for what the labor movement could achieve. When members failed to live up to those high hopes, he said so.

He carried the same concern into civic affairs. In many cities it is common practice to put a labor representative on civic agencies to round them out and convey the impression, at least, of spokesmen from all walks of life. But anyone who appointed George DiPalazzo got a working representative, not a figurehead. When he agreed to serve on a committee, he accepted the responsibilities that went with the appointment.

With a man of such sensitivity, it perhaps was natural that there should be disappointments. He suffered one such last year when he failed to persuade Local 255 members to approve his recommendation that the union's old headquarters on Woodlawn Avenue be given over to HOPE, the anti-poverty agency for the Morningside section. Characteristically, he shouldered the blame for what he considered the union's reluctance to fight for help for the poor and justice for the oppressed.

For as a student of organized labor, he took the long view. He understood how unionism had grown from its weak, fragmented beginnings into the powerful economic and political force of today; and he was worried by signs of complacency, reaction and racial discrimination within the movement.

Last September at the dedication of Local 255's new headquarters, he referred to the local's first headquarters above the Palace Theatre, where orange crates served as chairs.

"I hope we never forget our early orange-crate days," he said, "because a good local union needs dedicated members and officers more than it needs an expensive building."

George DiPalazzo knew what a union needs, and he knew that too dedicated and enlightened labor leaders are very rare. Today, sadly for all of us, there is one less.

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## JEFFERSON-WHITEHALL UNIT LEGISLATION

### HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. OLSEN. Mr. Speaker, today I am introducing legislation providing for construction of the Jefferson-Whitehall unit in western Montana. Because of the growing need for an adequate water supply for future Americans, I want to take this opportunity to share a few thoughts about the problems we face in the area of water conservation and the ways in which this project will help to alleviate our situation.

As I look upon the ravaged wastelands of this Nation, its polluted water streams, and the millions of acres that might be brought under cultivation, I am reminded of an early 19th century poet's lines concerning an ancient king whose crumbling statue and shattered visage looked out on nothing. For Shelly truly captured the spirit of that king's barren arrogance when he wrote:

> Nothing beside remains. Round the decay of that colossal wreck, boundless and bare the long and level sands stretch far away.

His dreams, if he had any, came to nothing. How different from the inspiring features of our great leaders carved in the granite of Mount Rushmore in South Dakota. These likenesses of Washington, Jefferson, Lincoln, and Teddy Roosevelt can only serve to remind us of their leadership and their compassion for their contemporaries and for all future generations.

Their dreams left us a blueprint for action. Not only did they expand the boundaries of America, they were also responsible for programs of conservation and reclamation that have resulted in the harnessing of our streams and the conversion of millions of acres of wilderness and arid land to fertile plains. Their example should give us strength as we face three major crises in our country today—population, food, and water. And water is the determining factor, for without this commodity, all else will wither and die.

I need not remind this body that a world population of 1 billion has tripled since the beginning of this century; that by the year 2000 another 3 billion will be added to the population now on earth.

In America, our current population of 190 million people will have expanded to 245 million by 1980 and will be approaching 400 million by the year 2000.

In the West, our population will grow from its present 45 million to more than 110 million by the beginning of the next century.

We can expect our food requirements to double, and our demand for water to triple before the turn of the century.

The President's Science Advisory Committee report on "The World Food Problem" reflects the challenge of these crises, when it stated in its report:

> The scale, severity, and duration of the world food problem are so great that a massive, long-range, innovative effort unprecedented in human history will be required to master it.

And to quote from Senator Moss' recent book, "The Water Crisis":

> Major Powell's dictum—that land use is limited by water availability—applies to the modern West as much as to the one he explored. Irrigation may give way proportionately to industry use of water, but population growth alone requires large additional supplies. For recreation, for agriculture, for industry, or just for personal use, water remains the key to a West of full value to the Nation.

I agree with his further observation that this Nation cannot permit its narrow margin of reserve in water supplies; that water management of the future must put people beyond nature's caprice.

Today we must think boldly and undertake projects to guarantee future generations an adequate water supply. Montanans and other westerners can see at first hand the fish and wildlife contributions made by a reclamation project in Washington's Columbia Basin development. Here water from the Columbia River has developed not only a rich irrigated area of a half million acres, but, in addition, it has developed scores of fishing and hunting areas where virtually no such facilities existed before. These areas contributed 1.7 million days of visitor use by sportsmen during 1966, and added 25 percent to the fish and wildlife harvest of the State.

Also in Washington, they can see the plans for the recently authorized Touchet division of the Bureau af Reclamation's Walla Walla project. Here water storage has been provided for minimum flows in 90 miles of the Touchet and Walla Walla Rivers, which will help restore runs of Coho and Chinook salmon which have been virtually extinct in these streams. These and other fishery benefits constitute 51 percent of the potential contributions of the project.

The great West alternately faces periods of severe flooding and severe drought. Floods inundate vast acres of land; leaving havoc and destruction in their wake. Periods of extreme drought parch the land and impair both agriculture and tourism, two of the West's principal industries.

But even between these two extremes, the West remains today largely a semi-arid region, dependent on an uncertain nature. Thus, westerners who are guiding the growth of their area are determined that water, their most valuable resource, shall be conserved and utilized not only for human consumption, but also for adding value to wasteland by irrigation.

In our efforts to keep pace with the water demands of our great West, we have, since the Reclamation Act of 1902, maintained an effective partnership between State and Federal Governments. This has resulted in the building of dams, reservoirs, and distribution facilities over the past 50 or 60 years. It has also involved the planning of badly needed current facilities.

One project that has been under study for the past four decades by both the State of Montana and the Bureau of Reclamation is the Jefferson-Whitehall unit. In southwestern Montana the water resources of the upper tributaries of the Missouri are, for the most part, generally confined to eroded channels or steep-walled valleys that are remote from potential areas of use, and frequently rather inaccessible. A complex development plan is necessary to get some of this water out of its channels and transported to areas of actual or potential need and at the same time to retain enough water in the streams to sustain fish and wildlife.

Most of the streams involved are valuable for fishing, but Montanans prefer to use their beautiful streams for both fishing and water supply. Now that the studies have been completed, the Bureau of Reclamation has tentatively proposed a plan of development that will provide flood control protection, bolster the economy of a population-declining three-county area, and at the same time, provide improved fishing and wildlife opportunities for residents and visitors.

Now just what does the Jefferson-Whitehall unit propose to do for southwestern Montana?

First of all, it would create storage facilities for spring flood runoffs which, uncontrolled, can erode stream channels, make flowing streams turgid and rolly, and cause damage to homes, roads, and agricultural lands. This project would bring flood control benefits estimated at $360,000 annually.

After the excess flows are stored, the water will be made available for multiple beneficial uses in a large area of western Montana. These potential uses include the irrigation of cropland, fish and wildlife enhancement, and public recreation. This pattern of converting a wasted resource to beneficial use has been applied in the arid and semiarid West for the past century, making large expanses of desertland green and living, creating economic prosperity in the irrigated cases and making increased fishing and water-oriented recreation possible for many thousands of residents and visitors every year.

The irrigation water from this proposed Montana project would be delivered to some 64,000 acres of fertile land in Madison, Jefferson, Silver Bow, Broadwater, and Lewis and Clark Counties, generally adjacent to the Big Hole, Jefferson, and Missouri Rivers and Canyon Ferry Lake. Nearly a third of this acreage is presently irrigated with an inadequate supply of water from tributaries of the Jefferson and Missouri Rivers. The rest is largely dry-farmed wheatlands, where seasonal and cyclical vagaries of the weather make farming uncertain and economically hazardous. Hence, the production of nearly a half million acres of surplus wheat will be replaced by feed grains, beets, potatoes, and livestock production.

Between 1950 and 1960, the total population of Broadwater, Jefferson, and Madison Counties decreased by approximately 5 percent, while the rural farm population in these counties declined by 37 percent. We can ill afford this loss.

Besides stabilizing and diversifying the farm production of this declining area, the Jefferson-Whitehall project would provide new economic opportunities in project area communities, both during the 10-year construction period and afterward. New farming opportunities would be created for about 135 farm families and about 80 farm laborers. Jobs in service and trade establishments would be created for about 200 persons, making a total population increase of about 1,200 people in the five-county area. This extra population and business activity would generate nearly $3 million annually in increased spendable income, and produce about $675,000 annually in Federal, State, and local tax revenue.

These project purposes would be achieved by the constructing of the proposed Reichle Dam and Reservoir on the Big Hole River; the offstream Milligan Dam and Reservoir, two diversion dams, the Jefferson and Townsend canals, more than 400 miles of supply and lateral canals, and necessary drainage works. Reichle Dam and Reservoir would be the principal storage and regulatory facility, with a storage capacity of 530,700 acre-feet of water. In addition to valuable flood control benefits, this reservoir would yield annually some 350,000 acre-feet of water—13.3 billion gallons—for irrigation, as well as recreation, and fish and wildlife sanctuaries.

Access roads, sanitation, parking, picnicking, camping, and boat launching facilities at Reichle and Milligan Reservoirs will be built at an investment cost of approximately $1 million, according to a National Park Service plan. Reichle Reservoir alone would provide about 10 square miles of boating, water skiing, and lake fishing, and 32 miles of shoreline.

I have urged the construction of the Jefferson-Whitehall project because it not only benefits the State of Montana but, more important, it is a link in the chain of many conservation projects that must be undertaken if the West is going to prove a suitable place for the masses in the next few years.

Where will 100 million additional people live? Should we not provide a suitable countryside for them, if they prefer the rural areas? Or are we going to repeat the mistake of forcing our masses into overcrowded cities? I believe our people should have a right of choice, and knowing westerners, it is not difficult for me to foresee their decisions to inhibit the more wide-open areas.

This Nation was founded on the inalienable right of our citizens to life and those common pursuits necessary to sustain life. This will call for millions of additional fruitful acres, for only in such manner can we provide abundant communities for future generations. The time has arrived for action.

We honor the wisdom of our great forebearers when we extend the work they inspired. Let us get on with the grand design before it is too late. Knowing what lies ahead, we should make no little plans.

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## AKRON, OHIO: PROPOSITION 14 REVISITED

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. RARICK. Mr. Speaker, the U.S. Supreme Court has again shown its distrust of the people by denying them the right to govern themselves. By an 8-to-1 decision, the Court struck down a municipal charter amendment which prohibited the Akron city fathers from enacting an open housing statute unless it was first approved by a majority of the voters. The amendment further provided that a majority of the voters could in an election change the law.

Certainly the Akron charter amendment did not sound like some sinister plot to deny human dignity. To the contrary, it sounded more like an expression of self-determination by a self-governing people.

This same Court has often rendered opinions, talking of our citizens' having a guaranteed right to vote; but in their opinion they have again held that the voting right exists only if the people vote in such a manner as to please the unelected Federal judges. If, on the other hand, the people do not vote in accordance with the judges' social philosophy, their votes are to be merely thrown out as unconstitutional under some theory of bias or prejudice. In the final essence, only the judges' votes count—and their votes count more and are not equal to the peoples'. This can but be California's "Proposition 14" revisited.

Where under any theory of law or reason can the U.S. Supreme Court derive authority to deny American citizens the right to vote?

Some advocate home rule for the District of Columbia so its citizens can govern themselves by majority vote. Would home rule for the District give them an equal opportunity for self-government as is enjoyed by the citizens of Akron, Ohio—minority rule by nine unelected Judges?

Some shriek "constitutional crisis," and would demand hasty action to abolish the electoral college on a theory that they would be giving the people a popular vote for the Presidency. If there is a crisis today, it is not with the constitu-

tion, but with the Federal courts—judges who refuse to limit their powers and subdue their personal feelings.

Certainly even Federal judges can be as unfaithful to their oath as an unfaithful elector.

Mr. Speaker, there will be many versions and interpretations of the Akron housing opinion. I include a complete text of the Supreme Court opinion following my remarks:

[No. 63.—October Term, 1968]

NELLIE HUNTER, APPELLANT, v. EDWARD O. ERICKSON, MAYOR OF CITY OF AKRON, ET AL.

(On appeal from the Supreme Court of Ohio, January 20, 1969.)

Mr. JUSTICE WHITE delivered the opinion of the Court.

The question in this case is whether the City of Akron, Ohio, has denied its Negro citizen Nellie Hunter the equal protection of its laws by amending the city charter to prevent the city council from implementing any ordinance dealing with racial, religious, or ancestral discrimination in housing without the approval of the majority of the voters of Akron.

The Akron City Council in 1964 enacted a fair housing ordinance premised on a recognition of the social and economic losses to society which flow from substandard, ghetto housing and its tendency to breed discrimination and segregation contrary to the policy of the city to "assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, ancestry or national origin." Akron Ordinance No. 873-1964 § 1. A Commission on Equal Opportunity in Housing was established by the ordinance in the office of the Mayor to enforce the antidiscrimination sections of the ordinance through conciliation or persuasion if possible, but if not then "through such order as the facts warrant," based upon a hearing at which witnesses may be subpoenaed, and entitled to enforcement in the courts. Akron Ordinance No. 873-1964, as amended by Akron Ordinance No. 926-1964.

Seeking to invoke this machinery which had been established by the city for her benefit, Nellie Hunter addressed a complaint to the Commission asserting that a real estate agent had come to show her a list of houses for sale, but that on meeting Miss Hunter the agent "stated that she could not show me any of the houses on the list she had prepared for me because all of the owners had specified they did not wish their houses shown to Negroes." Miss Hunter's affidavit met with the reply that the fair housing ordinance was unavailable to her because the city charter had been amended to provide:

"Any ordinance enacted by the Council of The City of Akron which regulates the use, sale, advertisements, transfer, listing assignment, lease, sublease or financing of real property of any kind or of any interest therein on the basis of race, color, religion, national origin or ancestry must first be approved by a majority of the electors voting on the question at a regular or general election before said ordinance shall be effective. Any such ordinance in effect at the time of the adoption of this section shall cease to be effective until approved by the electors as provided herein." Akron City Charter § 137.

The proposal for the charter amendment had been placed on the ballot at a general election upon petition of more than 10% of Akron's voters, and the amendment had been duly passed by a majority.

Petitioner then brought an action in the Ohio courts on behalf of the municipality, herself, and all others similarly situated, to obtain a writ of mandamus requiring the Mayor to convene the Commission and to require the Commission and the Director of Law to enforce the fair housing ordinance and process her complaint. The trial court initially held the enforcement provisions of the fair housing ordinance invalid under state law, but the Supreme Court of Ohio reversed, *State ex rel. Hunter* v. *Erickson*, 6 Ohio St. 2d 130, 216 N. E. 2d 371 (1966). On remand, the trial court held that the fair housing ordinance was rendered ineffective by the charter amendment, and the Supreme Court of Ohio affirmed, holding that the charter amendment was not repugnant to the Equal Protection Clause of the Constitution.

Akron contends that this case has been rendered moot by the passage of the Civil Rights Act of 1968, Pub. L. 90-284, 82 Stat. 73, the decision of this Court in *Jones* v. *Alfred H. Mayer Co.*, 392 U.S. 409 (1968), and the passage of an Ohio Act of October 30, 1965, Ohio Rev. Code, Tit. 41, c. 4112. It is true that each of these events is related to open housing, but none of the legislation involved was intended to pre-empt local housing ordinances or provide rights and remedies which are effective substitutes for the Akron law.

The 1968 Civil Rights Act specifically preserves and defers to local fair housing laws,[1] and the 1866 Civil Rights Act[2] considered in *Jones* should be read together with the later statute on the same subject, *United States* v. *Stewart*, 311 U.S. 60, 64-65 (1940); *Talbot* v. *Seeman*, 1 Cranch 1, 34-35 (1801), so as not to pre-empt the local legislation which the far more detailed Act of 1968 so explicitly preserves. If the Ohio statute mooted the case, surely the Ohio Supreme Court would have so held when the validity of the Akron ordinance was twice before it after the Ohio statute was passed. Moreover, the sections of the Ohio law which are crucial here apply only to "commercial housing," and on any reading we can imagine do not apply to Miss Hunter's case,[3] though the Akron ordinance does. Finally, the case cannot be considered moot since the Akron ordinance provides an enforcement mechanism unmatched by either state or federal legislation. Unlike state or federal programs, the Akron ordinance brings local people together for conciliation and persuasion by and before a local tribunal. It is to precisely this sort of very localized solution to which Congress meant to defer. We therefore reject the contention that this case is moot.

Akron argues that this case is unlike *Reitman* v. *Mulkey*, 387 U.S. 369 (1967) in that here the city charter declares no right to discriminate in housing, authorizes and encourages no housing discrimination, and places no ban on the enactment of fair housing ordinances. But we need not rest on *Reitman* to decide this case. Here, unlike *Reitman*, there was an explicitly racial classification treating racial housing matters differently from other racial and housing matters.

By adding § 137 to its Charter the City of Akron, which unquestionably wields state power,[4] not only suspended the operation of the existing ordinance forbidding housing discrimination, but required the approval of the electors before any future ordinance could take effect.[5] Section 137 thus drew a distinction between those groups seeking the law's protection against racial, religious, or ancestral discriminations in the sale and rental of real estate and those who sought to regulate real property transactions in the pursuit of other ends. Those who sought, or would benefit from, most ordinances regulating the real property market remained subject to the general rule: the ordinance would become effective 30 days after passage by the City Council, or immediately if passed as an emergency measure, and would be subject to referendum only if 10% of the electors so requested by filing a proper and timely petition.[6] Passage by the Council sufficed unless the electors themselves invoked the general referendum provisions of the City Charter. But for those who sought protection against racial bias, the approval of the City Council was not enough. A referendum was required by charter at a general or regular election, without any provision for use of the expedited special election ordinarily available. The Akron Charter obviously made it substantially more difficult to secure enactment of ordinances subject to § 137.

Only laws to end housing discrimination based on "race, color, religion, national origin or ancestry" must run § 137's gauntlet. It is true that the section draws no distinctions among racial and religious groups, Negroes and whites, Jews and Catholics are all subject to the same requirements if there is housing discrimination against them which they wish to end. But § 137 nevertheless disadvantages those who would benefit from laws barring racial, religious, or ancestral discriminations as against those who would bar other discriminations or who would otherwise regulate the real estate market in their favor. The automatic referendum system does not reach housing discrimination on sexual or political grounds, or against those with children or dogs, nor does it affect tenants seeking more heat or better maintenance from landlords, nor those seeking rent control, urban renewal, public housing, or new building codes.

Moreover, although the law on its face treats Negro and white, Jew and gentile in an identical manner, the reality is that the law's impact falls on the minority. The majority needs no protection against discrimination and if it did, a referendum might be bothersome but no more than that. Like the law requiring specification of candidates' race on the ballot, *Anderson* v. *Martin*, 375 U. S. 399 (1964), § 137 places special burdens on racial minorities within the governmental process. This is no more permissible than denying them the vote, on an equal basis with others. Cf. *Gomillion* v. *Lightfoot*, 364 U. S. 339 (1960); *Reynolds* v. *Sims*, 377 U. S. 533 (1964); *Avery* v. *Midland County*, 390 U. S. 474 (1968). The preamble to the open housing ordinance which was suspended by § 137 recited that the population of Akron consists of "people of different race, color, religion, ancestry or national origin, many of whom live in circumscribed and segregated areas, under sub-standard, unhealthful, unsafe, unsanitary and overcrowded conditions, because of discrimination in the sale, lease, rental and financing of housing." Such was the situation in Akron. It is against this background that the referendum required by § 137 must be assessed.

Because the core of the Fourteenth Amendment is the prevention of meaningful and unjustified official distinctions based on race, *Slaughter-House Cases*, 16 Wall. 36, 71 (1873); *Strauder* v. *West Virginia*, 100 U. S. 303, 307-308 (1880); *Ex parte Virginia*, 100 U. S. 339, 344-345 (1880); *McLaughlin* v. *Florida*, 379 U. S. 184, 192 (1964); *Loving* v. *Virginia*, 388 U. S. 1, 10 (1968), racial classifications are "constitutionally suspect," *Bolling* v. *Sharpe*, 347 U. S. 497, 499 (1954), subject to the "most rigid scrutiny," *Korematsu* v. *United States*, 323 U. S. 214, 216 (1944). They "bear a far heavier burden of justification" than other classifications, *McLaughlin* v. *Florida*, 379 U. S. 184, 194 (1964).

We are unimpressed with any of the State's justifications for its discrimination. Characterizing it simply as a public decision to move slowly in the delicate area of race relations emphasizes the impact and burden of § 137, but does not justify it. The amendment was unnecesary either to implement a decision to go slowly or to allow the people of Akron to participate in that decision.[7] Likewise, insisting that a State may distribute legislative power as it desires and that the people may retain for themselves the power over certain subjects may generally be true, but these principles furnish no justification for a legislative structure which

Footnotes at end of speech.

otherwise would violate the Fourteenth Amendment. Nor does the implementation of this change through popular referendum immunize it. *Lucas* v. *Colorado General Assembly*, 377 U.S. 713, 736–737 (1964). The sovereignty of the people is itself subject to those constitutional limitations which have been duly adopted and remain unrepealed. Even though Akron might have proceeded by majority vote at town meeting on all its municipal legislation, it has instead chosen a more complex system. Having done so, the State may no more disadvantage any particular group by making it more difficult to enact legislation in its behalf than it may dilute any person's vote or give any group a smaller representation than another of comparable size. Cf. *Reynolds* v. *Sims*, 377 U.S. 533 (1964); *Avery* v. *Midland County*, 390 U.S. 474 (1968).

We hold that § 137 discriminates against minorities, and constitutes a real substantial, and invidious denial of the equal protection of the laws.

*Reversed.*

Mr. JUSTICE HARLAN, whom Mr. JUSTICE STEWART joins, concurring.

At the outset, I think it well to sketch my constitutional approach to state statues which structure the internal governmental process and which are challenged under the Equal Protection Clause of the Fourteenth Amendment. For Equal Protection purposes, I believe that laws which define the powers of political institutions fall into two classes. First, a statute may have the clear purpose of making it more difficult for racial and religious minorities to further their political aims. Like any other statute which is discriminatory on its face, such a law cannot be permitted to stand unless it can be supported by state interests of the most weighty and substantial kind. *McLaughlin* v. *Florida*, 379 U.S. 184, 192 (1964).

Most laws which define the structure of political institutions, however, fall into a second class. They are designed with the aim of providing a just framework within which the diverse political groups in our society may fairly compete and are not enacted with the purpose of assisting one particular group in its struggle with its political opponents. Consider, for example, Akron's procedure which requires that almost any ordinance be submitted to a general referendum if 10% of the electorate signs an appropriate petition.* This rule obviously does not have the purpose of protecting one particular group to the detriment of all others. It will sometimes operate in favor of one faction; sometimes in favor of another. Akron has adopted the referendum system because its citizens believe that whenever an action of the City Council raises the emotional opposition of *any* significant group in the community, the people should have a right to decide the matter directly. Statutes of this type, which are grounded upon general democratic principle, do not violate the Equal Protection Clause simply because they occasionally operate to disadvantage Negro political interests. If a governmental institution is to be fair, one group cannot always be expected to win. If the Council's Fair Housing legislation were defeated at a referendum, Negroes would undoubtedly lose an important political battle, but they would not thereby be denied Equal Protection.

This same analysis applies to other institutions of government which are even more solidly rooted in our history than is the referendum. The existence of a bicameral legislature or an executive veto may on occasion make it more difficult for minorities to achieve favorable legislation; nevertheless, they may not be attacked on Equal Protection grounds since they are founded on neutral principles. Similarly, the rule which makes it relatively difficult to amend a state constitution is commonly justified on the theory that constitutional provisions should be more thoroughly scrutinized and more soberly considered than are simple statutory enactments. Here, too, Negroes may stand to gain by the rule if a Fair Housing law is made part of the constitution, or they may lose if the constitution adopts a position of strict neutrality on the question. See *Reitman* v. *Mulkey*, 387 U.S. 369, 389 (1967) (Dissenting opinion of HARLAN, J.). But even if Negroes are obliged to undertake the arduous task of amending the state constitution, they are not thereby denied Equal Protection. For the rule making constitutional amendment difficult is grounded in neutral principle.

In the case before us, however, the city of Akron has not attempted to allocate governmental power on the basis of any general principle. Here, we have a provision that has the clear purpose of making it more difficult for certain racial and religious minorities to achieve legislation that is in their interest. Since the Charter Amendment is discriminatory on its face, Akron must "bear a far heavier burden of justification" than is required in the normal case. *McLaughlin* v. *Florida*, 379 U.S. 184, 194 (1964). And Akron has failed to sustain this burden. The City's principal argument in support of the Charter Amendment relies on the undisputed fact that Fair Housing legislation may often be expected to raise the passions of the community to their highest pitch. It was not necessary, however, to pass this amendment in order to assure that particularly sensitive issues will ultimately be decided by the general electorate. Akron has already provided a procedure which is grounded in neutral principle, that requires a general referendum on this issue if 10% of the voters insist. If the prospect of Fair Housing legislation really arouses passionate opposition, the voters will have the final say. Consequently, the Charter Amendment will have its real impact only when fair housing does *not* arouse extraordinary controversy. This being the case, I can perceive no legitimate state interest which in any degree vindicates the action taken by the City here.

As I read the Court's opinion to be entirely consistent with the basic principles which I believe control this case, I join in it.

Mr. JUSTICE BLACK, dissenting.

Section 10, Art. I, of the Constitution provides, among other things, that "No State shall . . . pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts . . ." But there is no constitutional provision anywhere which bars any State from repealing any law on any subject at any time it pleases. Although the Court denies the fact, I read its opinion as holding that a city that "wields state power" is barred from repealing an existing ordinance that forbids discrimination in the sale, lease, or financing of real property "on the basis of race, color, religion, national origin or ancestry . . ." The result of what the Court does is precisely as though it had commanded the State by mandamus or injunction to keep on its books and enforce what the Court favors as a fair housing law.

The Court purports to find its power to forbid the city to repeal its laws in the provision of the Fourteenth Amendment forbidding a State to "deny to any person within its jurisdiction the equal protection of the laws." For some time I have been filing my protests against the Court's use of the Due Process Clause to strike down state laws that shock the Court's conscience, offend the Court's sense of what it considers to be "fair" or "fundamental" or "arbitrary" or "contrary to the beliefs of the English-speaking people." I now protest just as vigorously against use of the Equal Protection Clause to bar States from repealing laws that the Court wants the States to retain. Of course the Court under the ruling of *Marbury* v. *Madison*, 1 Cranch 137 (1803), has power to invalidate state laws that discriminate on account of race. But it does not have power to put roadblocks to prevent States from repealing these laws. Here, I think the Court needs to control itself, and not, as it is doing, encroach on the States' powers to repeal its old laws when it decides to do so.

Another argument used by the Court supposed to support its holding is that we have in a number of our cases supported the right to vote without discrimination. And we have. But in no one of them have we held that a State is without power to repeal its own laws when convinced by experience that a law is not serving a useful purpose. Moreover, it is the Court's opinion here that casts aspersions upon the right of citizens to vote. I say that for this reason. Akron's repealing law here held unconstitutional, provides that an ordinance in the fair housing field in Akron "must first be approved by a majority of the electors voting on the question at a regular or general election before said ordinance shall be effective." The Court uses this granted right of the people to vote on this important legislation as a key argument for holding that the repealer denies equal protection to Negroes. Just consider that for a moment. In this Government, which we boast is "of the people, for the people and by the people," conditioning the enactment of a law on a majority vote of the people condemns that law as unconstitutional in the eyes of the Court! There may have been other state laws held unconstitutional in the past on grounds that they are equally as fallacious and undemocratic as those the Court relies on today, but if so I do not recall such cases at the moment. It is time, I think, to recall that the Equal Protection Clause does not empower this Court to decide what state ordinances or laws a State may repeal. I would not strike down this repealing ordinance.

FOOTNOTES

[1] Nothing in the federal statute is to be construed "to invalidate or limit any law of a State or political subdivision of a State" giving similar housing rights, and deference is to be given to local enforcement. Civil Rights Act of 1968, Tit. VIII, §§ 815, 810(c), 82 Stat. 73, 89, 86.

[2] "All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." C. 31, § 1, 14 Stat. 27, as amended, 42 U.S.C. § 1982.

[3] The Ohio statute makes it unlawful for "any person" to "[r]efuse to sell . . . or otherwise deny or withhold *commercial* housing from any person because of the race [or] color" of the prospective owner. 41 Ohio Rev. Code §§ 4112.02(H) and 4112.02(H)(1) (1965) (emphasis added). "Commercial housing" is defined to exclude "any personal residence offered for sale or rent by the owner or by his broker, salesman, agent, or employee." 41 Ohio Rev. Code § 4112.01(K) (1965). The statute makes it unlawful to "[p]rint, publish, or circulate any statement or advertisement relating to the sale [of a] . . . personal residence . . . which indicates any preference, limitation, specification, or discrimination based upon race. . . ." Since Miss Hunter does not seek commercial housing, or complain of the affront to her sensibilities of hearing a "circulated" statement (if the Ohio statute goes that far) she cannot obtain the relief she seeks under the Ohio statute.

[4] See, *e.g.*, *Evans* v. *Newton*, 382 U.S. 296 (1966); *Burton* v. *Wilmington Parking Authority*, 365 U.S. 715 (1961); *Shelley* v. *Kraemer*, 334 U.S. 1 (1948).

[5] Thus we do not hold that mere repeal of an existing ordinance violates the Fourteenth Amendment.

[6] Ordinances may be initiated through a petition signed by 7% of the voters, and the city charter may be amended or measures enacted by the council repealed through a

referendum which may be obtained on petition of 10% of the voters.

[1] The people of Akron had the power to initiate legislation, or to review council decisions, even before § 137. See n. 6, *supra*. The procedural prerequisites for this popular action are perfectly reasonable, as the gathering of 10% of the voters' signatures in the course of passing § 137 illustrates.

[2] Section 25 of Akron's City Charter exempts the following ordinances from the referendum procedure:

"(a) Annual appropriation ordinances. (b) Ordinances or resolutions providing for the approval or disapproval of appointments or removals made by Council. (c) Actions by Council on the approval of official bonds. (d) Ordinances or resolutions providing for the submission of any proposition to the vote of the electors. (e) Ordinances providing for street improvements petitioned for by owners of a majority of the feet front of the property benefited and to be specially assessed for the cost thereof."

It is not suggested that any of these exceptions were made with the purpose of disadvantaging Negro political interests.

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I'M FOR THE UPPER DOG

## HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. TEAGUE of Texas. Mr. Speaker, during the recent adjournment of the Congress a friend of mine forwarded to me a copy of a speech given by a Rotarian at an annual conference in April of 1968 which I felt I should share with my colleagues in the House. It follows:

I'M FOR THE UPPER DOG

(An address given by Bob Choate, Elyria Rotary Club, at the noon luncheon, April 20, 1968)

I suspect that most of you in this room are not too different from me. You've had ten, twenty, thirty, perhaps 40 years in Rotary. You're a Rotarian because you believe in what the organization stands for, and life has taught you that the Four-Way Test is just good business.

You've been active in Boy Scouts, in the YMCA, in the Chamber of Commerce, in the hospital, in your church. You've manned the kettles at Christmas time for the Salvation Army, and you've worked on the War on Poverty Committee in your community.

You've been, and you are "Joe Good Citizen."

And so have I, but I'm having some second thoughts.

I'm still for the YMCA, the Salvation Army, the Center for Sightless, the March of Dimes, and I shall continue to work for them to the best of my ability—with qualifications.

I am going to have to look at the recipients of my efforts and my money, and say, "Just a minute buddy, what have *you* done for *me* today?"

Let me hasten to make myself clear. I do not expect the boy being helped by my Big Brother membership in the YMCA to come mow my lawn, or even buy his shirt in my store.

I don't expect the school drop out that I am trying to help through my involvement in the War on Poverty to come around to my shop and offer to sweep the floor or wash the windows.

I'm not looking for the gal whom the Salvation Army saw through her period of motherhood, to show up at our house and offer to do the dishes. Far from it.

What I want is that boy from the YMCA Summer Camp, who got in free so far as he was concerned, and the high school drop out who got a second chance under the War on Poverty program, and the unwed mother whose burden in part was accepted by the Salvation Army, to look around and say,

"Thank God for America."

I don't want them to thank me, and I don't want them to do anything for me. I do want them to take a good hard look, and to realize that, underprivileged they may be; unfortunate they may be; abused they may be; none-the-less, no other nation under the face of the sun has tried to rectify wrongs as has this one. No other nation has poured out its heart and soul in the doctrine of the second chance as have we. No other nation has given so much and asked so little in return.

And only one thing makes this possible. You.

You, the upper dog.

You the privileged.

You the fortunate.

You who worked 16 hours a day when it was necessary and gambled your life and your earnings that you could be a success.

You, who accepted the burden of the community and on top of every other obligation that was piled on your shoulders, willingly took on one more. You, the upper dog. I'm for you.

I was deeply distraught and still am at the godless, senseless, brutal slaying of Dr. Martin Luther King. I am irrevocably opposed to these men, white or black, who think problems can be solved by threats, by reprisals, by murder, by revenge.

Whether or not I agree with Martin Luther King is of no consequence. He had the right to life, liberty, and the pursuit, not of happiness, but of an inspired goal. The fool who cut him down deserves no mercy from society.

But with all of this goes a corollary. I am fed up to the gills with the publicity given the H. Rap Browns, the Leroy Jones, the Adam Clayton Powells, the draft card burners, the acid heads and all their ilk, be they green, blue, black, white, or just plain yellow.

I am sick of the false aura of grandeur that we have permitted these people to assume through the medium of excess publicity.

I'll be a whole lot more impressed with their civil liberties when I see them being more civil and taking fewer liberties.

Every time one of these public bleeders climbs up on his soap box and berates the United States, our laws, our courts, our enforcement, our economy, he is doing it with my money.

My taxes make it possible for him to exist without visible means of support.

My obedience to the law makes it possible for him to flaunt it.

The willingness of others to serve under arms makes this country safe for him to point with scorn and burn his draft card.

I hold no brief for wrong in high places. I subscribe wholeheartedly to the doctrine of change. I know that growth is one of the inexorable laws of life. Grow or die.

But, I do not subscribe for one moment to the theory that every cockeyed nut, confused in economics, bewildered in politics, and pinked by "pie in the sky" has the right to tear down the government under which we live by whatever means he may see fit.

I don't believe that the man who never met a payroll can tell me how to meet mine. I have a growing suspicion that, in all too many instances, the proverbial under dog is content and happy with his lot. He willingly assumes the title "inferior" as an easy escape from responsibility. He capitalizes on "under dog" to his benefit and your detriment. I'm for the upper dog.

I have no quarrel with the wild-eyed as such. Society needs them. Much of progress is the result of men who cannot stay within conventional bounds. What in one generation is anarchy, in the next is looked back upon as the first stirrings of advance. Fine. I buy all of that.

What I do not buy is making a hero out of every stumble bum that comes down the pike waving his own particular flag and to hell with everything else.

Some of this "everything else" means a great deal to me. That I can read, or study, or work, as I wish; that I can worship or refuse to; that I can vote for or against without coercion; that I am the beneficiary of generations who found this "everything else" to be worth struggling and dying for. These mean a great deal to me.

So I'm middle class, I'm bourgeois, one of the unenlightened. Fine. Just quit using my money. You make your way on your own and let me do the same. You be for the under dog.

As for me, I'm for the upper dog. As President Upton said, "I'm for the one who sets out to do something and does it."

"I'm for the one who recognizes the problems at hand and endeavors to deal with them."

"I'm for the one who isn't blaming someone else for his failings."

"I'm for the one who doesn't consider it 'square' to wonder what more he can do, instead of how little."

Whether privileged or under privileged, each of us must be judged on what he does with what he has.

This nation was founded in justice, in tolerance, in honesty, in understanding, in faith, in work. We live by law, or we die for lack of it.

I'm for the man who subscribes to this. I'm for the upper dog.

I'm for you.

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INEQUITABLE IMMIGRATION SITUATIONS

## HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 23, 1969*

Mr. KOCH. Mr. Speaker, on January 16, I was pleased to join with my distinguished colleague from New York (Mr. RYAN), in cosponsoring legislation to correct the inequitable immigration situations arising from the 1965 Immigration and Nationality Act.

With the transition from a quota to a preference system, countries which have traditionally contributed large numbers of immigrants are now experiencing a decline of overwhelming proportions. The country hardest hit by the revision is Ireland, which averaged 7,000 immigrants annually prior to the change. In 1965 and 1966, this rate dropped to nearly 25 percent and the full impact of the act reduced this figure even further.

Under the provisions of the bill, any country whose immigration has dropped below 75 percent of its yearly average during the 10-year base period 1956–65, would be allocated additional spaces sufficient to raise its total to this 75 percent figure. The annual allotment would not exceed 10,000, and countries whose immigration rate increased would not be affected. It is estimated that in about 10 years, the preference system should equalize sufficiently so as not to require this emergency measure.