By Mr. RIVERS of Alaska:

H.R. 12269. A bill to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

By Mr. RIVERS of South Carolina:

H.R. 12270. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the 12th World Jamboree and Conference of Boy Scouts to be held in the United States in 1967, and for other purposes; to the Committee on Armed Services.

By Mr. ROBISON:

H.R. 12271. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments under the Social Security Amendments of 1965; to the Committee on Veterans' Affairs.

By Mr. SECREST:

H.R. 12272. A bill to amend section 902(b) and 902(c) of the Internal Revenue Code of 1954 to reduce the 50-percent requirement to 25 percent between first and second levels and to include third level foreign corporations in the tax credit structure if the 25-percent test is met; to the Committee on Ways and Means.

By Mr. CHELF:

H.J. Res. 807. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mr. HERLONG:

H.J. Res. 808. 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. McCLORY:

H.J. Res. 809. Joint resolution providing for the observance of Memorial Day and Independence Day on days other than those now fixed by law; to the Committee on the Judiciary.

H.J. Res. 810. Joint resolution to authorize the President to proclaim the 8th day of September of each year as International Literacy Day; to the Committee on the Judiciary.

By Mr. PATTEN:

H.J. Res. 811. Joint Resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. DENT:

H. Con. Res. 557. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. HUNGATE:

H. Con. Res. 558. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. LOVE:

H. Con. Res. 559. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. MULTER:

H. Con. Res. 560. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. MURPHY of New York:

H. Con. Res. 561. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. RODINO:

H. Con. Res. 562. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. BELL:

H. Res. 683. Resolution creating a select committee to investigate the operation of the Economic Opportunity Act; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 684. Resolution relating to nonproliferation of nuclear weapons; to the Committee on Foreign Affairs.

H. Res. 685. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BRADEMAS:

H.R. 12273. A bill for the relief of Evangelos Pipilas; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.R. 12274. A bill for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 12275. A bill for the relief of Mrs. Doris C. Shannon; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 12276. A bill for the relief of Etelka Molnar; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 12277. A bill for the relief of Hae Soo Pyun and In Sook Pyun; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12278. A bill for the relief of Gaetano Simoes Barboso; to the Committee on the Judiciary.

H.R. 12279. A bill for the relief of Jose de Paiva Costa Rita; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 12280. A bill for the relief of Bernardo Benes; to the Committee on the Judiciary.

H.R. 12281. A bill for the relief of Jesus Aurelio Miranda-Arguelles; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 12282. A bill for the relief of Rosario Furnari; to the Committee on the Judiciary.

H.R. 12283. A bill for the relief of Audley F. Timol; to the Committee on the Judiciary.

H.R. 12284. A bill for the relief of Clyde O. Timol; to the Committee on the Judiciary.

H.R. 12285. A bill for the relief of Neville Barrington Timol; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 12286. A bill for the relief of Teresita Gorostica Reyes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

318. The SPEAKER presented a petition of Henry Stoner, Avon Park, Fla., relative to providing universities to be erected and operated by the U.S. Government, which was referred to the Committee on Education and Labor.

SENATE

MONDAY, JANUARY 24, 1966

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

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

O Thou Father of all Mercies: again we come before Thee, standing in the need of prayer. We have not always recognized this need. We have thought ourselves equipped and adequate for whatever the day might bring forth.

But this day brings forth such massive responsibilities, raises such tangled problems, presents such complex moral demands, that we are driven to seek a wisdom and power beyond our own.

Where else can we turn but to Thee, O God; for Thou alone hast the words of eternal life that give meaning to our mortal years, and answer to the questions that taunt us.

Enable us, then, to receive Thy good gift of understanding as we turn to the duties at hand, cast out the pride and prejudice that could preempt our minds and leave no capacity for thinking Thy thoughts after Thee.

May there be in the deeds and decisions of this day some quality that will yield evidence that we have wrought in the strength of prayer that has been heard on high.

In the name of Him who taught us to pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 20,1966, was dispensed with.

ATTENDANCE OF A SENATOR

Hon. WARREN G. MAGNUSON, a Senator from the State of Washington, attended the session of the Senate today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE— ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 327. An act to amend section 501(c) of the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations and associations operated to provide reserve funds for domestic building and loan associations, and for other purposes;

H.R. 8210. An act to amend the International Organizations Immunities Act with

respect to the European Space Research Organization; and

H.R. 8445. An act to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954, to change the method of computing the retired pay of judges of the Tax Court of the United States.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

ORDER FOR ADJOURNMENT UNTIL 11 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nomination on the executive calendar.

COUNCIL OF ECONOMIC ADVISERS

The legislative clerk read the nomination of James S. Duesenberry, of Massachusetts, to be a member of the Council of Economic Advisers.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUTHORIZATION OF APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT, MISSILES, NAVAL VESSELS, AND TRACKED COMBAT VEHICLES FOR THE ARMED FORCES

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the Armed Forces, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT ON OFFICERS ASSIGNED OR DETAILED TO PERMANENT DUTY AT THE SEAT OF GOVERNMENT

A letter from the Secretary of the Air Force, reporting, pursuant to law, that as of December 31, 1965, there was an aggregate of 2,214 officers assigned or detailed to permanent duty in the executive part of the Department of the Air Force at the seat of government; to the Committee on Armed Services.

AMENDMENT OF CHAPTER 7, TITLE 37, U.S. CODE TO AUTHORIZE A DISLOCATION ALLOWANCE FOR CERTAIN TRAVEL

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend chapter 7 of title 37, United States Code, to authorize a dislocation allowance for travel performed under orders that are later canceled, revoked, or modified (with an accompanying paper); to the Committee on Armed Services.

REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Director of Civil Defense, Office of the Secretary of the Army, Washington, D.C., reporting, pursuant to law, on property acquisitions of emergency supplies and equipment, for the quarter ended December 31, 1965; to the Committee on Armed Services.

REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for July–November 1965 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF SMALL BUSINESS ACT

A letter from the Executive Administrator, Small Business Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Small Business Act (with accompanying papers); to the Committee on Banking and Currency.

PROPOSED AMENDMENT OF NATURAL GAS ACT TO GIVE THE FEDERAL POWER COMMISSION JURISDICTION OVER DIRECT INDUSTRIAL SALES OF NATURAL GAS

A letter from the Commissioner, Federal Power Commission, Washington, D.C., expressing his dissension with a draft of proposed legislation submitted by Mr. Joseph C. Swidler, on April 12, 1965, to amend section 1 of the Natural Gas Act, which would provide the Federal Power Commission with jurisdiction over direct sales by interstate pipelines of natural gas to industrial customers (with an accompanying paper); to the Committee on Commerce.

DISTRICT OF COLUMBIA LICENSING PROCEDURES ACT

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to revise and modernize procedures relating to the licensing by the District of Columbia of persons engaged in certain occupations, professions, businesses, trades, and callings, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

EXPENDITURE OF APPROPRIATED FUNDS FOR INSURANCE COVERING THE OPERATION OF MOTOR VEHICLES IN FOREIGN COUNTRIES

A letter from the Attorney General, transmitting a draft of proposed legislation to authorize the expenditure of appropriated funds for insurance covering the operation of motor vehicles in foreign countries (with an accompanying paper); to the Committee on Foreign Relations.

REPORT ON DISPOSAL OF EXCESS PROPERTY IN FOREIGN COUNTRIES

A letter from the Under Secretary of Health, Education, and Welfare, reporting, pursuant to law, on the disposal of excess property in foreign countries, for the calendar year 1965; to the Committee on Government Operations.

REPORTS OF ACTING COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the use of contractor-furnished personnel in violation of statutes governing Federal employment, Post Office Department, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on hospital and surgical-medical insurance benefits available under Blue Cross-Blue Shield plans, Department of Public Health, District of Columbia government, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1965, Federal Crop Insurance Corporation, Department of Agriculture, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on review of controls over utilization and procurement of photographic equipment at the Sandia Laboratory, Albuquerque, N. Mex., Atomic Energy Commission, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on review of efforts to collect debts resulting from default of guaranteed housing loans, Veterans' Administration, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the need for increased efforts to minimize rental delinquencies on acquired properties, Federal Housing Administration, Department of Housing and Urban Development, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting pursuant to law, a report on the examination of

financial statements, fiscal year 1965, Commodity Credit Corporation, Department of Agriculture, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on followup review of adjustments made in fees charged for summer homesites on national forest lands, Forest Service, Department of Agriculture, dated January 1966 (with an accompanying report); to the Committee on Government Operations.

REPORT ON MATTERS CONTAINED IN THE HELIUM ACT

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on matters contained in the Helium Act (Public Law 86–777), for the fiscal year 1965 (with an accompanying report); to the Committee on Interior and Insular Affairs.

LAWS ENACTED BY LEGISLATURE OF THE VIRGIN ISLANDS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Legislature of the Virgin Islands, in its 1965 regular and special sessions (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORTS ON FINAL SETTLEMENT OF CLAIMS OF CERTAIN INDIANS

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the Shoshone Tribe of Indians of the Wind River Reservation, Wyo., Docket No. 157 (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the Southern Paiute Nation et al., docket Nos. 88, 330, and 330–A (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the Seminole Nation, Docket No. 205 (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claims of the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, the Iowa Tribe of the Iowa Reservation in Oklahoma, et al., Omaha Tribe of Nebraska, et al., the Sac and Fox Tribe of Indians of Oklahoma, the Sac and Fox Tribe of Missouri, Sac and Fox Tribe of the Mississippi in Iowa, et al., docket Nos. 138 and 339 (with accompanying papers); to the Committee on Interior and Insular Affairs.

AMENDMENT OF ACT ESTABLISHING THE WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of November 8, 1965 (79 Stat. 1295) establishing the Whiskeytown-Shasta-Trinity National Recreation Area (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTION 1821, TITLE 28, UNITED STATES CODE, TO INCREASE THE PER DIEM, MILEAGE, AND SUBSISTANCE ALLOWANCES OF WITNESSES

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 1821 of title 28, United States Code, to increase the per diem, mileage, and subsistence allowances of witnesses (with an accompanying paper); to the Committee on the Judiciary.

SETTLEMENT OF CLAIMS AGAINST THE DISTRICT OF COLUMBIA BY CERTAIN OFFICERS AND EMPLOYEES OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the settlement of claims against the District of Columbia by officers and employees of the District of Columbia for damage to, or loss of, personal property incident to their service, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

REPORTS ON PETITIONS TO ACCORD FIRST PREFERENCE STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on petitions to accord first preference status to certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS ON POSITIONS IN GRADES GS–16, 17, AND 18

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on positions in the General Accounting Office in grades GS–16, 17, and 18, for the calendar year 1965 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Acting Assistant Attorney General for Administration, Department of Justice, transmitting, pursuant to law, a report on positions in grades GS–16 and 17, in that Department, for the calendar year 1965 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the chairman, Railroad Retirement Board, Chicago, Ill., transmitting, pursuant to law, a report on positions in grades GS–16, 17, and 18 (with an accompanying report); to the Committee on Post Office and Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The President pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Post Office and Civil Service, with amendments:

H.R. 6845. An act to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act (Rept. No. 951).

AUTHORIZATION OF A STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 205) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 205

Resolved, That the Committee on Government Operations, 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 subsection 1(g)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–380, approved by the President on September 24, 1959.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1966, to January 31, 1967, 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: *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 $2,200 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 committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $137,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL STAFF AND FUNDS FOR THE COMMITTEE ON PUBLIC WORKS—REPORT OF A COMMITTEE (S. REPT. NO. 952)

Mr. MUSKIE (for Mr. MCNAMARA), from the Committee on Public Works, reported an original resolution (S. Res. 206) providing additional staff and funds for the Committee on Public Works, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 206

Resolved, That the Committee on Public Works, 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 jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development and economic growth.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1966, to January 31, 1967, 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: *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 $2,200 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 committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mrs. NEUBERGER:

S. 2809. A bill for the relief of Lim Ai Ran and Lim Soo Ran; to the Committee on the Judiciary.

By Mr. COOPER (for himself and Mr. BAYH):

S. 2810. A bill for the relief of Max Ratibor; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. SMATHERS):

S. 2811. A bill for the relief of Lt. Col. Robert W. Stewart, Jr., U.S. Air Force;

S. 2812. A bill for the relief of Agnes C. Stowe; and

S. 2813. A bill for the relief of Dr. Ramon Baez Hernandez; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2814. A bill for the incorporation of the Fair Campaign Practices Committee; to the Committee on the Judiciary.

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

By Mr. YOUNG of Ohio:

S. 2815. A bill to establish a joint congressional committee to make a continuing study and investigation of the activities and operations of the Central Intelligence Agency; to the Committe on Armed Services.

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

By Mr. BURDICK:

S. 2816. A bill to assist in alleviating the national railroad freight car shortage; to the Committee on Commerce.

S. 2817. A bill to amend the Sugar Act of 1948 to adjust sugar quotas for domestic areas, and for other purposes; to the Committee on Finance.

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

By Mr. CLARK:

S. 2818. A bill to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and wage behavior which threatens national economic stability; to the Committee on Labor and Public Welfare.

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

By Mr. DODD (for himself and Senators ALLOTT, BAYH, BIBLE, BREWSTER, BURDICK, BYRD of Virginia, COOPER, DOMINICK, ERVIN, FANNIN, GRUENING, HARRIS, HART, HARTKE, HRUSKA, INOUYE, JORDAN of Idaho, KENNEDY of New York, KENNEDY of Massachusetts, KUCHEL, LONG of Missouri, MAGNUSON, MCCARTHY, METCALF, MILLER, MOSS, MURPHY, NELSON, PELL, PROUTY, ROBERTSON, RUSSELL of South Carolina, SCOTT, SYMINGTON, THURMOND, TOWER, TYDINGS, and YOUNG of Ohio):

S.J. Res. 127. Joint resolution designating April 9 of each year as Sir Winston Churchill Day; to the Committee on the Judiciary.

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

RESOLUTIONS

TO PRINT "HOW TO OBTAIN BIRTH CERTIFICATES" AS A SENATE DOCUMENT

Mr. DIRKSEN submitted an original resolution (S. Res. 204) to print "How To Obtain Birth Certificates" as a Senate document, which was considered and agreed to.

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

AUTHORIZATION OF A STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 205) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MUSKIE, which appears under the heading "Reports of Committees.")

ADDITIONAL STAFF AND FUNDS FOR THE COMMITTEE ON PUBLIC WORKS

Mr. MUSKIE (for Mr. MCNAMARA), from the Committee on Public Works, reported an original resolution (S. Res. 206) providing additional staff and funds for the Committee on Public Works, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MUSKIE, which appears under the heading "Reports of Committees.")

TO AUTHORIZE PRINTING ADDITIONAL COPIES OF HEARINGS ON S. 4, 89TH CONGRESS

Mr. MUSKIE submitted the following resolution (S. Res. 207), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on Public Works, one thousand additional copies of the hearings held during the Eighty-ninth Congress, first session, by its Special Subcommittee on Air and Water Pollution, on S. 4, the Water Quality Act of 1965.

TO AUTHORIZE PRINTING ADDITIONAL COPIES OF HEARINGS ON S. 3, 89TH CONGRESS

Mr. MUSKIE submitted the following resolution (S. Res. 208); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on Public Works, one thousand additional copies of the hearings held during the Eighty-ninth Congress, first session, by the Committee on Public Works, on S. 3, the Appalachian Regional Development Act of 1965.

FUNDS FOR SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS OF COMMITTEE ON RULES AND ADMINISTRATION

Mr. CANNON submitted the following resolution (S. Res. 209); which was referred to the Committee on Rules and Administration:

S. RES. 209

Resolved, That the Committee on Rules and Administration, 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 jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections generally, and

(6) Presidential succession.

SEC. 2. For the purpose of this resolution, the committee, from February 1, 1966, to January 31, 1967, 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: *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 $2,200 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 committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF EFFECTS OF OPERATIONS OF THE CENTRAL INTELLIGENCE AGENCY UPON THE FOREIGN RELATIONS OF THE UNITED STATES

Mr. MCCARTHY submitted the following resolution (S. Res. 210); which was referred to the Committee on Foreign Relations:

S. RES. 210

Resolved, That the Committee on Foreign Relations, or any duly authorized subcom-

mittee 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 make a full and complete study with respect to the effects of the operations and activities of the Central Intelligence Agency upon the foreign relations of the United States.

SEC. 2. The committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

SEC. 3. For the purposes of this resolution the committee, through January 31, 1967, 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, including actuarial experts, 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. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

A FEDERAL CHARTER FOR FEDERAL CAMPAIGN PRACTICES COMMITTEE

Mr. KUCHEL. Madam President, when the Fair Campaign Practices Committee was created in 1954, newspaper editors—who had been agonizing about smear tactics in election campaigns—smiled tolerantly and suggested that the committee was a nice idea that could not work. Many political figures—who had been smarting for years under the dishonest and unfair popular notion of politics as a dirty business—reacted similarly.

The Fair Campaign Committee stuck to its guns, and every citizen who is, as I am, proud to call himself a politician, is better off for that fact. Our political system in the better for the continued existence and growth of this courageous and impartial and dedicated group of citizens.

Newspapers and political leaders who greeted the committee with scoffing 12 years ago have turned to it many times since with requests for help or praise for a job well done.

The committee has studied the facts of unfair campaigning in an effort to get at the underlying causes of political smear and slander. It has identified the recurring dishonest tactics that are used to deceive voters and has developed literature and radio and television announcements to arm the voters against trickery. It has sought constantly to defend our political system against its detractors inside and outside its fabric. Last fall the committee brought together political leaders and broadcasters to explore with each other ways to improve the fairness and effectiveness of political argument on television.

Schools and universities, and churches and civic associations from coast to coast have used the committee's educational materials to help voters and future voters become better voters.

Over this dozen years the Fair Campaign Committee's operations have been national in scope and effect. In the summer of 1964 it was my pleasure to coauthor with my distinguished friend, now the Vice President of the United States, a reception in this Capital to honor the committee on its 10th anniversary. Those of my colleagues who attended that reception will recall that we took note then of the scope and effect, and stature, and truly national value, of the Fair Campaign Practices Committee.

I ask the Senate to initiate fitting recognition of the national character of this unique and splendid organization by granting to it a national charter. I introduce, for appropriate reference, a bill for the incorporation of the Campaign Practices Committee.

I ask unanimous consent that the bill be printed in the RECORD, and lie on the desk until the close of business next Friday in order that Senators who so desire may associate themselves with me in this matter.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from California.

The bill (S. 2814) for the incorporation of the Fair Campaign Practices Committee, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2814

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named persons: Hon. Charles P. Taft, Cincinnati, Ohio; Mr. Harry Louis Selden, New York, New York; Miss Anna Lord Strauss, New York, New York; Mr. Philip M. Stern, Washington, D.C.; Hon. Dwight D. Eisenhower, Gettysburg, Pennsylvania; Hon. Harry S. Truman, Independence, Missouri; Hon. H. Meade Alcorn, Jr., Hartford, Connecticut; Mr. Carl Ally, Norwalk, Connecticut; Hon. William Benton, Southport, Connecticut; Hon. James A. Farley, New York, New York; Mr. Bruce L. Felknor, Armonk, New York; Rabbi Louis Finkelstein, New York, New York; Mrs. Elizabeth Rudel Gatov, Kentfield, California; Hon. Guy M. Gillette, Cherokee, Iowa; Hon. Leonard W. Hall, Locust Valley, New York; Hon. Paul G. Hoffman, New York, New York; Mr. Palmer Hoyt, Denver, Colorado; Mr. George F. Jewett, Jr., San Francisco, California; Mr. Vann M. Kennedy, Corpus Christi, Texas; Mr. Herman S. Kohlmeyer, New Orleans, Louisiana; Bishop John Wesley Lord, Washington, D.C.; Mr. Joseph Martin, Jr., San Francisco, California; Hon. Stephen A. Mitchell, Taos, New Mexico; Mr. A. C. Nielsen, Jr., Chicago, Illinois; Mr. Louis Nizer, New York, New York; Mr. John Nuveen, Chicago, Illinois; Mr. Richard Ravitch, New York, New York; Mr. N. C. Templeton, Sacramento, California; Mr. Ernest G. Weiss, Armonk, New York; Most Rev. John J. Wright, Pittsburgh, Pennsylvania; and their associates and successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Fair Campaign Practices Committee (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act, acting in person or by written proxy, are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and by-laws not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF CORPORATION

SEC. 3. The purposes of the corporation shall be: To elevate the standards of ethics and morality which prevail in the conduct for campaigns for election to political offices on the national, State and local levels (including primary elections, as well as general elections), and covering party positions within the various political parties as well as public offices, including without limiting the foregoing, collecting information concerning capaign practices through studies of various media (such as press, radio, television, mail, and public platform) and through direct contact with the various candidates; to give wide publicity as to the requirements of the laws of the several States and the Federal Government concerning such practices; tc stress the importance to the proper functioning of the American form of government of ameliorating any evils inherent in such practices; and to solicit contributions of money, securities or other property, real or personal, or rights or services of any nature to carry out the foregoing.

CORPORATE POWERS

SEC. 4. The corporation shall have the power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and by-laws, not inconsistent with any Act of Congress or any law of any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of the law of the District of Columbia or of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in the District of Columbia or such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of any Act of Congress or of any State law; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

NONPROFIT, NONPOLITICAL NATURE OF CORPORATION: DISSOLUTION

SEC. 5. (a) The corporation is organized and shall be operated exclusively for educational purposes and not for pecuniary profit, and no part of its income or assets shall inure to the benefit of any of its members, directors or officers, or shall be distributable thereto otherwise than upon dissolution or final liquidation of the corporation.

(b) The corporation shall not have or issue shares of stock, nor declare or pay dividends.

(c) No loans shall be made by the corporation of its officers or directors, or any of them; and any directors who vote for or assent to the making of a loan or advance to an officer or director of the corporation, and any officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(d) Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors and in compliance with the constitution and by-laws of the corporation and all Federal and State laws applicable thereto.

(e) The corporation and its officers and agents as such shall not contribute to any political party or candidate for public office.

MEMBERSHIP; VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges and designation of classes of membership shall, except as otherwise provided in this Act, be determined as the constitution and by-laws of the corporation may provide.

(b) Each member of the corporation shall have the right to one vote in each matter submitted to a vote at all meetings of the members of the corporation.

GOVERNING BODY

SEC. 7. The supreme governing authority of the corporation shall be the board of directors thereof, composed of citizens of the United States who shall be elected from the membership of the corporate organization as shall be provided by the constitution and bylaws: *Provided,* That the form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or territory of the United States or in the District of Columbia.

OFFICERS OF CORPORATION

SEC. 8. (a) The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(b) The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT; CITIZENSHIP

SEC. 9. (a) The principal office of the corporation shall be located in New York, New York, or in such other place as may later be determined by the corporation, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, territories, and possessions of the United States, and the District of Columbia.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent; or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(c) For purposes of court jurisdiction the corporation shall be deemed to be a citizen of the State of New York.

BOOKS AND RECORDS; AUDIT, REPORTS

SEC. 10. (a) The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors; and shall keep at its principal office a record giving the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purposes, at any reasonable time.

(b) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(c) A report of such audit shall be made by the corporation to the Congress not later than six months following the close of the fiscal year for which the audit is made. The report shall set forth the scope of the audit and include such statements, together with the independent auditor's opinion of those statements, as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year, including (1) the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, and (2) a schedule of all contracts requiring payments in excess of $10,000 and any payments of compensation, salaries, or fees at a rate in excess of $10,000 per annum. The report shall not be printed as a public document.

(d) On or before June 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

USE OF NAME

SEC. 11. The corporation shall have the sole and exclusive right to use the name Fair Campaign Practices Committee. The corporation shall have the exclusive and sole right to use, or allow or refuse the use of, such emblems and seals as have heretofore been used by the New York Corporation described in section 12 and the right to which may be lawfully transferred to the corporation.

ACQUISITION OF ASSETS OF NEW YORK CORPORATION

SEC. 12. The corporation may acquire the assets of the Fair Campaign Practices Committee, a corporation organized under the laws of the State of New York, upon discharging or satisfactorily providing for the payment and discharge of all the liability of such corporation and upon complying with all laws of the State of New York applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 13. The right to alter, amend, or repeal this Act is expressly reserved.

JOINT CONGRESSIONAL COMMITTEE SHOULD SCRUTINIZE THE CENTRAL INTELLIGENCE AGENCY

Mr. YOUNG of Ohio. Madam President, I introduce, for appropriate reference, a bill to establish a joint congressional committee to make a continuing study and investigation of the activities and operations of the Central Intelligence Agency.

This proposed committee would be composed of six Members of the Senate and six Members of the House of Representatives. The President of the Senate would appoint one majority and one minority member from each of the following committees: Appropriations, Armed Services, and Foreign Relations. The Speaker of the House of Representatives would appoint one majority and one minority member from each of the following committees of the House: Appropriations, Armed Services, and Foreign Affairs. The chairmanship of this committee would alternate each Congress between the Senate and the House, and would be chosen by the Members of the House entitled to the chairmanship.

This powerful committee would be expected to hold regular executive sessions, to be kept full informed in respect to all activities and operations conducted by the CIA, and to conduct a continuing study and investigation of any and all matters relating to the Central Intelligence Agency. The committee would be provided with an expert staff.

The present informal committee has no staff. It is composed of the chairmen and ranking minority members of the six committees mentioned. Each of these Senators and Representatives already has a tremendous workload, and it is obvious from events during the past few years that present congressional supervision of the CIA is inadequate.

The vast CIA bureaucracy spends many hundreds of millions of dollars annually, more than double the amount appropriated for the entire State Department. There is no effective congressional scrutiny or check on this huge expenditure of taxpayers' money.

No other branch of the Federal Government enjoys this immunity. The Federal Bureau of Investigation must account for all funds appropriated to it by the Congress. The Atomic Energy Commission, which in all probability contains the most vital secrets of our Government, operates under the scrutiny of a legislative watchdog committee. The Joint Committee on Atomic Energy, which was established at the same time as the AEC itself, is under congressional scrutiny.

The Department of Defense is also continually accountable to the scrutiny of the Armed Services Committees of the Senate and the House of Representatives.

While I realize that officials of the CIA cannot announce their triumphs, the record of their serious mistakes or misjudgments is impressive. The disclosure last autumn regarding CIA activities in Singapore was disgraceful. After denying the allegation that 5 years ago a CIA agent offered a $3 million bribe to Prime Minister Lee Kuan Yew of Singapore, officials of the State Department a few hours later were forced to make the admission that this had occurred, after Mr. Yew produced the letter in which Secretary of State Dean Rusk apologized for the incident.

In addition to its mistakes in southeast Asia, everyone is aware of the damage to our prestige caused by CIA bungling of the U–2 incident 5 years ago and of the stupid and disastrous role which CIA operates played in the ill-fated Bay of Pigs invasion. These are just a few of the more notable examples of CIA activities which have seriously damaged our Nation's goals and prestige.

In this space age of change and challenge, with its cold war and highly developed methods of espionage, counterespionage, and subversion, no one questions the need for secrecy in intelligence activities in which every great power must engage. Nevertheless the danger of future fiascoes by officials of the Central Intelligence Agency is enhanced so long as the Congress is prevented from exercising adequate supervision. It is not the presence of the CIA that is disturbing; it is the lack of direction and accountability of this secret organization.

Wrapped in its cloak of secrecy, the CIA has, in effect been making foreign policy. In so doing, it has assumed responsibilities which were heretofore solely those of the President and Congress. The CIA has gradually taken on the character of an invisible government, answerable only to itself.

The CIA was never intended to direct the foreign policy of our country, but was organized to be an intelligence agency, not an operating or policymaking branch of our Government.

When Congress created the Central Intelligence Agency in 1947, the Agency was given no power to formulate foreign policy. Its purpose was to centralize the collection and evaluation of intelligence information and material. Today, almost 20 years later, this agency, with thousands upon thousands of employees, spends much more than the State Department and, at times, has more real influence on important matters of foreign policy. The Director of the CIA is generally recognized as one of the most powerful men in Washington.

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

Mr. YOUNG of Ohio. Madam President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

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

Mr. YOUNG of Ohio. Madam President, the Founding Fathers—the architects of our Constitution—gave Congress alone the power to give advice and consent to the President in making treaties with foreign nations. Congress is also the source of all foreign policy legislation, including all appropriations for foreign assistance and needed expenditures.

Officials of the CIA have no business infringing on the responsibilities of the State Department, the Defense Department, and the Congress. This must stop. The CIA must be made accountable not only to the President but also to Congress through a responsible committee of the Congress.

My belief is that the CIA is also overstaffed and is spending too much of taxpayers' money. Frankly, I could not prove that. No Member of Congress could. This is just another reason why there should be a joint committee of Congress to act as watchdog and to direct and supervise the operations and expenditures of this sprawling bureaucracy.

Some fear that the security of the CIA might be compromised by the establishment of a watchdog committee. Such fears are entirely unwarranted. The Joint Committee on Atomic Energy which handles highly sensitive and secret information—information that could destroy mankind—has a perfect security record. Its members have proved to be fully as reliable as the hundreds of civil servants, military employees, and Presidential appointees who have knowledge in this extremely sensitive field.

Madam President, the time has definitely come for Congress to assert a more formal and extensive supervision over the CIA. This is needed not only to eliminate waste, and to assure that its programs operate effectively and within proper constitutional limitations; more important, such congressional supervision is needed to assure that our basic standards of morality are not completely undermined in the conduct of our international intelligence activities. We cannot afford to delay asserting this supervision until these activities result in fiascoes of such proportions as actually to jeopardize our national security.

A small joint committee on the Central Intelligence Agency, such as I have proposed, would provide the safeguards necessary to prevent further abuses of power by the CIA. It would assure that Congress is included in the making of decisions vital to our national security, in accordance with the provisions and intent of the Constitution of the United States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2815) to establish a joint congressional committee to make a continuing study and investigation of the activities and operations of the Central Intelligence Agency, introduced by Mr. YOUNG of Ohio, was received, read twice by its title, and referred to the Committee on Armed Services.

A BILL TO ASSIST IN ALLEVIATING THE NATIONAL RAILROAD FREIGHT CAR SHORTAGE

Mr. BURDICK. Madam President, I introduce for appropriate consideration, an amendment to the Interstate Commerce Act to assist in alleviating the national railroad freight car shortage. The amendment proposes to declare that a national emergency does exist in respect to freight cars and gives the Commission power to utilize the authority contained in section 1(15) of the act.

Such authority would allow the Commission to suspend existing regulations governing freight cars, set freight car rental rates and direct car service according to priorities it believed in the best interest of the country.

Last year, as you know, the Senate Commerce Committee held hearings on proposals to give the ICC authority to fix per diem charges on freight cars which would motivate the railroads to maintain an adequate supply of freight cars. That bill passed the Senate and is now pending in the House. I believe it will, if enacted, offer substantial relief. Unfortunately, the boxcar problem is with us today and will be until such time as the provisions of S. 1098 are implemented by the Commission. I propose in the interim to give the Commission power to deal with the problem by allowing maximum use of their existing authority.

During the per diem hearing, Acting Chairman of the ICC, John W. Bush, informed Senator MAGNUSON:

> The diminishing supply of railroad freight cars has been a matter of considerable concern to the Commission for many years. Despite the generally expanding economy of the country, the ownership of freight cars is now less than it was during World War II. As a result, critical shortages of increased duration and severity have become almost commonplace on the national transportation scene.
>
> * * * * *
>
> In addition to inadequate car ownership, one of the greatest contributing factors to recurring freight car shortages has been the failure of some carriers to utilize the existing fleet of equipment more efficiently. During the periods of critical shortages the Commission has resorted to every means at its command to cope with the problem.

I believe the Commission has used every normal means at its command. I suggest that the emergency designation by the Congress will give increased Commission authority to deal with the critical problem involving assignment of cars, adequate reporting of on-line ownership, movement of cars within 24 hours after loading, and the assignment of additional agents to police movements at interchanges.

Madam President, I call attention to a computation of boxcar ownership provided by the ICC, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD.

TABLE 1.—*Boxcar ownership*

	Jan. 1, 1956			Jan. 1, 1960			Jan. 1, 1965		
	Owned	Undergoing or awaiting repair	Percent to ownership	Owned	Undergoing or awaiting repair	Percent to ownership	Owned	Undergoing or awaiting repair	Percent to ownership
Eastern, Allegheny, Pocahontas, and southern districts:									
Plain	354,304	13,234	3.7	347,725	36,498	10.5	242,193	21,081	8.7
Equipped	31,825	1,481	4.7	29,685	1,883	6.3	58,589	1,976	3.4
Total	386,129	14,175	3.8	377,410	38,381	10.2	300,782	23,057	7.7
Western district:									
Plain	310,044	9,209	3.0	307,693	10,645	3.5	266,520	13,000	4.9
Equipped	20,672	1,495	7.2	20,635	1,047	5.1	29,300	645	2.2
Total	330,716	10,704	3.2	328,328	11,692	3.6	295,820	13,645	4.6
Total United States:									
Plain	664,348	22,443	3.4	655,418	47,143	7.2	508,713	34,081	6.7
Equipped	52,497	2,976	5.7	50,320	2,930	5.8	87,889	2,621	3.0
Grand total	716,845	25,419	3.5	705,738	50,073	7.1	596,602	36,702	6.2

Mr. BURDICK. During the 9-year period, January 1, 1956, to January 1, 1965, plain boxcar ownership declined by 155,635. Furthermore, in the first 11 months of 1965 there was a further decline of 30,666 cars. This decline in ownership reflects only a part of the overall problem. The number of bad order cars has been increasing each year. It is difficult to ascertain the exact loss of cars because of bad orders, but in 1965, it was in excess of 6 percent of total ownership of plain cars. The following table gives bad order figures for the Northwest District and the Eastern District.

I ask unanimous consent that the table be printed in the RECORD.

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

TABLE 2

Railroad [1]	Ownership of plain boxcars	Number of system plain boxcars on line	Percent to ownership	Total plain boxcars on line, both system and foreign	Percent to ownership	Number plain boxcars undergoing or awaiting repairs	Percent to ownership	Ownership of equipped boxcars	Number of system equipped boxcars on line	Percent to ownership
Northwestern district:										
C. & N.W. system	22,896	7,297	31.9	19,294	84.3	1,423	6.2	1,088	66	6.1
Chicago, Milwaukee, St. Paul & Pacific	12,203	2,974	24.4	10,002	82.0	890	7.3	6,977	3,548	50.9
Great Northern	22,626	6,671	29.5	14,687	64.9	840	3.7	345	174	50.4
Northern Pacific	19,338	4,568	23.6	11,579	59.9	604	3.1	568	166	29.2
Soo Line	7,315	2,312	31.7	6,098	83.4	648	8.9	839	231	27.5
Eastern district:										
New York Central	32,676	9,875	30.2	29,975	91.7	1,662	5.1	9,051	4,552	50.3
Baltimore & Ohio	14,346	5,386	37.5	13,777	96.0	1,174	8.2	5,327	2,331	43.8
Pennsylvania system	26,555	8,012	30.2	33,746	127.1	3,644	13.7	10,519	4,006	38.1
Southern system	16,148	5,263	32.6	16,122	99.8	602	3.7	7,981	5,176	64.9

	Total number of equipped boxcars on line, system and foreign	Percent to ownership	Number of equipped boxcars undergoing or awaiting repairs	Percent to ownership	Percent total, all boxcars	Total boxcar ownership, both equipped and plain	Total, all boxcars on line	Percent to ownership
Northwestern district:								
C. & N.W. system	1,371	126.0	9	0.8	6.0	23,984	20,665	86.2
Chicago, Milwaukee, St. Paul & Pacific	4,679	67.1	72	1.0	5.0	19,180	14,681	76.5
Great Northern	627	181.7	1	.3	3.7	22,971	15,314	66.7
Northern Pacific	166	29.2	0	----------	3.0	19,906	11,745	59.0
Soo Line	254	30.3	0	----------	7.9	8,154	6,352	77.9
Eastern district:								
New York Central	10,862	120.0	9,051	6.2	5.3	41,727	40,837	97.9
Baltimore & Ohio	4,494	84.4	153	2.9	6.7	19,673	18,271	92.9
Pennsylvania system	9,493	90.2	664	6.3	11.6	37,074	43,239	116.6
Southern system	7,496	93.9	7,981	.6	2.7	24,129	23,618	97.9

[1] Figures as of Dec. 1, 1965.

Mr. BURDICK. We are sometimes deceived by figures that indicate there has been an increase in boxcars—but this increase is represented in so-called specially equipped cars designed to handle particular industrial needs such as automobiles, chemicals, and so forth.

I am convinced we face a national freight car emergency. In testimony before the Commerce Committee dating back to the late 1940's, the ICC has lamented the shortage of cars and in most instances supported efforts to create incentives so that an adequate supply of cars would be available to the shipper. The problem has variously been described as "critical," a "national disgrace," "detrimental to our national defense." There is no reason to believe, until the per diem changes are implemented, it will do anything but worsen in succeeding years.

Madam President, you probably know as well as I do the future demands that are going to be placed on transportation. We have an expanding economy estimated to reach a gross national product of over $700 billion. During this session of the Congress we will consider renewal of the food-for-peace program. The program will undoubtedly be expanded. The demand for American agricultural products in Asia is mushrooming. We have greatly increased our sales to Japan. The severe drought in India will necessitate a greater commitment of our agricultural abundance to that nation. The war in southeast Asia continues to place greater burdens on transportation systems.

In order to honor these commitments we will need the freight cars to move the products and equipment to the ports. These, added to the unsatisfied normal demands, convince me that we have a national freight car emergency.

Madam President, I simply say that we can no longer tolerate this problem.

We must act to give the ICC the sufficient power to assure maximum utilization of available equipment.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2816) to assist in alleviating the national railroad freight car shortage, introduced by Mr. BURDICK, was received, read twice by its title, and referred to the Committee on Commerce.

TO COMBAT INFLATIONARY INCREASES IN PRICES AND WAGES

Mr. CLARK. Madam President, I introduce a bill to amend the Employment Act of 1946, to bring to bear an informed public opinion upon prices and wages which might threaten national economic stability by causing inflation, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2818) to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and wage behavior which threatens national economic stability, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CLARK. Madam President, the purpose of the bill is set forth in the joint statement explaining that this is a companion measure to one introduced in the House by my good friend, Representative HENRY S. REUSS, of Wisconsin, and is not very different from the bill known some years ago as the Clark-Reuss bill dealing with the problem of combating inflationary increases in prices and wages.

Madam President, I ask unanimous consent that the bill and statement may be printed in full in the RECORD.

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

S. 2818

A bill to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and wage behavior which threatens national economic stability

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

DECLARATION OF POLICY

SECTION 1. The Congress hereby declares that a new mechanism is needed to carry out the aims of the Employment Act of 1946 to promote maximum employment, production, and purchasing power (which includes the concept of reasonable price stability). Restrictive fiscal and monetary measures are appropriate and effective for controlling price and wage behavior caused by overall excessive demand. But in the absence of overall excessive demand, restrictive fiscal and monetary measures may be both harmful and ineffective. Such measures are harmful because they dampen the demand necessary for maximum employment and production. They may be ineffective with respect to individual price and wage behavior in industries with large firms or unions. This act provides a mechanism for bringing to bear an informed public opinion in order to restrain such price or wage behavior when it threatens national economic stability by causing inflation.

DETERMINATION OF PRICE-WAGE GUIDEPOSTS

SEC. 2 (a) Section 4(c) of the Employment Act of 1946 is amended by striking out the period at the end of paragraph (5) and inserting a semicolon, and by adding at the end thereof the following new paragraph:

"(6) to transmit to the joint committee not later than 40 days from the enactment of this paragraph, and not later than January 20 of each year thereafter, price-wage guideposts which would, if observed, achieve noninflationary price and wage behavior;".

(b) Section 5(b) of the Employment Act of 1946 is amended by striking out "and" at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting a semicolon, and by adding at the end thereof the following new paragraph:

"(4) to review the price-wage guideposts transmitted to it by the Council, and to make such reports and recommendations to the Senate and House of Representatives with respect to said guideposts as it deems advisable, and".

DETERMINATION OF PRICE-WAGE BEHAVIOR INCONSISTENT WITH GUIDEPOSTS

SEC. 3. (a) Section 4(c) of the Employment Act of 1946 is amended by adding at the end thereof the following new paragraph:

"(7) to study actual or imminent price and wage behavior, in industries with large firms or unions, inconsistent with the price-wage guideposts; and to report promptly to the joint committee any such price or wage behavior which threatens national economic stability."

(b) Section 5(b) of the Employment Act of 1946 is amended by adding at the end thereof the following new paragraph:

"(5) promptly upon receipt of a report from the Council pursuant to section 4(c)(7) if it deems it advisable, or upon its own initiative, to hold public hearings to determine whether price or wage behavior is inconsistent with the price-wage guideposts, and threatens national economic stability; and promptly file a report with the Senate and House of Representatives containing its findings and recommendations of actions in the public interest to be taken by the President or the parties concerned."

The statement presented by Mr. CLARK is as follows:

Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, today introduced legislation to enable Congress, through its Joint Economic Committee, to play a more effective role in the battle against inflation.

CLARK's bill, which parallels, with minor differences, a bill introduced by Congressman HENRY S. REUSS, Democrat, of Wisconsin, in the House of Representatives on January 10, would authorize the Joint Economic Committee to review the wage-price guideposts of the Council of Economic Advisers and to hold public hearings on wage or price increases which might threaten national economic stability by causing inflation.

In his remarks prepared for delivery on the Senate floor, CLARK said:

"We have enjoyed the longest period of peacetime economic growth in our history. For the 59th consecutive month we are witnessing unprecedented prosperity fostered by the sound expenditure and tax policies of the Kennedy and Johnson administrations.

"Yet, unjustified price increases and wage settlements can threaten our economic stability and our steady progress toward full employment.

"A more effective mechanism is needed to assure that the individual actions of industry and labor are in the public interest and that an informed public is aware of the significance of major price and wage decisions. This legislation would enable the Congress to aid the executive branch by authorizing the Joint Economic Committee to review each year the wage-price guideposts recommended by the Council of Economic Advisers.

"The Committee would also be advised by the Council of Economic Advisers of possible breaches of the guideposts which threaten national economic stability. Public hearings would afford both industry and labor an opportunity to make their views known, and the Committee would make advisory recommendations to the President or the parties involved for action which would be in the public interest.

"Thus, Congress, through its Joint Economic Committee, would bring its opinion to bear on potentially inflationary wage and price actions; the public would be made aware of the significance and effect of major price and wage decisions; and the parties involved will be encouraged to make responsible decisions in the national interest."

Mr. LONG of Louisiana subsequently said: Madam President, on behalf of the Senator from Pennsylvania [Mr. CLARK], I ask unanimous consent that the bill he introduced earlier today (S. 2818) to amend the Employment Act of 1946, be referred to the Committee on Labor and Public Welfare.

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

DESIGNATION OF SIR WINSTON CHURCHILL DAY

Mr. DODD. Madam President, I introduce, for appropriate reference, a joint resolution which would authorize and request the President to declare April 9 of each year as Sir Winston Churchill Day.

I am introducing this joint resolution in behalf of myself and Senators ALLOTT, BAYH, BIBLE, BREWSTER, BURDICK, BYRD of Virginia, COOPER, DOMINICK, ERVIN, FANNIN, GRUENING, HARRIS, HART, HARTKE, HRUSKA, INOUYE, JORDAN of Idaho, KENNEDY of New York, KENNEDY of Massachusetts, KUCHEL, LONG of Missouri, MAGNUSON, MCCARTHY, METCALF, MILLER, MOSS, MURPHY, NELSON, PELL, PROUTY, ROBERTSON, RUSSELL of South Carolina, SCOTT, SYMINGTON, THURMOND, TOWER, TYDINGS, YOUNG of Ohio.

To only one person has the U.S. Congress ever extended honorary American citizenship, and this was Sir Winston.

Sir Winston was one of the few authentic giants of history. Indeed, there are few other great men who have left so deep an impression on the course of events.

He was a warrior, a prophet, a leader of men and of nations.

His stubborn perseverance, his indomitable courage, and his oratorical genius twice rallied his own people and the peoples of the free world to resist totalitarian aggression.

His gifted historian's pen recorded this monumental era for present and future generations.

But Churchill's greatness is something that transcended his genius and his qualities of leadership.

As one perceptive editorialist wrote upon Churchill's death:

What is unique with Churchill, Lincoln, and their kind is that in gaining a world's respect they have also won its love.

I think all Americans will agree that we as a nation have a particularly warm

affection and admiration for Churchill as an individual and as a world leader.

His battles were our battles; his wars our wars; and his goals our goals.

The awarding of honorary American citizenship was an important and impressive tribute to this great man.

I hope that this April 9, the third anniversary of his honorary citizenship, will also be the first anniversary of Winston Churchill Day.

This would coincide with the unveiling of a magnificant bronze statue of Winston Churchill which will stand partially on U.S. soil and partially on the grounds of the British Embassy here in the Nation's Capital.

This statue will stand as a continuing tribute to Churchill, to the close ties between our two nations, and the enduring bond among English-speaking peoples everywhere.

The President has been invited to dedicate this statue. I believe it would make the occasion all the more memorable and significant if at the same time President Johnson were to proclaim the first Sir Winston Churchill Day.

I hope that this resolution will see early action by the Senate.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 127) designating April 9 of each year as Sir Winston Churchill Day, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSOR OF BILL

Mr. DIRKSEN. Madam President, on January 14, the distinguished Senator from Maryland [Mr. TYDINGS] introduced a bill relating to the establishment of parking facilities in the District of Columbia. It provides some controls on ratemaking.

This is an aggravated problem that merits the attention of the Congress. I discover that on January 27, 1942—which is 24 years ago—when I was the chairman of the House District Committee, I introduced a somewhat similar bill to regulate the operation and conduct of commercial parking of motor vehicles in District of Columbia. This matter cries for attention, and it will never get better. Some substantive and practical way must be found to deal with the problem.

This bill obviously will have rather extended hearings, and experts will doubtless come and testify before the committees of the House and the Senate.

I ask that my name be added as cosponsor to this measure, S. 2769.

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

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Madam President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State, vice Jack Hood Vaughn.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF HEARING ON THE NOMINATIONS OF PHILIP N. BROWNSTEIN, OF MARYLAND, AND CHARLES M. HAAR, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARIES OF HOUSING AND URBAN DEVELOPMENT

Mr. ROBERTSON. Madam President, I should like to announce that the Committee on Banking and Currency will hold a hearing on the nominations of Philip N. Brownstein, of Maryland, and Charles M. Haar, of Massachusetts, to be Assistant Secretaries of Housing and Urban Development.

The hearing is scheduled to be held on Thursday, January 27, 1966, in room 5302, New Senate Office Building, at 10 a.m.

Any persons who wish to appear and testify in connection with these nominations are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, telephone 225–3921.

THE BUDGET, 1967—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 355)

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States, relating to the budget. The message has already been read in the House. Without objection, the message will be appropriately referred without being read.

The message from the President, together with the accompanying documents, was referred to the Committee on Appropriations.

(For text of the President's budget message, see House proceedings for today, pages 909 to 917.)

AMENDMENT OF THE TARIFF SCHEDULES TO SUSPEND THE DUTY ON CERTAIN TROPICAL HARDWOODS

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 922, H.R. 7723.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7723) to amend the tariff schedules of the United States to suspend the duty on certain tropical hardwoods.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 2, after the table after line 2, to strike out:

SEC. 2. For purposes of section 201(a)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(2)), in the case of a trade agreement entered into before July 1, 1967, the duty-free treatment provided by item 916.20, 916.21, 916.22, or 916.23 of title I of the Tariff Act of 1930 for any article shall be considered as existing duty-free treatment.

And, on page 3, at the beginning of line 1, to change the section number from "3" to "2".

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD at this point an excerpt from the committee report.

There being no objection, the excerpt from the committee report (No. 949) was ordered to be printed in the RECORD, as follows:

SUMMARY OF COMMITTEE AMENDMENTS

The committee amendments eliminate the provision in the House bill which would have authorized the President to proclaim continued duty-free treatment for the tropical hardwoods affected by the bill beyond December 31, 1967, if he determined it was required to carry out a trade agreement entered into under the Trade Expansion Act. Under the bill, as amended, the duty on tropical hardwoods would be suspended until January 1, 1968.

The Trade Expansion Act permits the duty on many of the hardwoods affected by this bill to be eliminated immediately rather than by progressive reductions over a period of years, and this amendment does not cut back on that authority. Thus, in the event of a successful trade agreement permanent and continued elimination of the duty on most of these hardwoods could be assured.

There are some tropical hardwoods, however, notably mahogany, with respect to which the duty can be eliminated only over a period of years. If a trade agreement is entered into during the period of suspension of duty provided by this bill, it would have to provide for progressive elimination of the duty unless Congress later acted to terminate it altogether.

GENERAL STATEMENT

The products covered by new TSUS items 916.20, 916.22, and 916.23 to be added by the bill are hardwood lumbers, rough, dressed, or worked, which the Tariff Commission has determined, pursuant to section 213(c) of the Trade Expansion Act, to be tropical forestry commodities (as defined in sec. 213(b) of that act) of kinds not produced in significant quantities in the United States. All of the products covered by the bill were found by the Tariff Commission, pursuant to section 256(7) of the Trade Expansion Act, to be dutiable at rates not exceeding 5 percent ad valorem (or ad valorem equivalent). While logs are already free of U.S. duty, the lumber remains subject to duties, albeit the duties are quite low, ranging from less than 1 to 2.5 percent ad valorem (or equivalent). The 10 leading supplying countries of tropical hardwood lumber to the United States in 1964 were Colombia, Ghana, British Honduras, Malaysia, Nicaragua, Thailand, Ecuador, Mexico, Nigeria, and Brazil.

Although the Trade Expansion Act of 1962 provides authority for the elimination of duties on tropical hardwood lumber under the trade agreements procedures, the elimination of the duties under that authority cannot be accomplished until after the conclusion of the Kennedy round negotiations.

Your committee believes that the U.S. foreign economic policy interests would be served by immediate temporary suspension of these duties pending arrangements for their permanent elimination by the trade agreements process.

The lumber covered by the bill was the subject of notice for public hearings by the Tariff Commission and the Trade Information Committee of the Office of the Special Representative for Trade Negotiations in connection with possible elimination of the duties under the authorities of the Trade Expansion Act of 1962. No objection to the elimination of the duties was received by either of these bodies. The Department of Commerce, which favors the enactment of the bill, advised your committee that the Department knows of no objection that domestic industry would have to the bill. No objection to the bill has been made known to your committee. The Departments of State, Commerce, and Treasury also reported favorably on the bill, and the Tariff Commission submitted a detailed informative report thereon.

Provisions of the bill: Section 1 of the bill would add four new items to subpart B of part 1 of the appendix to the Tariff Schedules of the United States by which the column 1 rates of duty for the lumber described in the items would be suspended until January 1, 1968. (The col. 2 rates for these lumbers, which apply to the products of the Communist countries listed in general headnote 3(d) to the tariff schedules, will not be suspended.) The suspensions of the duties would apply to the lumbers included in the bill whether rough, dressed, or worked. The suspension would not apply to such processed lumber products as plywood, siding, molding, or flooring.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LOAN OF NAVAL VESSELS TO FRIENDLY FOREIGN COUNTRIES

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 923, H.R. 7813.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7813) to authorize the loan of naval vessels to friendly foreign countries.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, on page 1, line 4, after the word "lend," to strike out "to friendly foreign nations, on such terms and conditions as he deems appropriate, ships from the reserve fleet as follows:

"(1) China, one destroyer and two destroyer escorts, (2) Turkey, two destroyers, and (3) the Philippines, one destroyer escort." and insert "one destroyer and one destroyer escort from the reserve fleet to the Republic of China on such terms and conditions as he deems appropriate."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Madam President, I ask unanimous consent that an excerpt from the committee report be printed in the RECORD at this point.

There being no objection, the excerpt from the committee report (No. 950) was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE AMENDMENTS

The provisions of H.R. 7813 relating to the loan of naval vessels to Turkey and the Philippines were included in H.R. 7812, which became Public Law 89-324. H.R. 7813 relates only to the loan of vessels to China. Consequently the bill and the title have been amended accordingly.

PURPOSE

The bill would authorize the loan of one destroyer and one destroyer escort to the Republic of China.

The loan of these vessels is intended to give the Republic of China an increased capability to defend her contiguous waters against aggressive acts and to augment the free world naval forces in the western Pacific.

LEGISLATIVE HISTORY

In the 1st session of the 89th Congress three separate bills authorizing the loan of naval vessels to friendly foreign countries were referred to the Committee on Armed Services. These 3 bills, H.R. 7811, H.R. 7812, and H.R. 7813, would have authorized the loan of 21 ships. The loans recommended by the committee in the first session, totaling 11 ships, were consolidated and included as an amendment to H.R. 7812.

The House disagreed to the Senate amendment. A parliamentary technicality prevented a full and free conference, as any loans not included in the Senate version of H.R. 7812 could not have been agreed to in conference without the conference report's being subject to a point of order, because these loans were not in the version of H.R. 7812, as passed by the House.

The conference agreement was that the House would recede from its disagreement to the Senate amendment to H.R. 7812 and that the Senate committee would resume consideration of the ship loan program this year.

After resumption of such consideration the committee recommends approval of the loan of one destroyer and one destroyer escort to China.

BACKGROUND

Before 1951, U.S. naval vessels could be transferred to friendly foreign nations under the provisions of the Mutual Assistance Defense Act of 1949, as amended. Public Law 82-3, approved in 1951, the text of which appears in section 7307 of title 10, United States Code, provides that a battleship, carrier, cruiser, destroyer, or submarine that has not been struck from the Naval Register may not be sold, transferred, or otherwise disposed of without express congressional approval.

Since 1951 Congress has approved 18 measures relating to ship transfers. Twelve of these laws granted authority for new loans and extensions of existing loans and the others dealt with loan extensions only. The 18 laws relating to ship transfers that have been approved since 1951 authorized the loan of 105 ships, the transfer of 9 ships, and the sale of 4 ships.

GENERAL PROVISIONS

The loan of ships under authority of this bill may be for periods not exceeding 5 years. The President may extend the period of the loan for an additional period of not more than 5 years. The loan agreement must contain a provision that the loan can be terminated if necessitated by defense requirements of the United States.

Authority for the loan is conditioned on a determination by the Secretary of Defense after consultation with the Joint Chiefs of Staff that the loan or sale is in the best interest of the United States.

Authority to lend the vessels would terminate on December 31, 1967. This period of time is needed to provide for negotiation and the orderly planning of activation and overhauling.

Financial information

The costs associated with the loan of the two ships may be paid by the United States as grant aid under the Foreign Assistance Act of 1961, or may be loaned to the Republic of China under this same authority. Until there is a decision on whether the cost will be charged as grant military assistance or as a loan, it is not practical to determine the real cost to the United States. The cost of activating, overhauling, and rehabilitating a destroyer varies from $3.3 to $5.7 million. Similar costs for a destroyer escort are from $2 to $2.7 million.

If the United States should be required to pay all the costs, the bill could involve a total expenditure of about $8.4 million.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

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

The bill was read the third time and passed.

The title was amended, so as to read: "An act to authorize the loan of naval vessels to China."

REVISION OF DOCUMENT ENTITLED "HOW TO OBTAIN BIRTH CERTIFICATES"

Mr. DIRKSEN. Madam President, I submit a Senate resolution, which I am sure is unobjectionable, and I ask for its immediate consideration.

It provides for a revision of the document entitled "How To Obtain Birth Certificates," Senate Document No. 101, 84th Congress, which was prepared by the American Law Division of the Legislative Reference Service of the Library of Congress. I ask that it be printed as a document.

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

There being no objection, the resolution was read, considered, and agreed to, as follows:

S. RES. 204

Resolved, That the revision of the document entitled "How To Obtain Birth Certificates" (S. Doc. No. 101, 84th Congress), prepared by the American Law Division of the Legislative Reference Service, Library of Congress, be printed as a Senate document.

AMERICAN PARENTS COMMITTEE PROTESTS WITHHOLDING OF SCHOOL MILK FUNDS

Mr. PROXMIRE. Madam President, again I intend to object to the Bureau of the Budget's action in withholding $3 million from the special milk program for schoolchildren—$3 million that was appropriated by Congress last year.

This not only deprives schoolchildren of milk, but it does so at no saving to the taxpayer. Milk not used under the program simply swells the surplus that must be purchased and stored at Government expense.

Today I would like to draw my colleagues' attention to a letter written to President Johnson by the executive director of the American Parents Committee, Mrs. Barbara D. McGarry. This letter reflects the great concern felt by Americans all across the United States over the milk cutback.

The letter points out that the school milk program offers indisputable benefits to all our Nation's children. Both in schools and centers for underprivileged children, its success has been attested by an average 5 percent annual increase in participation.

Mrs. McGarry then goes on to say:

To eliminate $3 million from present operating funds would mean denying the last 2 years' proven growth in this program. The U.S. Department of Agriculture has advised us that, with this cut in effect, all requests by participating schools will have to be 10 percent disallowed, as of February 1, 1966.

Madam President, I want my colleagues to pay particular attention to the next paragraph in this letter because it pinpoints a contention I have been making every day on this floor since the beginning of the session in criticizing the Bureau's unwise cut; namely, that it is a phony economy. The letter says:

As a logical and beneficial means of allocating surplus whole milk, this program also reflects much sounder economic practice than the Government's alternative of purchasing surplus milk at 75 percent of parity for price support, only to go to the additional expense of powdering and storage of the milk. In fiscal 1965 the Commodity Credit Corporation acquired $23 million of dried (powdered) milk, and suffered a subsequent loss of $13 million in sales.

The last two sentences of the letter rightly point to a contradiction between the Bureau of the Budget's cutback and the philosophy President Johnson spelled out in his state of the Union message that our children shall not be the victims of a false economy. As Mrs. McGarry says "surely, in humanitarian as well as economic terms, our Nation's children represent our greatest national investment."

Madam President, the letter I have excerpted today for the benefit of my colleagues outlines many of the reasons why I intend to speak out day after day after day on this floor until these funds are released. I ask unanimous consent that the entire letter from Mrs. McGarry to the President dated January 18, 1966, be printed in the RECORD at this point.

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

THE AMERICAN PARENTS COMMITTEE, INC.,
Washington, D.C., January 18, 1966.

Re Withholding of national children's milk program appropriations.

The PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

Attention: Mr. Gardner Ackley

DEAR MR. PRESIDENT: The American Parents Committee is distressed to learn that the Bureau of the Budget has decided to withhold $3 million of the funds already appropriated by the Congress for fiscal 1966 operations of the national children's milk program.

The American Parents Committee has consistently supported this vital ongoing program, with the conviction that it offers indisputable benefits to all our Nation's children. Both in schools and centers for underprivileged children, its success has been attested by an average 5 percent annual increase in participation.

To eliminate $3 million from present operating funds would mean denying the last 2 years' proven growth in this program. The U.S. Department of Agriculture has advised us that, with this cut in effect, all requests by participating schools will have to be 10 percent disallowed, as of February 1, 1966.

As a logical and beneficial means of allocating surplus whole milk, this program also reflects much sounder economic practice, than the Government's alternative of purchasing surplus milk at 75 percent of parity for price support, only to go to the additional expense of powdering and storage of the milk. In fiscal 1965, the Commodity Credit Corporation acquired $23 million of dried (powdered) milk, and suffered a subsequent loss of $13 million in sales.

The Bureau of the Budget would seem to have disregarded the expressed philosophy of the state of the Union message, which pledges that our children shall not be the victims of a false economy. Surely, in humanitarian as well as economic terms, our Nation's children represent our greatest national investment.

Respectfully,

MRS. BARBARA D. MCGARRY,
Executive Director.

Mr. AIKEN. Madam President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Vermont.

Mr. AIKEN. I assume that the Senator has read the budget message, and that he realizes that the budget cut of $3 million is for the first year, and that the future intent appears to be that the program will gradually be eliminated.

Mr. PROXMIRE. I intend to speak on that later. It goes down to a pitifully small figure. It destroys the program, as the Senator has stated.

Mr. AIKEN. Then, with what I believe the Senator is going to say about the proposal, I shall undoubtedly agree wholeheartedly.

Mr. PROXMIRE. I thank the Senator.

RETIREMENT OF WALTER L. REYNOLDS

Mr. STENNIS. Madam President, on December 31 of last year, one of the Senate's most valuable professional staff members, Walter L. Reynolds, chief clerk and staff director of the Senate Committee on Government Operations, retired after 37 years on Capitol Hill. On that date, he concluded a long and distinguished career of outstanding and constructive service to Congress and the Nation.

Bob Reynolds, as he is known by his many friends, first served as a member of the staff of Representative Hamilton Fish, and, later, on the House Special Committee to Investigate Communist Propaganda. He spent 16 years as a staff member in the House before coming to the Senate in 1944, first as a member of the staff of Senator FULBRIGHT. Since 1949, he has been chief clerk and staff director of the Government Operations Committee.

During my years in the Senate, it has been my privilege to know and observe Bob Reynolds as he has carried out his important duties and responsibilities to the Senate. I know that he has rendered truly outstanding service to both House and Senate over the past 37 years. Certainly, all Members of Congress and the Nation are indebted to those loyal and dedicated staff members in the legislative branch who assist us in passing on the many matters of gravest consequence to the welfare of our Nation. This is especially true in the case of Bob Reynolds. He has consistently exemplified the very best in dedicated and devoted public service. He has served with credit to himself and to the Congress. This service has not only been outstanding, it has also been of the highest and most valuable quality.

In addition, Mrs. Stennis and I have been blessed with the personal friendship of both Mr. and Mrs. Reynolds during all of our years in Washington. We esteem them highly and appreciate them as dear and valuable friends. Mrs. Reynolds is a lady of charm and intelligence, with a friendly personality and a genuinely unselfish interest in people and human problems.

Both Bob and Clare Reynolds have many, many friends on Capitol Hill and in Washington, and will continue to have the fondest good wishes of all these friends. Mrs. Stennis joins me in wishing them continued success and happiness in the years to come; certainly they have earned and deserve the best.

WILLIAM CHALMERS "BILLY" JARVIS, CHAMPION CORNGROWER FROM KEMPER COUNTY

Mr. STENNIS. Madam President, for the second consecutive year a young Mississippi Future Farmer has won the national corngrowing contest. It is a special privilege for me to congratulate last year's winner because he was born and reared and now goes to school in my home county. He is William Chalmers "Billy" Jarvis, from Kemper County, Miss.

Billy, who is a member of the Lynville High School chapter of the Future Farmers of America, won this fine honor in 1965 by producing 271.5 bushels of corn on 1 acre of land. In 1964, the national championship was won by Jackie Courson, from Benton County, Miss., with a yield of 263.6 bushels on 1 acre. The contest in which these young farmers compete, known as the "304 Bushel Challenge," is sponsored by Funk's G–hybrid corn in recognition of the all-time record yield produced by another young Mississippian, Lamar Ratliff, in 1955.

Young Jarvis achieved his amazing yield by applying the latest known methods and practices in the production of corn. He used a hybrid Funk G–732 corn with 25,000 stalks per acre, and his yield of 271.5 bushels is 6 times the

average 1964 corn yield in the State of Mississippi.

This outstanding work has brought a distinct honor to Billy Jarvis, and I highly commend him for his diligent study and efforts. It reflects fine credit on his parents, Mr. and Mrs. H. T. Jarvis, his school, and particularly on his outstanding and dedicated vocational agriculture teacher, Mr. E. G. Palmer. I wish for Billy every success and know that he will profit greatly from the fine education and experience he is now receiving.

Mr. LAUSCHE. Madam President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I am glad to yield to the Senator, if I have enough time remaining.

Mr. LAUSCHE. How do they do it?

Mr. STENNIS. They do it as a result of earnest effort and consistent application of the best known techniques in agriculture. I can give the Senator further information in the cloakroom.

Mr. LAUSCHE. I thank the Senator.

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

LOAN OF NAVAL VESSELS TO FRIENDLY FOREIGN COUNTRIES

Mr. COOPER. Madam President, I ask for the attention of the majority leader. I noted, a few moments ago, on the call of the calendar, that Calendar No. 923, H.R. 7813, was passed. This is an act to authorize the loan of naval vessels to friendly foreign countries. The title suggests that the bill has importance and I believe it deserves an explanation.

Mr. MANSFIELD. I was informed by the distinguished chairman of the Committee on Armed Services this morning that this was a bill which had to be considered in relation to the loaning of one destroyer and one destroyer escort from the reserve fleet to the Republic of China.

The purpose, according to the report would be to authorize that loan, and, quoting from the report:

> The loan of these vessels is intended to give the Republic of China an increased capability to defend her contiguous waters against aggressive acts and to augment the free world naval forces in the western Pacific.

Is that enough information for the Senator?

Mr. COOPER. It is an explanation; and I believe it is good that it has been made. As I understand, this is a loan of a destroyer and a destroyer escort to the Republic of China?

Mr. MANSFIELD. The Senator is correct. A full report will be incorporated in the RECORD.

CONSERVATION—AND DESERVED RECOGNITION TO SENATOR CHURCH, OF IDAHO

Mr. MOSS. Madam President, conservation is everyone's business. Unfortunately, too few Americans make it their business. As a result, the task of preserving our natural resources—of developing them but not exploiting them—has fallen on a few dedicated persons in both public and private life.

We in the West, enriched as we are with an abundance of magnificent natural wealth and beauty, are probably more aware of the need for balanced development of our natural resources than any other section of the country.

I am proud of the fact that our western congressional delegations have initiated and supported most of the great conservation measures that exist today. Last week, I was privileged to vote in support of another of the great pieces of legislation aimed at preserving for future generations, portions of America's rich heritage of splendor.

In voting for Senate passage of the national wild rivers system bill, I also acknowledged the outstanding leadership that my distinguished colleague, the senior Senator from Idaho [Mr. CHURCH], has played in so many conservation efforts.

Conservation means far more than simple preservation. Wise use and management of our resources rank equally with wise preservation and management and in both fields. FRANK CHURCH has been the one who has shown the way and lighted our legislative steps. A half dozen great dams and reclamation projects bear the imprint of his effort, along with many other smaller projects. He has battled for continued and increased soil conservation measures and has pleaded for additional funds to open up our great western forests for larger timber outputs and for greater recreational uses.

As sponsor of the Wilderness Act, the Nez Perce National Historic Park bill, and the wild rivers bill, and as floor manager for the Land and Water Conservation Fund Act, he has assured our grandchildren and our great grandchildren that segments of the American natural heritage will be theirs to enjoy, even as it has been ours.

It is fitting, Madam President, that we should recognize the effort and dedication of our distinguished colleague from the State of Idaho. It is even more satisfying to know that others appreciate his work and look to him as a champion of the cause of conservation. It is to the latter events that I direct the interest of the Senate.

On December 20, 1965, the Senator from Idaho was named the Idaho Conservationist of the Year by the Idaho Wildlife Federation. In appropriate ceremonies in Boise, Idaho, the Governor of Idaho, the Honorable Robert E. Smylie presented the Senator with the annual Governor's Award. Governor Smylie noted at that time a fact that we in the Senate have long known, that conservation is truly a bipartisan matter.

As the result of that award, the Senator from Idaho then became a finalist in the National Wildlife Federation annual competition for outstanding conservation honors.

On January 11, 1966, at the annual banquet of the National Wildlife Federation at the Hotel Statler Hilton, here in Washington, D.C., the Senator from Idaho [Mr. CHURCH] received the National Conservation Legislative Award from the hands of the First Lady of our country. This came only moments after Mrs. Lyndon B. Johnson had herself received the Federation's National Distinguished Service Award. The citation to the Senator from Idaho with the award read as follows:

> For significant congresssional leadership in the creation of the national wilderness preservation system and for exceptional statesmanship and skill in focusing public attention on the need for preserving wild rivers, parks, and outdoor recreation areas.

Madam President, the senior Senator from Idaho has brought great honor to himself. But in so doing, he has reflected credit upon every Member of this body. We who have served with him during the years that the wilderness bill was debated, the Nez Perce National Historical Park was created, the wild rivers bill passed by the Senate and a host of other measures, have been termed "Conservation Congressmen" by our fellow Americans. If we are truly worthy of this honor, Madam President, it is because our able colleague, Mr. CHURCH, has guided our thoughts and actions.

THE VIETNAM CONFLICT: THE SUBSTANCE AND THE SHADOW

Mr. MUSKIE. Madam President, last fall it was my privilege to be a member of what has since been described in the press as the Mansfield mission.

Under the distinguished leadership of Senator MANSFIELD, it was our objective, in his words, "to look, to listen, to ask questions, and to report" to the President and the Senate.

In this factfinding process we engaged in some 50 formal discussions with the leaders of the countries we visited and with our representatives in those countries.

For us, as Senators, it was an invaluable opportunity to observe conditions in those countries, to hear firsthand the reaction of their leaders to our policies, to state and clarify U.S. positions, and to get in-depth briefings from American representatives in the field.

Our approach to our mission was simple: First, to discuss any subject, any problem, any issue, any point of friction raised by our hosts; second, to state and to clarify, to the best of our ability, any American policy involved; third, to consider, evaluate, and report to the President any suggestion, express or implied, to deal more effectively with any problem; and fourth, to note any possibility, however vague or remote, for moving toward a reduction of friction.

This approach led to discussions of a wide range of subjects in almost every country. The list included few, if any, surprises. The one subject which arose in every instance was Vietnam.

I take this opportunity to pay a personal tribute to the effective and able leadership of Senator MANSFIELD in developing the maximum utility of this kind of mission. His dignified and courteous, but "no nonsense" approach to our discussions was received with respect and frankness from our hosts, without exception. In my judgment, he made

a major contribution to better understanding, in places where such understanding is important, of our country's purposes, intentions, and motivations.

The wise and distinguished Senator from Vermont, Senator AIKEN, performed an invaluable service as "coleader" of the mission. He was a never-failing source of good counsel and sound judgment.

The intelligent, hard working, and dedicated work of my good friends, Senator CALEB BOGGS, of Delaware, and Senator DANIEL INOUYE, of Hawaii, completed the team of which I was proud to be a member.

The report of our mission has received wide attention and comment. Many descriptive labels have been attached to it. It was our purpose to produce a report which was, above all else, "realistic." It is the hope, I am sure, of each of us that the report may contribute to a sound understanding of the realities upon which to base the serious decisions we face.

Because there is such widespread interest in the report, Madam President, I ask unanimous consent that excerpts from the report be printed at this point in the RECORD.

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

THE VIETNAM CONFLICT: THE SUBSTANCE AND THE SHADOW

A. VIETNAM: THE SUBSTANCE OF WAR

1. Introductory

The most important new factor in the war in Vietnam has been the introduction of large numbers of U.S. troops into South Vietnam and their direct entry into combat. This augmentation of the U.S. military role in Vietnam was a response to a near-desperate situation early in 1965. There is no question that the Government of Vietnam in Saigon was faced with a rapidly deteriorating position at that time.

After the assassination of Ngo Dinh Diem, repeated coups had weakened the cohesiveness of the central authority and acted to stimulate public disaffection and indifference to the war. At the same time, there was a greatly accelerated military drive by strengthened Vietcong forces. Their control expanded over large areas of the country, particularly in provinces adjacent to the western borders. Communications and transportation between population centers became increasingly hazardous, except by Vietcong sufferance. In short, a total collapse of the Saigon Government's authority appeared imminent in the early months of 1965.

U.S. combat troops in strength arrived at that point in response to the appeal of the Saigon authorities. The Vietcong counter response was to increase their military activity with forces strengthened by intensified local recruitment and infiltration of regular North Vietnamese troops. With the change in the composition of opposing forces the character of the war also changed sharply.

2. Military forces of the Government of Vietnam

The Government of Vietnam now has approximately 635,000 men under arms. Of this number, however, only about 300,000 are regular troops of the Army, Navy, Air Force, and Marines, with about 88 percent being Army troops. A general reserve of six airborne battalions and five marine battalions is equipped to fight anywhere in the country.

The Vietnamese Government has six fighter-bomber squadrons. It also has a small navy, composed of sea, river, and coastal forces.

In the total of 635,000 men there are also regional forces of about 120,000 men which act as a constabulary in the 43 Provinces. Each Province chief, who has a military as well as a civil capacity, has a number of regional force companies under his command. Popular forces number about 140,000. Lightly armed, this group is recruited as a rule from local youth to act as defenders of villages and hamlets. A civilian irregular defense group is recruited by the Vietnamese Special Forces. It numbers about 25,000 and is posted in border areas for patrol purposes. Finally, there is a national police of about 50,000 men.

The total of 635,000 men in all categories is expected to be expanded in the current year, although a substantial increase is not anticipated. The sources of expanded recruitment are not great and, in any event, are shared with the Vietcong. Moreover, a high desertion rate continues, despite determined efforts to reduce it.

3. U.S. and international forces in Vietnam

In 1962, U.S. military advisers and service forces in South Vietnam totaled approximately 10,000 men. This number had increased by May of 1965 to about 34,000. At that time the American force was still basically an advisory organization. Americans, in regular combat units, were not yet engaged on the ground. U.S. helicopter companies were in use but only to supply tactical transportation to regular Vietnamese units and the U.S. jet fighter-bombers in the country with the exception of two or three squadrons of aircraft were not yet engaged in support of the Vietnamese Armed Forces.

By December 1965, however, there were approximately 170,000 U.S. troops in South Vietnam. Additionally, there were about 21,000 soldiers and marines from the Republic of Korea an infantry battalion and a battery of artillery, comprising some 1,200 men, from Australia, and a New Zealand artillery battery of about 150 men.

The augmented U.S. ground forces were composed of two Army divisions, the 1st Infantry Division and the 1st Air Cavalry Division, and two separate brigades, the 1st Brigade, 101st Airborne Division, and the 173d Airborne Brigade. The Australian and New Zealand troops were attached to the latter group. A full U.S. Marine division reinforced by a separate regiment was in Vietnam with the support of six Marine fighter-bomber squadrons.

The small Vietnamese coastal force was augmented by a number of U.S. naval ships and Coast Guard vessels. The U.S. 7th Fleet was off the Vietnamese coast. Planes from its carriers were active in the air campaign against North Vietnam. They were also reinforcing the U.S. Air Force and Vietnamese fighter-bomber squadrons in operations in South Vietnam.

Ten U.S. Air Force and Marine fighter-bomber squadrons were operating from five jet airfields in Vietnam; a sixth field was under construction. B–52 bombers from Guam were providing additional air strength, concentrating on more remote Vietcong bases which had previously been immune to harassment or attack.

The magnitude of the expanded U.S. military effort has required a vastly enlarged support complex. Starting almost from scratch in May of 1965, a logistic system has been built. There are four major logistic support areas. One is in the Saigon region, including Bien Hoa and Vung Tau. The other three are located along the coast, at Cam Ranh Bay, at Qui Nhon in Binh Dinh Province, and at Da Nang. The rapid infusion of American forces has strained the facilities of the new logistic system to the utmost, with long delays in unloading and moving equipment not unusual. There have also been and still are shortages of important items of supply despite efforts to eliminate these shortages.

4. Relationship of United States and Vietnamese forces

From the point of view of American policy and practice, the war itself remains a Vietnamese war. The American command emphasizes that U.S. forces in Vietnam are there to support the Vietnamese and their Armed Forces in the effort to resist aggression by infiltration from the north and terrorism and subversion from within. Vietnamese sovereignty and the paramount role of the Vietnamese are meticulously respected and the supporting nature of the U.S. role is stressed.

There is no combined or unified command of the international forces in Vietnam. United States and Vietnamese forces work together through coordination and cooperation. The commander of the U.S. forces maintains close liaison with the Vietnamese Minister of Defense and the Chief of the Joint General Staff. Strategy and plans are devised together. Parallel instructions are then issued to the respective commanders through corps and division to regimental level. In the execution of an operation a joint command post is set up or liaison officers are exchanged and terrain is apportioned for tactical areas of operation. According to American military commanders these arrangements have proved to be practical and workable.

5. Vietcong-North Vietnamese forces

In December 1965, the best available estimates placed Vietcong strength in South Vietnam at 230,000 men. This figure is double that of 3 years ago. Total Vietcong strength, apparently, is steadily increasing despite the serious casualties which these forces have suffered during the past few months.

Of the present total, approximately 73,000 are main force soldiers, including 14,000 regular PAVN (People's Army of North Vietnam) troops from North Vietnam. The Vietcong forces also include about 100,000 militia, some 17,000 support troops who operate along lines of communication, and approximately 40,000 political cadres. It is estimated that the Vietcong, through local recruitment in the south and infiltrated from the north, have the capability of a substantial increase in their numbers within a short period of time.

Infiltration of men from North Vietnam through Laos has been going on for many years. It was confined primarily to political cadres and military leadership until about the end of 1964 when North Vietnam Regular Army troops began to enter South Vietnam by this route. It is anticipated that with the multiplication of routes through Laos the rate of infiltration is likely to increase threefold from the present estimated 1,500 per month. The monsoon, which earlier was considered to be of great significance in its effect on the reinforcement capabilities of the Vietcong as well as on the ability of both sides to prosecute the war, has proved in experience to be of minor consequence if, indeed, of any consequence at all.

6. Current state of the war

By November 1965, American troops were directly involved in battle to a much greater degree than at any other time in the history of the Vietnamese conflict. At the same time, the intensity of the war itself reached a new high. The Vietcong initiated 1,038 incidents during the last week of November and the total number of incidents which had increased steadily throughout 1965, reached 3,588 in that month. These incidents involved armed attacks up to regimental strength as well as terrorism and sabotage of various

kinds and antiaircraft fire against U.S. aircraft. In the later months of 1965 the trend was toward larger attacks, except in the Mekong Delta where there were numerous small-scale actions.

With the increase in the intensity of the conflict, there were increased numbers of casualties among all participants. In the month of November 1965, alone, 469 Americans were killed in action, a figure representing about 35 percent of all Americans killed in action in the war until that date. In addition, 1,470 Americans were listed as wounded and 33 as missing. During the same month the South Vietnamese Army reported 956 soldiers killed in action, 2,030 wounded, and 355 missing. The Vietcong, for their part, are estimated to have lost 5,300 men killed in the month and, in addition, 595 were taken prisoner. Many of these casualties were regulars of the North Vietnamese Army.

7. The security situation in South Vietnam

The presence of U.S. combat forces has acted to arrest the deterioration in general security in Government-controlled parts of South Vietnam. It has also improved the ability of the Vietnamese Government to hold Saigon, the strategic heart of the country, the coastal bases, and certain other key areas in the country. In the latter connection, it should be noted that a strategic route (19) from the coast to the western highlands has been reopened for convoyed ground traffic to Pleiku, a major military strongpoint in the western highlands. On certain other roads, an improvement in security is also reported.

8. Vietcong reactions

Faced by a blunting of their military efforts, the Vietcong have reacted strongly to the new situation. Beginning in June an estimated 1,500 North Vietnamese troops per month have entered South Vietnam through Laos and this number is rapidly increasing. The estimates are that at least seven regiments of regular troops from North Vietnam are now in the country with more on the way. At the same time the Vietcong have in recent months greatly stepped up the recruiting, induction, and training of South Vietnamese in the densely populated delta region. They have increased their small-scale attacks in that area, aiming apparently at isolated outposts and at demoralizing the regional and popular forces as well as harassing lines of supply and communication.

The stepped-up activity of the Vietcong in the countryside has been paralleled by an effort on the part of the Government forces to strengthen their control over the population in the base areas and their immediate environs. These base areas themselves are held in some force. At the U.S. Marine base at Da Nang, for example, the perimeter of security has been pushed out about 10 miles. The bulk of U.S. Marine forces, however, is now preoccupied in defense within that perimeter. Nevertheless, it is still possible for the Vietcong to bypass the defenders and penetrate the area in sporadic hit-and-run raids. Communications between the base areas along the coast are still subject to Vietcong ambush and attack.

In Saigon, heavily defended as it is, the rattle of automatic weapons fire or the explosion of mortar shells in the outskirts of the city are not uncommon sounds by day or by night. Vietcong ability to carry out terroristic attacks within the city itself is from time to time made evident. Indeed, it is considered by some that Saigon with its many vulnerabilities to sabotage and terrorism and Hanoi with its exposure to air attack are mutual hostages, one for the other.

9. Impact of increased American forces on the Vietnamese

The arrival in Vietnam of American combat troops in large numbers has had an immediate positive psychological effect on Government-held areas. Not only has there been an improvement of morale in the Government and the armed forces, there has also been a return of confidence among Vietnamese civilians. This is especially true in Saigon where the increased American presence is taken as insurance against an imminent collapse of the existing structure.[1] Politically and commercially minded Vietnamese, seeing that the United States had so far committed itself, have found renewed courage and confidence.

Of great significance is the fact that there has been a period of government stability in Vietnam following the arrival of additional U.S. troops. This stability is more essential than ever for the maintenance of public confidence after the debilitating consequences of the repeated coups which followed the assassination of President Diem. It is also vital for the effective prosecution of war and the formulation and carrying out of social, economic, and political reform programs.

10. The government of Gen. Nguyen Cao Ky

The new leadership in government which is drawn largely from military circles is young and hopeful, but with little knowledge of politics. Gen. Nguyen Cao Ky, the Prime Minister, recognizes that a purely military solution to the problems of Vietnam is not possible. Security and social and economic reform, in his view, must proceed hand in hand in order to gain the support of the people.

The new leaders express the intention of moving toward some form of representative civilian government, taking into account the history and needs of the Vietnamese people. They speak of a consultative assembly to prepare the way for a constitution and hearings throughout the country on the constitution with a view to a referendum at the end of 1966. The referendum, according to their concepts, would be followed by elections to a legislative body by the end of 1967, if by that time elections can be held without intimidation in as much as two-thirds of the country. Some observers believe that, perhaps, not more than 25 percent of the villages under Government control in South Vietnam would be free from intimidation at an election at the present time.

In addition to prosecuting the war, the Government of Vietnam is seeking to initiate measures to protect and improve the welfare of the population. With the indispensable assistance of U.S. aid, food and other commodities are being imported into the country to meet current needs and to insure that the price of staples such as rice, fish, and canned milk remain within the reach of the people.

11. The pacification or civic action program

A new effort is also being made to bring the people of the villages into closer and firmer rapport with the Government. In the period following the fall of the government of Ngo Dinh Diem, the so-called pacification or civic action program which brought government, police, economic, and social organization into the hamlets, was allowed in large measure to lapse. Due to subsequent changes of government, there were eventually only a very few people left to carry on this work. Military necessity required the Government to concentrate on attempting to stop Vietcong military advances.

The present Government is once again seeking to create an organization to carry out a program of pacification or civic action. Screening the cadres left from the programs of previous governments, a basic group has been selected. Together with additional groups to be trained it is expected that a total number adequate to meet the needs for pacification teams in the priority areas chosen by the Government of Vietnam will be available by the end of 1966.

The present plan for pacification work is regarded by observerers as more thorough and more realistic than previous efforts. It contemplates teams remaining in each village for an initial period of several months with subsequent followups over a period of at least 1 year. The belief is that the inhabitants can generally be sufficiently won over to the side of the Government in that period and conditions established where elections for local officials can be held. It is realized, however, that even then the work cannot be considered as completed.

12. Other programs

In addition to giving strong support to the pacification program, the new Government has numerous other plans to better the lot of the people. There are, for example, projects to improve the pay of the troops, construct low-cost housing, and redistribute land. In this connection a program has been inaugurated to give 700,000 acres of land to 180,000 farmers. It is generally recognized that Government programs of this kind, many of which have been attempted in various forms before, will require years before any substantial political effect upon the population can be anticipated.

13. Economic aspects of the conflict

The Government of Vietnam has also instituted a resources control program in an effort to restrict the Vietcong's ability to get the things they need to carry on the war. In most parts of Vietnam, which is a naturally rich and productive country, it is not difficult to obtain enough food to support life. This is particularly true in the fertile and densely populated delta of the south with its great rice fields and network of interconnecting canals. The Vietcong obtain money by many means, including taxation and extortion, and they can and do use these funds to purchase food in the countryside and medicines in district and Provincial towns. The Vietcong can and do attack trucks and convoys on the roads and seize the weapons, ammunition, and the other goods which they may carry.

By a system of rationing, identity cards, and resource control, including checkpoints and mobile control teams, however, the Government hopes to stop the Vietcong from obtaining key commodities such as food and medicines in key areas such as the highlands, which is a deficit region. In other areas it is hoped that the system will make goods less available for the Vietcong and more difficult for them to obtain.

It must be said that there is also a reverse side to this picture. The Vietcong, operating in the countryside, have the ability to restrict the flow of food to cities and population centers such as Saigon. Vegetables, for example, come to Saigon from Dalat in the central highlands. Sugar also comes to Saigon along the same road which is controlled in part by the Vietcong. It is common knowledge that commodities reaching Saigon's markets by road from the Dalat area have paid a tax to the Vietcong before reaching the city and that unless the tax is paid they will not reach the city. The fact is plain: Much of Saigon's indigenous food and commodity supply depends on the sufferance of the Vietcong and on payments to them.

The ravages of war and terrorism, however, are taking a toll of the country's productive capacity. Rice fields and rubber plantations

[1] The illustrative story is told of the Vietnamese professional man who sold his house in Saigon in January of 1965 in despair over the deteriorating situation, only to buy back the same house later in the year, following the arrival of American troops, for twice the price at which he had sold it.

in areas that are being bombed and fought over no longer produce their contribution to feed the people and to nourish the economy. Fledgling enterprises in outlying areas, cut off from supplies and from markets by interrupted communications, wither and fail.

Along with increased Vietcong activity in the delta in recent months, there has been growing Vietcong restriction on the flow of rice from that region to the Saigon market. The result is that Vietnam, a rice surplus region, in 1966, will have to import at least 300,000 tons of rice from abroad under U.S. aid programs to feed the population of the cities and towns under the Government's control.

Although, as has been said, the arrival of large numbers of American troops has gone far to restore business confidence in the cities of Vietnam, there have been adverse effects as well. One of these is the creation of a labor shortage, particularly among skilled workers, as men have been drained away from normal areas of employment to the base complexes and other regions where construction projects are being pushed to create the logistic structure and other facilities required by the American forces.

Inflationary pressures resulting from the war and the changed U.S. role have thus far been kept within bounds. Saigon itself, however, has an overstimulated atmosphere of almost hectic prosperity, in some respects, as the impact of spending by American servicemen and the effect of U.S. defense expenditure make themselves felt. There are also the beginnings of the rumblings of personal discontent and antagonism which generally characterize the reaction in any nation to the sudden infusion of a large body of foreign forces.

14. Summation

In sum, the overall control of the country remains about the same as it was at the beginning of 1965. It is estimated that about 22 percent of the population is under Vietcong control and about 18 percent inhabits contested areas. About 60 percent of the population in the country is, at present, under some form of government control, largely because of its hold on Saigon and other cities and large towns.

The population of the cities has been augmented by a great number of refugees. Hundreds of thousands in number, they are for the greater part composed of people who have fled to the cities in an effort to escape the spreading intensity of the war. In this sense, they are unlike the refugees who came from North Vietnam in 1954. These earlier refugees consciously chose to leave their ancestral homes and come south permanently, rather than accept a Communist regime. The new refugees, for the most part, are believed merely to be waiting for an end to the fighting in order to return to their homes and land.

The Vietcong have stepped up sabotage, terrorism, and hit-and-run attacks in the Government-held areas which are, principally, cities and major towns and indeterminate, but limited, extensions outward from them. Harassment by United States and Vietnamese air attack and airborne forces has increased in the firmly held Vietcong areas of South Vietnam which are almost entirely rural. And, of course, North Vietnam has been brought under air attack.

In general, however, what the Saigon Government held in the way of terrain in the early months of 1965 (and it was already considerably less than was held at the time of the assassination of Ngo Dinh Diem), is still held. What was controlled then by the Vietcong is still controlled by the Vietcong. What lay between was contested at the outset of 1965 and is still contested.

B. VIETNAM AND THE NATIONS OF ASIA

Other nations of Asia generally view the conflict in Vietnam with great concern. Those countries nearest to Vietnam see in the spread and increasing intensity of the warfare a heightened danger of a spillover into their territory. They sense that the longer the conflict continues and the more it escalates the greater becomes this danger to themselves. Furthermore, they fear the effect upon their own future should all of Vietnam become a Communist state.

Laos already finds itself deeply although unwillingly involved on the fringes of the war in Vietnam. The fighting within Laos, which continues despite the 1962 Geneva Agreement, is now a closely interwoven part of the Vietnamese struggle. The connection is most pronounced in the eastern part of Laos which lies within the control of the Communist Pathet Lao forces. This region, the so-called Laotian panhandle, is a natural infiltration route for men and supplies from North Vietnam into South Vietnam. A long border abutting on South Vietnam makes it possible for troops and equipment from Hanoi to reach far south through Communist-controlled territory in Laos with a minimum of risk before being diverted across the border into South Vietnam by any number of lateral communications routes. New roads have been constructed through this mountainous terrain along which men and supplies can pass, for the most part undetected, protected as they are in some regions by double canopies of jungle foliage. These roads are not easily susceptible to aerial interdiction.

Cambodia, in a different manner and to a much lesser extent than Laos, is already directly touched by the fighting in Vietnam. There are repeated charges that Cambodian territory is being used as a base for Vietcong operations. That is possible in view of the remoteness and obscurity of the border but there is no firm evidence of any such organized usage and no evidence whatsoever that any alleged usage of Cambodian soil is with the sanction much less the assistance of the Cambodian Government. Prince Sihanouk responded immediately to a recent allegation that the Cambodian port of Sihanoukville is being used to transship supplies to the Vietcong by calling for an investigation by the International Control Commission which was set up under the Geneva Accords of 1954.

Cambodia's overwhelming concern is the preservation of its national integrity which, in times past, has been repeatedly violated by more powerful neighbors and is still subject to occasional forays from a minor dissident movement (the Khmer Serai) which has been allowed to base itself in the neighboring nations. Cambodia seeks recognition and respect of its borders by all parties to the conflict. It asks to be left to live in peace so that it may concentrate on its own problems and internal development. The Cambodians have made great internal progress, largely through their own efforts supplemented by a judicious use of aid from the United States in the past and from other nations both in the past and at the present time. They have a peaceful and productive nation with an intense sense of national unity and loyalty to Prince Sihanouk.

The fact that fighting in South Vietnam has raged close to the border and there have, as a result, been occasional border incursions and bombing of Cambodian territory has caused the deepest concern to the Cambodian Government. Cambodia can be expected to make the most vigorous efforts to resist becoming directly involved in the struggle surging through South Vietnam and to repel to the best of its capability direct and organized invasions of its territory which may stem from the mounting tempo of the war.

Thailand, the only country on the southeast Asia mainland directly allied with the United States, seeks to cooperate with the United States as an ally while avoiding a spillover of the war into Thai territory. That course is becoming increasingly difficult to maintain. Thailand has a large number of North Vietnamese living in its northeast region bordering on Laos. This element retains an affinity for Hanoi and is susceptible to its influence. Moreover, in the recent past Peiping has brought to the forefront a Thai leader in exile and has increased the intensity of its propaganda attacks against Thailand. Reports of terrorism and sabotage in the northeast of Thailand are increasing.

The Vietnamese war was brought very close to Thai territory in November 1965. A Pathet Lao military thrust toward the Laotian town of Thakkek on the Mekong, which was supported by North Vietnamese troops, was fortuitously driven back by Government forces. Had it not been repelled, the war, in effect, would have reached the point where it made direct contact with Thailand's frontier.

Nations in Asia more geographically remote from the war in South Vietnam are nonetheless conscious of the dangers to the entire area as the struggle in South Vietnam becomes more prolonged and ever more intense. These countries range from neutral and nonalined Burma through such allies of the United States as the Philippines and Japan.

Each of the countries of Asia has its own internal problems. Each has varying degrees of internal stability. Each has as a principal concern, the avoidance of direct involvement in the Vietnamese conflict. With the exception of Korea, there is little likelihood of substantial material help from these sources in providing military assistance in South Vietnam. Others are either unwilling or reluctant to become involved in a military sense or are unable to do so because of inner difficulties or the broader strategic requirements of the Asian situation. Even with respect to Korea, it is obvious that any withdrawal of forces for use in Vietnam creates new problems of military balance as between North and South Korea. It should not be overlooked that peace in the Korean peninsula is still held together only by a tenuous truce.

The Asian nations generally are aware of their own relative powerlessness to influence the main course of events, or, in the final analysis, to control their own destinies should the conflict in Vietnam ultimately develop into a confrontation between the United States and Communist China with all that such an eventuality might imply for the peace of Asia and the world. In Japan, for example, there is a deep anxiety over the possible consequences to that nation of such a confrontation if it should materialize. The memory of the escalation of the limited Manchurian incident of 30 years ago into a seemingly interminable war on the mainland of China is not yet dead in Japan.

To sum up, then, the nations of Asia recognize the immense importance to themselves of what is transpiring in Vietnam. But they also recognize their own limitations in the face of it. Their immediate preoccupation, in any event, is with their own internal problems and development. Throughout the area there is a continuing interest in activities involving peaceful cooperation for economic development. The Peace Corps is generally welcomed wherever it operates and, notably, in the Philippines. The new Asian Development Bank is being launched with considerable enthusiasm. The Mekong project has warm support throughout the region and considerable interest in Cambodia, which is central to the concept.

It is clear that none of the nations of the area desires the domination of either China or the United States. Given a choice, it is doubtful that any nation would like to see the influence of the United States withdrawn completely from southeast Asia. Generally speaking, the nations of the area welcome peaceful ties with the United States and our participation in the devel-

opment of the region if that participation does not become overwhelming.

C. THE SOVIET UNION AND EASTERN EUROPE

Without exception the Soviet Union, Poland, and Rumania give full and firm support to the position of Hanoi and the Vietcong. They are quick in their denunciation of the U.S. role in South Vietnam and vehement against U.S. bombing in North Vietnam.

Part of this solidarity is undoubtedly derived from ideological affinities. Whatever attitudes they may manifest toward Communist China, and they vary, it is clear that responsibility for the continuation of the conflict in Vietnam is assigned to the United States and this is regarded as an impediment to improvement in political relations with this country.

There is no reason to believe that the Soviet Union, in present circumstances, sees its way clear or, in fact, is anxious to play a significant role to assist in bringing an end to hostilities in Vietnam. The Soviet Union has steadfastly refused to join with the United Kingdom, the other cochairman of the 1954 Geneva Conference, in calling for a reconvening of that Conference. They have emphasized repeatedly in public statements as well as in other ways that they have no intention of taking an initiative for peace in Vietnam at this time.

The countries of Eastern Europe have reason for concern over the continuation of the conflict in Vietnam and its escalation. Some of these reasons have to do with their own national preoccupations and the situation in Europe. Both Poland and Rumania, for example, have a very substantial trade with the Western World and remain interested in increased trade with the United States should conditions permit. Both might well be disposed to make a contribution to a settlement of the Vietnam problem to the extent their capabilities permit but only should they see some possibility of success.

D. COMMUNIST CHINA

Behind the war in Vietnam, behind the fears and preoccupations of other Asian nations and through the attitudes of the Eastern European countries and the Soviet Union runs the shadow of Communist China.

Until now the Chinese Communists have not introduced their manpower directly into the conflict although they clearly recognize that the war may reach that point. They recognize, too, that the war may impinge upon China herself at some point and have begun to make preliminary preparations for that eventuality.

For the present, however, the Chinese appear to take the view that their direct intervention in Vietnam is not required since: (1) The war in South Vietnam is a people's war which the Vietcong are winning; (2) North Vietnam is successfully defending itself; (3) the more the United States escalates the war the higher our casualties will be and the more discouraged we will become; and (4) the United States cannot win, in any event, according to Chinese theories.

It is from Communist China that Hanoi and the Vietcong derive the bulk of their outside material support. It is from Communist China that there has also flowed encouragement of resistance to negotiation or compromise. As the war escalates and Hanoi becomes ever more dependent upon Chinese support, a dependence which Soviet aid at best only tempers, the likelihood also increases that North Vietnam will not be able to negotiate a settlement without at least the tacit consent of China. In fact, that point may already have been reached.

E. CONCLUDING COMMENTS

A rapid solution to the conflict in Vietnam is not in immediate prospect. This would appear to be the case whether military victory is pursued or negotiations do, in fact, materialize.

Insofar as the military situation is concerned, the large-scale introduction of U.S. forces and their entry into combat has blunted but not turned back the drive of the Vietcong. The latter have responded to the increased American role with a further strengthening of their forces by local recruitment in the south and reinforcements from the north and a general stepping up of military activity. As a result the lines remain drawn in South Vietnam in substantially the same pattern as they were at the outset of the increased U.S. commitment. What has changed basically is the scope and intensity of the struggle and the part which is being played by the forces of the United States and those of North Vietnam.

Despite the great increase in American military commitment, it is doubtful in view of the acceleration of Vietcong efforts that the constricted position now held in Vietnam by the Saigon government can continue to be held for the indefinite future, let alone extended, without a further augmentation of American forces on the ground. Indeed, if present trends continue, there is no assurance as to what ultimate increase in American military commitment will be required before the conflict is terminated. For the fact is that under present terms of reference and as the war has evolved, the question is not one of applying increased U.S. pressure to a defined military situation but rather of pressing against a military situation which is, in effect, open ended. How open is dependent on the extent to which North Vietnam and its supporters are willing and able to meet increased force by increased force. All of mainland southeast Asia, at least, cannot be ruled out as a potential battlefield. As noted, the war has already expanded significantly into Laos and is beginning to lap over the Cambodian border while pressures increase in the northeast of Thailand.

Even if the war remains substantially within its present limits, there is little foundation for the expectation that the Government of Vietnam in Saigon will be able, in the near future, to carry a much greater burden than it is now carrying. This is in no sense a reflection on the caliber of the current leaders of Vietnam. But the fact is that they are, as other Vietnamese Governments have been over the past decade, at the beginning of a beginning in dealing with the problems of popular mobilization in support of the Government. They are starting, moreover, from a point considerably behind that which prevailed at the time of President Diem's assassination. Under present concepts and plans, then, what lies ahead is, literally, a vast and continuing undertaking in social engineering in the wake of such military progress as may be registered. And for many years to come this task will be very heavily dependent on U.S. foreign aid.

The basic concept of present American policy with respect to Vietnam casts the United States in the role of support of the Vietnamese Government and people. This concept becomes more difficult to maintain as the military participation of the United States undergoes rapid increase. Yet a change in the basic concept could have a most unfortunate impact upon the Vietnamese people and the world at large. What is involved here is the necessity for the greatest restraint in word and action, lest the concept be eroded and the war drained of a purpose with meaning to the people of Vietnam.

This danger is great, not only because of the military realities of the situation but also because, with a few exceptions, assistance has not been and is not likely to be forthcoming for the war effort in South Vietnam from nations other than the United States. On the contrary, as it now appears, the longer the war continues in its present pattern and the more it expands in scope, the greater will become the strain placed upon the relations of the United States with allies both in the Far East and in Europe.

Many nations are deeply desirous of an end to this conflict as quickly as possible. Few are specific as to the manner in which this end can be brought about or the shape it is likely to take. In any event, even though other nations, in certain circumstances, may be willing to play a third-party role in bringing about negotiations, any prospects for effective negotiations at this time (and they are slim) are likely to be largely dependent on the initiatives and efforts of the combatants.

Negotiations at this time, moreover, if they do come about, and if they are accompanied by a cease-fire and standfast, would serve to stabilize a situation in which the majority of the population remains under nominal government control but in which dominance of the countryside rests largely in the hands of the Vietcong. What might eventually materialize through negotiations from this situation cannot be foreseen at this time with any degree of certainty.

That is not, to say the least, a very satisfactory prospect. What needs also to be borne in mind, however, is that the visible alternative at this time and under present terms of reference is the indefinite expansion and intensification of the war which will require the continuous introduction of additional U.S. forces. The end of that course cannot be foreseen, either, and there are no grounds for optimism that the end is likely to be reached within the confines of South Vietnam or within the very near future.

In short, such choices as may be open are not simple choices. They are difficult and painful choices and they are beset with many impounderables. The situation, as it now appears, offers only the very slim prospect of a just settlement by negotiations or the alternative prospect of a continuance of the conflict in the direction of a general war on the Asian mainland.

Mr. MUSKIE. Madam President, since our return from our travels, each of us, of course, has been asked to add our personal impressions to the report.

The report speaks for itself and represents a consensus of the five Senators involved. Nevertheless, it cannot conceivably encompass the hundreds of reactions and impressions which we experienced and are still digesting.

It may be useful, therefore, Madam President, to include at this point in the RECORD—and I ask unanimous consent to do so—some excerpts from comments I have made since our return.

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

I have said that Vietnam was the single, consistently recurring subject in our discussions:

Only the Communist countries urged our unconditional withdrawal from South Vietnam—with varying degrees of emphasis and harshness in their criticism of American policy.

There appeared to be an underlying regret in Warsaw, Moscow, and Bucharest that the Vietnam problem exists and a wish that it might go away—but the words used consistently placed responsibility upon the United States for the existence of the problem and for eliminating it.

There was a general uneasiness about the dreadful uncertainties to which the Vietnamese conflict might lead.

There was a general pessimism about the prospects for a negotiated settlement, but indications of an interest in contributing to that objective if the opportunity arose.

Support for U.S. policy in Vietnam varied inversely with the distance from southeast Asia.

There was very great uneasiness in southeast Asia as to the consequences for southeast Asian countries of a complete U.S. withdrawal.

All the areas of the world which we visited were a constant source of interest to all of us, but southeast Asia had a particular fascination.

It is, of course, the site of our greatest overseas problem.

It is an area of great variety and beauty.

It is an area of great resources and potential richness.

On the surface, the five countries we visited—Burma, Laos, Thailand, Cambodia, and South Vietnam—have much in common and would appear to have much to gain from a closer association.

In reality there are differences and divisions, deep seated and historic, which are sources of constant friction—and instability even within a given country.

And the gap between the rich and the poor is as great as anywhere in the world, and productive of more instability.

There is no love or natural affinity between any of these countries and China—before or since mainland China has gone Communist; and each of these countries, in its own way is seeking to be independent of Chinese domination and control.

There is no question in my mind but that all of them would fall under Chinese domination and control if the United States withdraws or is driven from South Vietnam.

To the leaders of Red China, South Vietnam is just another incident in the long struggle which they have waged for 40 years and which they intend to continue to wage for the ultimate supremacy of their brand of communism in the world.

They will not be diverted from their ultimate objective by whatever happens in Vietnam.

Only the forces of evolution and change, when, as, and if their country emerges as a modern, industrial state, can blunt or eliminate their revolutionary fervor and persuade them to accept coexistence and diversity as the normal condition of the world.

This is the reality as we seek a way to resolve the Vietnam dilemma.

SUBSTITUTION OF PRIVATE FOR PUBLIC CREDIT

Mr. MOSS. Madam President, I am sure that Senators on both sides of the aisle will welcome the special emphasis that President Johnson's budget places on urging the private financial community to participate more fully in financing major Federal credit programs.

In the coming fiscal year, the Federal Government plans to relinquish to private buyers $4.7 billion of Federal loans—including both individual loans and opportunities to participate in pools of loans.

To make this possible, the President proposes to broaden the whole range of assets now sold through participation pools. He also proposes to expand the newly enacted program under which State and nonprofit agencies, with Federal assistance, insure private loans to college students, so as to reduce the budgetary requirements for direct Federal loans.

The President's program of substituting private for public credit—wherever consistent with program objectives—is in line with policies voiced by each of the last three Presidents. It fulfills the recommendations made in 1963 by the Committee on Federal Credit Programs that "Government credit programs should, in principle, supplement or stimulate private lending, rather than substitute for it"—a report endorsed by both President Kennedy and President Johnson.

It carries out the views so cogently expressed by the minority members of the House Ways and Means Committee in 1963 when they declared that "The administration can always reduce its borrowing requirements by additional sales of marketable Government assets."

Finally, this emphasis is most timely in the light of the special urgency of total budget requirements this year. By substituting private for public credit, we can free money for high-priority programs without increasing budget expenditures.

This is realistic, sensible, financial management.

It penalizes no beneficiary of public credit assistance.

It encourages the private credit system to share with Government the responsibility and opportunity to build the Great Society.

ADDRESS BY SENATOR RUSSELL OF GEORGIA TO GEORGIA STATE LEGISLATURE, JANUARY 17, 1966

Mr. TALMADGE. Madam President, my distinguished colleague, the Senator from Georgia [Mr. RUSSELL], recently delivered an outstanding address to the General Assembly of the State of Georgia, meeting at the State Capitol in Atlanta.

Appearing before a joint session of the State senate and the Georgia House of Representatives, Senator RUSSELL outlined in some detail the lasting and meaningful results of more than 3 decades of service in the U.S. Senate to his native State and to his Nation. As his record clearly shows, his primary concern has always been and will always be the well-being of the people of his State, as well as the security and best interests of the United States. The warmth and respect with which Senator RUSSELL is regarded by an overwhelming majority of the people of Georgia was demonstrated by the enthusiastic reception he received from members of the Georgia Legislature, prior to, during, and following his address.

Just as the senior Senator from Georgia is held in high esteem by his fellow Georgians, so is he in the Chamber of the U.S. Senate. I know of no other Member of this body who is more respected for his unswerving allegiance to the principles which have made this Nation what it is today, for his steadfastness in holding to heartfelt convictions, or for his knowledge of the parliamentary inner workings and procedures of this body than my beloved senior colleague and warm friend, DICK RUSSELL.

Madam President, I commend Senator RUSSELL's remarks to the attention of the Senate and ask unanimous consent that they be printed in the RECORD.

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

REMARKS OF SENATOR RICHARD B. RUSSELL PREPARED FOR DELIVERY TO THE GENERAL ASSEMBLY OF GEORGIA AT THE CAPITOL, ATLANTA, MONDAY, JANUARY 17, 1966

It is a high honor to stand again in this historic hall where men and events have met to shape the destiny of our beloved Georgia.

For me, each return visit to this General Assembly is a sentimental and deeply moving experience. It brings back a flood of nostalgic memories of my own service in this body. I count the 10 years I spent as a member of the House from Barrow County—4 of them as speaker—as among the most pleasant and satisfying of my career.

This occasion today is especially meaningful. Last year, for the only time in my life, I was unable to respond to a call to address this Assembly. I can assure you that my esteem and respect for this body and its members are such that only illness prevented my presence on that occasion.

HEALTH GOOD, SPIRITS HIGH

So this morning I welcome the opportunity to redeem myself. I am happy to say that today my health is good, my spirits are high, and my face is turned full to the future. I look forward to serving Georgia in the Senate of the United States for many years to come—provided that meets with approval of the people of this State.

In both basis of organization and membership, this General Assembly is different from any that has met here in the memory of man. But I am confident that its dedication and devotion to the welfare of Georgia is as great as any that has gone before. I am sure that you will discharge every responsibility without fear, favor, or intimidation.

Georgia, in common with the rest of the country, is undergoing a period of whirlwind change and transition. When I was a member of this House, two thirds of the people of Georgia lived on farms and in rural areas. Today, however, slightly more than half of our people reside in urban communities—and the trend to the city is almost certain to continue in the coming years.

These changes have brought about a host of new and perplexing problems that are peculiar alike to the rural and the urban areas of our State.

In searching for solutions to our problems, I know there will be differences and conflicts among you. But these can be resolved if they are approached in a spirit of cooperation and mutual understanding—and in accordance with the words inscribed on our great seal—in "Wisdom, Justice, and Moderation."

GEORGIA'S HORIZON UNLIMITED

Nothing can do more to enhance the future of Georgia than to have all our people from all sections working in harmony together for the common good of all. We must not jeopardize that future through a needless struggle between urban and rural interests that can only bring harm to the people of both sections.

Georgia today is forging forward in all areas of life and in all spheres of activity. In the dark and discouraging years that followed Appomattox, the eloquent and incandescent Benjamin Harvey Hill uttered some words that Georgians of his day and ours have taken to heart. He said: "We can live neither in nor by the defeated past, and if we would live in the growing, conquering future, we must furnish our strength to shape its course, and our will to discharge its duties."

This we have done. Upon a proud and honorable heritage, we are constructing a new and modern Georgia that blends the best of the old with the promise of the new.

Today, the future beckons as never before with hope and opportunity for all our people. A recent survey by the U.S. Department of Commerce revealed that in 34 of 35 categories Georgia has outstripped the Nation in industrial growth since 1948. In the same period, the average income of Georgians has doubled—though in our self-congratulation on this achievement let us not forget that we are still behind many other States. This is an area in which we must do better.

WORKING FOR GEORGIA

During my years in the Senate, I have worked with unstinting zeal and energy to advance Georgia's progress in every legitimate and proper way at my command. I have undertaken to see that Georgia receives full opportunity to participate in all Federal programs and activities which our people, after all, help to pay for with their tax dollars. I have done so in the conviction that I have been elected to represent and work for Georgia's interest in Washington—and not Washington's interest in Georgia.

The record, I think, bears evidence that these efforts have borne fruit. Let me quickly summarize some major areas:

National defense

Some 60,000 Georgians today are employed on the 15 major military bases located in Georgia and in defense-related industrial activities. The total impact on the Georgia economy of military and defense payrolls and activities amounts to well over $1 billion annually and is increasing. Last year, for the first time, Georgia became one of the 10 leading States in dollar volume of defense contracts—and this was before selection of the Lockheed Co. at Marietta to build the mammoth C–5A aircraft—one of the largest defense contracts ever to be awarded.

River development

Four of Georgia's principal rivers—the Savannah, the Chattahoochee, the Coosa, and the Flint—are under major development by the Corps of Engineers and construction of four new multipurpose dams is underway or is authorized. In the postwar period, we have opened 500 miles of year-round navigable waterways on our rivers and our goal is to add another 250 miles in the foreseeable future. The cities of Augusta, Bainbridge, and Columbus have become inland ports and we intend to add Atlanta, Rome, and Albany to this list. To date, about $850 million has been invested in harnessing Georgia's river and water resources for navigation, flood prevention, municipal and industrial water supplies, pollution abatement, and recreation.

Agriculture

Georgia is the southeastern center for research activities of the Department of Agriculture and the U.S. Forest Service. Tifton, Macon, and the University system are hubs of this research effort which is discovering ways to better utilize and manage our bountiful land, forest, and water resources. The plant value of these various agriculture research facilities alone is in the neighborhood of $25 million, and total agriculture spending in Georgia for all purposes amounts to $325 million a year.

Airport and highway construction

Since I entered the Senate, eight different Federal programs have been enacted to assist communities in building and improving airports. Under these programs, Georgia has received $54 million, which has helped to build 104 airports. I am pleased to report that construction of 41 additional airports throughout the State is contemplated under the long-range plans of the Federal Aviation Agency. I believe we are in a strong position to obtain funds for most if not all of these.

Since 1957, Georgia has received $750 million in Federal matching money for highway construction—two-thirds of it for the Interstate System, which is financed 90 percent by U.S. funds. I am hopeful that the present lag in highway trust funds will be corrected so that the 42,000-mile Interstate System can be completed by the 1972 target date. But even before that time, I anticipate that Congress will authorize an expansion of the existing system. I also am devoting much effort to see that the very first extension of the system will include a new interstate route linking Fort Gordon, Warner Robins, Fort Benning, and Randolph Field, Ala.

Education

Georgia today ranks 11th in the order of the States in Federal assistance to education under 35 different programs, ranging from vocational education to school lunches. The amount of school aid to the State last year was $38 million, and this is expected to increase by some $50 million in the coming year as the new secondary and higher education programs get underway.

I believe one of the most far-reaching and significant achievements of the past session of Congress was the passage of the Higher Education Act, which increases the opportunities for our young people to receive a college education without family income being the determining factor. The new law expands the student loan program, which already has assisted 14,000 young Georgians to go to college, and establishes a new program of scholarships for talented and deserving students.

Georgia's institutions of higher learning also benefit extensively from the various research activities of the Federal Government. The National Science Foundation this year will assign $5 million in research grants and contracts to Georgia colleges. Another important source of research funding is the National Aeronautics and Space Administration. Georgia Tech alone has received some $5 million in the past 5 years from NASA—including a million-dollar grant to help build Tech's new Space Science Technology Center.

TWO BILLION DOLLARS IN U.S. AID

The programs I have summarized constitute but a small fraction of the total scope of Federal activities in Georgia. The most recent figures I have seen put the grand total at more than $2 billion a year. When broken down on a population basis, we stand very near the top among all 50 States in our per capita share of Federal benefits and activities.

It is hardly necessary for me to say that I have not voted for all the Federal programs that have come along during my time in the Senate. I could not do so and remain true to the principles of constitutional government which I hold dear.

I have supported—and I shall continue to support—those worthwhile measures that are based on the tried and proven principle of Federal cooperation with the States and local government. But I have opposed—and shall continue to oppose—those programs which undertake to give the Federal Government power to control and dominate the States.

Let me make it perfectly clear that though I do not support every program that is proposed, I undertake to do everything within my power to see that Georgia gets its full share of whatever benefits may be provided. I may vote against a given program, but if it becomes law anyway, I take my tin cup and try to fight my way to the head of the line.

There are some who apparently feel the concept of Federal-State cooperation is old fashioned and outmoded. They favor the concentration of all powers of government in the hands of a bureaucratic colossus on the banks of the Potomac.

I realize that those in certain quarters maintain I am old fashioned and outmoded. Be that as it may, I shall never abandon my Jeffersonian belief in a government of divided and defined powers—and in a government that recognizes the role, rights, and responsibilities of the States of this Union. Let us never forget that the States created the Federal Government; the Federal Government did not create the States.

This year, by coincidence of the calendar, the General Assembly of Georgia and the Congress of the United States began their deliberations on the same day. I must confess to a tinge of envy of your knowledge that your labors will culminate in 40 days, because the outlook for the Congress is uncertain indeed.

CONGRESSIONAL MOOD SOMBER

The new session has convened in an atmosphere as somber as any I can recall since World War II. The dangerous and vexatious crisis in Vietnam is principally the cause of this. But the mood also is influenced by the storm flags that are flying in many other parts of the world today.

Against the backdrop of war and threat of war, President Johnson has served notice on Congress and the country that he intends not only to push ahead with the Great Society at home, but to extend it on an international scale.

I have been one of those who has questioned whether this Nation, for all its wealth and resources, can fight a war of the magnitude of Vietnam and carry on a broad range of domestic spending—without a tax increase or a dangerous deficit. The President apparently believes we can.

For the sake of the country and the soundness of the dollar, I hope and pray that he is right. But it must be pointed out that the new budget estimates he has given—including a projected deficit next year of under $2 billion—are at best educated guesses. In the present year, for example, expenditures of the Federal Government have so far exceeded initial predictions by some $8 billion.

Certainly, to the extent feasible, I favor pressing ahead with programs to combat disease, poverty, ignorance, and hunger and other social ills that persist even in the midst of our unprecedented affluence. But I simply fail to see how under present circumstances we can fight a war, continue domestic spending on a scale proposed by the President, and initiate vast new programs to help every impoverished nation on this earth.

MEET U.S. NEEDS FIRST

The hearts of all men of conscience and good will go out to the hungry, the sick, and the ignorant of other lands. We want to help them. But let us first minister to the needs of our own people—and particularly to the needs of the men who are fighting and dying at this very moment in the trackless jungles and sodden rice paddies of Vietnam.

I regret exceedingly that the President, in his state of the Union message, has proposed another round of so-called civil rights legislation. The people of this country generally have not yet understood—much less assimilated—the legislation that was enacted in the past 2 years. We do not know the details of the legislation that will be proposed, but it is indicated that the Federal Government will be given unlimited power over the basic civil right of private property. If this be done, we have come to the stage where newly created rights are proposed to devour and consume those that are as old as our history and have been the mudsill of our greatness and prosperity.

Altogether, the President has presented a formidable array of proposals and requests to the Congress. But it seems clear that Vietnam and related subjects will dominate the new session of the Congress.

This is as it should be. For few problems have so much potential for disaster to our Nation and to the world as Vietnam. Hardly any other is likely to affect our people

directly and immediately in such tangible ways.

Last year, one of my Senate colleagues recalled the time in 1954 when he, then a State Department official, was assigned the duty of informing me of President Eisenhower's decision to send a military mission to South Vietnam, which was made against my advice. My response at the time was to state that there was no alternative to supporting the flag when the President committed it, but that the effort to save South Vietnam would be costly in blood and treasure.

I recall this incident not to indulge in self-praise as a prophet, but because I deeply believe that in times of international crisis like these there can be no loyal course except to support our country's policy.

SOLDIERS DESERVE SUPPORT

Regardless of what one thinks about the wisdom of our original commitment to help South Vietnam—irrespective of one's personal opinion on the extent of our involvement—the fact is that some 200,000 Americans are now on the soil of South Vietnam and other thousands are embarked in vessels off shore. Unhappily, the prospect is that many more American young men will be required before, with good conscience, we can discontinue our assistance. In these circumstances, it is unthinkable that the members of our Armed Forces who are fighting so heroically are not fully supported at home.

The persistent and diverse approaches President Johnson has prosecuted in recent weeks leave little room for any objective observer to doubt our desire to end the fighting. But the Communists in North Vietnam and elsewhere have as yet given no indication of their willingness to talk on terms other than our abandoning our commitment, letting them subjugate South Vietnam, and then discussing whatever is left to discuss at that point.

What, then, is the answer to our growing dilemma in Vietnam?

Unfortunately, the President in his message of last Wednesday failed to chart a clear course for our future action if the Communists continue to rebuff all attempts to arrive at an honorable settlement at the conference table.

The present indecisive situation must not drag on interminably, though this undoubtedly would please the Communists who recognize the strategic and tactical disadvantage in which the United States is ensnared.

A time for decision is drawing near. I believe we must decide whether or not we are willing to take the action necessary to win the war in Vietnam and bring a conclusion to our commitment. The only other alternative I can see is to pull out—and this the overwhelming majority of Americans are not prepared to do.

Today, as always, the struggle for freedom against the forces of tyranny demands courage and sacrifice. In the words of Thomas Paine: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

And Georgians today, as always, are proving by word and deed that they are neither "sunshine soldiers" nor "summer patriots."

CHANGING OF THE GUARD AT THE PEACE CORPS

Mr. CARLSON. Madam President, I would like to call the attention of my colleagues to the changing of the guard at the Peace Corps. Sargent Shriver is stepping down, and the nomination of Jack Hood Vaughn to succeed him has been received by us today.

I well remember 5 years ago, when the Peace Corps was but a dream. Its success we owe to the work of many men, but first and foremost among them stands Sargent Shriver. His tireless energy, his unflagging enthusiasm, and his drive and his integrity made it what it is today.

And today, the Peace Corps is a qualitative instrument of our way of life, not just of our Government, but of our Nation in its fullest dimension. From the prairies of my home State, from the farms and homes and colleges of Kansas, the finest of our youth have gone overseas to serve the cause of peace. And so, too, the youth from all the States of our great Nation. Today, more than 10,000 of them are in 46 foreign lands. There they live and work with and among the peoples of those nations. They have brought the enthusiasm, the zest, and the quality of our young people to those lands. They have brought themselves as the representatives of America, of the schools.

More than half of those young people are in education. Nearly a quarter of them are in community development. The rest are in health, in agriculture, in public works, and other varied callings.

To the world, we have given of our youth. And they have been received with kindness, with interest, with affection and with respect.

I can best illustrate my point by telling the Senate of an African country which shall remain nameless. In that country, in its capital city, in its Presidential palace several nights every week, four Peace Corps volunteers sit down for dinner with the President. They spend the evening together, the five of them, discussing in English the state of the world, the great issues of the United States, the same kind of economic and social questions we discuss here in these Chambers. How many, many ambassadors of any nation get to spend this kind of time with the head of the country to which they are accredited? Who can measure the good will these young Americans are creating? Who can match this kind of person-to-person diplomacy?

The Peace Corps works. And we have Sargent Shriver to thank for it. We in this Chamber have often been infected by his idealism, by his sense of purpose and his dedication. We have been made richer by it, and our American youth have been stimulated by it. Our country has been made stronger by it. And the world has been made a better place by it. All of us can take pride in the work Mr. Shriver has done.

It is in the great tradition of public service.

Mr. DOUGLAS subsequently said: Madam President, I am very glad that the senior Senator from Kansas [Mr. CARLSON] has paid a sincere and proper tribute to the Peace Corps and its Director, Sargent Shriver.

My wife and I have been taking private vacations for the past 6 years in Central America, the Caribbean, and northern South America. We have witnessed the work of the Peace Corps in Guatemala, El Salvador, the Dominican Republic, Colombia, and Venezuela. The men and women of the Peace Corps have almost uniformly conducted themselves with efficiency, meritorious skill, and diligence. They have presented what we like to think of as the very best image of America, which has been due to the good faith as well as the efficiency with which they have worked.

We all remember the doubts and arguments which were expressed against the Peace Corps when the late President Kennedy proposed it, and some of the bitter words that were uttered about it then. It is, therefore, a great source of satisfaction to have the complimentary words from the distinguished and gentle Senator from Kansas in the tribute he has paid to the Peace Corps. I think he is quite correct in saying that the major share of the credit for this development is due to Sargent Shriver, from my own State of Illinois, brother-in-law of President Kennedy, and who has worked with great efficiency, acumen, and unselfishness to produce this result.

He now goes into the more difficult task of the struggle against poverty, in which he can make a great contribution. He has been tested in fire for 5 years. He has been found personally worthy. I hope the success of the Peace Corps and its almost universal acceptance will make people charitable and compassionate in their judgment of the Office of Economic Opportunity.

PROBLEMS OF THE FEDERAL CIVIL SERVICE RETIREMENT ACT

Mr. CARLSON. Madam President, on February 17, 1965, on the Senate floor, I spoke on the subject "Financial Soundness of the Civil Service Retirement System." I made those remarks after studying the 43d Annual Report of the Actuaries of the Civil Service Retirement System, House Document No. 48.

I stated at that time that a brief study of House Document No. 48 showed that the financial status of the fund was gradually getting worse. It was my hope that the Congress would take immediate action to remedy the situation through passage of S. 273, authored by the late Senator Olin Johnston, or by some similar legislation. This was not done.

Madam President, now according to the best information I have been able to obtain, the Federal civil service retirement system on June 30, 1964, had an unfunded liability of over $39 billion. On June 30, 1965, it was about $40,013,467,000 and it is estimated that by June 30, 1966, the unfunded liability will be approximately $43,637,602,000. This would mean that by the year 1990, unless remedial action is taken by the Congress, additional direct appropriations will be required to meet benefit payments.

Madam President, we are now told the unfunded liability of the civil service retirement fund is being studied by the Cabinet Committee on Federal Staff Retirement Systems. The report from this Committee was to have been filed with the President in December of 1965. It has not been filed. We are now told it will probably be filed in January 1966, and that the subject of unfunded liability will be thoroughly discussed.

On January 20, 1966, the Senate passed H.R. 8445, a bill to amend the Internal Revenue Code of 1939, and the Internal Revenue Code of 1954 to change the

method of computing the retired pay of judges of the Tax Court.

Judges of the United States are under their own retirement systems for judges of the United States.

The retirement fund for judges is not administered by the Civil Service Commission, but by a special arrangement of the courts. These funds are provided by congressional appropriations.

Without arguing the merits or demerits of H.R. 8445, I wish to emphasize the fact that the Senate, while providing for a retirement system for judges who do not contribute to their retirement system, should give serious and sincere consideration to putting the Federal retirement system for Federal employees on an actuarially sound basis.

Today millions of Federal employees, past, present, and future, look to the Federal retirement system for financial security in their old age and for income protection if disability or death strikes down the breadwinner of the family.

These employees have made their equitable contribution to the fund. The fund is not bankrupt. The full faith and credit of the Federal Government is back of it, which assures protection to our retiring employees.

Why, then, is the fund not actuarially sound? Here I again state as I did in 1965 what I believe to be the answer: The Government has not paid its share of the costs. For this reason the fund has lost the interest on invested funds that would have accumulated and been available for the trust fund.

From the beginning of the Federal retirement system, employees have contributed whatever rate was set up by current law, 2½ percent of their salary at first, then 3½ percent, then 6 percent, and now 6½ percent; and Members of Congress pay into the fund 7½ percent of their salaries. But, during the first 8 years of the retirement program, no appropriations were recommended by the President and no legislation was enacted by the Congress for appropriations to the fund. All benefits were paid out of contributions which had been made by the employees.

Madam President, the negligence of the Government to make its share of contributions on time proved to be bad financial business. That is how the unfunded liability of the retirement system started.

From about 1929 to 1957, Government contributions to the fund were on a now-and-then basis and were insufficient.

In 1956, on the recommendation of President Eisenhower and approved by Congress, a law was passed requiring all agencies to contribute out of their appropriations amounts equal to the retirement deductions withheld from employees' pay.

This means that the fund now has an annual income which about takes care of all normal costs. It does not take care of the interest or reduce the principal of the unfunded liability created primarily during those years in which the agencies did not contribute to the fund, nor does it take care of similar costs accrued in recent years.

It is not good business procedure on the part of the Government to let this deficit continue to grow. Let us face up to an obligation which the Congress should have met long ago. I shall be glad to see the report from the Cabinet Committee on Federal Staff Retirement Systems and will give it consideration. But the time has come to put the civil service retirement fund on an actuarially sound basis. It is now in an inexcusable situation—a situation brought about through no fault of the Federal employee.

On Monday, January 17, there appeared in the Washington Evening Star an excellent article entitled "Troubles of U.S. Retirement Fund Compounded by Each Pay Raise," which was written by our friend, Joseph Young. I read only the first three sentences:

For every dollar of a Government pay raise, the cost to the civil service retirement fund is $2.25.

Putting it another way, a Federal and postal employee pay raise costing $500 million means an additional cost of $1.25 billion to the retirement fund.

The unfunded liability of the financially troubled retirement fund is now about $42 billion, and with Government pay raises becoming a yearly thing, the fund's liability continues to climb.

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

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

TROUBLES OF U.S. RETIREMENT FUND COMPOUNDED BY EACH PAY RAISE

(By Joseph Young)

For every dollar of a Government pay raise, the cost to the civil service retirement fund is $2.25.

Putting it another way, a Federal and postal employee pay raise costing $500 million means an additional cost of $1.25 billion to the retirement fund.

The unfunded liability of the financially troubled retirement fund is now about $42 billion, and with Government pay raises becoming a yearly thing, the fund's liability continues to climb.

The situation is very troubling to Johnson administration officials as well as to the Civil Service Commission.

DAY OF RECKONING

No one has come up with a satisfactory answer. While it is true that no additional funds are being expended for the retirement fund at this time, the day of reckoning is not too many years off. The CSC has estimated that the fund will be exhausted by 1990 unless added financing is secured in the meantime.

Each year that action is deferred on increasing appropriations for the fund means that even greater amounts of money will have to be appropriated in the years ahead.

It is not just the cost of pay raises that is increasing the fund's financial deficit; it is the huge interest the fund has to pay on the current indebtedness.

The reason why Government pay raises more than double the cost for the retirement fund is that Federal and postal employees' annuities are determined on the basis of their high 5-years' average salary. But the 6½ percent salary deduction by which they contribute to the retirement fund is based on all their years of service, not just on the high 5 years.

AVERAGE PUSHED HIGHER

Thus, each time there is a pay raise—and these have been occurring every year—the employees' high 5-years' salary average increases, while the 6½ percent salary contribution for most of their years of service is still based on much lower salaries.

One suggestion considered by the CSC is to change the law to base the computation rate on the average salary through an employee's entire career. But this has been rejected as unfair to the employee, because of the low salary scales of years ago compared to today's living costs.

Another proposal is to follow the example of a number of large industrial firms where a specific dollar value on annuities and pensions is fixed, based on years of service, and where any increases are a matter of negotiation between unions and management.

But the argument against this approach is that Federal workers pay more for their annuities than do industry employees and it would be breaking faith with them to deprive them of annuity rights they have been led to expect.

Also, a drastic cut in annuities would prove a tremendous financial hardship for retiring employes who already have to take a large cut in income when they shift from salaries to annuities.

Another proposal is that whenever a pay raise is voted Congress also approve enough funds to cover its cost to the retirement fund.

But this would raise the immediate cost of pay raise legislation and consequently dampen Congress' ardor to enact such salary increases. Of course, the added cost to the retirement fund will have to be paid eventually anyway.

Mr. DOUGLAS subsequently said: Madam President, if I may be permitted to comment on the second subject to which the Senator from Kansas referred, I quite agree with the Senator from Kansas that we have not made appropriate government contributions to the civil service retirement fund, and that from an actuarial standpoint, on the basis of having a full reserve fund, these moneys should have been contributed. There is some question as to whether this is as necessary in a public compulsory fund as in a private voluntary body where people can move in and out of a fund. But it is true that we have not made the contributions.

I believe for the sake of historical accuracy it should be pointed out that this evil began in the Eisenhower administration. I can remember twice standing on the floor of the Senate and protesting the omission for the first and second times of Government contributions to the fund. I pointed out that if full reservations are assumed that is the start of a very bad precedent.

I believe this continued through virtually all of the Eisenhower administration. President Kennedy and President Johnson continued in the course set by the so-called advocates of fiscal responsibility.

I believe this footnote to history is worth recording.

I say this without reflecting on the Senator from Kansas [Mr. CARLSON].

RETIREMENT OF DR. PAUL F. DICKENS

Mrs. SMITH. Madam President, one of America's most distinguished physicians is retiring after 60 years of eminently successful practice of medicine. He is Dr. Paul F. Dickens, who has distinguished himself not only in the practice of medicine but with an outstanding

career in the U.S. Navy. He has been the confidant and close friend of Presidents, Senators, Representatives, diplomats, and other national and international leaders. In these relationships he has had great influence with respect to our national policies and with respect to individual careers.

After a notable career in the Medical Corps of the U.S. Navy, Dr. Dickens retired from the Navy and entered the private practice of medicine in Washington in 1938 to become one of the city's leading internists. He has been associated with Dr. Walter A. Bloedorn, both while Dr. Bloedorn was dean of the George Washington University and medical director of the George Washington University Hospital, and thereafter.

Previous to his retirement from the Medical Corps of the U.S. Navy. Dr. Dickens was the head of the Department of Medicine and Cardiology at the Navy Medical School, where he became nationally famous for his diagnostic skill and his teaching talents with its personnel and the training of his fellow officers.

During a previous 3-year term of Navy duty in Haiti, he was the recipient of a letter of commendation from the Surgeon General of the Navy for his work in bacillary dysentery, and later for an article on choriomeningitis, its cause, diagnosis, and treatment. Similar commendation followed his article disclosing that aseptic meningitis should be classified as caused by a virus.

In 1938, in conjunction with Dr. Charles Armstrong of the U.S. Public Service, the Journal of Modern Medicine nominated Dr. Dickens and Dr. Armstrong for consideration as the doctors of the year. Subsequently, Dr. Dickens was the recipient of a grant from the George Washington University Medical School for a study of high blood pressure.

In World War II, Dr. Dickens served as Chairman of the Manpower Commission for Physicians in addition to carrying on the demands of his private practice. For this service to his country, President Truman presented him with a certificate of thanks and a Medal of Merit.

A former professor of medicine at the George Washington University Medical School, Dr. Dickens is professor emeritus of medicine at the George Washington University. Previous to his association with the George Washington University Medical School, Dr. Dickens served as associate professor of medicine at the Georgetown University School of Medicine.

Dr. Dickens is a member of Sigma Xi, the Washington Academy of Science, the Academy of Medicine of Washington, the American College of Physicians, the American College of Medicine, the American Medical Association, and the District of Columbia Medical Association.

A native of Norcross, Ga., Dr. Dickens graduated from the Norcross High School, and did special study at Dr. Johnson's School in Norcross before going to Nashville, Tenn., to graduate from the University of Nashville Medical School, now the University of Tennessee. Subsequently Dr. Dickens did postgraduate work in New York City at New York postgraduate schools in 1925.

An ardent golfer, Dr. Dickens is a member of the Burning Tree Club, the Army-Navy Club, and the Army-Navy Country Club, and is a great favorite of his fellow members in all clubs. He takes great pride in his son, Capt. Paul Dickens, Medical Corps, U.S. Navy, who has carried on the Dickens medical tradition in the Navy, and in his three grandchildren. He is a devoted husband.

Yes, Paul F. Dickens has been an eminent leader in many fields. He has been an unexcelled physician of amazing knowledge and talents, who has kept fully abreast of medical progress and scientific changes. But more than that, he has possessed a special kind of healing capacity that rarely anyone is endowed with. It is that special way of human kindness, which does as much as, if not more than, all medical knowledge in the treatment and recovery of patients.

He has an abundance of what tragically so few possess. It is an abundance of empathy. I know, for he was the personal physician of my late husband. I know, because he has been my personal physician. I know, because it was Dr. Paul F. Dickens who urged and convinced me that I should run for election to succeed my husband after his death. I know, because it was Dr. Paul F. Dickens who literally launched me on my public service career.

REVIEW OF THE CONGRESS AND AMERICA'S FUTURE

Mr. KUCHEL. Madam President, the "Congress and America's Future," edited by Columbia Dean David B. Truman for the American Assembly, is a timely and provocative collection by some of our Nation's ablest students of Congress and legislative-executive relations.

I prepared for the December 1965 edition of the Political Science Quarterly a review of that excellent work.

I ask unanimous consent that the text of my comments appear in the RECORD.

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

THE CONGRESS AND AMERICA'S FUTURE

(By U.S. Senator THOMAS H. KUCHEL)

"The Congress and America's Future," edited by Columbia Dean David B. Truman for the American Assembly is a timely and provocative collection by some of our Nation's ablest students of Congress and legislative-executive relations. It comes at a time when Congress, at long last after almost two decades of coasting on the work of the Legislative Reorganization Act of 1946, has once again attempted to give some consideration to putting its own house in order.

Proposals for reform have alternately been voiced and then largely disappeared in the intervening two decades. Some of these reforms include changing rule 22 in the Senate under which unlimited debate is permitted unless two-thirds of the Senators present and voting invoke cloture, germaneness in Senate debate, and providing that the members of the Cabinet might appear before either House to be questioned on the policies for which they are, in part, responsible.

Now the Joint Committee on the Organization of the Congress is holding extensive hearings on these proposals and dozens of others. I wish the committee well. The fact is that if there is a desire for reform the task can be accomplished at any time of only a sufficient number of Senators or Representatives are interested. This was done in both Houses in both parties at the beginning of the current Congress with reference to committee assignments and internal party procedures. However, with reference to the Senate, to which I will limit my comments, not all Senators feel the same pressures as does a Senator from a large urban State.

I attempt to represent the people of California as well as the national interest in the Senate. My State now totals almost 19 million people. Between 1,000 and 2,000 letters each day reach my office. They include views, both pro and con, on almost every piece of legislation coming before Congress, as well as pleas from mothers wanting to keep their sons from the draft, a family attempting to be reunited with loved ones from the old country, and a small city seeking a Federal public works project to keep flood waters from destroying it. Hundreds of people visit or telephone my office each day. Some merely want passes to see the Senate in session. Others want, or need, to talk at length with either myself or my administrative and legislative assistants on particular problems. All of this takes time. It takes a professional staff with sufficient supporting clerical workers. It takes space. The Senate has not faced up to the problems of the Senate from an urban State. It should.

But the problems of the Senate are, of course, not simply limited to those from the larger States. How can a Senator, no matter what size is his State, be at three committee or subcommittee meetings scheduled for the same time where important testimony is being given or important decisions are being made? He cannot, yet somehow he tries to be.

What I suspect is most disturbing to me is that some who talk most about Congress being the coequal of the executive branch have been the ones in the forefront in preventing necessary and realistic reforms in office staffing, committee structure and floor procedure from taking place. Legislative assistants to Senators who have specialized in an area when the Senator has been busy on other projects are denied admittance to some executive sessions when legislation is "marked up" while officials of the administration are present and writing in the details of the proposal.

Samuel P. Huntington in the chapter entitled "Congressional Responses to the 20th Century" notes that while Congress is an "autonomous, legislative body," it "can defend its autonomy only by refusing to legislate, and it can legislate only by surrendering its autonomy" (p. 6). Thus he says: "If Congress legislates, it subordinates itself to the President; if it refuses to legislate, it alienates itself from public opinion. Congress can assert its power or it can pass laws; but it cannot do both" (p. 6). Huntington would argue that the roots of this legislative dilemma lie in the great changes brought by the 20th century in urbanization, nationalization of economic problems, bureaucratization of private and public organizations, and increasing involvement of the United States in world affairs. He believes Congress has an institutional "adaptation crisis" (p. 7), and "the leadership of Congress has lacked the incentive to take the legislative initiative in handling emerging national problems" (p. 8).

He would argue that, since 1900—with increasing tenure in office for Congressmen, the importance of seniority, and its basis as a prerequisite for assuming congressional leadership—the Congress has gotten out of step with the rest of American society. He notes that there is little cross-fertilization between the House and Senate leadership and the

leadership of other elite institutional groups in American society (pp. 8–11). In summary, he notes that congressional leaders "come up through a 'local politics' line while executives move up through a 'national organization' line" (p. 14).

Huntington argues that since rotation in office is truer of the administration officials selected by the President who in turn is selected every 4 years by the voters that "The administration is thus a far more sensitive register of changing currents of opinion than is Congress" (p. 17).

I think Huntington is more euphoric regarding administration responsiveness to public opinion than the actual facts require. Some who have been on the Washington scene for many decades would testify—as I suspect would a few Cabinet and other Presidential appointees who are aware of what is happening to them—that there is a coalition between the more senior committee members in both Houses and the more senior career officials in the executive departments which nullifies many an administration effort with which they are not in accord. When I recall the joint efforts led by urban Republicans in both Houses joined by some urban Democrats to pry a civil rights bill out from under the Kennedy administration in 1962 and the first half of 1963, I am not sure about a blanket statement that "The administration is thus a far more sensitive register of changing currents of opinion than is Congress" (p. 17). The administration, because of its unity in a chief executive and its command of the mass media, can set or mold public opinion much easier than Congress which is multiheaded.

Huntington also states that "as has been recognized many times, the actual work of Congressmen, in practice if not in theory, is directed toward mediation between constituents and Government agencies" and adds "increasingly divorced from the principal organized social forces of society, Congress has come to play a more and more significant role as spokesman for the interests of unorganized individuals" (p. 25). Much of this is all too true but it overlooks the fact that if a Senator wants to be a legislator, he can be. Many of our finest legislators come from the smaller States where constituent pressures are not so great in sheer volume. On the other hand, the legislator from the large State who desires to perform a legislative rather than errand boy function has a unique opportunity to do so since the great size of his State can enable him to be relatively freer of particular interest group pressures. While Senators and Representatives do strive to serve as a court of last resort with the administration for the unorganized individual, I do think Members of Congress in both parties are well aware of "the principal organized social forces of society" and definitely so if they operate in one's own State.

Huntington disagrees, correctly I think, with the so-called democratizers who "attack the power of the Senate Establishment or inner club and urge an equalizing of power among Congressmen so that a majority of each House can work its will," (p. 27). This dispersion of power would only lead to further oligarchy and he believes "the only effective alternative to oligarchy is centralized authority." Thus Huntington argues that the Speaker in the House and the majority leader in the Senate should select committee chairman and thus "restore to Congress a more positive role in the legislative process and strengthen it vis-a-vis the executive branch" (p. 28). Such a suggestion would be more likely to intensify the "rubber stamp" aspects of a particular transitory majority, but I doubt if it would further the accommodation intrinsic and necessary, to the legislative process. Nor would it promote the interpersonal relations required to accomplish business in a chamber such as the Senate where much is accomplished by unanimous consent. The fact is that some committee chairmen in both Houses remain where they are because a majority likes it that way since these chairmen can withstand the heat. Other chairmen who block a majority are circumvented in various informal ways when the majority desires.

Huntington feels that "recruitment of Senators from the national scene rather than from local politics would significantly narrow the gap between Congress and the other elements of national leadership. The 'local politics' ladder to the Senate would be replaced or supplemented by a 'national politics' line in which mobile individuals might move from the establishment to the administration to the Senate" (p. 29). It is an interesting suggestion and probably there will be a few unique examples where this happens, but if it had been the prevailing practice in the last two decades, two Presidents of the United States, John F. Kennedy and Lyndon B. Johnson and two Vice Presidents Richard M. Nixon and HUBERT H. HUMPHREY, would not have risen to national power. They were strictly products of the "local politics" ladder each of them beginning as either Congressman or mayor.

Huntington offers another possibility of a role for Congress and that is as a vehicle for approving or disapproving Presidential requests within a given time period of 3 or 6 months. He notes: "If thus compelled to choose openly, Congress, it may be supposed, would almost invariably approve Presidential requests. Its veto power would become a reserve power like that of the Supreme Court if not like that of the British Crown. On these urgent measures it would perform a legitimizing function rather than a legislative function" (p. 30).

He assumes that such a procedure would induce the executive leaders to consult with congressional leaders prior to the submission of such legislation and that Congress would continue to amend and vote freely on nonurgent executive requests. I completely disagree. Certainly the Civil Rights Act of 1964 and the Voting Rights Act of 1965 were two acts which might well be put in the urgent category, yet to have Congress simply vote them up or down without the right to change them would have been wrong from the standpoint of eventual implementation of these measures, as well as from the acceptance of the country for them. The fact is that Members of Congress urged these measures—and more comprehensive ones—before the Chief Executive submitted any at all. The fact is that in the case of the Voting Rights Act of 1965 it was largely written in the Senate Republican leader's office where by letting diverse viewpoints be aired, a version was agreed upon which was assured of passage. But even then further substantial—and worthwhile, e.g. the poll tax ban—amendments occurred in committee and on the floor of both Chambers.

With then Senator HUMPHREY, Democrat, of Minnesota, I was one of the Senate floor leaders in enacting the Civil Rights Act of 1964. As leaders of a bipartisan coalition, we also attempted, over the years, at the beginning of three Congresses to change rule XXII which permits the filibuster. In order to pass the Civil Rights Act of 1964 we were required to shut off a filibuster by securing approval from two-thirds of the Senators present and voting, which in practical terms meant two-thirds of the whole Senate. We did that. I think many of us who believe in majority cloture whereby 51 of 100 Senators could invoke cloture, after a stipulated period of time, say a month, or so, realize that despite the time it took us and the obstacles we had to overcome, when we got there, we had a consensus in this land which no narrow sectionalism could afford to overlook.

H. Douglas Price has written a brilliant and perceptive chapter entitled "The Electoral Arena" showing the effect of one's electoral district, party organization, and the cost of campaigning on the type of person, "local" or "cosmopolitan," elected. He notes, correctly and, I think, regrettably that the "blur of activity" one often witnesses in the House or Senate Office Buildings "has little or nothing to do with pending legislation or public policy, but a great deal to do with the reelection possibilities of the Members of the House and Senate," (p. 48). Not all Senators or Representatives are errand boys but there is no question that before one can be a statesman one must get elected. And who, in a free society, would have it another way?

Ralph K. Huitt, in a well-written essay, has analyzed the Senate with care and sentiment ("The Internal Distribution of Influence: The Senate"). As a staff man (for Lyndon Johnson and WILLIAM PROXMIRE), he had a unique opportunity to view the Senate from different perspectives. His comments on the role of individual and committee staffs and why these professionals serve is particularly noteworthy (pp. 97–98). In his first category of reforms which would strengthen the hands of the elected leaders, he retains the political scientist's nerve to change the seniority system, although his views are more tempered than most since he notes that "if it cannot be destroyed, at least chairmen might be required to relinquish their authority at a certain age or the committee majority might be given some choice among the ranking members" (p. 98).

Professor Huitt advocates a second category of reforms which would bring some coordination to the spending and taxing programs of Congress. I completely agree with him. In testifying before the Joint Committee on the Organization of the Congress, I stated that I was disturbed that the appropriations process in Congress bears little relationship to the economic, tax, monetary, and fiscal policies with which it should be intimately involved. I recommended that the Joint Economic Committee be reconstituted to include the chairman, the ranking minority member, and a majority member from the following committees: The Appropriations and Banking and Currency Committees of both Houses, the House Committee on Ways and Means, and the Senate Committee on Finance. Because of the tremendous economic impact which the decisions of the Armed Services and Public Works Committees of both Houses also have on Government spending and our economy perhaps they, too, should be represented. In addition, there should be greater coordination between the subcommittees which are practically autonomous and the full Committee on Appropriations in both Houses. The President's economic report should also be submitted more frequently and at a time when it can be utilized by the individual Members of Congress.

Huitt notes that a third category of reforms relates to the effectiveness of individual members and that "allowances for office help and materials are wholly inadequate for Senators from populous States. These are nagging nuisances which reduce a Senator's efficiency" (p. 99). Again, he is completely correct. While he does not outline specific reforms, I would like to note a few which I also mentioned to the Joint Committee: authorizing each Member to have an additional legislative assistant for each of his standing committee assignments, provision for more adequate space, professional staff (especially for the minority), travel, telephone, and mail allowances, especially for Members from larger States, securing management consultants to scrutinize senatorial offices and develop up-to-date procedures, precommittee staff hearings, elimination of senatorial consideration of postmaster appointments, permission for the military academies to select students via nationwide competitive examinations on a

geographical basis, and establishment of a separate board of former Senators and Congressmen to consider private immigration bills and small claims.

Professor Huitt's fourth category of reforms "is aimed at the conduct of individual Members which brings discredit on the whole body" (p. 99). He is not talking so much about unlawful conduct as that "behavior which falls in a kind of twilight zone where the ethics of the individual must be the regulator" (p. 99). I agree, only I would be more sepcific, as I attempted to be before the Joint Committee, when I urged that standards be applied not only to the Members of Congress but also to the professional staffs and other Senate officials as well as to all candidates for congressional office in a primary, special, or general election. Such standards should also be applied to the senior career and policymaking Members of the executive and judicial branches.

Richard E. Neustadt in "Politicians and Bureaucrats" has written with skill of the relationships between the executive and legislative branches and within the executive establishment. He notes correctly that "presidential appointees are men-in-the-middle, owing loyalty at once to the man who put them there, to the laws they administer, and to the body of careerists, backed by clientele, whose purposes they both direct and serve" (p. 109). Professor Neustadt's administrative experience is perhaps greater than his experience on Capitol Hill, since I am not inclined to agree with his soothing statement that "for most of its inhabitants the Senate is a pleasant place, possessed of quite enough prestige and power (or its semblance), and amenities of staff and space, and time to enjoy them (6 years at a crack), so that it alone remains what much of Government once was, a refuge for the spirit of political free enterprise, unfettered either by undue responsibility or the restraints of size" (p. 117). The statement smacks more of a somnolent old men's club rather than the U.S. Senate which has a large number of relatively young men and bustles with activity and overwork—even with the 6-year term.

I found the chapters by Richard P. Fenno, Jr. ("The Internal Distribution of Influence: The House"), Harvey C. Mansfield ("The Congress and Economic Policy") and Holbert N. Carroll ("The Congress and National Security Policy") worthwhile and provocative. I do question Professor Carroll's statement concerning foreign aid authorization and appropriations legislation as far as the U.S. Senate is concerned. He notes that while substantial bipartisan majorities have supported these programs "since the mid-1950's, however, more than half of the Democrats from the South and, since the late 1940's, some two-thirds of the Republicans from the Middle West have voted 'No'" (p. 166). The fact is that during the 8 Eisenhower years of the 12 rollcall votes on final passage of either the mutual security authorization or appropriations bills, a majority of midwestern Republican Senators supported foreign aid in each of the 8 years except 1956. They did so often by 2 to 1 and 3 to 2 margins. Under a Democratic administration the record has been no different. In the final vote on June 14, 1965, on the Foreign Aid Authorizations for fiscal year 1966, six midwestern Republican Senators voted for the bill, only three were opposed. This has included the consistent support of Senators DIRKSEN, HICKENLOOPER, and MUNDT, among others.

Dean Truman concludes in "The Prospects for Change" that "One thread that runs through all of these essays is the dispersion of power, in the past half century apparently an increasing dispersion, within and between the Houses of Congress" (p. 178). He believes that many reforms such as separate days for committee and floor work, additional personal staff, home rule for the District of Columbia, a requirement of joint hearings by House and Senate committees, and even disclosure of assets and income by Members would be insubstantial in actual effect on Congress. Reforms which would further dispersion, in his judgment would include some of the "democratizing ones such as requiring fewer signatures on" a discharge petition. Truman is equally unenthusiastic regarding the introduction of electronic voting equipment and other time-savers. He believes this "would strengthen minority control by facilitating snap votes" (p. 180).

Truman views as most promising those measures which would increase leadership control not only over the floor, but also over the committee timetable. He agrees with Huntington as to the need for the Speaker or the Senate majority leader to select committee chairmen or at least to have the majority caucus choose a chairman from among the top three on each committee provided the leadership "were able and willing to make their preferences prevail" (p. 181). Otherwise the result, Truman thinks, would be a further dispersion of power.

Truman notes the various outside developments which have contributed to congressional cohesion (an executive budget and legislative program, White House legislative liaison, and regular Presidential consultation with his own congressional leaders). But he longs for the suggestion made by Huntington and others that there be a congressional commitment to bring to a vote top priority legislation from the administration. One recalls Senator Taft, and the attempt to draft striking railroad workers under another Truman—President Harry S. Truman—and is perhaps as glad that we lack such an urgency procedure.

I do think Dean Truman is profoundly correct in concluding that "The Congress and its power structure cannot profitably be viewed as something separate and isolable from the remainder of the Government and society. They affect and are affected by needs and changes in the society and in the Government as a whole. They must, therefore, be looked at within this context" (p. 183).

That is why I am optimistic regarding reform. Reform has come in Congress and between Congress and the Executive over the years. Reform will continue to come. Perhaps it will not come as rapidly as some of us would like. Perhaps it will come more rapidly than some of our colleagues prefer. But it is coming and will come, and in the process it has been aided by the thoughtful presentations such as "The Congress and America's Future," which have stimulated thought not only in various regional meetings of the American assembly throughout America but also in Congress and among the interested public generally.

UNAUTHORIZED VISIT TO NORTH VIETNAM BY THREE AMERICANS

Mr. LAUSCHE. Madam President, according to an article carried in the Cleveland Plain Dealer on January 20, 1966, the President of Yale University, Kingman Brewster, Jr., made a statement pertaining to the visit of Prof. Staughton Lynd to Hanoi.

Prof. Staughton Lynd, together with Communist Historian Herbert Aptheker, and Thomas Hayden, founder of the Students for a Democratic Society, several weeks ago obtained permission to visit Brussels, Belgium. When they got to Brussels they took a Communist plane provided by the Communists that carried them to Prague, Moscow, Peiping, and finally to Hanoi.

In Hanoi they met with the Communist leader. Out of Hanoi Professor Lynd, of Yale University, sent a telegram to the chairman of the Committee on Foreign Relations asking for the right to appear before that committee and give testimony.

I am quite certain that the Committee on Foreign Relations will not honor Aptheker, the practical leader of the Communists in the United States, nor Professor Lynd, nor Hayden, by allowing them to appear before that committee.

However, It is rather refreshing to note that President Kingman Brewster, Jr., of Yale University, had the courage and the recognition of civil responsibility to speak up in regard to Professor Lynd.

Professor Lynd teaches at Yale. I now wish to quote from an Associated Press dispatch from New Haven, Conn.:

> Yale University President Kingman Brewster, Jr., said yesterday that Staughton Lynd was "naive and misguided" in making an unauthorized trip to North Vietnam.
>
> He had stronger words about the assistant history professor's speech in Hanoi, saying that it was "a disservice to the causes of freedom of dissent, freedom of travel, and conscientious pacifism."

In addition, President Brewster said he felt that Lynd's "disparagement of his country's leadership and policies, while in Hanoi, damaged the causes he purports to serve."

President Brewster then went on to refer to the statements ascribed to Lynd, which Lynd reportedly affirmed, to the effect that "while in Hanoi" Professor Lynd "publicly asserted that the Johnson administration lies to the American people and that the U.S. policy is immoral, illegal and antidemocratic."

Madam President, those statements are a disservice to our country. We can tolerate dissent about judgments, but we cannot tolerate persons going around the world unlawfully and depreciating the cause of their country, not by speaking the truth to their own people, but by trying to help Communists.

I repeat what I said last week: The Attorney General should investigate this visit to Hanoi, and if he finds there has been a violation of law, he should institute the necessary proceedings to see to it that justice is done.

Madam President, I ask unanimous consent that the two articles published in the Cleveland Plain Dealer be printed at this point in the RECORD.

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

[From the Cleveland (Ohio) Plain Dealer, Jan. 20, 1966]

SAYS PROFESSOR IS NAIVE: YALE PREXY ATTACKS LYND FOR HANOI TALK

NEW HAVEN, CONN.—Yale University President Kingman Brewster, Jr., said yesterday that Staughton Lynd was "naive and misguided" in making an unauthorized trip to North Vietnam.

He had stronger words about the assistant history professor's speech in Hanoi, saying that it was "a disservice to the causes of freedom of dissent, freedom of travel, and conscientious pacifism."

In his first direct comment on Lynd's activities, Brewster said he felt that Lynd's "disparagement of his country's leadership and policies, while in Hanoi, damaged the causes he purports to serve."

Lynd and two other Americans, Thomas Hayden, a founder of the Students for a Democratic Society, and Herbert Aptheker, a Communist Party theoretician, spent 10 days in North Vietnam, defying a State Department ban on travel there.

Brewster cited Hanoi radio reports, which he said Lynd reportedly confirmed, "that while in Hanoi he publicly asserted that the Johnson administration lies to the American people and that the U.S. policy is immoral, illegal and antidemocratic."

Brewster said that Lynd is entitled to his opinions, "but the use of his presence in Hanoi to give this aid and comfort to a government engaged in hostilities with American forces seems to me inconsistent with the purposes of factfinding in the name of peace."

Last week, when Lynd was asked about the radio Hanoi broadcast, he denied that he said the administration "lied" to the American people. He said he delivered the same speech last year at a rally in Washington, D.C.

[From the Cleveland (Ohio) Plain Dealer, Jan. 20, 1966]

OPPOSES SENATE UNIT HEARING: IGNORE LYND, LAUSCHE URGES

WASHINGTON.—U.S. Senator FRANK J. LAUSCHE, Democrat, of Ohio, said yesterday he would vigorously oppose allowing three Americans who went to Hanoi to testify before the Senate Foreign Relations Committee.

LAUSCHE, a committee member, was referring to Asst. Prof. Staughton Lynd, of Yale University; Thomas Hayden, founder of the Students for a Democratic Society, and Herbert Aptheker, U.S. Communist Party historian.

Charging that the three men violated the laws of the United States in their unauthorized travel to Communist Vietnam and ought to be prosecuted, LAUSCHE said in a Senate speech:

"I can suffer disagreements with the views of the President and other distinguished leaders about the course that we should follow in South Vietnam.

"However, neither I nor the general citizenry and, of course, not the Members of the U.S. Senate, should give tolerance or sufferance to persons who make statements hoping that the Communists of North Vietnam would be victorious.

"These individuals are not promoting the cause of the United States. They should not be listened to; they should be recognized not in their false but their true colors which cause them to have greater sympathy for the cause of the Communists than for the cause of our own citizenry and Nation."

COMMENT BY SENATOR RANDOLPH ON THE PRESIDENT'S BUDGET

Mr. RANDOLPH. Madam President, I have had access to the information contained in the President's budget message. I wish to make certain comments at this time and, if necessary, be permitted to have 1 additional minute beyond the 3 minutes allocated in the morning hour.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. Madam President, the President's 1967 budget program demonstrates responsible fiscal and economic policy appropriate to the times.

With this program we can move closer toward the goals of what is characterized as the Great Society at home while strengthening our resistance to aggression abroad.

With this program we can look forward to a continuation of the unprecedented and uninterrupted economic growth of the past 5 years.

With this program, we can meet our domestic needs without either recession or inflation.

Since early 1961, the total national output has risen by nearly $200 billion, employment has increased by more than 6½ million workers, and the unemployment rate has dropped from 7 percent to close to 4 percent, a decrease which is highly encouraging.

In the year ahead, even higher levels of output, income, and employment can be expected. To sustain a sound and prosperous economy, the President is calling for a modest measure of fiscal restraint. He has proposed a set of tax measures which economic experts say will soak up a small proportion of the rising demand in the economy and enable the Government to achieve a small surplus in its cash transactions with the public. I have no reason to doubt the validity of the appraisal by the experts.

In sum, the President's 1967 budget provides adequately for furthering our domestic and international objectives without imposing undue strain on our economic potential or productive capabilities. His budget proposals, I believe, by and large, are both prudent and restrained. Together with responsible efforts by business and labor, our national and international objectives can be advanced—and advanced in an environment of steady yet noninflationary economic growth.

WHOM DO WE KILL IN VIETNAM?

Mr. GRUENING. Madam President, in a two-page advertisement in the New York Times yesterday, January 23, 1966, the International Committee of Conscience on Vietnam answered the question uppermost in the minds of all of us: "Whom Do We Kill in Vietnam?"

The committee's membership is impressive. I ask unanimous consent that their names and addresses be printed at this point in my remarks.

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

INTERNATIONAL COMMITTEE OF CONSCIENCE ON VIETNAM (AFFILIATED WITH THE CLERGYMEN'S EMERGENCY COMMITTEE FOR VIETNAM OF THE FELLOWSHIP OF RECONCILIATION)

Howard B. Radest, executive director, American Ethical Union, New York.

Msgr. Thomas J. Reese, director, Catholic social services, Wilmington, Del.

Esko Rintala, general secretary, Finnish Bible Society, Turku, Finland.

Rt. Rev. T. D. Roberts, archbishop (retired) of Bombay, London.

Rev. W. Harold Row, executive secretary, general brotherhood board, Church of the Brethren, Elgin, Ill.

Rt. Rev. John W. Sadiq, bishop of Nagpur, India.

Dr. Howard Schomer, president, Chicago Theological Seminary.

Prof. Hiroshi Shinmi, associate secretary, World Council of Churches, Tokyo.

Dr. Pavel Simek, curator of the Synod, Czech Brethren, Prague.

Rev. Gerard S. Sloyan, head, religious education department, Catholic University, Washington, D.C.

Rev. Francois Smyth-Florentin, general secretary, Bible study service, Protestant Federation of France.

Rev. Lord Donald Soper, former president, Methodist Church, Great Britain.

Vaclav Tomes, president, Baptist Union of Czechoslovakia.

Prof. Dr. Hans Urner, Halle/Saale, GDR (East Germany).

Rev. Valdo Vinay, professor, Waldenisan Theology, Rome.

Prof. Wilhelm Vischer, Reformed Church of France.

Rabbi Jacob Weinstein, president, Central Conference American Rabbis, Chicago.

Dr. Charles C. West, professor, Christian ethics, Princeton Theological Seminary, Princeton, N.J.

Jan-Eric Wikstrom, president, Svenska Missionsforbundet, Stockholm.

Very Rev. Colin Winter, dean, St. George's Cathedral, Windhoek, southwest Africa.

Bishop Friedrich Wunderlich, Methodist Church, GFR (West Germany).

Rev. Ake Zeterberg, dean, Stockholm Cathedral, and member of Parliament, Stockholm.

A Vietnam Buddhist, a leading monk in South Vietnam, whose name is withheld for reasons of prudence.

Dr. Helmut Bandt (professor systematic theology), University of Greifswald, GDR (East Germany).

Rev. Dr. William Barclay (professor of theology), Glasgow University, Scotland.

Prof. Dr. Karl Barth, University of Basel, Switzerland.

Colin W. Bell, executive secretary, American Friends Service Committee, Philadelphia, Pa.

Rev. Daniel Berrigan, S.I., associate editor, Jesuit Missions, New York.

La Campagnie des Pasteurs (120 Reformed Church pastors), Geneva, Switzerland.

Archbishop Canon S. H. Best, West Australia.

Dr. Harold A. Bosley, minister, Christ Church (Methodist), New York.

Rev. Girardo A. Bote, district superintendent, Methodist Church, Philippines.

Dr. George A. Buttrick, Garrett Theological Seminary, Evanston, Ill.

Prof. Aldo Capitini, director, Center of Religious Orientation, Perugia, Italy.

Canon L. John Collins, St. Paul's Cathedral, London.

Bishop Geoffrey F. Cramswick, Tasmania.

Rev. Dr. Edwin T. Dahlberg, former president, National Council of Churches, Chester, Pa.

Danilo Dolci, Sicily.

Dr. Ansgar Eeg-Olofsson, president, mission board, Evenska Missionsforbundet, Sweden.

Dr. Ragnar Forbech, former dean, Oslo Cathedral, Norway.

Msgr. Paul Hanly Furfey, professor of sociology, Catholic University, Washington, D.C.

Rabbi Roland B. Gittelsohn, Temple Israel, Boston.

Dr. Helmut Gollwitzer, professor of systematic theology, University of Bonn, GFR (West Germany).

Prof. Mario Gozzini, Florence, Italy.

Bishop A. Raymond Grant, Methodist Church, Portland, Oreg.

Dr. Dana McLean Greeley, president, the Unitarian-Universalist Association of United States, Boston.

Rolf-Dieter Gunther, national director of youth work, Evangelical Church, Brandenburg, GDR (East Germany).

Bishop Odd Hagen, Methodist bishop for northern Europe, Stockholm.

Bishop M. Hald, Copenhagen, Denmark.
Dr. Georgia Harkness, professor of theology, Pacific School of Religion, Berkeley, Calif.
Alfred Hassler, executive secretary, Fellowship of Reconciliation, Nyack, N.Y.
Rabbi Abraham J. Heschel, Jewish Theological Seminary, New York.
Dr. Ralph M. Holdeman, associate director, evangelism, National Council of Churches, New York.
Vaclav Hunaty, general superintendent, Methodist Church, Prague, Czechoslovakia.
Dean Alfred Jowett, Manchester Cathedral, England.
Dr. Martin Luther King, Jr., president, Southern Christian Leadership Conference, Atlanta, Ga.
Oberkirchenrat Heinz Kloppenburg, Dortmund, GFR (West Germany).
Prof. H. Kohlbrugge, Utrecht University, Netherlands.
Rt. Rev. W. Appleton Lawrence, bishop (retired), western Mass.
Rev. Dr. Lindhardt, director, department of theology, University of Copenhagen.
Rt. Rev. Glyn Llandaff, lord bishop of Llandaff, Wales.
Rt. Rev. Sir George MacLeod, former moderator, Church of Scotland, Glasgow.
Dr. Kenneth MacMillan, general secretary, Canadian Bible Society.
Rev. Domenico Maselli, president, Italian Evangelistic Mission, Assembly, Naples.
Rt. Rev. Robert H. Mize, bishop of Damaraland, southwest Africa.
Dr. Juan Nabong, president Philippines Christian College, Manila.
Dr. John Oliver Nelson, former professor, Yale Divinity School, Bangor, Pa.
Bishop Tiran Nersoyan, Armenian Orthodox Church, Evanston, Ill.
Kirchepresident Martin Niemoeller, copresident, World Council of Churches, Wiesbaden, GFR (West Germany).
Rev. Amor V. Oribello, moderator, Central Luzon Conference, United Church of Christ, Philippines.

Mr. GRUENING. Madam President, the advertisement gave only a partial list of those endorsing the statement and I ask unanimous consent that the statement, the partial list of names and addresses of ministers, rabbis, and priests endorsing the statement, as well as the statement itself and reasons for the statement given by the Fellowship of Reconciliation be printed in full at the conclusion of my remarks.

There being no objection, the statement, names, and addresses were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. GRUENING. Madam President, the statement signed by all these eminent men is impressive because it separately addresses itself to the United States, to the people and Government of North Vietnam, to the National Liberation Front of South Vietnam, and to the people and Government of the People's Republic of China. It is my earnest hope that the pleas for peace contained in this statement will be heeded by all those so vitally concerned.

EXHIBIT 1

[From the New York Times, Jan. 23, 1966]

International Committee of Conscience on Vietnam (affiliated with the Clergymen's Emergency Committee for Vietnam of the Fellowship of Reconciliation).

STATEMENT BY THE INTERNATIONAL COMMITTEE OF CONSCIENCE IN VIETNAM—THEY ARE OUR BROTHERS WHOM WE KILL

No generation has had shown to it more clearly than ours the interdependence of all men. No matter what the reasons we advance for the killing we do—in Vietnam or elsewhere—they are our brothers whom we kill. More indeed than our brothers—they are ourselves and our children, for as surely as we do not find other ways than war for solving our human problems, we destroy the future for ourselves and for them.

We who sign this statement are impelled to speak by the tragedy of Vietnam, and by the failure of governments to end that terrible conflict. Yet we think not only of Vietnam, but of all our apprehensive world, torn by contending ideologies and ambitions, of which Vietnam is the present symbol. We, who in various ways have assumed the terrible responsibility of articulating the human conscience, must speak or, literally, we should expect the very stones to cry out.

We know the claims of both sides in the Vietnamese conflict. Each professes its own moral rectitude. The United States and its allies assert their determination to stop what they describe as "ruthless Communist agression" in order to defend freedom, both for Vietnam and for the world. North Vietnam, the National Liberation Front of South Vietnam, and the People's Republic of China vigorously proclaim their intention to throw back the "ruthlessly aggressive American imperialists" in defense of the right of the Vietnamese to govern themselves, and on behalf of all those nations that are seeking "national liberation." Each side rejects with scorn the claims of the other, and ridicules the possibility that its antagonist may be sincere.

We do not question the sincerity of either side. On the contrary, the passionate conviction that each has of its own absolute rightness profoundly alarms us. Their determination seems to have no terminal point; to prove its case, each seems willing to risk the ultimate nuclear conflict and jeopardize the future of the human race.

Helpless villagers in Vietnam, unable either to escape or defend themselves, recoil from the bombing of one side and from the terror of the other. War has become a way of life for them, dominating their rice paddies and marketplaces, conscripting their young men, making widows of their women and orphans of their children, holding a whole population hostage to horror. In such circumstances, the claims of both sides become a mockery of the noble words they use. Freedom and justice are for men; they are not achieved by the tormenting of men.

We address ourselves to the rulers of nations, and to those associated with them: Lyndon B. Johnson, Nguyen Cao Ky, Ho Chi Minh, and Mao Tse-tung.

Continuation of the war will not prove which side is right and which wrong. It will only increasingly force both sides to commit such atrocities as will mock all their claims. It will draw both sides farther and farther into a maelstrom of destruction in which mankind as a whole may finally be engulfed.

You, each of you, has the opportunity at least to try to reverse this dreadful course, and each of you has the responsibility. We plead with you to accept it, now, today, in the interest of all humanity.

We address ourselves to our fellow human beings everywhere.

Each of our nations has its hopes and aspirations, its own history and grievances and resentments. We live in widely differing social systems and ideologies, which seem to have in common only one thing: a willingness to resort to war in their own interests.

But war cannot serve the interests of men any longer, if it ever could. In this age, no matter for what ends war is fought, it can only destroy all our hopes and all our accomplishments. We must find new, nonmilitary ways of dealing with the conflicts and misunderstandings that inevitably arise among us, and to secure justice for all men.

We recognize and respect the necessary functions of government. We are not disloyal; we honor the accomplishments and particular values of our respective societies. But governments have as their proper responsibility the safety and well-being of their citizens, and in our world that well-being cannot be achieved through the military confrontation of competing states.

It is your responsibility and ours to make this known, unmistakably and in every way open to us. To this end, we who sign this statement have committed ourselves as a beginning. We represent many religious faiths in many countries, but we are of a common mind in our plea to all the contending parties.

To the people and Government of the United States of America:

The horrors that your planes and massive firepower are inflicting on the people of Vietnam are beyond any moral or political justification. The destruction of whole villages and the murder of masses of noncombatants which are the consequences of your policies cannot be excused on any grounds whatever. We believe that there is wrong on both sides, but that, as the only one of the world's major powers directly involved, you bear the heaviest responsibility for the initiation of peace moves. We call on you:

To stop the air attacks in both North and South Vietnam, at once, unilaterally, not simply as a political move in the direction of negotiations, but because those attacks are an affront to human decency and unworthy of a great people;

To express a clear intention to withdraw all U.S. military forces from Vietnam, consistent with the 1954 Geneva Agreements, to take effect immediately on conclusion of satisfactory arrangements to assure the Vietnamese people a free choice of government;

To state unequivocally your readiness to negotiate an end of the war on the basis of the 1954 agreements, with the National Liberation Front as one of the principals in the negotiations.

To the people and Government of North Vietnam, and to the National Liberation Front of South Vietnam:

The opposition to your cause is not motivated solely by what you call the "aggressive imperialism" of the United States. Honest, brave Vietnamese patriots who fought beside you in the Viet Minh against the French are among those who fight against you now. They distrust your intentions; they cherish certain rights and freedoms which they suspect you of wanting to destroy; they are shocked and repelled by some of the methods you use. We believe that a heavy responsibility for ending the war honorably rests with the United States, but that there is also a very heavy responsibility on you to create the conditions of peace. We call on you:

To abandon the methods of torture, assassination, the indiscriminate bombing of civilians and other forms of terror. They are an affront to the whole concept of human decency, and hopelessly degrade your cause. No consideration whatever of either justice or vengeance can excuse such tactics;

To issue a clear statement that any Vietnamese Government in which you may have a part will honor the right of its citizens to practice their religions in absolute freedom, and that there will be no reprisals against those who have fought against you;

To express your unqualified willingness to meet with representatives of the United States and the present South Vietnamese Government to negotiate peace and the future of your country, based on the 1954 agreements.

To the people and government of the People's Republic of China:

Your influence in southeast Asia is enormous, your words and actions are weighed

throughout the world as portents of the future. We call on you:

To refrain from statements and actions that harden already bitter attitudes on both sides, and so perpetuate the war:

To make clear your willingness to see the countries of southeast Asia develop their institutions of government and society free from outside intervention by force, and free from the military presence of any foreign powers.

It is hard to imagine a world so torn by suspicion and hatred as is ours turning away from war and toward the resolution of conflict and the building of justice by nonviolent means, yet we humans have no other choice, and in our great religious heritage we have the guidelines we need to make this difficult decision. We call on all those, of whatever faith and nationality, who share our concern, to join us in our efforts to build a truly human society on earth.

U.S. MINISTERS, RABBIS AND PRIESTS (PARTIAL LIST)

William Abbot, Los Angeles, Calif.
Herman C. Absher, Salisbury, N.C.
Melvin Abson, Geneva, N.Y.
Lyman Achenbach, Columbus, Ohio.
Merlin J. Ackerson, Rowan, Iowa.
Eugene H. Adams, Holden, Mass.
Oscar M. Adam, Seal Beach, Calif.
Thomas F. Adams, Versailles, Ohio.
Roy Charles Agie, Brockport, N.Y.
Alvin A. Ahern, Churchville, N.Y.
Paul H. Alexander, Parker, Ariz.
Charles T. Allen, Chelsea, Mass.
Wesley H. Allen, Yonkers, N.Y.
Carl Allinger, Evansville, Ind.
Albert Allinger, Somerville, N.J.
Lawrence F. Almond, Boston, Mass.
Ezekiel T. Alvarado, Mountain View, Calif.
Bruce F. Anderson, Collinsville, Conn.
Elmer S. Andersen, San Mateo, Calif.
Jay W. Anderson, Wichita, Kans.
John C. Anderson, Warwick, N.Y.
Wm. C. Anderson, Marion, Tex.
Leslie E. Andrews, Wakeeney, Kans.
Lloyd R. Applegate, Collingswood, N.J.
Lewis F. Archer, Madison, N.J.
Merle S. Arnold, Williamsport, Pa.
John K. Arnot, La Grange Park, Ill.
David W. Ash, Ottumwa, Iowa.
Richard H. Athey, Prairie Village, Kans.
Lester W. Auman, Spirit Lake, Iowa.
James L. Austin, Rockville, Conn.
Clarence F. Avey, Oxford, Mass.
Leif H. Awes, Minneapolis, Minn.
Joseph B. Axenroth, Durham, N.H.
Thomas E. Alston, Valparaiso, Ind.
Frederick H. Allen, Findlay, Ohio.
William H. Allison, Cashmere, Wash.
Rabbi M. M. Abramowitz, Springfield, Ill.
Layen R. Adelmann, Odessa, Minn.
Ole Arnold, Burlington, Colo.
James L. Airey, Portland, Oreg.
J. E. Arthur, Saginaw, Mich.
M. P. Andrews, Jr., Alderw'd Manor, Wash.
K. Brooke Anderson, Cambridge, Mass.
K. Roy Bailey, Omaha, Nebr.
Ralph C. Bailey, Danbury, Conn.
Robert B. Bailey, Minneapolis, Minn.
Glen M. Baird, Ellicott City, Md.
John D. Baker, Washington, Kans.
George H. Baldridge, Atwood, Ill.
Lee M. Baldwin, Owaneco, Ill.
Frederic E Balt, Chicago, Ill.
Lee H. Ball, Arlsley, N.Y.
Rabbi Henry Bamberger, Sharon, Mass.
Russell B. Barbour, Perkiomenville, Pa.
C. Eugene Barnard, Roseville, Calif.
Jack L. Barnes, Macon, Mo.
Glenn H. Barney, Center, Colo.
Robert U. Barrowclough, Newark, N.J.
Douglas E. Bartlett, Commack, N.Y.
E. H. Bassler, New Bremen, Ohio
Loyd A. Bates, Shepherdstown, W. Va.
Richard Bauer, Staten Island, N.Y.
Alvin J. Beachy, Souderton, Pa.
Joseph C. Beavon, Jr., Barbourville, Ky.
Edwin R. Beck, West Hilton, Ohio
Lawrence E. Beebe, New York, N.Y.
Rabbi Leonard I. Beerman, Los Angeles.
Edwin E. Beers, Madison, Wis.
Birt Beers, Quincy, Mich.
C. Edward Behre, Silver Spring, Md.
Edwin de F. Bennett, Houston, Tex.
Gordon C. Bennett, Merion Station, Pa.
Albert A. Bentley, Albuquerque, N. Mex.
Lloyd A. Berg, Bronx, N.Y.
Philip Berrigan, SSJ, Baltimore, Md.
Louis Bertoni, Vermilion, O.
Lee James Beynon, Jr., Rochester, N.Y.
Charles M. Bieber, Hummelstown, Pa.
Vernon Bigler, Syracuse, N.Y.
Lester H. Bill, South Bend, Ind.
B. Stanley Bittinger, Kingsville, Tex.
Charles H. Bixby, West Henrietta, N.Y.
Elizabeth Bixby, Jamestown, N.Y.
Donald K. Blackie, Grand Rapids, Mich.
Myles D. Blanchard, Monson, Mass.
Robert I. Blakesley, Shaker Heights, Ohio
George Blau, Decatur, Ga.
Robert M. Bock, Hollywood, Calif.
Robert W. Bockstruck, Louisville, Ky.
Paul John Bode, St. Louis, Mo.
Leslie Eugene Bogan, Allentown, Pa.
Milton Bohmfalk, Del Rio, Tex.
Ernest J. Bohn, Goshen, Ind.
Paul F. Boller, Malverne, N.Y.
Theodore W. Boltz, West Hartford, Conn.
Arthur E Bomers, Bakersfield, Calif.
Charles M. Bond, Lewisburg, Pa.
Charles W. Bonner, Kearney, N.J.
O. E. Bonny, Topeka, Kans.
Sister M. C. Borromeo, CSC, Notre Dame, Ind.
Lloyd Boshart, Lowville, N.Y.
Bill Bosler, Grand Rapids, Mich.
Ronald L. Boswell, Craig, Neb.
Emory Lee Bithast, Keene, N.H.
Robert D. Botley, Burlingame, Calif.
Clement Boutgrager, Raleigh, N.C.
Frank A. Boutwell, Pasadena, Tex.
Glenn H. Bowlby, Laverne, Calif.
Fred F. Bowman, Dayton, Va.
Harold L. Bowser, Union Bridge, Md.
Lee O. Boye, Tazewell, Va.
Richard V. Boylan, Fresno, Calif.
Roger V. Boyvey, Oakland, Calif.
Howard Box, Brooklyn, N.Y.
Orla E. Bradford, South Bend, Ind.
John W. Bradley, Salt Lake City, Utah.
Donald O. Brady, Honor, Mich.
James A. Braker, Kingston, N.Y.
J. Kenneth Brand, Warren, Mich.
Wilbur R. Brandli, Paterson, N.J.
Frank M. Branno, Jr., Madison, N.J.
Robert M. Brashares, La Habra, Calif.
Donald E. Bratton, Rocky Mount, N.C.
H. Myron Braun, Austin, Tex.
Richard H. Bready, Georgetown, Conn.
Alan R. Bragg, Swanton, Vt.
Bradley B. Brehmer, Denver, Colo.
Ray B. Bressler, Ellinwood, Kans.
Charles T. Brewster, Honolulu.
William M. Briggs, Chicago, Ill.
Robert L. Bromley, Louisiana, Mo.
George Douglas Brown, Palo Alto, Calif.
James R. Brown, Corpus Christi, Tex.
W. Paul Brown, Hannibal, Ohio.
W. G. Browning, Sylvis, Ill.
H. C. Brubaker, Saginaw, Mich.
Robert C. Brubaker, Brighton, Mich.
Daniel M. Brambaugh, Saxton, Pa.
Leonard J. Brummett, Columbia, Mo.
Monk Bryan, Columbus, Mo.
J. Ernest Bryant, Boston, Mass.
Walter E. Bucher, Canton, Ill.
Ben F. Buckinham, Prairie City, Iowa.
Robert C. Buckley, Hempstead, N.Y.
Hartzell Buckner, Auburn, Calif.
Leonard H. Budd, Stow, Ohio.
Gerard Bugge, Suffield, Conn.
N. Ellsworth Bunce, Baltimore, Md.
Dodds B. Bunch, Sunnyvale, Calif.
Richard L. Burgess, Laurel, Nebr.
Maurice Glynn Burke, Columbia, Mo.
John W. Burkholder, Lancaster County, Pa.
Clement Burns, New Haven, Conn.
Russell Burriss, Santa Ana, Calif.
Ina E. Burton, Maywood, Ill.
John C. Bush, Americus, Kans.
Jackson L. Butler, Modesto, Calif.
Jay Butler, Jr., Sharon, Pa.
William T. Butterfield, Staples, Minn.
Very Rev. John V. Butler, New York, N.Y.
L. A. Bangerter, Fairborn, Ohio.
H. D. Bollinger, Nashville, Tenn.
Harold Z. Bomberger, McPherson, Kans.
George W. Brighton, Stratford, Iowa.
Walter P. Brockway, Exeter, N.H.
Dale W. Brown, Oak Brook, Ill.
Albert W. Buck, Chicago, Ill.
Joe Riley Burns, El Dorado, Kans.
Lee Vaughn Barker, Oakland, Calif.
William F. Baur, Stony Point, N.Y.
Roger S. Boraas, East Orange, N.J.
Rabbi Stanley R. Brav, Cincinnati, Ohio.
Harold J. Bass, Tacoma, Wash.
Howard D. Baumgart, Sumner, Wash.
Lavon B. Bayler, Hinckley, Ill.
Robert F. Beach, New York, N.Y.
Robert E. Beck, Russiaville, Ind.
Robert W. Beggs, Ithaca, N.Y.
Joseph W. Bell, Nashville, Tenn.
Harry L. Bennett, Washington, D.C.
Ronald A. Beverlin, Elkton, Md.
Neil F. Bintz, Grand Rapids, Mich.
Paul Boecler, Milford, Ohio.
James W. Bristah, Detroit, Mich.
George G. Brooks, Burlington, Iowa.
John R. Bross, Billings, Mont.
Edwin A. Brown, Berea, Ohio.
J. Thompson Brown, Lexington, Va.
J. H. Bruemmer, Grand Island, N.Y.
Paul H. Burditt, Westbrook, Maine.
Francis A. Beloto, Lincoln, Nebr.
Rabbi Herbert Bronstein, Rochester, N.Y.
Jackson Burns, Cedar Rapids, Iowa.
The Ven. C. D. Braidwood, Lapeer, Mich.
Prof. Carl Bangs, Kansas City, Mo.
George C. Beebe, Lakeside, Ohio.
B. J. Black, Sandusky, Ohio.
Prof. D. W. Brown, Jamestown, N. Dak.
Prof. Kenneth Brown, Manchester, Ind.
Prof. Herbert C. Burke, Collegeville, Minn.
Prof. G. Murray Brauch, Atlanta, Ga.
Edward A. Cahill, Pittsburgh, Pa.
Terry Cain, Greenwood, Neb.
Maurice Caldwell, Anderson, Ind.
Raymond Calkins, Belmont, Mass.
Raoul C. Calkins, Dayton, Ohio
A. W. Campbell, Somerset, Ky.
Charles G. Campbell, Norwalk, Conn.
Colin Campbell, Jr., Ann Arbor, Mich.
J. Warren Campbell, Edwards, Mo.
Ralph J. Capolungo, Oakland, Calif.
Fred Cappuccino, Takoma Park, Md.
Erland E. Carson, Escanaba, Mich.
Milton S. Carothers, Covington, Va.
J. Russell Carpenter, Pine City, N.Y.
Clyde Carter, Midland, Va.
Robert L. Carter, Shelby, N.C.
William I. Carter, Benton Harbor, Mich.
Donald L. Carver, Moville, Iowa.
G. Arthuh Casaday, Palo Alto, Calif.
Elwood E. Case, Schaghticoke, N.Y.
J. R. Case, Vergennes, Vt.
Estell R. Casebier, Louisville, Ky.
Harry L. Casey, Ardmore, Pa.
David G. Cassie, Providence, R.I.
Marid A. Cestaro, Jaffrey, N.H.
James N. Chamblee, Jr., Woodward, Okla.
Prof. D. R. Chandler, Washington, D.C.
Eben T. Chapman, Woodbury, Conn.
J. Howard Cherry, Pittsburgh, Pa.
James O. Childs, Norton, Va.
Charles J. Chipman, Abilene, Kans.
Paul E. Chreiman, Newtown, Pa.
Jonn P. Christensen, Barre, Vt.
Tom H. Christensen, Royal Oak, Mich.
C. W. Christman, Jr., Hudson, N.Y.
John Christoff, Lima, Ohio.
Prof. K. E. Christopherson, Tacoma, Wash.
Luther K. Clare, Erie, Pa.
Clarence H. Clark, York, Maine.
Gordon M. Clark, Johnsonville, N.Y.
Jack Clark, Laconia, N.H.
Bishop M. K. Clarke, Washington, D.C.
William R. Clark, Moran, Kans.
George V. Clauss, Portland, Oreg.
Kenneth D. Claypool, Seattle, Wash.

Marvin E. Clingenpeel, Smithville, Ohio.
C. Donald Close, Pratt, Kans.
John I. Coffman, Pomona, Calif.
Rabbi Jehudah M. Cohen, Los Angeles, Calif.
Rabbi Hillel Cohn, San Bernardino, Calif.
John H. Cole, Seelyville, Ind.
Jordan Cole, Schuylerville, N.Y.
George L. Collins, San Jose, Calif.
J. J. Collins, Newton, Ala.
George D. Colman, Detroit, Mich.
William H. Compton, Port St. Lucie, Fla.
J. Elliott Corbett, Washington, D.C.
Pablo Cotto, New York, N.Y.
Ray H. Cowen, Chester, N.H.
Robert M. Cox, Rye, N.Y.
Martha A. Cox, Rye, N.Y.
Thomas B. Cox, McLean, Va.
Robert B. Craig, Muncie, Kans.
Harry S. Crede, Peoria, Ill.
Edna L. Crede, Peoria, Ill.
Henry D. Crede, Roseville, Ill.
George Crenshaw, Steubenville, Ohio.
Tom O. Crosby, Jr., Bossien City, La.
Charles F. Crist, Canonsburg, Pa.
Tom O. Crosby, Jr., Bossier City, La.
Prof. John P. Crossley, Jr., Hastings, Nebr.
Walter B. Crowell, Ione, Oreg.
Donald J. Cunningham, Redwood City, Calif.
John M. Currie, Easton, Pa.
Sister Helen Carey, Nauvoo, Ill.
Marion Casey, Belle Plaine, Minn.
Franklin K. Cassel, Lititz, Pa.
Wallace Cedarleaf, Sidney, N.Y.
Rabbi Arthur A. Chiel, New Haven, Conn.
Robert T. Clark, Denver, Colo.
Arden Clute, Mountainview, Calif.
Martin J. Corbin, Tivoli, N.Y.
Thomas C. Cornell, New York, N.Y.
Henry Hitt Crane, Detroit, Mich.
Vivian Crossman, Honolulu, Hawaii.
W. Lynn Crowding, Carlisle, Pa.
Kevin Culligan, Milwaukee, Wis.
Gale D. Crumrine, Troy, Ohio.
M. E. Cunningham, Nashville, Tenn.
Harold A. Clark, Clarissa, Minn.
William G. Coxhead, St. Petersburg, Fla.
Donald S. Campbell, Myrtle Creek, Oreg.
Thomas M. Carson, Denver, Colo.
George P. Carter, San Mateo, Calif.
Paul E. Chreiman, Newtown, Pa.
W. R. Callaway, Cumming, Ga.
Charles B. Curran, Washington, D.C.
Prof. William Case, Kansas City, Mo.
Prof. Russel J. Compton, Greencastle, Ind.
Prof. Carl W. Condit, Morton Grove, Ill.
Elmer L. Dadisman, Astoria, Ill.
Arthur R. Daes, Otisco, Ind.
Gordon E. Dalbeck, Flagstaff, Ariz.
James P. Dale, St. Petersburg, Fla.
Leroy M. Dancer, Bainbridge, N.Y.
Alex E. Dandar, Elyria, Ohio.
John Irving Daniel, Franklin, Mass.
Wilbur O. Daniel, Pearl River, N.Y.
Prof. John W. Darr, Seattle, Wash.
David G. Davis, Timmath, Colo.
E. Julius Davis, Parlier, Calif.
Harry B. Davis, Kansas City, Mo.
Jack A. Davis, Orlando, Fla.
S. Kenneth Davis, Daytona Beach, Fla.
Albert Edward Day, Falls Church, Va.
A. Garnett Day, Jr., Indianapolis, Ind.
Ben F. Day, Rockford, Ill.
LeRoy Day, Sioux Falls, S. Dak.
George W. Deaton, Claypool, Ind.
Purd E. Deitz, New York, N.Y.
Charles A. DeLay, Gilman, Ill.
Douglas Denton, North Weymouth, Mass.
Kermit H. Derstine, Akron, Pa.
Clarence R. Desler, Clatskanie, Oreg.
Oviatt E. Desmond, Indianapolis, Ind.
Charles De Vries, Harwich, Mass.
Rhoda Jane Dickinson, Minneapolis, Minn.
Albert A. Dickson, Spencerport, N.Y.
Elmer A. Dickson, Ashton, Ill.
Theodore Dixon, Simsbury, Conn.
Paul H. Doering, Loyal, Wis.
Carroll A. Doggett, Jr., Rockville, Md.
Herbert L. D. Doggett, Silver Spring, Md.
Harlow Phelps Dohovan, Jr., St. Louis, Mo.
John E. Donovan, Des Moines, Iowa.
H. F. Doran, Apros, Calif.
M. E. Dorr, Fairfax, Va.
James B. Douglas, Richmond, Va.
Robert E. Doxey, Binghamton, N.Y.
Francis A. Drake, Schroon Lake, N.Y.
M. Richard Drake, Cleveland, Ohio.
Allen E. Dripps, Rochester, Minn.
William H. DuBay, Santa Monica, Calif.
Wilton J. Dubrick, Binghamton, N.Y.
Paul H. Duckwall, Statesville, N.C.
Bert Logan Duncan, Traverse City, Mich.
T. E. Dunlap, Sr., Green Bank, W. Va.
James S. Duren, Menomonee Falls, Wis.
G. Engene Durham, Ithaca, N.Y.
C. L. Duxbury, Kansas City, Mo.
John Dykstra, Locust Valley, N.Y.
Claude F. Dadisman, San Diego, Calif.
Richard J. Davey, Rochester, N.Y.
Lewis H. Davis, Dobbs Ferry, N.Y.
Paul F. Davis, Corvallis, Oreg.
Jesse De Witt, Royal Oak, Mich.
Walter Dolde, Tioga, Ill.
Glenn A. Dunn, Westfield, Wis.
Prof. William E. David, Athens, Ga.
Norman Dewire, Detroit, Mich.
Joel Duffield, Hamilton, Ill.
E. Dale Dunlap, Kansas City, Mo.
J. Stanley Earhart, Mechanicsburg, Pa.
Riggins R. Earl, Jr., Nashville, Tenn.
Robert Ebey, Argos, Ind.
Thomas H. Eck, Rockford, Ill.
Robert M. Eddy, Farmington, Mich.
Rabbi Jason Z. Edelstein, Pitcairn, Pa.
Robert A. Edgar, New York, N.Y.
Prof. George R. Edwards, Louisville, Ky.
J. Edgar Edwards, Ann Arbor, Mich.
William C. Eicher, Rocky Mount, Va.
Charles W. Eichman, Hope, Ind.
John Elder, Waverly, Ohio.
M. W. Eiftmann, Kenosha, Wis.
Al Burton Eliason, Fond du Lac, Wis.
Richard F. Elliott, Jr., Clemson, S.C.
Thomas E. Ellis, Camarillo, Calif.
Charles A. Ellwood, West Liberty, W. Va.
George F. Emery, Springfield, Ill.
J. Martin England, Greenville, S.C.
Frank W. Engstrom, Natoma, Kans.
Kenneth L. Engstrom, Buffalo, Wyo.
Herman Ensslin, Waynesburg, Ky.
Fred Erion, Audubon, Pa.
Gerald Eslinger, Shelton, Iowa.
Edgar J. Evans, Los Angeles, Calif.
Rowland H. Evans, Mazomarie, Wis.
William M. Everhart, Ashboro, N.C.
M. Jones Egan, New York, N.Y.
Richard Ehrenberg, Leonard, N. Dak.
Rabbi Harry Essrig, Los Angeles, Calif.
Rabbi Randall M. Falk, Nashville, Tenn.
Lyman G. Farrar, Westbury, Long Island, N.Y.
Dean L. Farringer, Columbus, Ohio.
Frank Favalora, McFarland, Calif.
R. A. Feenstra, Falls City, Oreg.
Rabbi Alexander Feinsilver, Easton, Pa.
Raymond A. Fenner, Birmingham, Mich.
J. Frank Ferguson, Cincinnati, Ohio.
Harlo H. Ferris, Waterloo, Iowa.
Emerson S. Fike, Blue Ridge, Va.
Galen E. Fike, Eglon, W. Va.
Lester E. Fike, Ashley, Ind.
Oscar R. Fike, Bellwood, Pa.
Paul H. Fike, Weyers Cove, Va.
Kenneth A. Fineran, Frakes, Ky.
W. W. Finlator, Raleigh, N.C.
Thomas M. Finn, C.S.P., Washington, D.C.
Carleton M. Fisher, Massapequa, N.Y.
E. R. Fisher, Lansing, Mich.
Geo. L. Fitzgerald, New Haven, Conn.
William J. Fitzpatrick, Detroit, Mich.
J. Emery Fleming, Jr., Tokyo, Japan.
Daniel C. Flory, Peru, Ind.
Edgar Flory, New Preston, Conn.
Raymond C. Flory, Paradise, Calif.
Wendell Flory, Waynesboro, Va.
Williston M. Ford, O.S.L., San Diego, Calif.
Robert E. Forester, Loyall, Ky.
Charles W. Forman, New Haven, Conn.
James E. Forrest, Mobile, Ala.
Robert Forsberg, New Haven, Conn.
Gerald E. Forshey, Chicago, Ill.
Rabbi Stephen Forstein, Richmond, Calif.
Fred E. Fox, Mount Vernon, Wash.
Donald L. Frank, Eau Claire, Wis.
Howard G. Franklin, Jamesburg, N.J.
Dean L. Frantz, North Manchester, Ind.
Ira H. Frantz, Delphi, Ind.
Delton Franz, Chicago, Ill.
Harold R. Fray, Jr., Newborn, Mass.
Porter French, Chester, Ill.
Edward S. Frey, New York, N.Y.
E. A. Fridell, Berkeley, Calif.
Gerhard Friesen, Newtorn, Kans.
James E. Friesner, Sr., Bankin, Ill.
Harold I. Frost, Auburn, Maine.
Leota T. Frye, Sandlake, Mich.
J. Alfred Fryer, Madison, Wis.
Clifford F. Fugate, Huntington Park, Calif.
Clarence G. Fuller, Jr., New Orleans, La.
Clyde Funkhouser, Lebanon, Ill.
Norman J. Faramelli, Philadelphia, Pa.
W. H. Ferry, Santa Barbara, Calif.
Herbert A. Fisher, Kettering, Ohio.
Byron M. Flory, Jr., Dayton, Ohio.
Walter J. Fox, Jr., Philadelphia, Pa.
Richard E. French, Auburndale, Mass.
Marion C. Frenyear, Unadilla, N.Y.
Prof. Gilbert S. Fell, Navesink, N.J.
Rabbi Henry Fisch, West Orange, N.J.
Rabbi Frank A. Fischer, Athens, Ga.
Allan R. Fisher, Grand Marais, Minn.
Charles F. Frederich, Gray, Maine.
John Fragale, Jr., Warwick, N.Y.
Prof. W. Arthur Faus, Williamsport, Pa.
Harlan M. Frost, Buffalo, N.Y.
Richard M. A. Gadow, Fairport Harbor, Ohio.
James S. Gadsden, Camden, S.C.
Erwin A. Gaede, Ann Arbor, Mich.
Bradford E. Gale, Quincy, Mass.
Rabbi Hillel, Gamoran, Hoffman Estates, Ill.
Dwight Ganzel, Waverly, Nebr.
Bruce W. Garner, Hancock, Mich.
Curt Garrett, Roselle, N.J.
Karl C. Garrison, Jr., Durham, N.C.
Allen H. Gates, Hatfield, Mass.
John H. Gebhart, Marathon, Fla.
Frank Gehman, Klamath, Calif.
Harmon M. Gehr, Pasadena, Calif.
Vance Geier, Los Angeles, Calif.
H. Robert Gemmer, Whitesboro, N.Y.
J. H. Gerberdins, Denver, Colo.
Ira W. Gibbel, Newport News, Va.
Pius Gibble, Tipp City, Ohio.
O. E. Gibson, Westmont, Ill.
R. John Gibson, Rapid City, S. Dak.
Bruce E. Gideon, Wilmette, Ill.
Wm. A. Gilbert, Ventura, Calif.
David A. Giles, New York, N.Y.
Malcolm E. Gillespie, Carbondale, Ill.
Philip H. Gillis, Amsterdam, Ohio.
Robert Gilman, Milton-Freewater, Oreg.
Aaron S. Gilmartin, Walnut Creek, Calif.
Paul J. Gilmer, Institute, W. Va.
William E. Gilpin, Little Falls, N.Y.
C. Homer Ginns, Middleboro, Mass.
Dennis E. Glad, Chicago, Ill.
Glenn D. Glazier, West Brookfield, Mass.
Charles Glenn, Roxbury, Mass.
W. Herbert Glenn, Vernon, Mass.
Irving R. Glover, Canton, Ohio.
Theodore S. Gooley, Wells, Maine.
Prof. John D. Godsey, Madison, N.J.
Robert E. Goessling, Owen, Wis.
Rabbi Robert E. Goldburg, Hamden, Conn.
Rabbi Abram Vossen Goodman, Lawrence, N.Y.
Quentin A. Goodrich, Elk Grove Village, Ill.
John Goodwin, S. Nyack, N.Y.
William M. Goodwin, Muscle Shoals, Ala.
Clifford H. Goold, Portland, Oreg.
Robert W. Gordon, E. St. Louis, Ill.
John W. Gosnell, Elizabethtown, Pa.
Prof. Norman K. Gottwald, Newton Center, Mass.
Harvey Graber, Topeka, Ind.
O'Ray C. Graber, Oklahoma City.
Grover C. Graham, Spruce Pine, N.C.
Don Gaymon, Manhattan, Kans.

Rabbi Sidney Greenberg, Philadelphia, Pa.
Albert Greene, Sayre, Pa.
Donald Greenough, Harrisburg, S. Dak.
Paul Ray, Greenwood, Sherrodsville, Ohio.
A. Ray Grummon, Springfield, Ill.
Kenneth Griswold, Minneapolis, Minn.
Malcolm Grobe, W. Lebanon, N.H.
Wilbur D. Grose, Minneapolis, Minn.
Thomas E. Guerdat, Randolph, N.Y.
Chester L. Guinn, Emmetsburg, Iowa.
David Gustafson, Kankakee, Ill.
Robert Gardiner, Wellesley, Mass.
Laurence Garrett, Stuart, Iowa.
R. L. Gass, Mountain Grove, Mo.
Raymond H. Giffin, Minneapolis, Minn.
Richard S. Gilbert, Ithaca, N.Y.
Rabbi Jerrold Goldstein, St. Paul, Minn.
Floyd Gotlen, Silver Creek, N.Y.
Ellis Graber, Minneapolis, Minn.
Robert E. Grant, Suffern, N.Y.
John Paul Griffith, Bernardsville, N.J.
Thomas A. Grimm, Albany, Calif.
Rabbi, Everett Gendler, Princeton, N.J.
Dr. Ira E. Gillet, Portland, Oreg.
Eugene H. Haaf, Hampton Bays, N.Y.
Dennis W. Haas, Lancaster, Pa.
Dwight Haberman, Ortonville, Minn.
Carl C. Hackman, Richmond, Mo.
Rosco F. Haning, Alexandria, Minn.
Gary L. Hakes, Syracuse, N.Y.
Tom G. Haley, Van Alstyne, Tex.
Cameron P. Hall, Garden City, N.Y.
David C. Hall, South Norwalk, Conn.
R. F. Hall, Elyria, Ohio.
Williard B. Hall, Harrington, Wash.
Arthur A. Tamann, Leon, Iowa.
L. M. Hamby, Grafton, Mass.
P. M. Hammond, Portland, Oreg.
Robert A. Hammond, Ballston Spa, N.Y.
Bernie H. Hampton, Chattanooga, Tenn.
Emerson G. Hangen, Long Beach, Calif.
George Hangen, Reseda, Calif.
Ray E. Hankins, Exeter, Nebr.
Walter W. Hannum, Juneau, Alaska.
Carl A. Hansen, Minneapolis, Minn.
James H. Hanson, Glendive, Mont.
Vernon R. Hanson, Medford, Oreg.
George Haram, Flora, Ill.
Arthur L. Hardy, Kansas City, Kans.
Ira R. Harkins, Tiffin, Ohio.
Chester I. Harley, West Milton, Ohio.
Frederick F. Harlins, Somerville, Mass.
Herman Harmelink III, North Bergen, N.J.
John J. Harmon, Roxbury, Mass.
Lyle E. Harper, Walkersville, Md.
J. F. Harriman, Bellingham, Wash.
Ernest S. Harris, Jr., Hartford, Conn.
Gerald F. Harris, Elmira, N.Y.
Robert A. Harris, Celina, Ohio.
W. Reid Harris, Hickory, N.C.
Thomas O. Harrison, Lexington, Ky.
Norman L. Harsh, Staunton, Va.
J. Richard Hart, Stockton, Calif.
Marvin J. Hartman, St. Joseph, Mich.
Vartan Hartunian, Belmont, Mass.
L. H. R. Hass, Washington, D.C.
Roy Allan Hassel, New Platz, N.Y.
Glenn O. Hassinger, Myerstown, Pa.
Clabourne Hatcher, Columbia Falls, Mont.
Albert M. Haught, Mount Union, Pa.
Francis C. Hawes, Manchester, Conn.
Percy R. Hayden, Concord, N.H.
Edward H. Hayes, North Stonington, Conn.
Paul G. Hayes, Minneapolis, Minn.
C. Douglas Hayward, Berkeley, Calif.
R. W. Haywood III, Kingsville, Tex.
Prof. Lowell B. Hazzard, Washington, D.C.
H. Lee Hebel, Karthaus, Pa.
Raymond W. Hedberg, St. Paul, Minn.
Sam Hedrick, Newton Center, Mass.
Norval Hegland, Philip, S. Dak.
Matthias R. Hellig, Mount Gretna, Pa.
Gerald G. Heilman, Baltimore, Md.
Edward K. Heininger, Des Moines, Iowa.
Walter J. Heisey, Tiffin, Ohio.
Arthur G. Heisler, Columbia City, Ind.
DeWitt F. Helm, Kenly, N.C.
Robert A. Helstrom, Claysville, Pa.
Kenneth R. Hemphill, Manhattan, Kans.
C. L. Hendrix, Elkhart, Ind.
Walter F. Hendricks, Jr., Richmond, Va.
M. Miles Henry, Marion, Kans.
H. Eugene Herr, Scottdale, Pa.
Rabbi Richard C. Hertz, Detroit, Mich.
Robert E. Heskett, Roslindale, Mass.
Robert G. Hess, Goldendale, Wash.
D. Russell Hetsler, Alhambra, Calif.
Lorton G. Heusel, Wilmington, Ohio.
Clare B. Hewitt, Poplar Grove, Ill.
Gerald C. Hibbard, Milwaukee, Wis.
Richard R. Hicks, Chestertown, Md.
Anne Higgins, North Haven, Conn.
Clarence M. Higgins, Jr., Stone Creek, Ohio.
G. Truett High, Duluth, Minn.
William A. Highfield, Mountaintop, Pa.
Dean E. Hill, Weedsport, N.Y.
Gordon W. Hill, Northampton, Mass.
Robert W. Hill, Philadelphia, Pa.
Melvin Himes, Indianapolis, Ind.
Frank T. Hiroms, Wahpeton, N. Dak.
Philip D. Hirtzel, Mason, Mich.
Sam Hochstatter.
P. Stein Hockman, Romney, W. Va.
Violet Hodges, Montara, Calif.
George A. Hodgkins, Stratford, Conn.
Elmer H. Hoerer, St. Louis, Mo.
Gilbert E. Hoffman, Sharon, Pa.
Wayne M. Hoffman, Luverne, Minn.
Rodney D. Hokenson, Hancock, Mich.
Ralph M. Holdeman, New York.
Benj. R. Hollis, Keosaugua, Iowa.
Donald G. Holsopple, Lansing, Mich.
Reynold N. Hoover, Flagler Beach, Fla.
Harold Hornberger, Red Bank, N.J.
Laurence M. Horst, Evanston, Ill.
Robert Horton, Trevose, Pa.
Wright M. Horton, Galesburg, Kans.
J. J. Hostetler, Peoria, Ill.
Robert E. Houff, Harrisonburg, Va.
W. Donald Housser, Cattaraugus, N.Y.
Robert W. Hovda, Washington, D.C.
Ernest L. Howard, Chattanooga, Tenn.
Lee A. Howe, Schenectady, N.Y.
Robert M. Howes, Kennebunkport, Maine.
Paul C. Hoyt, Shokan, N.Y.
William Huckabone, Corydon, Ind.
John L. Hudson, Northlake, Ill.
Kenneth de P. Hughes, Cambridge, Mass.
James David Hulett, Claremont, Calif.
George M. Hunt, Henry, Ill.
Allan A. Hunter, Claremont, Calif.
Donald F. Hursh, Meyersdale, Pa.
Paul L. Huscher, Strawberry Point, Iowa.
Horace Huse, Logansport, Ind.
Jack Hustad, Overland Park, Kans.
David Hykes, Cedar Rapids, Iowa.
Dale Hylton, Westminster, Md.
John Harrell, Berkeley, Calif.
Wayne L. Harting, Butler, N.J.
Guy C. Heyl, Rock Hill, S.C.
Eugene W. Hibbard, Manson, Wash.
Geo. A. Hickson, Bellevue, Ohio.
Alberta Hidritch, Benton, Ill.
Dean E. Hill, Weedsport, N.Y.
Donald Robert Hoff, Monroe, Conn.
Everett R. Hunt, Tacoma, Wash.
Donald C. Hanson, Syracuse, N.Y.
Albert E. Hartman, Trenton, N.J.
Prof. Hideo Hashimoto, Portland, Oreg.
Anna E. Koglin, Thief River Falls, Minn.
Rabbi Isadore B. Hoffman, N.Y.
Prof. Yates Hafner, Yellow Springs, Ohio.
James F. Hopewell, Pomona, N.Y.
Charles W. Iglehart, Dunedin, Fla.
Bothan T. Ilwell, Fort Lewis, Ohio.
Wilder V. Immel, Santa Cruz, Calif.
Bruce O. Inglis, Mojave, Calif.
Robert W. Inglis, Denver, Colo.
Deane W. Irish, LaCrosse, Wis.
Jerold L. Irvin, Des Moines, Iowa.
Edwin F. Irwin, Sacramento, Calif.
Earl Jabay, Princeton, N.J.
Charles H. Jack, Cincinnati, Ohio.
Patrick A. Jackson, Ann Arbor, Mich.
Richard H. Jackson, Mora, Minn.
Richard L. Jackson, Durham, N.C.
Warren E. Jackson, Vermontville, Mich.
Herman M. Janssen, Marlette, Mich.
Harold A. Jayne, Portage, Mich.
Loe E. Jeambey, Muscatine, La.
Alan Jenkins, Royal Oaks, Mich.
David W. Jenks, Tuxedo, N.Y.
Joseph R. Jennings, Fresno, Calif.
Harold V. Jensen, Santa Monica, Calif.
Warren E. Jensen, Ware, Mass.
Richard A. Johnsen, Middleburgh, N.Y.
Brace E. Johnson, Sterling, Ill.
Charles E. Johnson, Minneapolis, Minn.
Herman C. Johnson, Cambridge, Mass.
J. H. Johnson, Ferndale, Mich.
Roy A. Johnson, Elizabethtown, Pa.
W. L. Johnson, Tacoma, Wash.
Berwyn E. Jones, Kouts, Ind.
Jack E. Jones, Shelbroille, Ind.
J. Ira Jones, Lima, Ohio.
Laurence R. Jones, Oak Brook, Ill.
Richard E. Jones, New Albany, Ind.
Charles Wesley Jordan, Chicago, Ill.
Donald R. Jordan, Elgin, Ill.
Correll M. Julian, Walnut Creek, Calif.
Hershey Julien, Albuquerque, N. Mex.
Andrew Juvinall, San Francisco, Calif.
William M. Justice, Stony Point, N.Y.
Augusta T. Jackley, Ogden, Utah.
Francis Johnson, Jr., League City, Tex.
Major L. Johnson, Weathersfield, Conn.
Clarence Jordan, Americus, Ga.
Donald E. Jordan, Fresno, Calif.
W. O. Johnson, Elmhurst, Ill.
Rabbi Wolli Kaelter, Long Beach, Calif.
Frederick F. Kaetzel, Mitchell, Ind.
Dean Ragarise, New Windsor, Md.
Dean C. Kallander, Oxford, Ohio.
Rabbi D. L. Kaplan, Needham Heights, Mass.
Rabbi Samuel E. Karff.
Calvin R. Kaufman, South Bend, Ind.
Bishop Nelson E. Kauffman, Elkhart, Ind.
Robert W. Kauffman, Waupun, Wis.
Stewart B. Kauffman, Huntingdon, Pa.
L. Robert Keck, Des Moines, Iowa.
Harold R. Keen, Ottawa, Ill.
Christian H. Kehl, San Antonio, Tex.
Arthur C. Keim, Pomona, Calif.
Howard H. Keim, Peoria, Ill.
D. Howard Kelper, Lititz, Pa.
Richard A. Kellaway, New Bedford, Mass.
Walter E. Kellison, Cedar Rapids, Iowa.
Max V. Kemling, Paw Paw, Ill.
J. Paul Kendall, Kokomo, Ind.
Harold M. Kenepp, Clearville, Pa.
Alick, M. Kennedy, Clinton, N.J.
George T. Kennedy, Athens, Ohio.
Hazel M. Kennedy, Elgin, Ill.
Roger Kennedy, Green Springs, Ohio.
LeRoy Kennel, Lombard, Ill.
Richard Kern, Findlay, Ohio.
Earl Kernahen, Chula Vista, Calif.
Erwin K. Kerr, McKean, Pa.
Howard A. Kerstetter, Baltimore, Md.
Donald A. Kessler, Wichita, Kans.
Milton G. Kessler, Cape Cod, Mass.
Phillip G. Kessler, North Manchester, Ind.
Delbert W. Kettering, Sheffield Lake, Ohio.
Russell W. Kiester, St. John, Kans.
S. Collins Kilburn, Raleigh, N.C.
Paul E. Killinger, Orange, Calif.
Carl E. Kime, Battle Creek, Mich.
Dean Kindy, Creston, Ohio.
David S. King, Amherst, Mass.
Deaconess Dellema J. King, Pierre, S. Dak.
Horace M. King, San Antonio, Tex.
Jack K. King, Northport, N.Y.
James Wilbur King, Bagler, Iowa.
Thomas Moore King, Sioux City, Iowa.
David C. Kinnard, St. Louis, Mo.
Glenn E. Kinsel, Hanover, Pa.
Alvin L. Kintner, Marion, Ind.
Homer Kirdcofe, Plymouth, Ind.
David Kirk, Wheeling, W. Va.
Dean R. Kirkwood, Oakland, Calif.
Stanley P. Kirn, Sr., Cass City, Mich.
Scott D. Kittredge, Wiscasset, Maine.
Gerhard Klassen, Fairfield, Pa.
LeRoy H. Klaus, Stillwater, Minn.
Voigt Kleckley, Atlanta, Ga.
Ralph G. Kleen, San Bernardino, Calif.
M. B. Klepinger, Dayton, Ohio.
Robert E. Klingel, Carey, Ohio.
George H. Klohck, Northville, N.Y.
A. W. Klumb, Moonee, Ill.
Charles P. Knight, Ottawa, Kans.
Edwin L. Knopf, Marlette, Mich.

John G. Koehler, Wakefield, Mass.
Robert W. Koenig, Terre Haute, Ind.
James H. Konrad, Fremont, Ohio.
William Koshewa, New Albany, Ind.
Charles F. Kraft, Evanston, Ill.
Aba Krause, Henderson, Nebr.
C. W. Kreamer, Bridgeton, N.J.
Burl G. Kreps, Greeley, Colo.
Eugene William Kreyes, Naperville, Ill.
Timothy J. Kribs, Harrisburg, Oreg.
Allen E. Kroehler, Lancaster, Pa.
Rabbi Charles A. Kroloff, Westbury, N.Y.
James F. Kubik, Half Moon Bay, Calif.
Rabbi Harold L. Kudan, Glencoe, Ill.
Wm. F. Kuechmann, Walnut, Iowa.
Ralph L. Kuether, Manchester, Mich.
Howard R. Kunkle, Fort Scott, Kans.
Gordon F. Kurtz, Rochester, N.Y.
H. E. Kettering, Greenville, Ohio.
D. Franklin Kohl, Great Falls, Mont.
Rabbi Pesach Krauss, Woonsocket, R.I.
A. V. Krebs, Jr., San Francisco, Calif.
John A. Kruse, Eau Claire, Wis.
Arthur L. Lacey, Ilion, N.Y.
R. Gwinn Lacy, Versailles, Ohio.
Arnold R. Lambarth, St. Claire Shores, Mich.
A. C. Lambert, Fruitland, Idaho.
Edward H. Lander, Jr., Dayton, Ohio.
Harvey M. Landis, North Manchester, Ind.
Herman B. Landis, Sunnyside, Wash.
Alfred P. Landon, Fenton, Mich.
Richard L. Landrum, Topeka, Kans.
William P. Langham, Jr., Dayton, Ohio.
E. G. Larson, Ada, Minn.
Hilmer Larson, Hastings, Nebr.
E. Edwin Lasbury, Fruitland, Md.
Philip H. Lauver, South Bend, Ind.
Rabbi Bernard H. Lavine, Evansville, Ind.
R. D. LaWall, Kasseville, N.Y.
Earl A. Lawrence, Auburn, Calif.
Henry H. Lawson, Dallas, Tex.
Fernando A. Laxamana, Waterman, Ill.
Richard D. Leach, Gregory, S. Dak.
Edward L. Lee, Jr., Philadelphia, Pa.
James O. Leffingwell, Emporia, Kans.
Douglas Leffler, Finly, Ind.
Wilmer M. Lehman, Wiley, Colo.
Donald E. Leiter, Berwyn, Pa.
Robert L. Lemon, Richmond, Calif.
R. Webb Leonard, Middletown, N.J.
Richard D. Leonard, New York, N.Y.
Rabbi J. Aaron Levy, Sumter, S.C.
Rabbi Richard N. Levy, New York, N.Y.
L. Wilburn Lewallen, Nappanee, Ind.
Duane A. Lewellen, Dayton, Va.
Donald R. Lewis, Hudson Falls, N.Y.
Edson T. Lewis, Jr., Hoboken, N.J.
Henry H. Lewis, Sioux Falls, S. Dak.
Donald Lichtenfelt, Fraser, Mich.
David H. Lindberg, Waynesburg, Pa.
Melvin W. Lindberg, Youngstown, Ohio.
Carl H. Linden, Redwood Falls, Minn.
Frank A. Lindhorst, Seal Beach, Calif.
W. C. Link, Jr., Liberty, Mo.
Rabbi Eugene J. Lipman, Washington, D.C.
Lester E. Loder, Bayside, N.Y.
Richard E. Lofgren, Minneapolis, Minn.
Richard D. Logan, Waterbury, Vt.
Wesley T. Logan, Waterbury, Vt.
Robert D. Loggie, Harwinton, Conn.
John G. Lola, Cambridge, Mass.
James A. Lollis, Lexington, Ky.
Kenneth G. Long, Perrysburg, Ohio.
John D. Long, Lancaster, Pa.
Loy L. Long, Auburndale, Mass.
Norman D. Long, Minneapolis, Minn.
Alden L. Longwell, Elm Creek, Nebr.
Charles Edwin Lord, Oakland, Calif.
Donald G. Lothrop, Boston, Mass.
James E. Loudermilk, Goleta, Calif.
Howard Lone, Taunton, Mass.
Julian Price Love, Louisville, Ky.
Warren B. Lovejoy, Albion, N.Y.
Adams Lovekin, LaVerne, Calif.
Edward F. Lovill, Pulaski, Va.
Herbert R. Lucas, Middletown, Ohio.
Randy Lunsford, La Crosse, Wis.
Prof. Robert E. Luccock, Boston, Mass.
Paul L. Ludlow, Burley, Idaho.
Dale Luther, Lockport, Ill.
William B. Lutz, Mayville, Mich.
Patrick Lynch, Suffield, Conn.
Wm. B. Lytle, Clarksville, Ark.
Bishop Charles W. Long, Tiskilwa, Ill.
James H. Laird, Detroit, Mich.
J. Harry Lau, Woodstock, Va.
John M. Lederach, Hubbard, Oreg.
Henry V. Lofquist, Wilson, N.C.
William W. Longenecker, Mount Joy, Pa.
Richard Lungren, Sacramento, Calif.
Verne H. Leininger, LaFayette, Ohio.
Carl H. Lenz, Buffalo, N.Y.
James S. Leslie, Delaware, Ohio.
Howard T. Lutz, Eau Claire, Wis.
Prof. Paul A. Lacey, Richmond, Ind.
Prof. George Lang, Tuscaloosa, Ala.
Prof. William F. Luder, Boston, Mass.

SIGNERS FROM EUROPE, ASIA, AFRICA, SOUTH AMERICA, AND CANADA

Australia: W. D. Adams, D. J. Andrews, Philip Andrews, Most Reverend G. Appleton, Lewis A. Borm, John Bryant, Frank Byatt, E. G. Clancy, A. M. Clarke, F. M. Combridge, W. R. Cowper, Eric Derbyshire, Alfred M. Dickie, Clyde Dominish, Arthur Ellemor, Leonard G. Forward; H. B. Freeman, Neil Glover, Frank Hartley, S. Henshall, A. C. Holland, A. G. Howse, David L. Hurse, Austin James, T. Lane, John A. Lloyd, R. V. Longthorpe, Dr. Allan W. Loy, J. Lukies, Dr. R. J. Maddox, E. Gwyn Miller, Bishop John S. Moyes, R. Painter, Norman H. Park, R. B. Patterson, R. G. Peterson, R. H. Pethybridge, David J. Pope, Gordon G. Powell, G. R. Riley, W. T. Riley, H. Roberts, H. E. Roland, Neville R. Ross, P. M. Saphin, W. W. Saunders, Bruce Silverwood, Donald H. Smith, G. C. Smith, Ralph Sutton, A. E. Vogt, Alan Walker, F. W. Whyte, A. R. Wilbrey, E. L. Williams.

Belgium: Abbe Paul Carrette, Abbe Chapelle, Abbe Georgery, Abbe Joseph Goffinet, Emil Jequier, Andre H. H. Van der Mensbrugghe, P. Tourne.

Canada: Gerald Brown, Richard G. Cammidge, Dr. David H. Carr, Rt. Rev. J. C. Feeney, Glenn M. Harmon, Peter B. Moore, K. Barry Passmore, J. C. Thompson.

Chile: Joel Gajardo Valasquez.

Czechoslovakia: Milos Sourek.

Denmark: S. Birke, Enirco Bejerne, Sage Bjirno, Father Borris, B. Christiansen, Im L. Christensen, Robert Christensen, Father Martin Drovsy, C. A. Flannen, Fritz Florin, Ligurd Granild, Jorgen Hansen, Uffe Hansen, Kell Helmer, Otto Helms, N. R. Hemmingsen, Hardy Hojhead K. Keiding, T. C. Kemp, G. Klausen, Bent A. Koch, Olaf Kune, Y. Lund, Ivan Mathiesen, Bent Melchior, Jorgen Nissen, S. Oldenburg, Ole Oleson, Paul Pedersen, N. Y. Raid, Tim Rosenberg, H. Skjerk, K. E. Skydsgaard, Berg Sorensen, G. Sparring-Petersen, Jan Stolt, Immanuel Telter, Marie M. Thulstoup, Gunner Tjaive, Mogens V. Zeuthen.

England: Rabbi Saul Amias, Lucy M. Burtt, Edward Carpenter, L. G. Champion, Pennar Davies, H. H. Farmer, Susan Ford, A. Graham Heilier, Anita Hicks, Robin E. Hutt, John Kielty, Kenneth A. Lee, Lewis MacLachian, Clifford H. Macquire, David Mason, Geoffrey F. Nuttall, Paul Oestreicher, Prof. E. Gordon, W. G. Sewell, John Stacey, John Stewart, Stephen Thorne, Dr. John T. Vincent.

Finland: Alexander Kasanko.

France: Edward Theis, Jean Lasserre, Henri Rosser.

Ghana: Emmanuel Sackey Decker.

East Germany: Dr. Dieter Frielinghaus, Martin Kramer.

West Germany: Frank Crusemann, Gunther Danger, Kurt Essen, John R. Friesen, Joachim Gneist, Dr. D. Goldschmidt, Adolf Grau, Friedrich Hutendiek, Dr. Robert Kohl, Siegfried Mebrer, Dr. E. Muller-Gangloff, Otto Oetker, Helmut Pohl, Renate Riemeck, Ulricke Schleifenbaum, Alexander Semmelrock, Horst Symanowski, Gerhard Weber, Fritz Weissinger, Gerhard Wessler, Dieter Zimmermann.

Ireland: D. Erwin Strunz.

Italy: Raymond J. Bouley, Michele Foligno, Don Lorenzo Milani, Giorgio Spini, Tullio Vinay, Valdo Vinay.

Japan: J. Emery Flemming, Jr., George H. Theuer.

Netherlands: A. H. E. van Hengel, Mrs. M. M. van Hengel, T. C. C. Scholten, Prof. Dr. H. Kohlbrugge and Miss H. Kohlbrugge, Albert J. Rasker, Jan E. Uitman, H. W. P. Weggen.

Philippines: Abel A. Amago, Justiniano Cajuiat, Prof. Janice B. Deats, Dr. Richard Deats, Francisco Fernandez, W. Cecil Findley, Betty M. Hessel, Dr. Eugene A. Hessel, Marion Kline, J. William Matthews, Jannette E. Newhall.

Scotland: Werner Becher.

Southwest Africa: R. McKenzie Fraser, Norman Gess, Miss Mabel Charlotte Hart, Canon Frank M. Haythornthwaite, Hansie Herrle Mrs. Cornelia G. Warrington.

Sweden: Andes Akelund, Carl-Gustaf Boethius, Elsa Cedergreen, Olov Hartman, John Hedlund, Stiv Jakobson, Bernt Johnsson, Gosta Nicklasson, Dr. Margit Sahlin, Ingmar Strom, Joel Sorenson, Dr. Lars Thunberg, Dr. Anne-Marie Thunberg.

Switzerland: Prof. Samuel Amsler, Prof. Pierre Annen, Lydia von Auw, Pierre Balmer, Hermann Bauler, Willy Benguin, Jean de Benoit, Rodolphe Bergier, Ernest Bernouilli, Francis Berthold, W. Bieder, Giovanni Bogo, Emile Boissonnas, Fritz Bonnard, Jules Bonnard, Gad Borel, Jean Bourquin, W. Bremi, Arnold Bricod, Frederic Bron, Hans Bruppacher, Charles Brutsch, Joseph Buhlmann, Marc Buck, Robert Cand, Jean-Louis Charpie, G. Chautems, Prof. Marcel Cristen, Laurent Clerc, Franz Delhove, Gaston Deluz, Th. Dieterle, Charles Dintheer, Claude Dolivo, Reynold Dubois, William A. Dudde, Jacques Du Pasquier, Michel Du Pasquier, Richard Ecklin, Andre Emery, Julien Erni, Paul Fatton, Fernand Favre, Pierre Favre, Marc Flubacher, Charles Freundler, Willy Fritschy, Renaud Gallaz, Max Geiger, David Gigon, Louis Girardet, Roger Giardon, Theodore Gorge, Prof. William Goy, Marcel Grand, Michel Grenier, Marcel Grobety, Gerard Guenod, Jean Guye, Alfred Gygax, R. Hemmeler, Jacques Henriod, Willi Hirsch, H. Hoegger, Francois Hoguer, Paul-Emile Ingold, Bernard Jeanneret, Pierre Jeanneret, Marcel Jeannet, Paul Jomini, Jean-Daniel Kaestli, Willi Kobe, M. B. Koelbing, H. Kuhner, William Lachat, R. Lanz, Maurice Lauter, Antoinette Lozeron, J. Mangold, K. Marti, M. Martin, Prof. Charles Masson, Henry Mercier, Philippe de Mestral, Prof. Jean Meyhoffer, Henri Nicod, Albert Nicole, Bernard Nicole, Philippe Nicole, Edouard Pache, Daniel Pache, Edouard Panchaud, Sully Perrenoud, Albert Perrenoud, Willy Perriard, M. Petremand, Albert Pfund, Henri Piguet, Henri Pingeon, Paul Primault, Georges Probst, Prof. Dr. A. Rich, Maurice Robert, Andre Rochat, G. Roggwiller, Jacques Roland, Edouard Rossier, Heinz Rothenbuhler, J. de Roulet, Philippe Roulet, Jean Sauter, Claude Schaerer, W. Schatz, Martin Schwarz, Prof. Christophe Senft, W. Senft, F. Sieveking, E. Sigrist, Paul Siron, Gerard Soguel, Dr. J. J. Stamm, Dr. Paul Strassmann, Bernard Terrisse, P. Trub, Paul Vaucher, Max Vernaud, Georges Vittoz, Jean Vivien, Rene Vuilleumier, Jean Wachsmuth, Edouard Waldvogel, P. Walter, Paul Weber, Bertrand Zweifel.

Uruguay: Earl M.. Smith.

A NOTE FROM THE SPONSOR

The Fellowship of Reconciliation is the sponsor of the International Committee of Conscience on Vietnam, as it was of its predecessor the wholly American Clergymen's Emergency Committee for Vietnam. This does not mean that all of the supporters of the various statements and other actions of these committees endorse the entire position

of the fellowship; many—perhaps most—of them do not, and their signatures commit them only to the statements they have signed, the one to the left in particular.

Considering the number of individuals involved and the complications of communication, however, it is unavoidable that decisions as to the time and circumstances under which these statements will be made public must be made by the fellowship. There will be those who will question the decision to publish this statement at this time. Their questions will be of two sorts:

1. Is it fair to publish a statement urging the United States to initiate peace moves at a moment when President Johnson has suspended the bombing of North Vietnam and is insisting on his readiness to negotiate peace?

2. Would it not be wiser to delay publication by 2 weeks more in order to have a fuller representation of signers from other countries? (Committees have been formed in a number of other countries, but have not had time to receive and transmit names of hundreds—perhaps thousands—of signers to the statement. It is probable that 2 weeks from now the number of signers listed here would be doubled or trebled.)

We have considered both these matters carefully and make these comments.

The peace offensive

We are gratified at the suspension of the bombing of North Vietnam, though we regret the continuation of bombing in South Vietnam and deplore the initiation of bombing in Laos. We rejoice at the emphasis on peace that has dominated our Government's statements in the past few weeks, and earnestly hope that it may continue. Some aspects of that emphasis, as well as the report that there has been no positive response from Hanoi make us uneasy, however.

Both in the President's state of the Union address and in other Government statements, the war in Vietnam continues to be described without qualification as "Communist aggression." From the point of view of North Vietnam and the National Liberation Front (Vietcong), however, the genesis of the war was the refusal of the South Vietnamese Government under President Diem, supported by the United States, to permit the 1956 elections that had been the keystone of the armistice signed in Geneva in 1954. That armistice, ending the war between the victorious Viet Minh and the defeated French, had provided for the withdrawal of the Viet Minh north of the 17th parallel and the French south of it, as a temporary measure until the French could withdraw completely and nationwide elections under international supervision in July 1956, would unite the country. Millions of non-Communists throughout the world, whatever their ultimate political sympathies, agree that the refusal to permit these elections was the violation of the armistice that laid the foundation for the conflict now going on.

In the second place, though the President on January 12 carried the matter of Vietcong representation in negotiations an inch further in saying that "we will consider the views of any group," he has not accepted what many qualified observers consider may be the sine qua non for negotiations; recognition of the Vietcong National Liberation Front as a full principal in such negotiations. Since NLF has been the principal opposition force throughout the last 10 years of war, and since it now actually governs substantial portions of South Vietnam, it is not hard to understand its insistence that it be a direct and full participant in the negotiations.

Why now?

January 23 is the final day of the lunar new year celebration known in Vietnam as Tet, and the final day of the truce agreed upon by both sides. The days that follow may well be decisive in determining whether this brutal, bloody war will be ended or escalated. Hence this is a critical moment for those whose compassion goes out to the helpless Vietnamese people caught in this storm of ideological destruction and murder, and who are concerned lest all humanity's future be engulfed in nuclear conflict.

This is the moment to bring maximum, insistent pressure on both sides to make peace, to moderate their rigidities. It is a moment to insist that the United States recognize and deal with motivations on the other side that are more than simple aggression. It is also a moment to insist that the Government of North Vietnam and the leaders of the National Liberation Front respond to the American peace proposals more positively than with vituperation and mockery, stating in unequivocal language what specifically they consider to be wrong and how it could be set right.

These are the considerations that led to the decision to publish the statement now, while the U.S. Government still seeks peace and, regrettably, even before the names of many signers from this country and abroad can be included.

We hope that those who read this statement will feel led also to bring maximum pressure to bear on both sides, with letters to all the parties involved. Letters to governments can be addressed to Washington, Hanoi, and Saigon, of course; letters to the Vietcong forces may be addressed to Front National de Liberation du Sud-Vietnam, 18 Longevin, El Mouradia, Algiers, Alegeria.

ALFRED HASSLER,
Executive Secretary,
Fellowship of Reconciliation.

THE MANSFIELD REPORT ON VIETNAM

Mr. GRUENING. Madam President, during the recess between the 1st and the 2d sessions of the 89th Congress, our able and distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], accompanied by four of our eminent colleagues, Senators MUSKIE, INOUYE, AIKEN, and BOGGS, at the request of the President, undertook a study mission to Europe and Asia.

As a result of this 30-day mission, the study group filed with the Senate Committee on Foreign Relations on January 3, 1966, a detailed, realistic report on the United States involvement in the undeclared war in Vietnam entitled: "The Vietnam Conflict: The Substance and the Shadow."

I ask unanimous consent that that report be printed at the conclusion of my remarks, together with the letter of transmittal.

The PRESIDING OFFICER. Without objection, it is ordered.

(See exhibit 1.)

Mr. GRUENING. Madam President, at the present time, it is obvious that the administration has under serious consideration the determination as to whether or not there should be further escalation of our military commitment in Vietnam. It would be well if those charged with such decision read carefully and fully the report submitted by Senator MANSFIELD and his colleagues.

Senator MANSFIELD is well qualified to head such a mission. A student of Asia, its history and politics, he submitted, February 25, 1963, and at various earlier times, reports on Vietnam and southeast Asia containing predictions of things to come there unless our policies were altered. His sage advice then remained unheeded. I hope his warning contained in this report will be more carefully considered.

The senior Senator from Vermont [Mr. AIKEN] was also a valuable addition to the study team, serving as he does as minority member of the Senate Committee on Foreign Relations with many years of experience in foreign affairs.

In fact, all the members of the study team are to be highly commended for the contribution which they have made to a more realistic appraisal of our Vietnamese involvement.

Some of the more important, sobering conclusions of the report are:

A rapid solution to the conflict in Vietnam is not an immediate prospect. This would appear to be the case whether military victory is pursued or negotiations do, in fact, materialize.

"Insofar as the military situation is concerned, the large-scale introduction of U.S. forces and their entry into combat has blunted but not turned back the drive of the Vietcong. The latter have responded to the increased American role with a further strengthening of their forces by local recruitment in the south and reinforcements from the north and a general stepping up of military activity. As a result the lines remain drawn in South Vietnam in substantially the same pattern as they were at the outset of the increased U.S. commitment. What has changed basically is the scope and intensity of the struggle and the part which is being played by the forces of the United States and those of North Vietnam.

Despite the great increase in American military commitment, it is doubtful in view of the acceleration of Vietcong efforts that the constricted position now held in Vietnam by the Saigon government can continue to be held for the indefinite future, let alone extended, without a further augmentation of American forces on the ground. Indeed, if present trends continue, there is no assurance as to what ultimate increase in American military commitment will be required before the conflict is terminated. For the fact is that under present terms of reference and as the war has evolved, the question is not one of applying increased U.S. pressure to a defined military situation but rather of pressing against a military situation which is, in effect, open ended. How open is dependent on the extent to which North Vietnam and its supporters are willing and able to meet increased force by increased force. All of mainland southeast Asia, at least, cannot be ruled out as a potential battlefield. As noted, the war has already expanded significantly into Laos and is beginning to lap over the Cambodian border while pressures increase in the northeast of Thailand.

Even if the war remains substantially within its present limits, there is little foundation for the expectation that the Government of Vietnam in Saigon will be able, in the near future, to carry a much greater burden than it is now carrying. This is in no sense a reflection on the caliber of the current leaders of Vietnam. But the fact is that they are, as other Vietnamese Governments have been over the past decade, at the beginning of a beginning in dealing with the problems of popular mobilization in support of the Government. They are starting, moreover, from a point considerably behind that which prevailed at the time of President Diem's assassination. Under present concepts and plans, then, what lies ahead is, literally, a vast and continuing undertaking in social engineering in the wake of such military progress as may be registered. And

for many years to come this task will be very heavily dependent on U.S. foreign aid.

The basic concept of present American policy with respect to Vietnam casts the United States in the role of support of the Vietnamese Government and people. This concept becomes more difficult to maintain as the military participation of the United States undergoes rapid increase. Yet a change in the basic concept could have a most unfortunate impact upon the Vietnamese people and the world at large. What is involved here is the necessity for the greatest restraint in word and action, lest the concept be eroded and the war drained of a purpose with meaning to the people of Vietnam.

This danger is great, not only because of the military realities of the situation, but also because, with few exceptions, assistance has not been and is not likely to be forthcoming for the war effort in South Vietnam from nations other than the United States. On the contrary, as it now appears, the longer the war continues in its present pattern and the more it expands in scope, the greater will become the strain placed upon the relations of the United States with allies both in the Far East and in Europe.

Many nations are deeply desirous of an end to this conflict as quickly as possible. Few are specific as to the manner in which this end can be brought about or the shape it is likely to take. In any event, even though other nations in certain circumstances, may be willing to play a third-party role in bringing about negotiations, any prospects for effective negotiations at this time (and they are slim) are likely to be largely dependent on the initiatives and efforts of the combatants.

Negotiations at this time, moreover, if they do come about, and if they are accompanied by a cease-fire and standfast, would serve to stabilize a situation in which the majority of the population remains under nominal government control but in which dominance of the countryside rests largely in the hands of the Vietcong. What might eventually materialize through negotiations from this situation cannot be foreseen at this time with any degree of certainty.

That is not, to say the least, a very satisfactory prospect. What needs also to be borne in mind, however, is that the visible alternative at this time and under present terms of reference is the indefinite expansion and intensification of the war which will require the continuous introduction of additional U.S. forces. The end of that course cannot be foreseen, either, and there are no grounds for optimism that the end is likely to be reached within the confines of South Vietnam or within the very near future * * *.

EXHIBIT 1

LETTER OF TRANSMITTAL

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., January 3, 1966.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In accord with a letter from the President dated November 7, 1965, Senators AIKEN, MUSKIE, BOGGS, and INOUYE joined me in a study mission to Europe and to Asia. The group was drawn in part from the Senate at large, rather than exclusively from the committee, because it seemed to me that it would be useful to add to a joint effort of this kind, the views of Members who could bring other perspectives to the study. In this connection, the contributions of Senators MUSKIE, BOGGS, and INOUYE were exceptional. Insofar as Senator AIKEN is concerned, he also provided not only a bipartisan strength to our purposes, but his great wisdom and judgment and his knowledge based on a long Senate and committee experience.

The mission took us to France, Poland, the Soviet Union, Rumania, Ceylon, Burma, Thailand, Laos, Cambodia, Vietnam, Hong Kong, the Philippines, and Japan. Consideration was given to the inclusion of both Pakistan and India in the itinerary. It was decided that it would be inadvisable to include these two great countries, because the immediate difficulties with which they are beset over Kashmir are currently under active consideration before the United Nations, and it is the policy of the United States to support fully the efforts of that international body to alleviate these difficulties. In the circumstances and in view of the nature of the group, we did not wish by our presence even to imply otherwise. To avoid any possible misunderstanding, therefore, we proceeded by a longer route from Bucharest to Aden and across the Indian Ocean to Ceylon, making courtesy calls en route in Riyadh and Taiz.

On this mission, which took us more than 30,000 miles in over 30 days, we met with many of our own officials abroad and with officials of other governments. We went not to propound but to ask, to listen, and to note. To the extent that we spoke, it was to stress the essential unity of the Nation, irrespective of party or personal view in matters which affect the Nation in its relations with other nations. We emphasized the deep concern of the President and the people for peace, and the profound preference which this Nation has for the works of construction over those of destruction. We reiterated the deep and firm commitment of the United States to a just resolution of the conflict in Vietnam.

We were at all times correctly and courteously received and, on occasion, with very great warmth. Conversations with the officials of other governments were invariably frank, often animated, but never personally discourteous even where our points of view differed most markedly. Almost without exception, officials put their cards on the table We did the same.

Reports covering the situation in Vietnam and on other aspects of the mission were submitted to the President on December 19, 1965, the day following my return to Washington. Subsequently, these were discussed when I met with Secretaries Rusk and McNamara. A report reflecting the joint observations and conclusions of the group as the situation appeared to us in November–December 1965 is now submitted herewith to you as chairman of the Committee on Foreign Relations.

The situation in Vietnam and its worldwide ramifications constitute the gravest international problem which has confronted the United States in many years. In connection therewith, the forces of the United States in Vietnam (under Gen. William C. Westmoreland) are performing a profound service at great personal sacrifice on behalf of the Nation. It is essential that the full dimensions of the Vietnamese problem be explored and considered as thoroughly and as widely as practicable in present circumstances. It was in the hope that a constructive contribution will be made to this exploration and discussion, that this report was prepared for the use of the committee and the Senate. There has also been included, as an appendix to this report, a study made public by a similar Senate group on a previous Presidential mission 3 years ago. It may help to provide a useful perspective for the current situation in Vietnam.

I should like to note before closing a matter of special interest to the committee. The Ambassadors and the officers of the Department of State abroad were immensely helpful to the mission. Administrative arrangements for the group were exceptionally effective and efficient. The knowledge, understanding, and diplomatic skills of the embassy staffs which were placed at our disposal were generally outstanding in character. And the cooperation of the Defense Department, not only in providing efficient transportation but in many other ways, was of the greatest value to us.

The group had as escort from the Department of State, Minister Francis E. Meloy, Jr., Mr. W. O. Trone, Director of the Office of Operations, Department of State, and Mr. Paul Kelly. The Department of Defense provided the services of Maj. Gen. Charles R. Roderick, Col. Frank Goss, and Lt. Col. George L. J. Dalferes. The assistance of these men was highly effective in every respect and of the greatest value to the group.

Sincerely yours,

MIKE MANSFIELD.

THE VIETNAM CONFLICT: THE SUBSTANCE AND THE SHADOW

A. VIETNAM: THE SUBSTANCE OF WAR

1. Introductory

The most important new factor in the war in Vietnam has been the introduction of large numbers of U.S. troops into South Vietnam and their direct entry into combat. This augmentation of the U.S. military role in Vietnam was a response to a near-desperate situation early in 1965. There is no question that the Government of Vietnam in Saigon was faced with a rapidly deteriorating position at that time.

After the assassination of Ngo Dinh Diem, repeated coups had weakened the cohesiveness of the central authority and acted to stimulate public disaffection and indifference to the war. At the same time, there was a greatly accelerated military drive by strengthened Vietcong forces. Their control expanded over large areas of the country, particularly in provinces adjacent to the western borders. Communications and transportation between population centers became increasingly hazardous, except by Vietcong sufferance. In short, a total collapse of the Saigon government's authority appeared imminent in the early months of 1965.

U.S. combat troops in strength arrived at that point in response to the appeal of the Saigon authorities. The Vietcong counter response was to increase their military activity with forces strengthened by intensified local recruitment and infiltration of regular North Vietnamese troops. With the change in the composition of opposing forces the character of the war also changed sharply.

2. Military forces of the Government of Vietnam

The Government of Vietnam now has approximately 635,000 men under arms. Of this number, however, only about 300,000 are regular troops of the Army, Navy, Air Force, and Marines, with about 88 percent being Army troops. A general reserve of six airborne battalions and five marine battalions is equipped to fight anywhere in the country.

The Vietnamese Government has six fighter-bomber squadrons. It also has a small navy, composed of sea, river, and coastal forces.

In the total of 635,000 men there are also regional forces of about 120,000 men which act as a constabulary in the 43 provinces. Each province chief, who has a military as well as a civil capacity, has a number of regional force companies under his command. Popular forces number about 140,000. Lightly armed, this group is recruited as a rule from local youth to act as defenders of villages and hamlets. A civilian irregular defense group is recruited by the Vietnamese Special Forces. It numbers about 25,000 and is posted in border areas for patrol purposes. Finally, there is a national police of about 50,000 men.

The total of 635,000 men in all categories is expected to be expanded in the current year, although a substantial increase is not anticipated. The sources of expanded recruitment are not great and, in any event,

are shared with the Vietcong. Moreover, a high desertion rate continues, despite determined efforts to reduce it.

3. U.S. and international forces in Vietnam

In 1962, U.S. military advisers and service forces in South Vietnam totaled approximately 10,000 men. This number had increased by May of 1965 to about 34,000. At that time the American force was still basically an advisory organization. Americans, in regular combat units, were not yet engaged on the ground. U.S. helicopter companies were in use but only to supply tactical transportation to regular Vietnamese units and the U.S. jet fighter-bombers in the country with the exception of two or three squadrons of aircraft were not yet engaged in support of the Vietnamese Armed Forces.

By December 1965, however, there were approximately 170,000 U.S. troops in South Vietnam. Additionally, there were about 21,000 soldiers and marines from the Republic of Korea, an infantry battalion, and a battery of artillery, comprising some 1,200 men, from Australia, and a New Zealand artillery battery of about 150 men.

The augmented U.S. ground forces were composed of two Army divisions, the 1st Infantry Division, and the 1st Air Cavalry Division, and two separate brigades, the 1st Brigade, 101st Airborne Division, and the 173d Airborne Brigade. The Australian and New Zealand troops were attached to the latter group. A full U.S. Marine division reinforced by a separate regiment was in Vietnam with the support of six Marine fighter-bomber squadrons.

The small Vietnamese coastal force was augmented by a number of U.S. naval ships and Coast Guard vessels. The U.S. 7th Fleet was off the Vietnamese coast. Planes from its carriers were active in the air campaign against North Vietnam. They were also reinforcing the U.S. Air Force and Vietnamese fighter-bomber squadrons in operations in South Vietnam.

Ten U.S. Air Force and Marine fighter-bomber squadrons were operating from five jet airfields in Vietnam; a sixth field was under construction. B–52 bombers from Guam were providing additional air strength, concentrating on more remote Vietcong bases which had previously been immune to harassment or attack.

The magnitude of the expanded U.S. military effort has required a vastly enlarged support complex. Starting almost from scratch in May of 1965, a logistic system has been built. There are four major logistic support areas. One is in the Saigon region, including Bien Hao and Vung Tau. The other three are located along the coast, at Cam Ranh Bay, at Qui Nhon in Binh Dinh Province, and at Da Nang. The rapid infusion of American forces has strained the facilities of the new logistic system to the utmost, with long delays in unloading and moving equipment not unusual. There have also been and still are shortages of important items of supply despite efforts to eliminate these shortages.

4. Relationship of United States and Vietnamese forces

From the point of view of American policy and practice, the war itself remains a Vietnamese war. The American command emphasizes that U.S. forces in Vietnam are there to support the Vietnamese and their Armed Forces in the effort to resist aggression by infiltration from the north and terrorism and subversion from within. Vietnamese sovereignty and the paramount role of the Vietnamese are meticulously respected and the supporting nature of the U.S. role is stressed.

There is no combined or unified command of the international forces in Vietnam. United States and Vietnamese forces work together through coordination and cooperation. The commander of the U.S. forces maintains close liaison with the Vietnamese Minister of Defense and the Chief of the Joint General Staff. Strategy and plans are devised together. Parallel instructions are then issued to the respective commanders through corps and division to regimental level. In the execution of an operation a joint command post is set up or liaison officers are exchanged and terrain is apportioned for tactical areas of operation. According to American military commanders these arrangements have proved to be practical and workable.

5. Vietcong-North Vietnamese forces

In December 1965, the best available estimates placed Vietcong strength in South Vietnam at 230,000 men. This figure is double that of 3 years ago. Total Vietcong strength, apparently, is steadily increasing despite the serious casualties which these forces have suffered during the past few months.

Of the present total, approximately 73,000 are main force soldiers, including 14,000 regular PAVN (Peoples' Army of North Vietnam) troops from North Vietnam. The Vietcong forces also include about 100,000 militia, some 17,000 support troops who operate along lines of communication, and approximately 40,000 political cadres. It is estimated that the Vietcong, through local recruitment in the south and infiltration from the north, have the capability of a substantial increase in their numbers within a short period of time.

Infiltration of men from North Vietnam through Laos has been going on for many years. It was confined primarily to political cadres and military leadership until about the end of 1964 when North Vietnam Regular Army troops began to enter South Vietnam by this route. It is anticipated that with the multiplication of routes through Laos the rate of infiltration is likely to increase threefold from the present estimated 1,500 per month. The monsoon, which earlier was considered to be of great significance in its effect on the reinforcement capabilities of the Vietcong as well as on the ability of both sides to prosecute the war, has proved in experience to be of minor consequence if, indeed, of any consequence at all.

6. Current state of the war

By November 1965, American troops were directly involved in battle to a much greater degree than at any other time in the history of the Vietnamese conflict. At the same time, the intensity of the war itself reached a new high. The Vietcong initiated 1,038 incidents during the last week of November and the total number of incidents which had increased steadily throughout 1965, reached 3,588 in that month. These incidents involved armed attacks up to regimental strength as well as terrorism and sabotage of various kinds of antiaircraft fire against U.S. aircraft. In the later months of 1965 the trend was toward larger attacks, except in the Mekong Delta where there were numerous small-scale actions.

With the increase in the intensity of the conflict, there were increased numbers of casualties among all participants In the month of November 1965, alone, 469 Americans were killed in action, a figure representing about 35 percent of all Americans killed in action in the war until that date. In addition 1,470 Americans were listed as wounded and 33 as missing. During the same month the South Vietnamese Army reported 956 soldiers killed in action, 2,030 wounded, and 355 missing. The Vietcong, for their part, are estimated to have lost 5,300 men killed in the month and, in addition, 595 were taken prisoner. Many of these casualties were regulars of the North Vietnamese Army.

7. The security situation in South Vietnam

The presence of U.S. combat forces has acted to arrest the deterioration in general security in Government-controlled parts of South Vietnam. It has also improved the ability of the Vietnamese Government to hold Saigon, the strategic heart of the country, the coastal bases, and certain other key areas in the country. In the latter connection, it should be noted that a strategic route (19) from the coast to the western highlands has been reopened for convoyed ground traffic to Plieku, a major military strong point in the western highlands. On certain other roads, an improvement in security is also reported.

8. Vietcong reactions

Faced by a blunting of their military efforts, the Vietcong have reacted strongly to the new situation. Beginning in June an estimated 1,500 North Vietnamese troops per month have entered South Vietnam through Laos and this number is rapidly increasing. The estimates are that at least seven regiments of regular troops from North Vietnam are now in the country with more on the way. At the same time the Vietcong have in recent months greatly stepped up the recruiting, induction, and training of South Vietnamese in the densely populated delta region. They have increased their small-scale attacks in that area, aiming apparently at isolated outposts and at demoralizing the regional and popular forces as well as harassing lines of supply and communication.

The stepped-up activity of the Vietcong in the countryside has been paralleled by an effort on the part of the Government forces to strengthen their control over the population in the base areas and their immediate environs. These base areas themselves are held in some force. At the U.S. Marine base at Da Nang, for example, the perimeter of security has been pushed out about 10 miles. The bulk of the U.S. Marine forces, however, is now preoccupied in defense within that perimeter. Nevertheless, it is still possible for the Vietcong to bypass the defenders and penetrate the area in sporadic hit-and-run raids. Communications between the base areas along the coast are still subject to Vietcong ambush and attack.

In Saigon, heavily defended as it is, the rattle of automatic weapons fire or the explosion of mortar shells in the outskirts of the city are not uncommon sounds by day or by night. Vietcong ability to carry out terroristic attacks within the city itself is from time to time made evident. Indeed, it is considered by some that Saigon with its many vulnerabilities to sabotage and terrorism and Hanoi with its exposure to air attack are mutual hostages, one for the other.

9. Impact of increased American forces on the Vietnamese

The arrival in Vietnam of American combat troops in large numbers has had an immediate positive psychological effect on Government-held areas. Not only has there been an improvement of morale in the Government and the Armed Forces, there has also been a return of confidence among Vietnamese civilians. This is especially true in Saigon where the increased American presence is taken as insurance against an imminent collapse of the existing structure.[1] Politically and commercially minded Vietnamese, seeing that the United States had so far committed itself, have found renewed courage and confidence.

[1] The illustrative story is told of the Vietnamese professional man who sold his house in Saigon in January of 1965 in despair over the deteriorating situation, only to buy back the same house later in the year, following the arrival of American troops, for twice the price at which he had sold it.

Of great significance is the fact that there has been a period of Government stability in Vietnam following the arrival of additional U.S. troops. This stability is more essential than ever for the maintenance of public confidence after the debilitating consequences of the repeated coups which followed the assassination of President Diem. It is also vital for the effective prosecution of the war and the formulation and carrying out of social, economic, and political reform programs.

10. The government of Gen. Nguyen Cao Ky

The new leadership in Government, which is drawn largely from military circles, is young and hopeful, but with little knowledge of politics. Gen. Nguyen Cao Ky, the Prime Minister, recognizes that a purely military solution to the problems of Vietnam is not possible. Security and social and economic reform, in his view, must proceed hand in hand in order to gain the support of the people.

The new leaders express the intention of moving toward some form of representative civilian government, taking into account the history and needs of the Vietnamese people. They speak of a consultative assembly to prepare the way for a constitution and hearings throughout the country on the constitution with a view to a referendum at the end of 1966. The referendum, according to their concepts, would be followed by elections to a legislative body by the end of 1967, if by that time elections can be held without intimidation in as much as two-thirds of the country. Some observers believe that, perhaps, not more than 25 percent of the villages under Government control in South Vietnam would be free from intimidation at an election at the present time.

In addition to prosecuting the war, the Government of Vietnam is seeking to initiate measures to protect and improve the welfare of the population. With the indispensable assistance of U.S. aid, food and other commodities are being imported into the country to meet current needs and to insure that the price of staples such as rice, fish, and canned milk remain within the reach of the people.

11. The pacification or civic action program

A new effort is also being made to bring the people of the villages into closer and firmer rapport with the Government. In the period following the fall of the government of Ngo Dinh Diem, the so-called pacification or civic action program which brought government, police, economic, and social organization into the hamlets, was allowed in large measure to lapse. Due to subsequent changes of government, there were eventually only a very few people left to carry on this work. Military necessity required the Government to concentrate on attempting to stop Vietcong military advances.

The present Government is once again seeking to create an organization to carry out a program of pacification or civic action. Screening the cadres left from the programs of previous governments, a basic group has been selected. Together with additional groups to be trained it is expected that a total number adequate to meet the needs for pacification teams in the priority areas chosen by the Government of Vietnam will be available by the end of 1966.

The present plan for pacification work is regarded by observers as more thorough and more realistic than previous efforts. It contemplates teams remaining in each village for an initial period of several months with subsequent followups over a period of at least 1 year. The belief is that the inhabitants can generally be sufficiently won over to the side of the Government in that period and conditions established where elections for local officials can be held. It is realized, however, that even then the work cannot be considered as completed.

12. Other programs

In addition to giving strong support to the pacification program, the new Government has numerous other plans to better the lot of the people. There are, for example, projects to improve the pay of the troops, construct low-cost housing, and redistribute land. In this connection a program has been inaugurated to give 700,000 acres of land to 180,000 farmers. It is generally recognized that Government programs of this kind, many of which have been attempted in various forms before, will require years before any substantial political effect upon the population can be anticipated.

13. Economic aspects of the conflict

The Government of Vietnam has also instituted a resources control program in an effort to restrict the Vietcong's ability to get the things they need to carry on the war. In most parts of Vietnam, which is a naturally rich and productive country, it is not difficult to obtain enough food to support life. This is particularly true in the fertile and densely populated delta of the south with its great rice fields and network of interconnecting canals. The Vietcong obtain money by many means, including taxation and extortion, and they can and do use these funds to purchase food in the countryside and medicines in district and provincial towns. The Vietcong can and do attack trucks and convoys on the roads and seize the weapons, ammunition, and the other goods which they may carry.

By a system of rationing, identity cards, and resource control, including checkpoints and mobile control teams, however, the Government hopes to stop the Vietcong from obtaining key commodities such as food and medicines in key areas such as the highlands, which is a deficit region. In other areas it is hoped that the system will make goods less available for the Vietcong and more difficult for them to obtain.

It must be said that there is also a reverse side to this picture. The Vietcong, operating in the countryside, have the ability to restrict the flow of food to cities and population centers such as Saigon. Vegetables, for example, come to Saigon from Dalat in the central highlands. Sugar also comes to Saigon along the same road which is controlled in part by the Vietcong. It is common knowledge that commodities reaching Saigon's markets by road from the Dalat area have paid a tax to the Vietcong before reaching the city and that unless the tax is paid they will not reach the city. The fact is plain: Much of Saigon's indigenous food and commodity supply depends on the sufferance of the Vietcong and on payments to them.

The ravages of war and terrorism, however, are taking a toll of the country's productive capacity. Rice fields and rubber plantations in areas that are being bombed and fought over no longer produce their contribution to feed the people and to nourish the economy. Fledgling enterprises in outlying areas, cut off from supplies and from markets by interrupted communications, wither and fail.

Along with increased Vietcong activity in the delta in recent months, there has been growing Vietcong restriction on the flow of rice from that region to the Saigon market. The result is that Vietnam, a rice surplus region, in 1966 will have to import at least 300,000 tons of rice from abroad under U.S. aid programs to feed the population of the cities and towns under the Government's control.

Although, as has been said, the arrival of large numbers of American troops has gone far to restore business confidence in the cities of Vietnam, there have been adverse effects as well. One of these is the creation of a labor shortage, particularly among skilled workers, as men have been drained away from normal areas of employment to the base complexes and other regions where construction projects are being pushed to create the logistic structure and other facilities required by the American forces.

Inflationary pressures resulting from the war and the changed U.S. role have thus far been kept within bounds. Saigon itself, however, has an overstimulated atmosphere of almost hectic prosperity, in some respects, as the impact of spending by American servicemen and the effect of U.S. defense expenditure make themselves felt. There are also the beginnings of the rumblings of personal discontent and antagonism which generally characterize the reaction in any nation to the sudden infusion of a large body of foreign forces.

14. Summation

In sum, the overall control of the country remains about the same as it was at the beginning of 1965. It is estimated that about 22 percent of the population is under Vietcong control and that about 18 percent inhabits contested areas. About 60 percent of the population in the country is, at present, under some form of government control, largely because of its hold on Saigon and other cities and large towns.

The population of the cities has been augmented by a great number of refugees. Hundreds of thousands in number, they are for the greater part composed of people who have fled to the cities in an effort to escape the spreading intensity of the war. In this sense, they are unlike the refugees who came from North Vietnam in 1954. These earlier refugees consciously chose to leave their ancestral homes and come south permanently, rather than accept a Communist regime. The new refugees, for the most part, are believed merely to be waiting for an end to the fighting in order to return to their homes and land.

The Vietcong have stepped up sabotage, terrorism, and hit and run attacks in the Government-held areas which are, principally, cities and major towns and indeterminate, but limited, extensions outward from them. Harassment by United States and Vietnamese air attack and airborne forces has increased in the firmly held Vietcong areas of South Vietnam which are almost entirely rural. And, of course, North Vietnam has been brought under air attack.

In general, however, what the Saigon government held in the way of terrain in the early months of 1965 (and it was already considerably less than was held at the time of the assassination of Ngo Dinh Diem), is still held. What was controlled then by the Vietcong is still controlled by the Vietcong. What lay between was contested at the outset of 1965 and is still contested.

B. VIETNAM AND THE NATIONS OF ASIA

Other nations of Asia generally view the conflict in Vietnam with great concern. Those countries nearest to Vietnam see in the spread and increasing intensity of the warfare a heightened danger of a spillover into their territory. They sense that the longer the conflict continues and the more it escalates the greater becomes this danger to themselves. Furthermore, they fear the effect upon their own future should all of Vietnam become a Communist state.

Laos already finds itself deeply although unwillingly involved on the fringes of the war in Vietnam. The fighting within Laos, which continues despite the 1962 Geneva Agreement, is now a closely interwoven part of the Vietnamese struggle. The connection is most pronounced in the eastern part of Laos which lies within the control of the Communist Pathet Lao forces. This region, the so-called Laotian panhandle, is a natural infiltration route for men and supplies from North Vietnam into South Vietnam. A long border abutting on South Vietnam makes it possible for troops and equipment from Hanoi to reach far south through Communist-

controlled territory in Laos with a minimum of risk before being diverted across the border into South Vietnam by any number of lateral communications routes. New roads have been constructed through this mountainous terrain along which men and supplies can pass, for the most part undetected, protected as they are in some regions by double canopies of jungle foliage. These roads are not easily susceptible to aerial interdiction.

Cambodia, in a different manner and to a much lesser extent than Laos, is already directly touched by the fighting in Vietnam. There are repeated charges that Cambodian territory is being used as a base for Vietcong operations. That is possible in view of the remoteness and obscurity of the border but there is no firm evidence of any such organized usage and no evidence whatsoever that any alleged usage of Cambodian soil is with the sanction much less the assistance of the Cambodian Government. Prince Sihanouk responded immediately to a recent allegation that the Cambodian port of Sihanoukville is being used to transship supplies to the Vietcong by calling for an investigation by the International Control Commission which was set up under the Geneva accords of 1954.

Cambodia's overwhelming concern is the preservation of its national integrity which, in times past, has been repeatedly violated by more powerful neighbors and is still subject to occasional forays from a minor dissident movement (the Khmer Serai) which has been allowed to base itself in the neighboring nations. Cambodia seeks recognition and respect of its borders by all parties to the conflict. It asks to be left to live in peace so that it may concentrate on its own problems and internal development. The Cambodians have made great internal progress, largely through their own efforts supplemented by a judicious use of aid from the United States in the past and from other nations both in the past and at the present time. They have a peaceful and productive nation with an intense sense of national unity and loyalty to Prince Sihanouk.

The fact that fighting in South Vietnam has raged close to the border and there have, as a result, been occasional border incursions and bombing of Cambodian territory has caused the deepest concern to the Cambodian Government. Cambodia can be expected to make the most vigorous efforts to resist becoming directly involved in the struggle surging through South Vietnam and to repel to the best of its capability direct and organized invasions of its territory which may stem from the mounting tempo of the war.

Thailand, the only country on the southeast Asian mainland directly allied with the United States, seeks to cooperate with the United States as an ally while avoiding a spillover of the war into Thai territory. That course is becoming increasingly difficult to maintain. Thailand has a large number of North Vietnamese living in its northeast region bordering on Laos. This element retains an affinity for Hanoi and is susceptible to its influence. Moreover, in the recent past Peiping has brought to the forefront a Thai leader in exile and has increased the intensity of its propaganda attacks against Thailand. Reports of terrorism and sabotage in the northeast of Thailand are increasing.

The Vietnamese war was brought very close to Thai territory in November 1965. A Pathet Lao military thrust toward the Laotian town of Thakkek on the Mekong, which was supported by North Vietnamese troops, was fortuitously driven back by Government forces. Had it not been repelled, the war, in effect, would have reached the point where it made direct contact with Thailand's frontier.

Nations in Asia more geographically remote from the war in South Vietnam are nonetheless conscious of the dangers to the entire area as the struggle in South Vietnam becomes more prolonged and ever more intense. These countries range from neutral and nonaligned Burma through such allies of the United States as the Philippines and Japan.

Each of the countries of Asia has its own internal problems. Each has varying degrees of internal stability. Each has a principal concern, the avoidance of direct involvement in the Vietnamese conflict. With the exception of Korea, there is little likelihood of substantial material help from these sources in providing military assistance in South Vietnam. Others are either unwilling or reluctant to become involved in a military sense or are unable to do so because of inner difficulties or the broader strategic requirements of the Asian situation. Even with respect to Korea, it is obvious that any withdrawal of forces for use in Vietnam creates new problems of military balance as between North and South Korea. It should not be overlooked that peace in the Korean peninsula is still held together only by a tenuous truce.

The Asian nations generally are aware of their own relative powerlessness to influence the main course of events, or, in the final analysis, to control their own destinies should the conflict in Vietnam ultimately develop into a confrontation between the United States and Communist China with all that such an eventuality might imply for the peace of Asia and the world. In Japan, for example, there is a deep anxiety over the possible consequences to that nation of such a confrontation if it should materialize. The memory of the escalation of the limited Manchurian incident of 30 years ago into a seemingly interminable war on the mainland of China is not yet dead in Japan.

To sum up, then, the nations of Asia recognize the immense importance to themselves of what is transpiring in Vietnam. But they also recognize their own limitations in the face of it. Their immediate preoccupation, in any event, is with their own internal problems and development. Throughout the area there is a continuing interest in activities involving peaceful cooperation for economic development. The Peace Corps is generally welcomed wherever it operates and, notably, in the Philippines. The new Asian Development Bank is being launched with considerable enthusiasm. The Mekong project has warm support throughout the region and considerable interest in Cambodia, which is central to the concept.

It is clear that none of the nations of the area desires the domination of either China or the United States. Given a choice, it is doubtful that any nation would like to see the influence of the United States withdrawn completely from southeast Asia. Generally speaking, the nations of the area welcome peaceful ties with the United States and our participation in the development of the region if that participation does not become overwhelming.

C. THE SOVIET UNION AND EASTERN EUROPE

Without exception the Soviet Union, Poland, and Rumania give full and firm support to the position of Hanoi and the Vietcong. They are quick in their denunciation of the U.S. role in South Vietnam and vehement against U.S. bombing in North Vietnam.

Part of this solidarity is undoubtedly derived from ideological affinities. Whatever attitudes they may manifest toward Communist China, and they vary, it is clear that responsibility for the continuation of the conflict in Vietnam is assigned to the United States and this is regarded as an impediment to improvement in political relations with this country.

There is no reason to believe that the Soviet Union, in present circumstances, sees its way clear or, in fact, is anxious to play a significant role to assist in bringing an end to hostilities in Vietnam. The Soviet Union has steadfastly refused to join with the United Kingdom, the other Cochairman of the 1954 Geneva Conference, in calling for a reconvening of that Conference. They have emphasized repeatedly in public statements as well as in other ways that they have no intention of taking an initiative for peace in Vietnam at this time.

The countries of Eastern Europe have reason for concern over the continuation of the conflict in Vietnam and its escalation. Some of these reasons have to do with their own national preoccupations and the situation in Europe. Both Poland and Rumania, for example, have a very substantial trade with the Western World and remain interested in increased trade with the United States should conditions permit. Both might well be disposed to make a contribution to a settlement of the Vietnam problem to the extent their capabilities permit but only should they see some possibility of success.

D. COMMUNIST CHINA

Behind the war in Vietnam, behind the fears and preoccupations of other Asian nations and through the attitudes of the Eastern European countries and the Soviet Union runs the shadow of Communist China.

Until now the Chinese Communists have not introduced their manpower directly into the conflict although they clearly recognize that the war may reach that point. They recognize, too, that the war may impinge upon China herself at some point and have begun to make preliminary preparations for that eventuality.

For the present, however, the Chinese appear to take the view that their direct intervention in Vietnam is not required since: (1) the war in South Vietnam is a people's war which the Vietcong are winning; (2) North Vietnam is successfully defending itself; (3) the more the United States escalates the war the higher our casualties will be and the more discouraged we will become; and (4) the United States cannot win, in any event, according to Chinese theories.

It is from Communist China that Hanoi and the Vietcong derive the bulk of their outside material support. It is from Communist China that there has also flowed encouragement of resistance to negotiation or compromise. As the war escalates and Hanoi becomes ever more dependent upon Chinese support, a dependence which Soviet aid at best only tempers, the likelihood also increases that North Vietnam will not be able to negotiate a settlement without at least the tacit consent of China. In fact, that point may already have been reached.

E. CONCLUDING COMMENTS

A rapid solution to the conflict in Vietnam is not in immediate prospect. This would appear to be the case whether military victory is pursued or negotiations do, in fact, materialize.

Insofar as the military situation is concerned, the large-scale introduction of U.S. forces and their entry into combat has blunted but not turned back the drive of the Vietcong. The latter have responded to the increased American role with a further strengthening of their forces by local recruitment in the south and reinforcements from the north and a general stepping up of military activity. As a result the lines remain drawn in South Vietnam in substantially the same pattern as they were at the outset of the increased U.S. commitment. What has changed basically is the scope and intensity of the struggle and the part which is being played by the forces of the United States and those of North Vietnam.

Despite the great increase in American military commitment, it is doubtful in view

of the acceleration of Vietcong efforts that the constricted position now held in Vietnam by the Saigon Government can continue to be held for the indefinite future, let alone extended, without a further augmentation of American forces on the ground. Indeed, if present trends continue, there is no assurance as to what ultimate increase in American military commitment will be required before the conflict is terminated. For the fact is that under present terms of reference and as the war has evolved, the question is not one of applying increased U.S. pressure to a defined military situation but rather of pressing against a military situation which is, in effect, open ended. How open is dependent on the extent to which North Vietnam and its supporters are willing and able to meet increased force by increased force. All of mainland southeast Asia, at least, cannot be ruled out as a potential battlefield. As noted, the war has already expanded significantly into Laos and is beginning to lap over the Cambodian border while pressures increase in the northeast of Thailand.

Even if the war remains substantially within its present limits, there is little foundation for the expectation that the Government of Vietnam in Saigon will be able, in the near future, to carry a much greater burden than it is now carrying. This is in no sense a reflection on the caliber of the current leaders of Vietnam. But the fact is that they are, as other Vietnamese Governments have been over the past decade, at the beginning of a beginning in dealing with the problems of popular mobilization in support of the Government. They are starting, moreover, from a point considerably behind that which prevailed at the time of President Diem's assassination. Under present concepts and plans, then, what lies ahead is, literally, a vast and continuing undertaking in social engineering in the wake of such military progress as may be registered. And for many years to come this task will be very heavily dependent on U.S. foreign aid.

The basic concept of present American policy with respect to Vietnam casts the United States in the role of support of the Vietnamese Government and people. This concept becomes more difficult to maintain as the military participation of the United States undergoes rapid increase. Yet a change in the basic concept could have a most unfortunate impact upon the Vietnamese people and the world at large. What is involved here is the necessity for the greatest restraint in word and action, lest the concept be eroded and the war drained of a purpose with meaning to the people of Vietnam.

This danger is great, not only because of the military realities of the situation but also because, with a few exceptions, assistance has not been and is not likely to be forthcoming for the war effort in South Vietnam from nations other than the United States. On the contrary, as it now appears, the longer the war continues in its present pattern and the more it expands in scope, the greater will become the strain placed upon the relations of the United States with allies both in the Far East and in Europe.

Many nations are deeply desirous of an end to this conflict as quickly as possible. Few are specific as to the manner in which this end can be brought about or the shape it is likely to take. In any event, even though other nations, in certain circumstances, may be willing to play a third-party role in bringing about negotiations, any prospects for effective negotiations at this time (and they are slim) are likely to be largely dependent on the initiatives and efforts of the combatants.

Negotiations at this time, moreover, if they do come about, and if they are accompanied by a cease-fire and standfast, would serve to stabilize a situation in which the majority of the population remains under nominal government control but in which dominance of the countryside rests largely in the hands of the Vietcong. What might eventually materialize through negotiations from this situation cannot be foreseen at this time with any degree of certainty.

That is not, to say the least, a very satisfactory prospect. What needs also to be borne in mind, however, is that the visible alternative at this time and under present terms of reference is the indefinite expansion and intensification of the war which will require the continuous introduction of additional U.S. forces. The end of that course cannot be foreseen, either, and there are no grounds for optimism that the end is likely to be reached within the confines of South Vietnam or within the very near future.

In short, such choices as may be open are not simple choices. They are difficult and painful choices and they are beset with many imponderables. The situation, as it now appears, offers only the very slim prospect of a just settlement by negotiations or the alternative prospect of a continuance of the conflict in the direction of a general war on the Asian mainland.

ADMIRAL RICKOVER WRITES ABOUT LEWIS AND CLARK

Mr. MUNDT. Madam President, one of America's most imaginative and active minds belongs to the eminent naval officer, Adm. H. G. Rickover. He possesses many talents. He has a wide range of interests. No matter on what subject he writes or talks, he is always able to interpret the information in a colorful and interesting way.

During the congressional recess, I received a letter from Admiral Rickover, written in the North Atlantic, aboard the U.S.S. *Lewis and Clark*, our new nuclear submarine. This is our 33d nuclear submarine, Admiral Rickover reported, and, added to the fleet of 22 other attack-type submarines, brings our total attack fleet to 55.

However, the very interesting part of the admiral's letter was a review of the accomplishments of Meriwether Lewis and William Clark, the famous explorers who traveled through the area which now comprises my home State, as well as all the States adjacent to the Missouri River. Admiral Rickover gives a condensed review of the travels of Lewis and Clark in a most vivid manner. Because I feel that not enough is known about these famous explorers, or what they hoped to do and what they actually did do, I asked Admiral Rickover for permission—which I have received—to place his letter in the CONGRESSIONAL RECORD where I am sure it will be read by many persons heretofore unfamiliar with a great part of our American history and heritage.

I ask unanimous consent that this letter be printed in the RECORD.

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

AT SEA, U.S.S. "LEWIS AND CLARK"
(SSBN–644),
North Atlantic, November 16, 1965.

HON. KARL E. MUNDT,
U.S. Senate.

DEAR SENATOR MUNDT: We have just successfully completed the first sea trials of the U.S.S. *Lewis and Clark*, our 33d Polaris nuclear submarine. We also have in operation 22 attack type nuclear submarines, making a total of 55. The *Lewis and Clark* was built by the Newport News Shipbuilding and Dry Dock Co., Newport News, Va.

This ship is named for Meriwether Lewis (1774–1809) and William Clark (1770–1838), the Virginia-born captains under whose joint command a small American Army unit (3 sergeants, 24 men, 1 Indian, and 2 French Canadian interpreters) crossed from St. Louis to the mouth of the Columbia River and back, thus completing one of the great transcontinental voyages of exploration, ranking in importance with those of Balboa (1513) and Mackenzie (1793).

Planned and personally supervised by President Jefferson, the expedition had as its objective exploration of "the Missouri River, and such principal streams of it, as, by its course and communication with the waters of the Pacific Ocean * * * may offer the most direct and practicable water communication across this continent." If such a water route could be found, much of the lucrative fur trade, then largely in Canadian hands, might be diverted to American seaports. The President had long been interested in exploring this possibility; had, in fact, given aid to three previous attempts that came to nothing. He obtained from the Congress authorization and an initial grant of $2,500 in January 1803, a few months before the uncharted territory to be traversed by Lewis and Clark passed into our possession through the Louisiana Purchase. The expedition got underway, May 1804, in a bateau and two pirogues and did not return until nearly 2½ years later.

It is difficult for us to realize the importance of water transportation in those days. Men were inclined to believe certain navigable routes must exist simply because they so ardently wished that they should exist. Thus, the hope of reaching the Orient by sailing westward was not relinquished even after it became known that the American land mass stood as a barrier between the Atlantic and Pacific Oceans; this hope was merely transferred northward to the inland waterways of North America, where for 300 years Spaniards, Frenchmen, and Englishmen diligently searched for the mythical Northwest Passage first postulated by Verrazano in 1524. To discover this passage was one of the avowed objects of the Hudson Bay Co.

Some envisaged it as a strait across Canada at the latitude of Hudson Bay, others as a commingling of the headwaters of major eastward and westward flowing rivers. Both versions of the myth were inscribed, as late as 1767, in Jonathan Carver's map of America. Explorers kept the myth alive by asserting as fact what was pure fantasy. Thus, in 1765, Robert Rogers stated categorically that between the sources of the Missouri and the great river of the west the portage was not above 30 miles. His river of the west was pure figment of the imagination but, oddly enough, speculation placed it near the actual location of the Columbia. No one then knew of the Rocky Mountains or imagined that such a barrier might divide America's eastern and western rivers.

It must be counted a major gain of the Lewis and Clark expedition that it laid to rest forever the myth of a navigable passage across the continent. It established, by actual observation, that the sources of the Missouri and Columbia lay too far apart for an easy portage and that neither river was truly navigable in its upper reaches. A feasible route from St. Louis to the Pacific was, indeed, mapped out, but 430 miles of it ran overland through rugged terrain, and the 3,555 miles by river were part way navigable by canoe only. Not until a century later did Amundsen find the only true Northwest Passage which does not, of course, bisect the continent but runs along Baffin Island

through the Arctic Ocean. In 1960, the nuclear submarine *Seadragon* traversed the passage underwater.

If then the Lewis and Clark expedition could find no natural and easy cross-continental water route, it accomplished what in the end proved more important: It greatly strengthened our claim to the Oregon Territory, originally based on the discovery of the Columbia River in 1792 by Capt. Robert Gray of the American ship *Columbia Rediviva*. Over the route mapped by Lewis and Clark soon came American trappers, and in 1811 Fort Astoria was built at the mouth of the Columbia, the first permanent settlement in the Oregon country.

America won the race to the Pacific by a hair's breadth, for Canadian traders were fast approaching the coast. Mackenzie had traversed Canada from Lake Athabaska to the mouth of the Bella Coola as early as 1793. Simon Fraser came down the river named for him in 1808, and David Thompson followed part of the Lewis and Clark route in 1811. When he reached the mouth of the Columbia, he saw the American flag flying over Fort Astoria—it had been raised but a few months earlier. As the historian John Bakeless writes: "Because of the Corps of Discovery, Oregon is American today. And 10 white stars in the blue field of Old Glory stand for States of the Union that one by one grew up in the farms and mills, cities and homesteads, along the trail where weary men in tattered elk-skin cursed the rocks that tore their feet, sweated at the tow rope, poled against the savage current of the muddy Missouri, stumbled in the chilly streams of the Rockies, and staggered down the western end of the Lolo Trail." It had been a hard journey and a long one. When Clark wrote in his diary, November 7, 1805, "Ocean in view. Oh joy." the weary explorers doubtless felt much the same triumph and relief as the men on the three small Spanish caravels when they heard the lookout on the *Pinta* cry "Tierra! Tierra!"

Charting a course—4,000 miles each way—through unknown territory inhabited by numerous, often hostile Indians, surely was difficult enough, but many other tasks were imposed on Lewis and Clark by Jefferson. He instructed them to keep a daily record of the weather and an accurate description of the route traversed; to ascertain "by celestial observation, the geography of the country"; describe in detail its fauna, flora and mineral wealth; report on the character, customs and languages of the Indians they encountered and try to win their friendship for the United States. It has been truly said that these tasks would seem superhuman had not the diligent and intrepid commanders fulfilled them all very nearly to the letter. Except for one sergeant who died of what seems to have been appendicitis, no life was lost. Total cost of the enterprise was a modest $40,000. Wherever one dips into the early history of our country, one is amazed at the number and variety of men of outstanding ability and courage produced by a nation with fewer people than Denmark has today.

Luck played some part, but the success of the expedition was due to the care with which its personnel and equipment were selected, the skill with which it was led, and the disciplined manner in which it proceeded. The captains spent the winter of 1803 in St. Louis, then the westernmost outpost of civilization, collecting all available information from woodsmen and trappers; when they set out on their journey, they had learned everything any white man then knew about the country they were to penetrate.

Lewis and Clark were ideally suited to their task. Close friends of similar background, sons of planters, they had much experience of command and of wilderness life. They had fought as regular army officers, Lewis for a time under Clark. Both were highly intelligent; Lewis more analytical, Clark more practical. Lewis had received a better education; moreover, Jefferson had sent him to Philadelphia to study intensively such matters as astronomy, botany, mapmaking, manipulation of instruments for meteorological observations—all essential to the conduct of a scientific expedition. Clark, however, had geographical genius and a gift for winning the friendship of the Indians. They trusted him because they sensed that he respected them as fellow human beings. When critical situations developed, both captains handled the Indians with consummated skill. "In personal dealings with them," wrote Bernard de Voto, "they made no mistakes at all."

At Jefferson's request, Lewis and Clark kept daily journals (as did some of the men). The journals were first published in 1814 and have been reissued several times. Straightforward, factual, often written under trying circumstances after days of physical exertion and danger, these journals tell of a fabulous voyage of discovery that can still be read for their sheer fascination as an adventure story. But they are more than that.

They are a sort of American Domesday Book, an inventory of the vast and rich lands we bought from France at the bargain price of 4 cents an acre. Many of the beautiful sights the captains describe have long since disappeared, bulldozed out of existence in the name of progress—the cascades of the Columbia River, the vast and somber forests of giant pines of the Northwest. As Bernard de Voto comments sadly in the preface to his edition of the journals, no American will ever again see the beauty or feel the majesty that overwhelmed Lewis when he first came across the Great Falls of the Missouri. Did we not have these journals, we might forget how beautiful the country was when it was first seen by these intrepid explorers.

Respectfully,

H. G. RICKOVER.

STATES EXPRESS INTEREST IN COMPENSATING CRIME VICTIMS

Mr. YARBOROUGH. Madam President, on June 17, 1965, I introduced a bill to provide for the compensation of innocent victims of crimes in areas of Federal jurisdiction. The criminal injuries compensation bill would create a Violent Crimes Compensation Commission empowered to order compensation for expenses, loss of earning power, pecuniary loss, and pain and suffering of the innocent victim.

In addition to establishing this principle in areas of Federal jurisdiction, one hope which I had in introducing the proposed legislation was to stimulate similar action by State governments. In the short time since the introduction of S. 2155, California became the first State in the Union to establish a governmental program of this kind. Bills have been introduced in the Wisconsin and Oregon Legislatures. In many other areas, discussion is going on and studies are being undertaken. I ask unanimous consent to have printed in the RECORD an editorial published in the January 18, 1966, New York Times discussing efforts in New York to bring about enactment of such a law. I hope that other States will follow the example set by California, Wisconsin, Oregon, and New York.

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

[From the New York Times, Jan. 18, 1966]

COMPENSATING CRIME VICTIMS

Since the maintenance of law and order is a basic responsibility of the State, it follows logically that the innocent victims of violent crimes are entitled to compensation from the State. Arthur J. Goldberg, while a Justice of the Supreme Court, endorsed this proposition. "The victim of a robbery or an assault has been denied the 'protection' of the laws in a very real sense," he said, "and society should assume some responsibility for making him whole."

Several experiments along this line have been initiated within the last 2 years. Great Britain and New Zealand both established the principle of compensating victims in 1964, and California followed their example last year. Only last month, as the result of the murder of a man who had sought to subdue a knife-wielding assailant in the subway, New York City adopted legislation permitting payment of a pension to his widow.

A committee appointed by Governor Rockefeller to help draft recommendations on this subject contends that compensating the victims of crime is a corollary to providing rehabilitation and other social services to the perpetrators of crime. The committee suggests that both minimum and maximum awards be fixed and that in general they be compensatory.

The committee is also considering a companion proposal to aid the good samaritan who suffers injury or damage while trying to prevent a crime or assisting in the apprehension of a criminal, either at a policeman's command or on his own initiative. Such a measure is long overdue and should be enacted both for humanitarian reasons and as an aid to law enforcement.

INVASIONS OF PRIVACY

Mr. BURDICK. Madam President, as a member of the Subcommittee on Administrative Practice and Procedure, I have been associated with Senator EDWARD LONG's investigation into invasions of privacy. Indeed, I have participated in a number of the hearings both here in Washington and in other parts of the country.

What we have turned up is both startling and depressing.

Because of his interest in this subject, Senator LONG agreed to do a law review article on the subject for the St. Louis University School of Law. This excellent article was recently published and I ask consent to have it printed in the RECORD.

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

THE RIGHT TO PRIVACY: THE CASE AGAINST THE GOVERNMENT

(By EDWARD V. LONG, U.S. Senator)

It is the purpose of this article to establish firmly the importance and necessity of the citizen's right of privacy as a bulwark against government harassment. Establishing the right dictates the exigency for concerted efforts by the executive, judicial, and legislative branches of our Federal, State and local governments to safeguard the right from further depletion.

A brief analysis will be made of the origin and growth of a right of privacy in American

jurisprudence.[1] An examination will then be made of the dangers confronting the preservation of the right from technological developments, overzealous law officers, and the general lack of understanding of basic constitutional guarantees. It is believed that such a review will demonstrate the detrimental effect upon our way of life if the right of privacy is lost or further circumscribed, and the insidious nature of the problems inherent in any attempt to protect our privacy, let alone broaden its meaning and the recognition of its value.

Finally, remedies for existing encroachments upon privacy and proposals for its future preservation can be studied.

EARLY RECOGNITION OF THE RIGHT OF PRIVACY

Since its inception in the legal thought of Anglo-Saxon jurisprudence, the right of privacy has been the subject of wide-ranging debate and analysis. The House of Lords made the first major recorded contribution of the right as a safeguard against abusive tactics of government agents in *Entick* v. *Carrington*.[2] The action of the case was one for trespass against messengers of the King for entering the plaintiff's home and searching and examining his books and papers. Lord Camden asked the defendants to show authority for their action. No authority could be shown that would convince the court that the action of the King's messengers was legal. The general warrant by which the agents searched and seized the plaintiff's papers was declared void. The decision was hailed by all men of liberty, both in the colonies as well as in England. It was firmly rooted in the law of trespass and the sanctity of a man's property. Every intrusion upon a man's property was held to be a trespass unless some justification or excuse could be found in the statute books or the principles of the common law. In this case none could be found though high authority had issued the warrant. The messengers were made to pay for their trespass.

In *Boyd* v. *United States*,[3] Lord Camden's decision was heavily relied upon to reach the interpretation of a portion of our Bill of Rights that has become the touchstone of the constitutional guarantees against invasions of privacy. This was a suit for forfeiture of goods for fraudulent nonpayment of custom duties. The Government had to prove the value of the goods. To do this it sought the production of invoices of goods previously shipped into the United States. Upon order of the lower court the defendant after making strenuous objections produced his invoices.[4]

The Supreme Court, upon review, took the first important step toward establishing, within the framework of the Bill of Rights, the basic human right to be left alone, to be secure from officious meddling into personal affairs, and to be free of the scrutiny of petty officials. Mr. Justice Bradley delivered the opinion of the Court:

"The principles laid down in this opinion [Lord Camden's] affect the very essence of constitutional liberty and security. They reach farther than the concrete form of the case then before the court, with its advertitious circumstances; they apply to all invasions on the part of the government and its employees of the sanctity of a man's home and the privacies of life. It is not the breaking of his doors, and the rummaging of his drawers that constitutes the essence of the offense; but it is the invasion of his indefeasible right of personal security, personal liberty, and private property, where that right has never been forfeited by his conviction of some offense—it is the invasion of this sacred right which underlies and constitutes the essence of Lord Camden's judgment.[5]

Four years after the historic decision in Boyd, the right of privacy was explicitly inscribed into our system of jurisprudence by the now famous article written by Warren and Brandeis.[6] The "right to be let alone" was here fully examined, its scope and characteristics outlined, and its importance made obvious. It is more than interesting that three-quarters of a century ago the authors saw the impending threats to the sanctity of a man's private life. Even at that time they saw the advances of technology and the changing nature of society as adding impetus to the incursive elements prevalent in the curious and the officious.

In 1894 the Supreme Court reaffirmed the decision in Boyd.[7] The Court was considering the power of Congress to grant authority to an administrative agency to compel the production of evidence in a hearing before the agency. The Court strongly indicated that Congress had such power to delegate to an agency and that the agency, if within the bounds of the statutory mandate, could properly exercise it.[8] However, the Court was most explicit in pointing out the limitations upon such power. Speaking for the Court, Mr. Justice Harlan stated: "Neither branch of the legislative department, still less any merely administrative body, established by Congress, possesses, or can be invested with, a general power of making inquiry into the private affairs of the citizen. We said in *Boyd* v. *United States*, 116 U.S. 616, 630—and it cannot be too often repeated—that the principles that embody the essence of constitutional liberty and security forbid all invasions on the part of the Government and its employees of the sanctity of a man's home, and the privacies of his life.[9]

DEVELOPMENT AND LIMITATIONS ON THE RIGHT OF PRIVACY

Later cases have affirmatively established the right of the Government to inquire into the affairs of private citizens when necessary for the public interest.[10] Of course such a power is at times necessary to carry on the Government's business. Taxes have to be collected, records showing compliance with the mandates of Congress must be compiled and maintained, censuses must be taken, and all sorts of other details and facts must be disclosed to the Government for the public good. However to posit the proposition that the Government needs, and legally can obtain, information from the citizens does not create blanket authority for the Government to invade the privacy of the citizen in doing so.

A Federal agency may obtain the records of a corporation subject to its jurisdiction, but it may not conduct a "fishing expedition" in quest of evidence of a crime.[11] Records do not have to be disclosed if the order for their production is not relevant to any lawful inquiry.[12] A person may have to file a tax return, but he does not have to answer any incriminating questions in the return.[13] The State cannot compel the keeping of membership lists of various organizations without some compelling or subordinating interest of the State to the citizen's interest of keeping the list secret to avoid threatened reprisals against those disclosed in the membership lists.[14] Contraband property cannot be seized without a legal serach warrant.[15] The State cannot compel teachers, as a condition of employment in State supported schools, to file annually an affidavit listing every organization (religious, political, avocational, professional, or social) to which they belonged or regularly contributed within the last 5 years.[16] The constitutional right of privacy of an admittedly legitimate organization cannot be invaded merely because "some Communists may have joined it."[17] General warrants for search and seizure are as outlawed today as they were 200 years

---

[1] The right of privacy entered the Anglo-Saxon legal system as a right pertaining to civil interests, e.g., a person's interest in his name, picture, or reputation. Cf. Annot., 138 A.L.R. 61 (1942); 168 A.L.R. 455 (1947); 14 A.L.R. 2d 750 (1950).

[2] 19 Howell's State Trials 1029 (1765). The cause of action was one of tort. However, the ramifications of the decision reached beyond the civil area.

[3] 116 U.S. 616 (1886).

[4] The defendant produced his papers only after the lower court ruled that failure to produce would cause the allegations of the Government to be taken as confessed. The Supreme Court held this to be compulsion of testimony tending to incriminate and, as such, in contradiction of the fifth amendment. Id. at 634–635. But see, *Eaton* v. *Price*, 364 U.S. 263 (1960); *Shapiro* v. *United States*, 335 U.S. 1 (1948); *United States* v. *Darby*, 312 U.S. 100 (1941); *Rodgers* v. *United States*, 138 F. 2d 992 (6th Cir. 1943).

[5] 116 U.S. at 630–631.

[6] Warren and Brandeis, "The Right to Privacy," 4 Harvard Law Review 193 (1890). While the authors did not approach the right of privacy from a constitutional viewpoint, their work took the place of precedents and made judicial recognition of the concept much easier.

[7] *ICC* v. *Brimson*, 154 U.S. 447 (1894).

[8] The decision did not reach the merits of the case. The Court remanded the case for further hearings on the question of the necessity of inquiring into the affairs of Brimson. Id. at 489.

[9] Id at 478.

[10] E.g., *Flint* v. *Stone Tracy*, 220 U.S. 107 (1911) (income tax returns); *Baltimore & O.R.R.* v. *ICC*, 221 U.S. 612 (1911) (reports of hours worked in excess of legally permitted limits); *Wilson* v. *United States*, 221 U.S. 361 (1911) (copy books before a grand jury); *United States* v. *Sullivan*, 274 U.S. 259 (1927) (income tax returns); *United States* v. *Darby*, 312 U.S. 100 (1941) (records required to be kept by statute); *Shapiro* v. *United States*, 335 U.S. 1 (1948) (records required to be kept by statute). Compare *Kilbourn* v. *Thompson*, 103 U.S. (13 Otto) 168 (1880); *Sinclair* v. *United States*, 279 U.S. 263 (1929); *Hutcheson* v. *United States*, 369 U.S. 599 (1962).

[11] *FTC* v. *American Tobacco Co.*, 264 U.S. 298 (1924). The FTC sought mandamus to compel production of the defendant corporations, records, contracts, memorandums, and correspondence for the year 1921 for the purpose of inspection and copying. The Court held it to be "contrary to the first principles of justice to allow a search through all the respondent's records, relevant or irrelevant, in the hope that something will turn up." Id. at 306.

[12] *Oklahoma Press Pub. Co.* v. *Walling*, 327 U.S. 186 (1946). The Administrator of the Wage and Hours Division of the Department of Labor issued a subpena duces tecum for records of defendant pursuant to an investigation under section 11a of the Fair Labor Standards Act. The Court held that there was no question raised of actual search and seizure and no violation of the fourth amendment.

[13] *United States* v. *Kohriger*, 345 U.S. 22 (1953).

[14] *NAACP* v. *Alabama*, 357 U.S. 449 (1958); *Bates* v. *City of Little Rock*, 361 U.S. 516 (1960).

[15] *Trupiano* v. *United States*, 334 U.S. 699 (1948). In this 5–4 decision, the seizure of the defendant's still, mash, etc., by agents of the Alcohol and Tobacco Tax Division of the IRS was held void because the agents failed to obtain a search warrant when the facts showed there was ample time to do so with no danger that any of the contraband would be hidden or destroyed.

[16] *Shelton* v. *Tucker*, 364 U.S. 479 (1960).

[17] *Gibson* v. *Florida Legis. Comm.*, 372 U.S. 539 (1963).

ago.[18] Finally, the State may not enter the privacy of a marriage for the sake of protecting public morals.[19]

The decisions in these and other cases rely on the basic guarantees of the Bill of Rights to outlaw governmental intrusions. However, the author sees as implicit in these cases, where it is not an explicit reason for the decision, the recognition of a universal right of privacy derived from the Bill of Rights. Indeed, in the recent cases of *Griswold* v. *Connecticut*,[20] the Supreme Court has clearly enunciated its recognition of the right of privacy as contained in the Bill of Rights.

The executive director of the Planned Parenthood League of Connecticut and the medical director of the league were convicted for disseminating contraceptives and advice as to their use in violation of a State statute.

Mr. Justice Douglas was the most explicit in his decision holding the Connecticut statute unconstitutional: "[S]pecific guarantees in the Bill of Rights have penumbras, formed by emanations from those guarantees that help give them life and substance. * * * Various guarantees create zones of privacy. The right of association contained in the penumbra of the first amendment is one. * * * The third amendment in its prohibition against the quartering of soldiers in any house in time of peace without the consent of the owner is another facet of that privacy. The fourth amendment explicitly affirms the "right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures." The fifth amendment in its self-incrimination clause enables the citizen to create a zone of privacy which Government may not force him to surrender to his detriment. The ninth amendment provides: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." [21]

Mr. Justice Douglas has long been a stalwart defender of privacy and a champion of the liberal approach to interpreting and applying the guarantees of the Bill of Rights.[22] The zones of privacy that Justice Douglas sees existing within the framework of the Bill of Rights do indeed exist in the developed sense of a right to be let alone. One need only reflect on exactly what the Bill of Rights guarantees and the historical background that produced that charter of liberty, and at the very least, some aspect of the necessity to act in private in order to act at all becomes apparent.

Could one meaningfully exercise his right of free speech if he were not able to retreat to his sanctuary to reflect and discuss his ideas? Can one truly practice the religion of his choice without being guaranteed that he will be able to do so in his own way, at his own time, at a place of his own choosing? Can one freely associate with those of his choice if the Government can scrutinize and dictate standards for the functions and purposes of a group? Can a man adequately prepare his defense against criminal prosecution if the cloak of secrecy necessary to prompt, candid, and complete answers is threatened with surreptitious penetration? [23] What good is the guarantee of a trial by jury of peers if the jurors' private lives are subject to searching examination? [24]

The right to be secure from illegal searches and seizures obviously is directed toward protecting the privacy of a man's home or office. The right not to be forced to testify against oneself or confess under coercion is cut from the same mold.[25]

The ninth amendment by virtue of the Griswold decision has new life and meaning. Former Associate Justice Goldberg based his decision, in which Mr. Chief Justice Warren and Mr. Justice Brennan concurred, upon a "concept of liberty [that] protects those personal rights that are fundamental, and is not confined to the specific terms of the Bill of Rights. * * * [I]t embraces the right of marital privacy though that right is not mentioned explicitly in the Constitution [and] is supported both by the numerous decisions of this Court, * * * and by the language and history of the ninth amendment.[26]

It cannot be doubted that there are basic rights of human beings, not expressed within the Bill of Rights, which nevertheless are necessary to man's freedom. A citizen should be free from harassment by bureaucrats. Citizens should be free from the processes of a libel of information, which, in the author's view, is no different from a general warrant.[27] Employees of the Government should be free from the insulting and often degrading ordeal of taking personality tests as a condition of employment or promotion. They should be able to send out mail without some faceless bureaucrat scanning the addresses for information as to the names of persons with whom we correspond. Federal employees should not be subjected to observation when they are eating lunch, changing clothes, or answering the call of nature.[28] Recipients of mail from Communist countries should not be harassed by an archaic regulatory system that requires them to request that such mail be forwarded to them and thus have their name placed on a list of those desiring to receive Communist political propaganda.[29] Businessmen should not be subjected to inspection in which surreptitious recordings are made.[30] Lawyers who have qualified before their State bars, the Federal bar, or the Supreme Court bar should not be forced to comply with a useless and peevish requirement that they qualify to practice before a Federal agency.[31] Government wiretapping and other electronic methods of Government eavesdropping on the citizenry should be declared unconstitutional.[32] It is degradingly beneath our national character that snooping and prying have become so prevalent in our country.

Should we as American citizens be able to trust our Government to keep its word? To ask the question is to answer it. Indeed, that we have to ask it at all is a most distressing commentary on the situation in which we find ourselves today. However, later in this article facts will be documented which will prove that such a question, far from being unnecessary or impertinent, has long been overdue in the asking and in the answering.

Should the Government pursue an undesirable character with the full power and prestige it has behind it until it finally pins some "rap" on the person? Should the Government be in the business of trying their cases in the press or having their own mimeograph services grind out releases often damaging and derogatory to a citizen prior to holding a hearing or making any attempt to verify the allegations made against the citizen? [33] Should a Federal agency be able to tell a citizen who his lawyer should be? [34] Should an agency investigate, prosecute, and then decide the fate of a citizen? [35] Should an agency be able to unceasingly summon a person before it, at considerable personal expense, to defend against groundless claims and then threaten him with continuous harassment and suit if he does not comply with the agency's demands? Should an agency open the mail of a taxpayer? [36] Should an agency use its most punitive weapons, when

---

[18] *Stanford* v. *Texas*, 379 U.S. 476 (1965).

[19] *Griswold* v. *Connecticut*, 381 U.S. 479 (1965).

[20] Ibid.

[21] Id. at 484.

[22] See e.g., *Lamont* v. *Postmaster General*, 381 U.S. 301 (1965); *Gibson* v. *Florida Legis. Comm.*, 372 U.S. 539 (1963) (concurring opinion); *Mapp* v. *Ohio*, 367 U.S. 643, 666 (1961) (concurring opinion); *Silverman* v. *United States*, 365 U.S. 505, 512 (1961) (concurring opinion); *Bates* v. *City of Little Rock*, 361 U.S. 516, 527 (1960) (concurring opinion); *Frank* v. *Maryland*, 359 U.S. 360, 374 (1959) (dissenting opinion); *Breithaupt* v. *Abram*, 352 U.S. 432, 440 (1957) (dissenting opinion); *United States* v. *Kahriger*, 345 U.S. 22, 40 (1953) (dissenting opinion); *On Lee* v. *United States*, 343 U.S. 747, 762 (1952) (dissenting opinion); *McDonald* v. *United States*, 335 U.S. 451 (1948).

[23] *Lanza* v. *New York*, 370 U.S. 139 (1962). In this case the defendant paid a visit to his brother who was incarcerated in a New York jail. While the defendant conversed with his brother, his statements were being electronically recorded.

[24] *Rubenstein* v. *United States*, 227 F. 2d 638 (10th Cir. 1955). Treasury agents investigated jurors, asking them and their acquaintances questions. The Court held this to be a denial of defendant's right to a fair and impartial trial by jury as guaranteed by the sixth amendment.

[25] *Boyd* v. *United States*, 116 U.S. 616, 630 (1886).

[26] 381 U.S. at 486–487.

[27] A case will be documented later in this article which will show the ease with which the fourth amendment guarantees can be skirted by the use of this process.

[28] "Hearings on Invasions of Privacy (Governmental Agencies) Before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary," 89th Cong., 1st sess., pt. 1, at 105–106, 114, 121 (1965).

[29] Id at 181–202.

[30] *American Dietaids Co.* v. *Celebrezze*, 317 F. 2d 658 (2d Cir. 1963), cert. denied, 375 U.S. 896 (1963).

[31] These are lawyers who have qualified before their State bars, Federal bars, even the Supreme Court bar. Cf. "Hearings on S. 1466 Before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary," 88th Cong., 1st sess. (1963).

[32] Cf. *Olmstead* v. *United States*, 277 U.S. 438 (1928); *Silverman* v. *United States*, 365 U.S. 505 (1961).

[33] Hearings on S. 1160, S. 1336, S. 1758, and S. 1889 before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, 89th Cong., 1st sess. (1965). Testimony concerning this matter can be found in the statements of Dan S. Busnell, attorney at law, Salt Lake City, Utah, and of the General Counsel of the SEC.

[34] Ibid.

[35] Various agencies have to wear three hats in carrying out their statutory duties—investigator, prosecutor or advocate, and trier of fact. When these three functions are completely independent of one another, abuses are few. However, the very nature and makeup of an administrative agency lends itself to cooperation that could easily be detrimental to a completely impartial decision. Cf. 60 Stat. 239 (1946), 5 U.S.C. sec. 1004(c) (1958) and Hearings on S. 1663 Before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, 88th Cong., 2d sess. (1964); Hearings on S. 1160, S. 1336, S. 1758, and S. 1889 Before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, 89th Cong., 1st sess. (1965).

[36] Hearings on Invasions of Privacy (Government agencies) Before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, 89th Cong., 1st sess. (1965) [hereinafter cited as Hearings on Invasions of Privacy]. The testimony on mail levies may be found in the statements of various officials of the Post Office Department, Apr. 13, 1965.

lesser means would accompish the same result?[37] Indeed, should not the agencies be required to use the lesser weapon until there is proof that it is unavailing?

Should the agencies be required to teach their employees that they are there to serve the public, the people?

Should an agency demand answers to interrogatories during an investigation in a civil area and then use those same answers to prove guilt in criminal proceedings, when the agency knows it will prosecute criminally? Should an agency hold criminal prosecution as a club to achieve regulatory compliance when no fair and impartial hearing has been held to determine if there has in fact been a violation of the regulatory scheme?

It should be pointed out that the instances set forth are not without foundation in fact. The Senate Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary has been holding hearings in which just such types of activities have been disclosed in sworn testimony or alleged to the subcommittee in complaints from citizens all over the country. Indeed actual instances of criminal conduct by Federal agents have been admitted. Such activity has included wiretapping in violation of Federal[38] and State[39] law as well as instances of breaking and entering in attempts to obtain evidence.[40]

It cannot be doubted that such activity by Government agents is reprehensible and a slap at our system of democracy. It also cannot be doubted that the growing recognition of the meaning of the right of privacy and the landmark interpretation of the ninth amendment in *Griswold* could be effectively used to protect the interests of our citizens not to be harassed by the tactics described above. Whether the Supreme Court speaks in terms of "zones of privacy" or "concepts of liberty" as embodied in the ninth amendment, our jurisprudence contains ample principles by which to protect all basic and necessary freedoms of man in order that he may decide and achieve his own destiny. This was the commitment of our forefathers and this is the commitment of the leaders of this country today.

WIRETAPPING AND ELECTRONIC EAVESDROPPING

In the past few years much has been written about the use of electronic equipment to gain evidence of criminal activity.[41] The constitutionality of the use of such equipment has been frequently adjudicated by the Supreme Court. The leading cases in the area are *Olmstead* v. *United States*,[42] *Silverman* v. *United States*,[43] and *Massiah* v. *United States*.[44]

The Olmstead decision is, of course, the Supreme Court holding that wiretapping is not a violation of the fourth amendment guarantees.[45]

The Silverman decision concerned the use of electronic gear to obtain evidence.[46] In 1958 the police of the District of Columbia had reason to believe that the defendants were using their residence in the District as headquarters for gambling operations. The police then obtained the permission of the owner of an adjoining vacant house to use it for observation. For 3 days the police used a spike-mike to eavesdrop on the defendants next door.

The spike-mike is a microphone with a foot long spike attached to it. It is driven into the wall and picks up the sounds emanating from the room. In this case the officers inserted the spike-mike under a baseboard in a second floor room of the vacant house and into a crevice extending several inches into the party wall of the defendants' property until the spike hit a heating duct. The mike turned the duck into a conductor of sound and all conversations of the defendants on two floors of the house were overheard by the police officers. The testimony of the police officers was a substantial factor in the defendants' conviction.

The Court held that the evidence was illegally obtained in violation of the fourth amendment. The violation occurred when the officers physically intruded upon the defendants' premises. Unlike the other cases in which the Court held that there was no violation of the fourth amendment by means of electronic eavesdropping equipment,[47] in this case there was an actual intrusion upon a constitutionally protected area. Mr. Justice Stewart speaking for the majority stated: "Eavesdropping accomplished by means of such a physical intrusion is beyond the pale of even those decisions in which a closely divided Court has held that eavesdropping accomplished by other electronic means did not amount to an invasion of fourth amendment rights."[48]

Mr. Justice Douglas concurred. However, he was at a loss to see what difference it made as to what type of electronic equipment was used. The main issue was whether or not there was an invasion of privacy. If so, then the evidence was tainted and must be rejected.

In *Massiah* v. *United States*[49] the Court had another opportunity to review the constitutionality of "bugging." The defendant was indicted for violation of the Federal narcotics laws. He retained a lawyer, pleaded not guilty, and was released on bail. While he was on bail, Federal agents arranged to have one of his cohorts talk to him. The Federal agents equipped the informant with a radio transmitter which was placed under the seat of his car. The informant then engaged the defendant in conversation in which he made incriminating statements. These were overheard by a Federal agent a block away. The Federal agent testified in court to these statements and the defendant was convicted.

The Court held that Massiah's sixth amendment right to counsel was violated. Having a right to counsel at trial, which is open and public and replete with safeguards against any infringements of the defendant's rights, the Court could not hold that the right to counsel did not apply in the situation in which these safeguards were not present; i.e., in extrajudicial circumstances.

Today, by the decisions just outlined, the law can be stated that electronic eavesdropping, including wiretapping, is not unconstitutional if no actual physical intrusion (by means of penetration or otherwise) occurs into a constitutionally projected area, and if the "bugging" infringes upon no other constitutional guarantee of the defendant depriving him of his rights.

With the advent of an increasing awareness and a developing appreciation of the right of privacy, the present state of law cannot remain immutable. Constitutional rights should not rest upon a fraction of an inch or the manner in which the sanctity of the home has been invaded, be it physically or otherwise. A man's right to counsel should not be broader than his right to be secure in his home. How can the right to counsel be considered any more sacred than the right to be secure in our homes? Yet use of electronic gear without any sort of physical intrusion has been held capable of violating the former right, and no nice distinction can be made in that case. Surely it cannot be argued that there is any less intrusion upon a constitutional right because there was a physical invasion of the constitutionally protected zone to advice of counsel. Would it have been any more unconstitutional if the Federal agents had secreted the "bug" in the lawyer's office and listened to the conversations that took place there? While such direct action is more shocking, there are no degrees of invasions of constitutional rights. If a right has been invaded, the appropriate sanction should attach.[50]

Between the Boyd and Griswold cases the right of privacy has been firmly established in our jurisprudence. This right is currently under heavy attack by the investigative techniques of our Government. Inconsistent and hairline distinctions by our courts have helped perpetuate this attack. Disregard for Federal and State laws and the directives of their own superiors has allowed Federal agents to violate the right with impunity. When Government snooping is coupled with private snooping one may validly wonder if this country is not rushing toward an Orwellian nightmare 19 years ahead of schedule.

CURRENT INVASIONS OF PRIVACY

There are two principal foes to the right of privacy. One is the Federal Government.

---

[37] The Food, Drug, and Cosmetic Act, 52 Stat. 1045 (1938), 21 U.S.C. sec. 336 (1958), provides for notices to cease and desist allegedly illegal activities as an alternative compliance technique prior to imposition of sterner and more severe steps to gain compliance. In at least one case in which this alternative could have effectively solved a questionable practice it was completely ignored and the stern measure of seizure of property was meted out instead.

[38] Cf. 48 Stat. 1103 (1934), 47 U.S.C. sec. 605 (1958).

[39] Mass. Gen. Laws Ann., ch. 272 sec. 99, (1950); Pa. Stat. Ann. title 15, sec. 2443 (1957).

[40] Hearings on Invasions of Privacy, supra note 36. Refer to testimony of special agents of the IRS. Cf. *Irvine* v. *California*, 347 U.S. 128 (1954).

[41] See generally "The Wiretapping-Eavesdropping Problem: Reflections on the Eavesdropper," 44 Minn. L. Rev. 813 (1960); Waldmor & Silver, "Ethics, Morals, and Legality of Eavesdropping," 9 Brooklyn Bar. 147 (1958); McElroy, "The Federal Law of Wiretapping," 19 Ala. Law. 128 (1958); Dash, "Eavesdroppers: A Preview," 30 Pa. Bar Assn. 21 (1958); Brown & Peer, "Wiretapping Entanglement: How To Strengthen Law Enforcement and Preserve Privacy," 44 Cornell L.Q. 175 (1959); Savarese, "Eavesdropping and the Law," 46 A.B.A.J. 263 (1960); Silver, "Law Enforcement and Wiretapping," 27 Tenn. L. Rev. 352 (1960); Kasimar, "The Big Ear, The Private Eye, and Laymen," 36 Wis. B. Bull, June 1963, p. 33; Gasque, "Wiretapping, A History of Federal Legislation and Supreme Court Decisions," 15 SC.L.Q. 593 (1963). Cf. Hearings Pursuant to S. Res. 62, Before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, 86th Cong., 1st sess., pts. 1–5 (1959).

[42] 277 U.S. 438 (1928).

[43] 365 U.S. 505 (1961).

[44] 377 U.S. 201 (1964).

[45] Six years after the Olmstead decision, Congress passed the Federal Communications Act, 48 Stat. 1103 (1934), 47 U.S.C., sec. 151 (1958); specifically, sec. 605 banned wiretapping. In 1941, the Justice Department emasculated the law. Cf. "A History of Federal Legislation and Supreme Court Decisions," 15 S.C.L.Q. 593 (1963).

[46] See also *Goldman* v. *United States*, 316 U.S. 129 (1942); *On Lee* v. *United States*, 343 U.S. 747 (1952); *Lopez* v. *United States*, 373 U.S. 427 (1963); *Gorin* v. *United States*, 313 F. 2d 641 (1st Cir. 1963), cert. denied, 374 U.S. 829 (1963); *Todisco* v. *United States*, 298 F. 2d 208 (9th Cir. 1961), cert. denied, 368 U.S. 989 (1962).

[47] Ibid.

[48] *Silverman* v. *United States*, 365 U.S. at 509–510.

[49] 377 U.S. 201 (1964).

[50] See Mr. Justice Douglas' concurring opinion in *Silverman* v. *United States*, 365 U.S. at 512.

The other is the general inquisitive nature of man and the growth of "nosiness" in various sectors of our society. The following examination of the attack on privacy will be limited to the Federal Government. It is most perturbing that one of the major violators of the right to be let alone is the very authority that is sworn to uphold and protect the rights of all citizens.

The Federal Government has grown steadily as it has assumed more and more of an active part in promoting the general welfare and security of the Nation.[51] Today the vast regulatory and administrative complex of the Government oversees the totality of American life. It is not surprising that in this immense bureaucracy some lessening of the individual rights has occurred. The very nature of any bureaucracy promotes collective action at the expense of the individual.

The Government requires all sorts of facts and figures in order to operate. Congress has granted it the power to gather this information.[52] There is, of course, the security and police duty of the Government which requires an extensive array of agents and investigative procedures in order to function. In addition, the Government has to keep records of its activities. All of these unquestionably legitimate functions of the Government lend themselves to incursive probes into the private affairs of our citizens.

If these probes are properly handled, there can be little tolerance for carping complaints. However, when the zeal and self-righteousness of the Federal agent or employee gains the upper hand, abuses are bound to occur. So much power and so little control over those who exercise it places a premium on the integrity and competence of the Federal agent. The American citizen can be grateful that more widespread abuse of such power has not been prevalent. It is proof that there are many fine public servants within the Government today and many who have made their dedication and service an example for all of us.

Regrettably, there are also those in the Federal employ who have let their zeal or self-righteousness run away with their better judgment. More regrettably, there are also those who would use their Federal badge simply to play almighty and thus intimidate, harass, and browbeat the citizen who is unacquainted with his constitutional guarantees.

In addition to the problems of too many possessing so much power, another problem contributing to the reduction of privacy is the insulation from checks on their activities. Probably no one is more hard to find than the bureaucrat who has taken the responsibility for an act. This quality of remaining nameless, faceless, and totally impersonal and impervious to any challenge as to the propriety of any given action is a major factor in fostering lack of responsibility and a nonawareness of obligation in the upholding of individual rights. If the employee feels that to advance in his position he must get results at any cost, the balancing of the Government's interest with the individual's becomes impossible of fair assessment.

The author claims no psychological proficiency. Nevertheless it is evident that some actions of our Federal agents are difficult to explain on other grounds. As the incidents of strange behavior by some investigators is documented hereinafter, the reader may make his own independent evaluations.

Description of modern electronic techniques

The hearings before the Subcommittee on Administrative Practice and Procedure began with an amazing and frightening display of the latest technical equipment in the field of electronic "bugging."[53] Expert witnesses were asked to describe and demonstrate these devices, all of which are available on the open market.

During the course of this demonstration, the subcommittee witnessed the use of a small microphone (no longer than a man's thumbnail) cleverly concealed in a vase of artificial roses. This mike transmitted to an attaché case that one of the witnesses possessed. Portions of the opening statement were recorded by the hidden equipment in the attaché case.

A fully openable cigarette lighter and an innocent looking cigarette box each contained their own transmitter. One expert witness wore a wrist watch microphone. A wire attached to the watch ran up his sleeve where it connected to either a portable miniaturized tape recorder or to a transmitter capable of broadcasting to an associate 2 or 3 blocks away.

A transmitter disguised as an olive punctured with a toothpick, which served as an antenna, was displayed but not demonstrated. This cleverly concealed device was also capable of broadcasting 2 or 3 blocks—whether or not immersed in alcohol.

The parade of "bugs" continued with microphones or transmitters disguised as desk pens, fountain pens, desk staplers, tieclasps, cigarette packs, briefcases, etc. Most of these "bugs" did not involve intercepting telephonic communications.

An independent manufacturer from New York testified about a device that he himself developed and was selling for $400.[54] This device was designed to be connected in a room with telephone lines. It is self-powered and requires no batteries. It is placed near the phone or on the line. It does not affect or alter normal telephone operation—i.e., it has no effect on incoming or outgoing calls.

After the device is in place, the eavesdropper dials the number of the phone to which this device is attached. By blowing a small harmonica, the device is activated and the phone is prevented from ringing. Once the device has been activated, it will pick up all sounds in the room in which the rigged phone is located.

Perhaps the most frightening aspect of this particular device, other than its existence, is that there is absolutely no distance limitation to hamper its operation. For example, such a device could be installed in a phone in Washington, D.C., be activated, and be used to eavesdrop from Honolulu, Hawaii. In short the privacy intruder can be 5,000 miles away and still accomplish his invasion.

Another device produced by the same manufacturer was a small transmitter that automatically shut itself off when there was no sound in its vicinity. If such a device were placed in a room, it would automatically deactivate when the occupants departed (thus conserving the battery that powers it) and automatically activate (upon their return) when the key would "click" in the lock. Such a device can operate continuously for 20 hours, but with its built-in power conservation it can be useful for weeks.

Finally the subcommittee was given a look into the future. Research in electronics has developed what is technically known as a laser.[55] The laser emits a highly powerful beam of light. Methods have already been developed whereby the beam can be modulated with telephone or television signals.

When such a device is further developed an eavesdropper or an agent for "Big Brother" could beam this undetectable beam of light onto a window in the distance, arrange to have it reflected back and thereby pick up the conversation and actions taking place in the room.

Various devices were also shown that have improved upon the old technique of wiretapping. Now, instead of having to locate a hidden interception point, devices can be placed that intercept the phone conversation and broadcast it to a radio receiver where it can be audited or recorded. The obvious advantage here is the absence of the physical limitations imposed by wires running from the intercepted line to the listening post. With the new device, the wiretapper can place his device on the line he wishes to tap and retire to the comfort of his own den to listen to the conversations, no matter if his den is located some distance away.[56]

The next item demonstrated was a stylish attaché case which disguised a small broadcasting and recording studio. This highly efficient and sophisticated piece of equipment sells for around $1,400 and has been purchased in quantity by several Federal agencies over the past 5 years.[57] The manufacturer of this attaché case readily admitted the need for legislation to control abusive use of his product.[58]

This terminated the first day of hearings. The effect was to establish beyond a reasonable doubt that electronic snooping and wiretapping gear was readily available to anyone who wished to purchase and use it. The ease with which devices could be concealed or disguised.[59] the ease of purchasing them, and the awesome efficiency and effectiveness of the gear proved that it is now time that Congress legislated in this area in order to either provide strict controls on the use of this gear or abolish its use entirely.[60]

---

[51] This phenomenon of Government growth with its dangers to a free society was recognized almost two decades ago by Mr. Justice Murphy, *Oklahoma Press Pub. Co.* v. *Walling*, 327 U.S. 186, 218 (1946) (dissenting opinion).

[52] E.g., Internal Revenue Code of 1954, sec. 7602. The summons power of the IRS is one of the most extensive and comprehensive tools that the Government has in its arsenal of information-gathering weapons. In regard to detrimental effects such a broad power of inquiry may occasion, note the following statements of Mr. Justice Murphy:

"Perhaps we are too far removed from the experiences of the past to appreciate fully the consequences that may result from an irresponsible though well-meaning use of the subpena power. To allow a nonjudicial officer, unarmed with judicial process, to demand the books and papers of an individual is an open invitation to abuse of that power. It is no answer that the individual may refuse to produce the material demanded. Many persons have yielded solely because of the air of authority with which the demand is made, a demand that cannot be enforced without subsequent judicial aid. Many invasions of private rights thus occur without the restraining hand of the judiciary ever intervening." *Oklahoma Press Pub. Co.* v. *Walling*, supra note 51, at 218–219.

[53] "Hearings on Invasions of Privacy," supra note 36, pt. 1.

[54] Id. at 22–25.

[55] "Laser" stands for light amplification by stimulated emission by radiation. More simply it's a light generator. Id. at 21.

[56] Hearings on Invasions of Privacy, supra note 36, pt. 1. The TLT–6 telephone line transmitter will operate on batteries about 50 hours. See also, testimony of the Chief of Intelligence, Pittsburgh, Pa., July 14, 1965.

[57] Id. at 62.

[58] Id. at 63.

[59] A private detective from San Francisco, versed both in the offensive and defensive use of electronic bugs, testified that he could "bug" an office or home if he had access to the room for a period of 2 to 5 minutes or less. Id. at 19.

[60] It should be noted that the electronic snooping industry has branched out into the field of counterintrusion equipment or "sweeping" devices. These devices detect and eliminate "bugs." Id. at 39–44, 51–53. The invention of countermeasures spurs inventions of more sophisticated, undetectable "bugs." The consequence is a vicious circle.

Investigative practices involving the mail

The investigation moved into a new area of inquiry. Since 1893 the Post Office Department has engaged in the practice of placing "covers" on American citizens' mail.[61] While it is asserted that no mail has been opened pursuant to a mail cover, it was determined that a complete inquiry into the uses, techniques, authority, and legality of this practice was necessary if the privacy of our citizens was to be fully protected.

In the case of *Ex Parte Jackson*[62] the Supreme Court brought first-class mail under protection of the fourth amendment. Mr. Justice Field speaking for the majority of the Court stated: "Letters and sealed packages of this kind in the mail are fully guarded from examination and inspection . . . as if they were retained by the parties forwarding them in their own domiciles. The Constitutional guarantee of the right of the people to be secure in their papers against unreasonable searches and seizures extends to their papers, thus closed against inspection, wherever they may be. Whilst in the mail, they can only be opened and examined under the like warrant, issued upon similar oath or affirmation, particularly describing the thing to be seized, as is required when papers are subjected to search in one's own household. No law of Congress can place in the hands of officials connected with the postal service any authority to invade the secrecy of letters and such sealed packages in the mail; and all regulations adopted as to mail matter of this kind must be in subordination to the great principle embodied in the fourth amendment of the Constitution.[63]

In two subsequent cases, the courts of appeals for the second and third circuits had opportunities to examine the legality of mail covers. While these cases have been repeatedly cited as judicial recognition of the legality and constitutionality of mail covers,[64] that exact issue was never really before either the courts of appeals or the Supreme Court.

In *United States* v. *Costello*,[65] the defendant tried to stop the admission of evidence on the grounds that it was illegally obtained in violation of the laws of the United States.[66] The Court did not allow this defense to stand and admitted the evidence. In ruling on the admissibility of the evidence, the Court did not reach the issue of the legality or constitutionality of mail covers. No opinion was expressed on that issue. Rather, the Court held that mail covers did not constitute an obstruction or delay of the mails within the meaning of statutory provisions making such action a crime.[67]

The other decision that concerned the use of mail covers got no closer to the exact issue of the legality of mail covers. The third circuit court of appeals held that postal regulations are not violated when information obtained from a mail cover is turned over to the Justice Department.[68]

The authority for the legality of mail covers relied on by postal officials is found in two propositions: (1) Mail covers are legal because they do not constitute an obstruction or delay of the mail, in violation of certain sections of title 18 of the United States Code; (2) mail covers are legal because they do not violate postal regulations.

The first proposition is useless as precedent for the legality of mail covers because there was in fact no delay or obstruction of the mails in the Costello case. Thus the cover could not violate laws against obstruction or delay of the mails. Such a decision does not settle the broader question of whether mail covers per se are unconstitutional as an invasion of privacy or an illegal search (issues not raised before the court); or, whether if there was any evidence of actual obstruction or delay of the mail because of the cover,[69] would that be sufficient to place the cover in violation of the applicable laws.

The second proposition is of less precedential value than the first. To say that mail covers specifically authorized by postal regulations do not violate other postal regulations hardly expresses judicial recognition, other than upon a most implied foundation, of the overall legality and constitutionality of the covers.

The Post Office Department has also relied on the decision in *Ex Parte Jackson*[70] in defending mail covers. The decision is cited to show the Supreme Court "strongly indicated" that it is proper to examine the outside of sealed letters and to take cognizance of what appears thereon. The trouble with this argument is that the Court's indication is mere dictum. Furthermore, while it may be proper to examine the outside of a letter and determine what is there, it does not follow that the information gained by such activity should or could be used against the addressor or addressee. The sender of a letter only consents to the reading of the address, etc., for purposes of delivering the mail.

Taking a position that there is at least no law specifically prohibiting the use of mail covers, what abuses or potential abuses of this technique dictate either its abolishment or rigid control by legislation?

Repeated assertions that mail covers are used only against fugitives and criminals were made by postal officials.[71] This limitation on the use of covers was also asserted to be rigidly enforced and controlled.[72] Yet, despite these assertions, the committee documented the following questionable uses of mail covers.

Correspondence between a lawyer and his client is subject to mail cover. The family of a suspect, wife, children, or other relatives engaged in no other criminal activity than being related to a possible suspect, also could have their mail covered. Correspondence between doctors and patients, priests and penitents, and husband and wife could be subject to mail covers. Regardless of the obvious inconsistency of protecting the oral or other communications made during a confidential relationship, the communications made by means of mailed correspondence were not immune from probing investigations.

Another difficulty with mail covers is its very secrecy and surreptitious character. Not only are mail covers placed in secret, their duration and scope are kept secret, the information obtained thereby is not disclosed in court after the criminal is indicted, and no records are kept after 2 years.[73] The list of names of those whose mail is subject to cover runs to about 12,000 a year, but this list is also kept secret.[74]

The subcommittee is also concerned over whether or not the mail subject to the cover is opened.[75] Assurances were given that mail is not opened. However, testimony before the subcommittee, as well as many letters of irate citizens, while not proving that mail has been opened pursuant to a cover, has left the subcommittee with an uneasy feeling that it is all too possible that some overzealous Federal agent would not be above such action[76] or perhaps candling a letter in some fashion.[77] The shroud of secrecy surrounding mail covers adds to the subcommittee's uneasiness.

Mail levies

On April 13, 1965, postal officials were called to testify on their knowledge of the use of "mail levies" by the Internal Revenue Service.[78] In this instance the mail is not used to further an investigation but to collect taxes. First-class mail is actually opened, and the contents seized by IRS agents.

Once again, as with the use of mail covers, the subcommittee asked what legal authority the Post Office Department and the IRS relied upon to authorize the use of these mail levies. Once again the legal authority for such a practice was based upon a very weak foundation.

The IRS based its authority to levy mail on the largest collections of legal nonsequiturs ever gathered by an official body. In a memorandum dated April 7, 1965,[79] the legal department at the IRS detailed their authority to open and seize first-class mail.

The argument which follows defies rules of logic. The Internal Revenue Code provides what property shall be subject to levy in order to collect delinquent taxes.[80] The same section contains specific exemptions for certain property that is immune from the levy power. First-class mail is not explicitly within these exemptions. Thus by not including

---

[61] A mail cover is the secret process by which the information on the outside of a piece of mail, e.g., the address and return address and postmark, is noted and recorded. Letter from Louis J. Doyle, General Counsel of the Post Office Department, to Senator EDWARD V. LONG, July 17, 1962, placed in the CONGRESSIONAL RECORD, vol. 110, pt. 4, pp. 4964–4965.

[62] 96 U.S. 727 (1877).

[63] Id. at 733.

[64] Hearings on Invasions of Privacy, supra, note 36, pt. 1 at 67–68; letter from Louis J. Doyle, General Counsel of the Post Office Department, to Senator EDWARD V. LONG, July 17, 1962, placed in the CONGRESSIONAL RECORD, vol. 110, pt. 4, pp. 4964–4965.

[65] 255 F. 2d 876 (2d Cir. 1958), cert. denied, 357 U.S. 937 (1958).

[66] 18 U.S.C. secs. 1701–1703 (1958).

[67] 255 F. 2d at 882. It would indeed be difficult for a court to find that Federal agents had engaged in criminal activities. Such a ruling would have had to be made as incidental to the case before the court, since the substance of Costello's defense was in fact that agents had violated the criminal laws of obstructing or delaying the mail.

[68] *United States* v. *Schwartz*, 283 F. 2d 107 (3d Cir. 1960), cert. denied, 364 U.S. 942 (1961).

[69] The subcommittee has received countless complaints from irate citizens that their mail has been delayed and even misdirected. Pursuant to these complaints some investigations have been carried out.

[70] 96 U.S. 727 (1877).

[71] Hearings on the Invasions of Privacy, supra note 36, pt. 1, at 67–69, 77, 83, 227.

[72] Id. at 68, 228.

[73] For the problems this poses to a defendant in preparing his defense or challenging the authenticity or admissibility of evidence see the testimony concerning a case in Kansas City, Mo. Id. at 70–80.

[74] Letter of John Gronouski, Postmaster General, to Senator EDWARD V. LONG, Feb. 19, 1965. Id. at 97.

[75] Only authorized officers having a search warrant or an employee in the dead letter office may legally open 1st class mail. *Ex parte Jackson*, 96 U.S. 727 (1877); 39 U.S.C. 4057 (Supp. II, 1961).

[76] Hearings on Invasions of Privacy, supra note 36. Cf. Testimony of Julius November, April 13, 1965.

[77] Hearings on Invasion of Privacy, supra note 36, pt. 1, at 212. Federal agents have not hesitated to ignore Federal and State laws on certain other occasions involving wiretaps or trespass. Such a record does not bespeak safety of the mails if agents deem it necessary to an investigation to open and read a person's mail to gain leads or evidence.

[78] The levy power of the IRS is set forth in Internal Revenue Code of 1954, sec. 6421.

[79] Letter from Mitchell Rogovin to Bernard Fensterwald, Jr., chief counsel, Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, Apr. 7, 1965.

[80] Internal Revenue Code of 1954, sec. 6343.

first-class mail in the exemptions Congress intended it to be subject to levy. Being subjected to levy, the mail could be seized and sold. To be seized and sold the mail had to be opened.

It would be less difficult to follow this legal labyrinth, if it did not fly in the face of constitutional guarantees expressed in *Ex Parte Jackson*,[81] that first-class mail could only be opened after a search warrant was obtained that complied with the requirements of the fourth amendment. The IRS, however, did seize first-class mail and sold its contents in the face of three criminal statutes containing severe penalties for opening or interfering with the mails,[82] in the face of the Post Office Department's much vaunted official policy of the mail's sacredness and inviolability,[83] and in the face of the absurdity arrived at by drawing the argument to its logical limits that the delinquent taxpayer's blood could be seized and sold since it is not specifically exempted either.

It is valid statutory construction to include matters within the purview of a statute which are not specifically exempted. Yet, to found an unconstitutional and otherwise criminal act upon one small guide in construing statutes takes more temerity than insight.[84]

Moreover, not only is there less than clear authority to levy on mails, but the IRS violated its own statute by forwarding some of the mail that was purely personal or of no monetary worth.[85]

The IRS has to collect taxes. It may be that they have to use severe methods at times in doing so. But this is no excuse for violating the sanctity of the mail or justifying such violation with an argument having no stronger niche in the law than a legal skyhook.[86]

Surely Congress did not authorize the prostitution of citizens' rights so that tax collecting can be made easier and more efficient.

Observation galleries, Communist political propaganda, and pornography

The Post Office Department was queried on other questionable practices dating back for some time.[87]

In the major post offices around the country observation galleries or peepholes are used to observe employees while working and while attending to personal matters. These galleries are equipped with one-way glass which allow postal inspectors to view employees without being seen. Their use is stated to be limited to the protection of the sanctity of the mails.

Despite the obvious "big brother" quality of these galleries, the post office continues to use them. However, the more intrusive characteristics have been eliminated.[88] Little comment is necessary other than to state that these galleries represent just one more instance of official snooping. Whether their use should be entirely banned by legislation will depend on the effectiveness of the new regulations and the reoccurrence of abuses in the future.

For several years, the Post Office Department in conjunction with the Bureau of Customs has administered a program designed to censure certain foreign political propaganda.[89] This program was administered pursuant to statutory directives.[90]

The Post Office Department, after the Bureau of Customs determined that certain mail was Communist political propaganda,[91] would hold the mail; notify the addressee; and ask him whether he wished the propaganda to be forwarded or returned to the sender. If the addressee wished to receive his mail and notified the Post Office Department to that effect, his name was placed on a list of those desiring to receive Communist political propaganda.

Two suits (one in New York and the other in California) sought an adjudication as to the legality of this program and the constitutional provisions permitting the program. The lower court in New York upheld the constitutionality of the program; the California court struck down both the program and the statute.[92] Both cases were reviewed by the Supreme Court in a single opinion.

In *Lamon* v. *Postmaster General*[93] the Court held the program and the statute unconstitutional. The Post Office Department has since dropped the whole affair.[94]

Another program administered by the Post Office Department is the control of smut mail or pornography.[95] Pursuant to statutory directive the Post Office Department has conducted various degrees of censorship over articles going through the mails.[96] Once again, in order to receive his mail, the citizen has to state something to the effect that he wants to receive pornographic literature.

The intrinsic evil in both of these situations, i.e., censorship of political propaganda and censorship of pornographic literature, is that there is a prior determination by some unreachable bureaucrat that this or that is proper or improper reading material for United States citizens. The danger of such predetermination exists in its threat to the first amendment guarantees of freedom of the press and freedom of speech.[97] The danger is greater because of the intrinsic limitations of censorship and the personal predilections of the censor.[98] To add to the problem recent Supreme Court cases have made it impossible for anyone other than the Court to determine what is or is not obscene,[99] and the statute itself is outdated and in need of revision.[100]

The author is not in favor of political propaganda that distorts truth or prints outright untruths. Nor is the author interested in promoting the sale of smut. What is important here is the freedom of all citizens to exercise their rights to read, speak, and promote the ideas or thoughts they deem necessary or worthwhile. No one person is sufficiently omniscient to judge what is or is not obscene or distorted. The American people are not so naive or incompetent that they need "big brother" to dictate what is worthwhile to read or to specify what is truth. As Mr. Justice Brandeis stated:

"Those who won our independence * * * believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine, that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American Government.[1] "

Surely this Nation is wise enough and courageous enough to allow the expression of ideas repulsive to its sense of decency or dedication without pursuing a reckless and dangerous course of arbitrary censorship. Surely this Nation does not wish to trade the challenge and work of remaining alert to half-truths, lies, and worthless literature for the dubious and emaciating security of official seals of approval. The vigilance that is the price of freedom should not be readily relinquished by any citizen. It may be easier for "big brother" to take the watch; it may also be quite imprudent and costly to our heritage of freedom.

Protecting the health of the Nation

The Food and Drug Administration of the Department of Health, Education, and Welfare has purchased various units of electronic snooping gear.[2] In addition FDA agents have used various other means to invade the citizens' right of privacy and have committed acts unbecoming Federal agents.[3]

In August 1962, two FDA agents, pursuant to their duty to conduct investigation of firms dealing in the health area, visited the American Dietaids Co. in New York. During the course of the inspection a tape recorder concealed on one of the agents malfunctioned. This caused the recorder to emit a whirring noise. The firm's representative immediately objected to the use of the recorder, terminated the inspection, and demanded that the FDA agents hand over the tape. The FDA inspectors refused and left the firm's premises. Later American Dietaids filed suit against the FDA and the HEW.

Relief was requested in the form of an injunction against further use of concealed recorders during an inspection, the production of the tapes, and a declaratory order

---

[81] 96 U.S. at 733.

[82] 18 U.S.C. 1701–1703 (1958).

[83] Hearings on Invasions of Privacy, supra note 36, pt. 1 at 67.

[84] These statutory construction principles are of course only guides and not binding upon the courts. 50 Am. Jur. Statutes secs. 223–224.

[85] Internal Revenue Code of 1954, sec. 6331.

[86] Public Law 89–44, 89th Cong., 1st sess. (June 21, 1965), passed as a rider to the excise tax cut amendments with the result of a present curtailment of mail levies.

[87] Hearings on Invasions of Privacy, supra note 36, at 69–75, 100–107.

[88] Id. at 105.

[89] Letter from Louis J. Doyle, General Counsel, Post Office Department, to Charles H. Helein, assistant counsel to Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, Jan. 29, 1965; letter from Fred B. Smith, Acting General Counsel, Department of the Treasury, to Bernard Fensterwald, Jr., chief counsel to Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, Feb. 19, 1965. Id. at 181, 184.

[90] 76 Stat. 840 (1962), 39 U.S.C. 4008 (1958).

[91] For the definition of what constitutes political propaganda, the Customs Bureau used the one found in sec. 1(j) of the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611(j).

[92] *Lamont* v. *Postmaster General*, 229 F. Supp. (S.D N.Y. 1964); *Heilburg* v. *Fixa*, 236 F. Supp. 405 (S.D. Calif. 1964).

[93] 381 U.S 301 (1965).

[94] Congressman GLENN CUNNINGHAM, of Nebraska, the original author of sec. 4008, is preparing to introduce a new bill in light of the Supreme Court decision.

[95] Since much of this material comes from abroad the Customs Bureau coordinates its program with Post Office Department's program. Letters, supra note 89.

[96] 46 Stat. 688 (1930) 19 U.S.C. 1305a (1958). This applies only to foreign obscene mail and does not authorize domestic ownership.

[97] U.S. Constitution amend. I; *Whitney* v. *California*, 274 U.S. 357 (1927); *Gitlow* v. *New York*, 268 U.S. 652 (1925).

[98] Hearings on Invasions of Privacy, supra note 36, pt. 1 at 306.

[99] *Jacobellis* v. *Ohio*, 378 U.S. 184 (1964); *A Quantity of Copies of Books* v. *Kansas*, 378 U.S. 205 (1964).

[100] 19 U.S.C., sec. 1305a, forbids importation of contraceptives. This makes the statute obsolete in that Federal and State agencies now dispense such devices, and the Supreme Court has granted constitutional protection to their use. Cf. Hearings on Invasions of Privacy, supra note 36, at 173.

[1] 274 U.S. at 375 (concurring opinion).

[2] Hearings on Invasions of Privacy, supra note 36, at 61–62.

[3] Hearings on Invasions of Privacy, supra note 36. Testimony of the activities of the Food and Drug Administration occurred on Apr. 27, 28, 29, and June 7, 1965.

that the FDA had no right to use such recorders as their use violated section 704(a) of the Food, Drug, and Cosmetic Act.

The court denied all relief. The Court of Appeals affirmed and the Supreme Court denied certiorari.[4]

In September of 1962, the FDA issued a directive banning the use of concealed recorders in factory inspections.[5] Testimony before the subcommittee raised a question as to whether this directive was being followed. The FDA maintains that it has been.

In November of 1962 [6] and again in September of 1963,[7] tape recorders were used against persons under investigation by the FDA. In the 1962 case an FDA official attempted to hide a tape recorder in the closet of a hotel lecture hall. In the 1963 case (the testimony is not exact) it seems a concealed recorder was used in the office or warehouse of a firm being inspected by FDA agents.

Whether or not the FDA uses concealed tape recorders in factory inspections is of little consequence. To ban their use in factory inspection yet continue their use in other instances is at best a nice distinction completely ignoring the fundamental principle at stake. The people under investigation by the FDA are generally businessmen, not criminal fugitives, potential tax cheats, or bribers. The inspection is conducted pursuant to a purely regulatory program. The need of surreptitious recording equipment thus only brands the people subjected to their use as devious plotters, conspirators, or criminals. Such is not the case, and even if it were, there has been no showing that the recordings have produced any evidence or even leads of possible criminal or civil violation of the Food, Drug, and Cosmetic Act. Balancing the right of the businessmen to their privacy and dignity against the questionable utility of these devices leaves the latter in poor light.

Another case in which the FDA used electronic gear was the case involving the sale of a milk substitute. The FDA had taken the position that the product did not have sufficient protein content to comply with the Food, Drug, and Cosmetic Act. In an endeavor to obtain evidence that agents of the firm producing the milk substitute were in fact promoting its sale and distribution, seven FDA agents and one female undercover operative descended upon a supermarket located in a midwestern suburb. Here with the aid of a highly sophisticated piece of eavesdropping equipment one FDA agent and the female operative entered the store and attempted to record the spiel of two part-time employees of the company. Both employees were schoolteachers. Neither was displaying or promoting the product at the time of the raid. The attempt to record failed miserably.

The FDA agent could have easily asked the employees if they were selling the product and received a proper response. Instead, the agents chose, in the best James Bond tradition, to use subterfuge and surreptitious eavesdropping equipment in their endeavor to obtain evidence.[8]

It can be validly asked why all of this "cops and robbers" was deemed necessary. Why was taxpayers' $1,400 spent on a piece of eavesdropping equipment that was used against two schoolteachers? [9] Why did agents and an undercover operative have to accompany the investigating officer?

The next instance in which constitutional rights were violated and the privacy of citizens ignored is probably the most bizarre episode to come to light in some time.

In January of 1963, the FDA staged a raid on the Founding Church of Scientology located in Washington, D.C.[10] With the assistance of 14 or so U.S. marshals, with the Metropolitan Police cordoning off the street, and with the press and photographers standing by, the FDA, acting pursuant to a libel of information,[11] seized over 100 devices used in the confessional practices of the church and much of the church's literature. That day an area paper carried the story that the FDA had broken up a "cult." [12]

Such severe tactics could only be justified if the Scientologists were not in fact a church, and if the law that they were alleged to have violated prohibited some base crime.

In fact the charge against the Scientologists was that they were using a health device that was mislabeled.[13] The case is presently in litigation but only after an unexplained 2-year delay. The Scientologists were in fact found to be a church.

Did the FDA smash a notorious and clandestine organization of fraud and deceit? Or did the FDA blithely raid a bona fide church, seize its property and literature, brand it a cult, and otherwise heap ridicule and shame upon its members? It may be profitable for the FDA agents to read the first amendment.

It is also interesting to note that 2 days after the raid the Scientologists resumed their religious practices. It may be valid speculation as to how the FDA justifies their forceful conduct one day and their total indifference the next.[14]

The hearing record is replete with similar instances of invasions of privacy perpetrated by FDA agents. The citizens involved here were not fugitives or criminals but ordinary businessmen, churchmen, and schoolteachers. When law enforcement officials make indiscriminate use of this gear as well as their awesome policing power, the imminent danger to the privacy of all our citizens is patent. The immediate threat of a police state is clearly presented.

Collecting taxes

Recently completed hearings with regard to the IRS further document the rush toward 1984. It would serve no useful purpose to detail the instances of invasions of privacy and the disregard for constitutional rights documented for the record. A list of activities by IRS special agents should suffice to demonstrate the present situation.

Wiretapping, breaking and entering, impersonating an officer, possession and use of burglar tools, and lock picking complete the list of activities engaged in by the IRS agents. Maintenance of a wiretapping and snooping school in the national office of the IRS, use of "bugged" conference rooms (also equipped with one-way glass) in which taxpayers or suspects are interviewed, "bugging" an attorney's office, illegal seizure of records, denying transcripts of interviews to taxpayers unless they sign them, denying taxpayers the privilege of having their own stenographer in interviews are other questionable tactics of IRS agents. In addition, tax returns and bank records of individuals are pulled and examined, allegedly when taxpayers do not cooperate.[15]

Many statements [16] were made both in and out of the hearings that these actions took place while the agents were pursuing the IRS's part in the Justice Department's Organized Crime Drive program (OCD). Statements were also made that the investigation of the subcommittee was in fact "killing" [17] the OCD program.

Such statements are irrelevant. This country is plagued with criminal syndicates and organized and disorganized criminal elements. These criminals must be apprehended and put away from responsible elements of society. But committing other crimes in the name of law enforcement should not be done by those officers sworn to uphold the law and defend the Constitution. If these agents can, in their overzealousness, commit a crime and then justify it by showing they were after hoods, there is no American today who can be sure that he will not have his phone tapped, his home or office secretly entered, or his activities and associations placed under surveillance. When this happens, little security and less liberty will be left to the U.S. citizen. Such a state of affairs makes a mockery of this Nation's stand against totalitarianism and dictatorships.[18]

---

[4] *American Dietaids Co.* v. *Celebrezze*, 317 F. 2d 658 (2d Cir. 1963), cert. denied, 375 U.S. 986 (1963).

[5] Memorandum from the Director of the Bureau of Regulatory Compliance of FDA to all field offices, Sept. 20, 1962.

[6] Hearings on Invasions of Privacy, supra note 36. Cf. Testimony of Milton A. Bass, attorney at law, New York, N.Y., June 7, 1965.

[7] Hearings on Invasions of Privacy, supra note 36. Cf. Testimony of Kirkpatrick W. Dilling, attorney at law, Chicago, Ill., Apr. 29, 1965.

[8] *United States* v. *R.G.B. Laboratories, Inc.*, No. 21802–2, W.D. Mo., Mar. 2, 1965 The defendant was acquitted. During the course of the trial, the district judge expressed his belief that the Department of Justice should look into possible perjury charges against the main FDA witness. It has been brought to the author's attention that the Department of Justice did look into the matter but no action has yet been taken.

[9] This equipment was the same equipment that was deemed so dangerous by its own manufacturer as to warrant legislation to control its use. Hearings on Invasions of Privacy, supra note 36, pt. 1 at 63.

[10] The Washington Evening Star, Jan. 4, 1963, p. 1, col. 2.

[11] This process is an anachronistic and archaic leftover of the law of admiralty. It was intended to be used to seize guards aboard vessels. The urgency of seizure was created by the transiency of the storage place of the goods.

[12] *Supra* note 110.

[13] The device was an E-Meter which was similar to a polygraph. It was not used as a health cure device but as an aid to cleaning the consciences of the church's members. Hearings on Invasions of Privacy, supra note 36. Cf. Testimony of Wayne Rohrer, April 29, 1965.

[14] Letter from Commissioner George P. Larrick to Senator EDWARD V. LONG, June 15, 1965. Commissioner Larrick informed the author that he had no knowledge that the Scientologists had resumed their activities.

[15] Internal Revenue Code of 1954, sec. 7602. The Internal Revenue Service summons is utilized for four purposes as provided in sec. 7602: (1) ascertaining the correctness of any return, (2) making a return where none has been made, (3) determining liability of any person for any internal revenue tax or the liability at law or in equity of a transferee or fiduciary of any person in respect of any internal revenue tax, or (4) collecting any such liability. *United States* v. *Powell*, 379 U.S. 48 (1964), has interpreted this statute to give near inquisitorial powers to the IRS. Namely it resolved a conflict among the courts of appeals in determining that probable cause was not necessary for the issuance of a summons.

[16] Hearings on Invasions of Privacy, supra note 36. Cf. Testimony of the Attorney General and the Commissioner of Internal Revenue Service, July 13, 1965.

[17] N.Y. Times, July 18, 1965, p. 1, col. 2.

[18] The role of the IRS agents in the drive against organized crime is questionable from a policy viewpoint. The IRS's purpose is to collect taxes. The FBI supposedly investigates criminal activities. Use of the IRS in crime drives evinces a philosophy to get the man at any cost. Such a philosophy is an extremely dangerous one. In this regard, Mr. Justice Jackson in a concurring opinion in *McDonald* v. *United States*, 335 U.S. 451 (1948), pointed out that overzealous drives

ACCOMPLISHMENTS AND PROPOSALS

Corrective steps

Already much has been done to further develop and protect the citizens' right of privacy. Much remains to be done, but the following list is indicative of the increasing awareness of Government officials, the press, and the public of the necessity for assiduous and vigilant protection of their privacy and other constitutional rights.

The Postmaster General has cooperated and is remedying some of the unfortunate situations in his Department. An order was issued to block out peepholes overlooking areas in which employees were engaged in purely personal activities.[19]

New and more rigid controls have been issued in regard to the use of mail covers. Basically these regulations limit their use to investigations of crimes normally constituting a felony. Only the Chief Postal Inspector and district postal inspectors can order mail covers to be placed and only in defined situations, and only upon compliance with specific procedures. Indiscriminate use of mail covers that invade normally confidential relationships has been curbed. Records will be kept for a period long enough to make them available when needed in court or administrative proceedings. Definite time limits have been set on the duration which a mail cover can be in effect.[20]

Additionally, a public understanding exists between the subcommittee and the Postmaster General that if these new regulations are ignored, violated, or abolished, the subcommittee will renew its push to outlaw mail covers completely.[21]

Mail levies, the practice of IRS opening first-class mail to levy on assets of delinquent taxpayers, has been stopped. Legislation is on the books which specifically exempts first-class mail from the levy powers of the IRS.[22]

While the officials of most departments have ultimately extended cooperation and pledges to remedy existing situations, no such action has been taken by the FDA officials. No new regulations or controls, or even investigations, have occurred. However, this situation may be improved by new legislation currently under study that would make the FDA a multimembered commission with definite time limitations on tenure and the imposition of other restrictions on the commission members. In this way new thinking and a broader perspective can be introduced to aid the fair, efficient, and effective administration of the drug laws.

The very compilation of the record of the hearings is valuable. It documents the dangers inherent when the bureaucrats become too impervious and too insulated from criticism or challenge. Violation of laws, intimidation, and harassment have been proven. Disregard and ignorance of constitutional rights have been brought before the public and Congress. All of this will set the basis for future comprehensive legislation.

The Commissioner of the IRS has pledged that he will conduct his own investigation and report fully to the public and Congress. Already, new orders have been issued that will aid in controlling the overzealousness of his agents.[23]

On July 15, 1965, the President publicly reaffirmed his ban on wiretapping and praised the efforts of the subcommittee as in the public interest.

With this record of achievement, the future should promise that more definite steps will be more easily taken to get to the heart of the problem of protecting privacy.

Legislation and review

The intention of the subcommittee is to continue the investigation until a complete picture is developed. This may take some time. However, the record is sufficient to give some general direction that future legislation should follow.

Initially, a comprehensive code regulating investigative techniques involving invasions of privacy presents a feasible means to remedy the existing violations and guard against future infringements. This code would attempt a broad definition of the right to privacy and the policy of Congress that such a right should be fully protected.

Wiretapping and electronic eavesdropping could either be banned outright or limited to specific urgent needs such as national defense, national security, or the investigation of major crimes.[24] Criminal and civil penalties would be imposed for violation of these rights. In addition the code would protect against intimidation or harassment by Federal agents.

Presently, there exist criminal statutes outlawing deliberate violations of certain constitutional rights of citizens.[25] However, these have been either ignored or only partially enforced. There is need for expansion and effective enforcement of these laws.

Further possible legislation which could be considered separately by Congress or incorporated into the code would set forth a code of conduct for Federal agents, with appropriate penalties for its violation. In addition specific requirements as to the education of agents in the constitutional rights of citizens could be provided.

It is believed that while most agents have had the legal principles pertaining to search and seizure [26] made available to them, this isolated, microscopic information is inadequate. Further and more comprehensive education is needed in the purpose and meaning, not only of the fourth amendment, but of the entire Bill of Rights.

Agents should be instructed that their primary responsibility is to prevent crimes and violations of law, not solely to convict people. This conviction psychology is imbued into the agent from his first association with an agency and ingrained while he remains there. All too often this conviction syndrome is generated by the publication of statistics aimed at proving the dedication and necessity of the agency. In short, compilation of self-serving statistics goads agents into all sorts of indiscretions. It remakes a protector of society into a menace to liberty, a law enforcement officer into a potential violator of the law himself.

More civilized standards than the number of convictions should not be impalatable to Congress or to the people. Rather than branding law enforcement as lax when the conviction rate falls, we should study the overall reduced rate of crime. Putting people behind bars by illegal or questionable methods is no deterrent to crime; indeed, it acts only as a spur to competition in criminal acts.

The increasing difficulties of law enforcement, while partially due to lack of manpower, lukewarm citizen support, low salaries, etc., are attributable to a more deep-seated dilemma. Basically, law enforcement officers are confused as to what is or is not within the permissible scope of their duties. The IRS agents on the one hand were issued a directive by the Treasury Department, which was in existence since 1938, that completely banned wiretaps. On the other hand, the national office of IRS conducted a wiretap and snooping school, and furnished the equipment and experts to place the taps. Little wonder agents winked at the ban against wiretaps. Little wonder they had no fear of prosecution or other disciplinary action being taken against them. Setting forth specific guidelines in this code of conduct, plus education and the imposition of appropriate sanctions for its violation should alleviate the confusion of Federal agents caused by such double standards.

Two major salutary effects could come from this legislation. One, the right of privacy will be given public recognition as the constitutional and basic human right that it is. Two, the professionalism, efficiency, effectiveness, and dignity of the Federal agent can be judged, assessed, and determined by his compliance or lack of compliance with the code.[27]

These hearings have also pinpointed the need for further investigation into subjects tangentially related to invasions of privacy. The legal process of libel of information should be reviewed. This process exists as an anachronism in the law and permits the skirting of protections in certain cases afforded by a fourth amendment search warrant.

The summons powers and jeopardy assessment powers of the IRS should be reviewed with a view toward limiting their use and providing safeguards against abuse.

On an overall scale, Congress should be more wary of granting too much power to agencies. Indiscriminate grants have led to abuse and a lessening of congressional powers of control. It is hoped that from this point on, when Congress delegates its powers it will provide safeguards against abuse and retain some supervisory control over its delegates.

Congress should take more of an interest in how its laws are administered. No law is

---

against criminals usually involve the small time criminals and petty violators of the law rather than the more vicious element. He states:

While I should be human enough to apply the letter of the law with some indulgence to officers acting to deal with threats or crimes of violence which endanger life or security, it is notable that few of the searches found by this Court to be unlawful dealt with that category of crime. Almost without exception, the overzeal was in suppressing acts not malum in se but only malum prohibitum. Id. at 460.

[19] Hearings on Invasions of Privacy, supra note 36, pt. 1 at 247.

[20] 111 CONGRESSIONAL RECORD, vol. 111, pt. 10, p. 13878.

[21] S. Rep. No. 973, 89th Cong., 1st sess. (1965); *Lamont* v. *Postmaster General*, 381 U.S. 301 (1965).

[22] Pub. L. No. 89–44, 89th Cong., 1st sess. (June 21, 1965).

[23] Letter from Commissioner of IRS to all criminal investigative personnel of IRS, June 29, 1965. Letter from Acting Secretary of Treasury to Senator EDWARD V. LONG, July 23, 1965. In substance both letters concerned use of investigative equipment and methods destructive of the individual's privacy and dignity and both stated the steps taken to prevent future infringements in this area.

[24] Legislation to a similar effect was proposed by the then Attorney General Robert F. Kennedy. It was subjected to comprehensive analysis. Hearings on wiretapping, Eavesdropping and the Bill of Rights Before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, 87th Cong., 1st sess., pts. 1–5 (1961).

[25] *Rhodes* v. *Graham*, 238 Ky., 225, 37 S.W. 2d 46 (1931). Plaintiff was granted damages for invasions of privacy by means of a wiretap.

[26] 18 U.S.C., sec. 2236 (1958).

[27] A cleaning house for complaints against tactics of Federal agents could possibly be established. The recently created administrative conference may be of aid here. Its major advantage is that it would be independent of the agency it was investigating and answerable to the President through its chairman. In 1952 the IRS set up its Inspection Division to check the integrity of its employees. The fact that no instances of wiretap were discovered or reported since its inspection is indicative of the ineffectiveness of a program to police police by police.

very effective or promotes social development unless it is properly administered. Laws today are being misconstrued, misread, or ignored by some of their administrators. It is Congress who represents the people; Congress must answer to the people. Delegating powers to bureaucrats who often answer to no one is not responsible representation of the people. If vigilance be the price of liberty, that price has to be paid by the Congress as well as by the people. Today we seem to be experiencing a vital lack of vigilance when law enforcement officials disobey the law and Congress allows liberty to be lessened by administrative fiat.

CONCLUSIONS

If the privacy so necessary to the development of a free and independent people is to be preserved, our national lethargy and lack of knowledge must be countered. These hearings and the legislation that can be created pursuant to them are steps in the right direction. But more is demanded; more is needed before we as a nation can reach a plateau of civilized existence above that on which we now abide. Citizen concern and assistance is vitally needed at this time to foster and nurture the neophyte strides made to protect our privacy and our heritage. Without them, this country is threatened with degradation into a comatose state of dependence and conformity. Encroachments on freedom begin on a small insidious scale. Mr. Justice Frankfurter saw this danger as exemplified by police excess in the name of law enforcement and his keen perception pinpointed the aspects of that danger: "[W]e are in danger of forgetting that the Bill of Rights reflects experience with police excesses. It is not only under Nazi rule that police excesses are inimical to freedom. It is easy to make light of insistence on scrupulous regard for the safeguards of civil liberties when invoked on behalf of the unworthy. It is too easy. History bears testimony that by such disregard are the rights of liberty extinguished, heedlessly at first, then stealthily, and brazenly in the end." [28]

Would not all Americans feel more secure and justly proud of their democracy if the following were to become reality and no simple aphorism: "The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail—its roof may shake—the wind may blow through it—the storm may enter, the rain may enter—but the King of England cannot enter—all his force dare not cross the threshold of the ruined tenement." [29]

THE NEW YORK TIMES AND JAMES RESTON ON THE VIETNAM WAR

Mr. McGOVERN. Madam President, some of the most perceptive writing on the Vietnam war has been done by the editorial staff of the New York Times and its distinguished columnist, Mr. James Reston.

I ask unanimous consent that two important editorials published in the Times of January 21 and 23, together with columns by Mr. Reston of the same dates, be printed in the RECORD.

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

[From the New York Times, Jan. 23, 1966]

TALKS WITH THE VIETCONG

Secretary General Thant's formula for an interim broadening of the Saigon government, to "take over the responsibility" of organizing self-determination in South Vietnam after the war, points to the heart of the problem of achieving a peaceful settlement. Despite Secretary Rusk's negative reaction to U Thant's suggestion and his almost exclusive emphasis on Hanoi, somehow a way must be found to get talks going between the South Vietnamese factions that are doing the bulk of the fighting on the ground.

President Johnson's plan for free elections, after a cease-fire, is itself a means of achieving a representative administration in Saigon prior to American withdrawal. In a recent statement by Ambassador Bohlen, the United States has indicated that it would accept the results of such an election even if it returned a dominant Communist faction. But the real issue is how the elections are to be organized.

Essentially, this is a question of the kind of interim government that will preside over the country, under international supervision, during the electoral campaign. The electoral campaign itself can only follow a cease-fire. But a cease-fire is likely to be achieved only after an agreement on the makeup of an interim government.

Proposals often have been made—including one by the United Nations Secretariat after the fall of Diem in 1963—that neutralist South Vietnamese leaders resident in Paris be brought home to form a new government and mediate between the warring factions. Talks between the generals ruling in Saigon and the Vietcong leadership—either directly or through intermediaries initially—would be another possible approach. There have been hints that the Vietcong would welcome the independence from Hanoi that such contacts might encourage.

The intransigent attitude of Air Vice Marshal Ky, the present Saigon Premier, does not necessarily rule out such talks. There have been repeated rumors in the past of contacts with the Vietcong on the part of South Vietnamese officers, Buddhist leaders, businessmen, and intellectuals. There would be little difficulty in finding intermediaries if the United States were prepared to encourage such exchanges. The aim of such talks could be to form either a neutral administration or a coalition in which the South Vietnamese Army, the Vietcong, the Buddhists, the Catholics, the Cao Dai, and other political elements would participate.

The attraction of such an approach has been increased by the numerous setbacks Communist China has suffered during the past year in projecting its influence beyond its borders from Indochina to Africa. Most of its programs of expansion or subversion have either failed or have been deflated.

The result, as Times Correspondent Seymour Topping reported the other day, has been to create an opportunity for the United States to deal with the war in Vietnam no longer on the basis of determining "the form or ideology of the Vietnamese nation, but the reestablishment in southeast Asia of peace, order and respect for borders." A Vietnam, independent from China, that respected the borders of its neighbors would be a Vietnam contained—and separated from the rest of southeast Asia by the neutral buffer states of Laos and Cambodia.

The most orderly way to deal with the whole problem would be another Geneva conference similar to that on Laos in 1962. That conference brought together the five great powers, the Indochina states and factions, the neighboring nations of southeast Asia and the countries which comprise the International Control Commission, India, Poland and Canada. The best method to clear the way for such a conference might well be a beginning of efforts to broaden the Saigon government—a move that might also stimulate Hanoi's interest in getting into the negotiating act.

[From the New York Times, Jan. 21, 1966]

THE VIETNAM DECISION

Failure of the Johnson peace offensive thus far to bring about formal negotiations with Hanoi inescapably raises the question: what course should the United States now follow?

Much depends on Washington's evaluation of Hanoi's ambiguous public and private replies and on the official estimate of how long it is safe to keep the bombers grounded. Is Hanoi holding out for concessions? Or is Hanoi seeking to avoid a conference out of the conviction that the United States will get tired and withdraw? President Johnson expressed the latter belief yesterday. But his conclusion from this remains unclear, since he also said: "The door of peace must be kept wide open."

Many factors counsel patience. The 2-month absence of North Vietnamese Army units from combat in South Vietnam—which may signal a Hanoi desire to continue the diplomatic exchanges—is one such factor. Far more important is the fact that the military balance in South Vietnam has been fundamentally transformed in the past year.

The decisive new element has been the ninefold buildup of American troops in South Vietnam to a strength of about 190,000. South Vietnamese armed forces, including militia and police, now exceed 635,000. With South Korean, New Zealand, and Australian units, there are upward of 850,000 men in the field. And the backing of American air and naval strength gives these forces devastating firepower and unparalleled mobility.

This buildup, in the words of President Johnson's state of the Union message, has put the enemy on notice that time is no longer on his side and that a Vietcong victory now is out of reach.

Meanwhile, it has become evident that the bombing of North Vietnam failed to achieve either of its original two objectives. It failed to slow down the infiltration of men and supplies, which increased as the bombing intensified. And it failed to bring Hanoi to the conference table. The bombing did force North Vietnam to turn from Peiping to Moscow for antiaircraft missiles and, even more important, for massive economic and technical aid. But this unexpected dividend argues for a continued suspension of the bombing, rather than for its resumption.

As White House security adviser McGeorge Bundy recently observed: "It has been made clear to us over a long period of time that the Soviet Government hopes there can be a peaceful settlement." And Moscow has also made it clear that peace efforts cannot be carried on while North Vietnam is being bombed.

The critical decision that confronts President Johnson, therefore, is not whether to resume the early bombing of the North—which even Republican leaders no longer press—but how to conduct the war in the South while continuing the probes for peace. The ground and air war in South Vietnam undoubtedly will resume fully after the Lunar New Year truce. What the President now must decide is whether to escalate that war in the south to a wholly new level by yielding to military requests for a doubling of American forces. Such a move would finally convert the struggle from a Vietnamese conflict into an American war against Asians.

A further large-scale buildup would not end the military stalemate in South Vietnam. As in the past, it would be matched by increased Vietcong recruiting, infiltration of additional North Vietnamese units and ultimately—if the ground war expanded into Laos, Cambodia and, perhaps, North Vietnam—by the entrance of Chinese troops into the conflict.

At present, American forces are secure in their coastal positions and cannot be invol-

[28] *Davis* v. *United States*, 328 U.S. 582, 597 (1946) (dissenting opinion).

[29] 15 Hansard, Parliament History of England 1307 (1753–1765).

untarily dislodged. General Gavin's recent advice, not to expand the war but to continue efforts to negotiate the peace, has the force of logic on its side.

[From the New York Times, Jan. 21, 1966]

WASHINGTON: WHAT GREAT DEBATE?

(By James Reston)

WASHINGTON, January 20.—The process of debate in Washington, even on so solemn a business as risking war with a quarter of the human race, is an astonishing and depressing business.

No capital ever talked so much about "great debates" or had so few of them. The Senate has not been performing its constitutional function of "advise and consent" on the critical issues of foreign affairs during the pause in the war. It has been tugging and hauling on the President in a series of disjointed and unconnected statements, speeches, and television remarks, most of them made outside the Senate Chamber.

The opposition party did not launch a debate on the President's state of the Union message. It put on a television show featuring Senator DIRKSEN and Representative FORD in a recitation which differed wildly from most of the things they have said about the war in the past.

CHAOS IN THE CORRIDORS

Secretary of Defense McNamara went before the Senate Armed Services Committee today and when he and the Senators emerged from the privacy of the commitee chamber the scene was about as orderly as the end of a professional football game.

Senator RICHARD RUSSELL of Georgia told the crowding reporters that the general tone of McNamara's private remarks was that time was running out on the peace offensive. "Never even mentioned it," the Secretary said later.

No doubt the discussion inside the committee room was better, but ever since the start of the peace offensive the public statements have been a babble of disconnected shouts. One day a general comes back from Vietnam and calls for a resumption of the bombing in North Vietnam. The next a Senator offers his opinion that escalating the war now would be sheer madness.

Yet there was no reason why the two Houses of Congress could not have taken a week for a serious discussion of the President's state of the Union message. It was at least a clear picture of a perplexed man. It defined the dilemmas if not their solutions.

In any other democratic country the parliament would have regarded such a message at such a time by the head of the government as an invitation to a debate. The leader of the opposition in both houses would have replied at length, defined the areas of agreement and disagreement. Experts on both sides of the aisle would have talked on the aspects of the message they know best. And at the end of the debate, the leaders of the majority party would have tried to answer the questions raised.

THE MYSTIFYING CLARIFICATIONS

Such a procedure not only clarifies the feeling of a democratic Congress, but is often useful to the Government executives who finally have to make the decisions. But no such orderly clarifying procedure has been followed here.

It may be objected that a public debate in the midst of the peace offensive would dramatize the divisions in the country on Vietnam—they are being dramatized anyway—but there is no reason why the Government, if it fears this result, cannot debate the issue in private. This was done during the last war, and while there were the inevitable leaks, these did little damage.

The present situation is remarkable in a number of other ways. President Woodrow Wilson died believing that the power of the Senate was so great in the field of foreign affairs that it could virtually paralyze the President, but today the President alone can decide whether to renew the bombing or extend the pause, to raise or lower the level of violence on the allied side, to bomb Hanoi and mine the harbor of Haiphong or leave them alone, to attack the Soviet ships carrying supplies to the North Vietnamese or ignore them, without even listening to the Senate.

THE CHINA QUESTION

There has been no real debate on the China question, which lies behind the whole war. It is not even clear whether the North Vietnamese and the Vietcong have increased the number of attacks on our positions since the start of the peace offensive, for the Pentagon has testified that the attacks have increased and the President has said they have decreased.

If the purpose of all this is to confuse the enemy, it must be a success—for the so-called debate is certainly confusing everybody else. The American people are entitled at such a time to a candid and searching discussion of the issues in the Congress assembled, but this is precisely the one thing they have not had.

[From the New York Times, Jan. 23, 1966.]

WASHINGTON: THE MIND OF ASIA

(By James Reston)

WASHINGTON, January 22.—The mind of Asia, in all its different manifestations, is a constant puzzle to our policymakers in Washington.

The Vietcong are not intimidated by our superior firepower and airpower: They just keep on coming. The people in the South Vietnamese villages seem to resent the bombing of their dead more than the bombing of the living. The brutality of the Vietnamese to their fellow countrymen they capture is almost beyond our comprehension.

THE INDONESIAN MASSACRE

Seldom a week passes now without some startling illustration of the point. Not so long ago, the Communists in Indonesia were demonstrating against the United States, apparently with the approval of the Sukarno government and the Indonesion people. Then came the brutal murder of five leading Indonesian generals and a vicious counterattack against the Communists.

Since then, over 100,000, not 1 but 100,000 people, have been murdered in Indonesia, not in bombings but in savage manhunts. Even Sukarno concedes that 87,000 people have disappeared in this barbaric slaughter, and the intelligence services here put the total at nearer 130,000.

Understanding the European mind in the past 30 years has been hard enough for officials in Washington, but Asia is something quite different. The North Vietnamese do not react to our peace offensive as we thought they might. The South Vietnamese have been very quiet about it, not because they approved, but because, knowing their countrymen, they didn't think it would succeed.

Yet the same officials who have constantly been surprised by developments in Asia since the war, who were wrong in their calculations on the North Vietnamese bombing, wrong in their estimates of the effect of the American military buildup, wrong on a whole succession of Saigon governments, and wrong on the effects of our successful monsoon campaign—these same officials are now being quite dogmatic again about China.

RUSK'S PARALLELS

Secretary of State Rusk is constantly drawing the parallel between the Nazi aggression in Europe and the Chinese aggression in Asia. His proposition is perfectly plain: China is the enemy. China must be stopped in this early phase of its aggressive expansion, just as the Nazis should have been stopped in the 1930's, and as the Soviets were stopped in Greece and Turkey, Persia and Berlin, after the last war.

He may be right, but then again he may not. The Secretary General of the United Nations, U Thant, who is Burmese and presumably knows as much about Asia as Lyndon Johnson, sees China today not as a rogue elephant but as a nervous wreck. Prime Minister Sato of Japan thinks China is primarily concerned about her problems of production at home, and is using the war as a threat of foreign invasion to get more work out of the poor Chinese people.

DIFFERING VIEWS

When a country has been treated as an outcast, an outlaw, and a culprit, said the Secretary General, referring to China, "it is apt to act in a certain way * * *. In such a delicate stage, countries will sometimes show certain emotions, certain strong reactions, certain rigidities, and even a certain arrogance * * *."

These two views of China are not necessarily contradictory. If countries, like individuals, can have "nervous breakdowns," as U Thant suggests, they can also be dangerous, as Secretary Rusk assumes, but surely there is room here for more modest analysis of China, lest we commit more and more power to more and more false assumptions.

TIME TO THINK

The Communists may or may not need more time to think anew about the future course of the war and bring up supplies for the purpose, but the Johnson administration could certainly use more time. It is not agreed about how to proceed. It has not yet solved its supply problems in Vietnam, and it is not yet clear about the extent of the China menace or who is going to help contain China if it does go mad.

What, then, is the hurry? There is no danger that the American command can be overcome. We are constantly patrolling the enemy supply lines and will know in advance if any concentration of force is being gathered. And there's nothing in the situation other than past tradition that forces us to act before we take time to think.

MY SCOUTING PAST, YOUR SCOUTING FUTURE: BY VICE PRESIDENT HUBERT H. HUMPHREY

Mr. McGOVERN. Madam President, of all the many fine organizations in our country which help to build youngsters' lives, few are more important, more constructive, or more inspiring than the Boy Scouts of America. America is truly indebted to over a million adult leaders who serve the Boy Scouts in individual troops, in headquarters, and in other capacities.

Many of our outstanding leaders in public and private life have had the happy privilege of serving as scoutmasters. One of the finest descriptions of the joys and opportunities of scoutmaster has been given by Vice President HUBERT H. HUMPHREY.

In the January 1966 issue of the magazine, Scouting, he gives recollections of his days as a scoutmaster in South Dakota in the 1930's. And he summarizes the significance of today's and tomorrow's Scout work. "My Scouting Past, Your Scouting Future" is his theme.

I believe that his article will be of interest not only to all those who have worked with the Boy Scouts, but to many other thinking citizens as well.

I ask unanimous consent that the Vice President's article be printed in the RECORD at this point.

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

MY SCOUTING PAST, YOUR SCOUTING FUTURE

(By HUBERT H. HUMPHREY)

Scouting is a joy—and a challenge. It is fun and fellowship, adventure and achievement, honor and patriotism.

That's how I felt when I was a Scout in Reverend Hartt's troop 24 back in the little town of Doland, S. Dak., and that's how I remember my later years as a scoutmaster of troop 6 in Huron, S. Dak. And that's how I feel about scouting today.

My visit last spring to the national headquarters of the Boy Scouts of America brought back many fond memories. There was a large picture of Scoutmaster HUMPHREY and seven of his Scouts, and there were momentoes of all the early B.S.A. heroes—men like Beard, Seton, West, and Baden-Powell.

Then there were all those wonderful Norman Rockwell paintings that so accurately depict the adventure and the integrity of the scouting program. And there was a photograph of our first national jamboree that made me recall that in 1935 I was all set to attend that remarkable gathering of youth in Washington, D.C., when a national polio epidemic forced its postponement until 1937.

Appropriately enough, Mrs. Humphrey shared my visit to your national headquarters, just as she had shared so many of my days as scoutmaster. Mrs. Humphrey—Muriel—always enjoyed the outdoors and the company of Scouts. She called them young Indians.

An honor guard of uniformed Cub Scouts, Boy Scouts, and Explorers greeted us at national headquarters. How that colorful assortment of blue and gold, khaki, and green differed from my crop of boys in troop 6 back in Huron.

In those days our people were pretty down on their luck from dust storms and the depression. We had a rule that no one could have a new uniform, because we didn't want any boy to feel inadequate or inferior. So we passed around second-hand uniforms and tried to outfit each boy from the hand-me-downs of older brothers. We made our camping equipment, too—at least some of it.

Old troop 6 was versatile when it came to meetings. We didn't even start out as a church basement operation—the church budget, like everything else, was the victim of the depression and, therefore, too skimpy to allow for heating the basement.

We were sponsored by the Good Fellowship Class of the Methodist Church and my first meeting was held in the church's vestibule during a dust storm. Later on we met outside the church, in the basement of Humphrey's Drugstore, in my living room, and, on occasion, even in Muriel's living room.

Those were difficult and trying days. Money was scarce and church funds were even less available. But we finally did get heat for that church basement, even though it took a small conspiracy and a well-kept secret.

We announced a big troop bean feed and promoted it all over town. A real crowd turned out and shivered through the meal. We had, on purpose, neglected to warn the folks that the basement wasn't heated. After that bean feed, the church officials managed to have it heated for us.

That was in 1933. I served as scoutmaster for about 3 years. During that eventful time we took into our troop a few boys who today might be labeled juvenile troublemakers. In fact, some of them had been in a little trouble, but they were not bad boys. They simply needed guidance, activity, and work. And the Boy Scout troop offered these opportunities.

Working with the troop committee we found jobs for our boys. I hired two of them to work in the family drugstore and put them on their honor to do well and to keep out of trouble. Given a chance, they came through with flying colors.

Those were days when we took a firmer stand with our young people. I had an understanding with my Scouts that we weren't going to have any smoking. So, when I caught several of the boys redhanded, I told them, "You're through—beat it."

They were the most unhappy boys in the world and they started coming around my home every morning. Finally they got up enough courage to apologize and we took them all back into the troop—provided they abided by the rules.

Starting in 1935 I was a pretty busy person, what with my Scout meeting on Tuesday nights and courting Muriel on Thursday nights. Muriel was always a sort of assistant scoutmaster. Even in those early days before we were married she encouraged me to carry on my Scout work—apparently she was already learning to cooperate with the inevitable.

This was when Muriel earned the "fastest and best hamburger maker in South Dakota"—and those Scouts would eat them as fast as she could make them. They always preferred her cooking to mine, and no wonder.

Once on an overnight hike I decided to show the boys what a great cook I was. I prepared for them a simple desert—a sort of pudding of rice and raisins. I recall dropping a rather large portion of rice into a kettle of boiling water. The rice kept expanding. We wound up filling about every container in the camp with rice pudding. From that point on the Scouts of Troop 6 resolved to do their own cooking and leave their scoutmaster to other chores.

Sometimes I was worried about the quality of discipline in our troop. After all, eager, spirited young men are not easy to order about. But when the occasion required it, we would have good discipline. There was no need to be authoritarian or hard-fisted. Our discipline was based upon fellowship, friendship, and a sense of pride in the achievements of troop 6.

When I wanted the boys to do something they did it because they knew I wanted it done. It reflected upon the record of our troop. I always was able to be "one of the gang" without losing their respect. We worked together, played together, and camped together.

I did my Scouting work right with the boys, starting as a Second Class Scout. I went on to Life Scout. Unfortunately, I didn't have the opportunity to finish my work as an Eagle Scout. But we had six Eagles in Troop 6 and that was good for those days.

Our town was Scout-minded; and with our little population, we had no less than six active troops. We had our own Scoutmaster's roundtable in Huron—all the Scoutmasters in town met once a week at noon. We developed great fellowship that way and great competition between troops.

By 1936 my future was taking a new turn. Muriel and I had decided to marry and to return to the University of Minnesota to complete my education which had been interrupted by the depression.

The move to Minnesota meant the end of my Scoutmaster days. On Scout Sunday during Boy Scout Week, I "preached" the sermon at the Methodist Church, then made my resignation official by presenting my khaki shirt to my good friend and fellow Scouter, the late Dewey Van Dyke.

As a Scoutmaster I was a novice and an apprentice. The success of Troop 6 was due in large measure to the man who served for some time as my assistant, Dewey Van Dyke, and to another outstanding church man and youth leader, Lynn LaCraft. It was Dewey and Lynn above all who gave stability, continuity, and leadership to Scouting in our community.

Dewey Van Dyke was full of stories of his youth and his experiences in World War I. He was a natural camper, loving the out of doors. He was the kind of man that boys respected. While short in stature, he was athletic, competitive, rugged, and a down-to-earth fellow. The boys loved him.

Dewey's only son, Bobby, was a member of Troop 6. He was an excellent Scout and he and his dad were inseparable companions. But early in Scouting, Bobby was to lose his life in a drowning accident. This was a tragic blow to Dewey and his wife, Hazel. Dewey's wife, like Muriel Humphrey, was a Scouter, too; her life was fully involved in the work of Troop 6.

The loss of Bobby Van Dyke was a blow to all of us. He was such a wonderful boy. But this sorrow and sadness that came to the Van Dykes served as an inspiration to Dewey. He redoubled his efforts in Scouting. He and Hazel literally adopted every boy in the troop. Instead of having one son, the Van Dykes now found themselves with anywhere from 25 to 35 boys—treating them all like their very own. Scouting to them was a labor of love.

My dear friend, Lynn LaCraft, a member of the troop committee, also lost his boy—a former troop member, Kendall—as a Navy pilot in World War II. They were also inseparable companions and dear friends to me.

Kendall was an outstanding Scout—an Eagle Scout. He was always the leader in the troop, a brilliant young man, athletic, an engaging personality, courageous, and cooperative.

Lynn LaCraft went on as did my friend, Dewey Van Dyke, to become a Scout leader, giving unselfishly of his life to other young men.

Tragedy befell two families—the Van Dykes and the LaCrafts—but they eased their sorrow and pain by giving of themselves to others. This is what it takes to make a great Scout leader—giving, sharing, caring for others. What wonderful memories these names bring back, memories of friendship and devotion to the highest values.

We who have served as volunteers receive far more from the scouting program than we can possibly give it. Whatever I gave to scouting was richly rewarded by the joys, satisfaction, and opportunities of working with my boys of Troop 6.

Few experiences can compare with the rich pleasure of seeing boys with whom you have worked grow to sturdy manhood and positions of respect in community life.

An investment in time and energy with youngsters reaps the greatest "dividends"—personally, for the boys, the sponsoring institution, for town and Nation. No wonder scouting has grown and will continue to grow.

Best of all, it is voluntary. This voluntarism is a unique characteristic of American life—the willingness of people to give of themselves to help others, the sharing and the building together out of conviction rather than ordered direction. Scouting is one of the finest examples of America's genius to get things done through the citizen's own initiative and responsibility. And it offers continuing challenge to so many adults who feel a deep desire to keep America free and to preserve the spirit of personal initiative and self-discipline.

Scouting is more needed today than ever before. Life in America has changed greatly in the last quarter of a century. Family unity is tested more than ever. People are constantly on the move and often our roots are not as deep as they used to be. Scouting

unites neighbors and former strangers, welds communities, builds tremendous good will and understanding internationally.

As a former mayor, as a U.S. Senator, and now, as Vice President, I have seen scouting's good works in so many ways and places. Today in America's war against poverty, Scouting is helping to bring many disadvantaged youngsters into a new, better life.

Sometimes this expansion of scouting may not be easy, but it is in the finest Scout tradition. You're interested in the boy—not his race, color, or religion. The boy's own growth, his work, his skill—these are the things that count. You want to see that every boy is taught respect for law and order and the great institutions of our country—the family, home, church, government, industry.

Quite appropriately this "missionary" challenge is part of your current breakthrough for youth program, a national effort to make scouting even more effective and meaningful as it is brought within the reach of more and more boys. You are absolutely right to be doing this, because the program is too good to keep to ourselves.

Also on the scouting horizon is a significant event for all Americans—next year's 12th World Jamboree in Idaho. This will be the first time our country has been privileged to be host for this international show of scouting brotherhood. God willing, I hope to be there.

What a joy it will be to have boys from all over the world in our country.

What an opportunity it will be for them to see this land of ours, and how fortunate we will be to know the future leaders of other nations. They will come here as youngsters, but in a few years they will be guiding universities, managing businesses, leading trade unions, or serving in positions in government. They will be helping to build a finer, more peaceful world.

In our own land, Boy Scouts and their leaders will play an ever-more important role in helping America realize its highest ideals. For scouting is a vital activity in a truly great society. In his inaugural address, President Lyndon B. Johnson so well described "* * * the excitement of becoming—always becoming, trying, probing, falling, resting, and trying again—but always trying and always gaining."

Young men who are well prepared and inspired can make all the difference in the world. That is what our President saw and learned from his earliest years in Texas as a student and then, as a teacher. It is what I remember, too, from those early years in South Dakota.

Much has happened since those times. But I still know of no better motto than to "Be prepared"—physically, mentally, and morally. I know of no higher values than loyalty to God and country.

I wish every boy in the world had the fun of scouting, its training, its opportunities, its inspiration.

Whatever I can do and you can do for scouting is a service to a still better tomorrow.

THE 1967 BUDGET

Mr. YARBOROUGH. Madam President, the programs in the budget laid before us today by President Johnson are, in general, well conceived and designed to meet the Nation's major needs, both at home and abroad.

What the budget proposes is undeniably important. How the Government accomplishes its goals is equally important to Congress and the taxpayers.

The President's budget calls for lean and flexible Government. It reflects the hard choices of the troubled and uncertain world in which we find ourselves—a world in which:

The defense of freedom in Vietnam places heavy obligations on our resources.

The unfulfilled needs of one-fifth of our fellow Americans plead for greater national effort.

Our rapid approach toward full employment suggests fiscal prudence.

To meet all of these requirements requires efficient and economical Government administration. The 1967 budget bears that stamp. There is not an agency head in Washington who cannot testify to the President's sincerity and diligence in cutting back programs and requiring greater efficiency and productivity in operations.

Were it not for vigorous cost-reduction efforts and increasing Government productivity, we would be paying $3 billion more in both 1966 and 1967 for the services we are now receiving. For example:

The Defense Department has given us more powerful and flexible forces, at the same time cutting costs in 1966 and 1967 by an estimated $2 billion since 1964. By 1969, the annual savings since the start of the Defense cost reduction program in 1961 will be over $6 billion.

We may be confident that the President will continue his quest for the most efficient Government services possible. As he stated in his budget message:

> It is often harder work to save money than to find productive ways to spend it. But it is equally important to the public interest. I believe we are making good progress in reducing costs and improving efficiency, but I will never be satisfied that we have done all we should.

However, even though we salute the President for the leadership he has exercised in presenting a 1967 budget that in general fulfills so many of our national requirements, there are issues raised by the budget that will have to be the subject of searching examination by Congress in the months ahead. We shall have to exercise our judgment on these recommendations; it does not detract from the excellent job the President has done on the whole budget for the Congress to fulfill its own responsibility by differing in some details.

First on my list is the continuing failure of this Government to undertake any meaningful program of readjustment assistance for the 5 million cold war veterans who will have had their lives interrupted on an average of over 2½ years each so that they could do their part to defend their country. I shall have more to say about this at an early date.

Second, is the proposal to shift many Government programs from Government grants and loans to private financing which the Government either would repay, in the case of grants, or guarantee and pay part of the interest payments, in the case of loans. The impact upon our economy from such a change should be given thorough study.

Any saving in Government expenditures would be purely illusory. On the contrary, the governmental costs of using private financing would in the long run be greater than under the present arrangement, since the Government would have to pay interest on the loans. And the extent to which the national debt would thus be reduced would not make up the difference, since the interest rate which the Government pays for Government debt financing is surely less than the rate it would have to pay for private guaranteed loans under the proposed new method.

At the heart of the free enterprise system is the notion of profit as a return for taking a risk. With Government loans there is no risk; the banks are guaranteed a full return on their investment. What is being proposed is a direct subsidy for banks.

Last year, during the consideration of the higher education bill, I notified officials of the Department of Health, Education, and Welfare that it looked to me as though they were trying to get rid of the National Defense Education Act student loan program with their proposed insured reduced interest loan program, and inquired whether this was true. They assured me that nothing could be further from the truth; that the insured loan program was not intended to replace the National Defense Education Act loan program. Now the budget contains the following words on page 131:

> Legislation will be proposed to shift the National Defense Education Act student loan program to the newly authorized subsidized loan guarantee program * * *. As a result, National Defense Education Act student loan expenditures will decline by $149 million to a level of $30 million in 1967 * * *.

Under the National Defense Education Act the Government provides funds for student loans which are repaid with an interest rate of 3 percent a year. Under the insured loan subsidy program, the Government insures the loan for a bank; the student and the Government each pay 3-percent interest to the bank, and the Government insures the loan to boot. This program is being turned from a student-aid program into a bank subsidy program.

This country has never made a wiser investment than the National Defense Education Act student loan program. In November 1964, the Subcommittee on Education of the Senate Labor and Public Welfare Committee, issued a report on the National Defense Education Act, which contained the following findings:

> More than 37 percent of National Defense Education Act expenditures—the largest single amount—have gone into student loans. Some 600,000 students in 1,574 colleges and universities borrowed approximately $453 million; the Federal Government contributed almost 90 percent of the total, and colleges and universities, the remainder * * *. About 70 percent of the loans have been made to students with superior academic background who intend to teach in elementary or secondary schools and to those with superior ability or preparation in science, mathematics, or a modern foreign language.

The National Defense Education Act was carefully planned with the poor student in mind, and the program has worked well. A loan to a poor student is not the same thing as regular commercial loans with which banks are accustomed to dealing. I cannot see as

smooth and fruitful a working relationship under the proposed program as there has been with the National Defense Education Act. Under the National Defense Education Act, all the financial arrangements were handled by people whose first and foremost concern was the education of the student, not the making of a few dollars. This means a tremendous amount in how well the program works, and it will work to the detriment of any educational program that puts needy students at the mercy of a bank.

Up to September 1965, approximately 800,000 students had gone to college in America with student loans totaling $619 million. This great program must not be destroyed now.

I am alarmed to see the Department of Agriculture following a policy that apparently is intended to discourage large numbers of farmers from continuing to farm. The budget calls for a $900 million cut in agriculture programs.

The Agriculture bill which Congress passed last year gave the Secretary of Agriculture much discretionary authority. In many cases, I regret to say, he has been using it to the detriment of the American farmer. We are now engaged in a war on poverty at home. Around the world, millions of people are starving; to combat this, an expanded food-for-peace program is being proposed. I fail to understand why, when we should be making our agriculture programs an integral part of these efforts, the Secretary acts as if he never heard of them. We need more production, not less. There is obviously a great need for better communication between the Department of Agriculture and certain other agencies of Government.

The Department also proposes to cut funds for REA by $462 million. At the present time, there is a great backlog of loan applications at the REA; there is a great need for more facilities in our rural areas. This is no time to be cutting back. This is no time to weaken our rural domestic economy. If we are to be strong all over the world, we must be strong at home first. Education and our family economies are the bulwark of our strength.

Finally, proposed spending for many new Great Society programs is well below what Congress has already authorized. The Higher Education Act authorized over $500 million and only $381,400,000 is requested. A total of $660 million is authorized for the new public works and economic development program, yet only $327,385,000 is asked for. A decrease of $27.6 million is earmarked for the Manpower Administration.

I do not believe that the poor should pay for the war in Vietnam. I will fight for adequate appropriations for all these programs which help the disadvantaged in our society to help themselves.

LIBRARY OF CONGRESS FINDS DIRKSEN LEGISLATIVE APPORTIONMENT AMENDMENT LACKS "FIRM STANDARD"

Mr. TYDINGS. Madam President, as a member of the Constitutional Amendments Subcommittee of the Judiciary Committee I have studied and voted against at least four different versions of the Dirksen amendment. Each successive draft has been more confusing than its predecessor. But Senate Joint Resolution 103 takes the prize for ambiguity. Every sentence is vague, is susceptible to more than one interpretation or produces an unintended result. I analyzed the weaknesses of Senate Joint Resolution 103 in the CONGRESSIONAL RECORD, volume 111, part 15, page 20903, and volume 111, part 21, page 28749.

The independent and impartial Legislative Reference Service of the Library of Congress has recently issued a detailed, technical analysis of the latest Dirksen amendment. The Library of Congress finds, first of all, that the entire theory of the amendment has changed. Senate Joint Resolution 2 was based on the premise that the law of the land required both houses to be population-based and that any deviation from this requirement required that a nonpopulation plan be approved in a popular referendum. In other words, a referendum was required only on those States desiring to deviate from constitutional standards. The Library of Congress points out that under Senate Joint Resolution 103, there must be a referendum every 10 years whether the State wants to deviate from constitutional standards or not. In other words, the people must decide every 10 years whether or not they wish to depart from the equal protection clause. This, says the Library of Congress, is "not a matter of style or emphasis. It is a major substantive change."

The Library of Congress had other technical criticisms. It found, for example, that the unique method of ratification which Senator DIRKSEN proposes is possibly unconstitutional, and certainly likely to produce controversy over whether the amendment was properly ratified. The Library of Congress also says that it is not certain whether the resolution provides for judicial review of apportionment plans.

The most critical phase of the Dirksen amendment provides a State may deviate from fair apportionment standards "in order to insure effective representation of the various groups and interests making up the electorate." The Library of Congress points out that "there is no definition or elucidation of this phrase," and that it does not "offer a very firm standard." The phrase comes from the joint dissenting opinion of Justices Clark and Stewart in the principal reapportionment decision, but as the Library of Congress points out even they were unable to agree between themselves on how the standard would guide the disposition of four of the nine reapportionment cases decided the following week.

The Library of Congress asks:

What is "effective representation"? How many representatives of the total does one need to have effective representation? Does the number vary or remain constant? Is the number of representatives proportionate to the number of people with a particular interest, and, if not, what is the ratio of numbers of representatives to numbers of people? Are all groups with distinct interests to be insured effective representation or just some? If not all, which? How are groups discriminated among?

Is "effective representation" the ability to pass a desired measure? To veto an objectionable one? Only to be heard? Or something else? Is everyone to be given equal voice in the legislature? If not, by what standards is inequality to be introduced?

I emphasize, these are not only my questions. They are the words of the Library of Congress.

There are a great many other ambiguities which the Library of Congress points out and which Senators DOUGLAS, PROXMIRE, and I have discussed previously. I will not take the time of the Senate to review any more of them.

Suffice to say that there are sufficient questions about Senate Joint Resolution 103 that it should not be further considered, much less passed, without some hearings. I want to stress that this resolution has never been considered in a public hearing. No constitutional law experts or practicing lawyers have given the committee the benefit of their views.

When Senate Joint Resolution 103 was introduced, I wrote to a number of witnesses who testified on Senate Joint Resolution 2, and almost without exception they found the new amendment vague and unintelligible. I inserted these hearings in the CONGRESSIONAL RECORD, volume 111, part 19, page 26002—but such do-it-yourself hearings are no substitute for real hearings and detailed study.

I will conclude by quoting the conclusion of the Library of Congress:

The change from the form of Senate Joint Resolution 2 to that of Senate Joint Resolution 103 has opened a number of areas to questions and raised many new issues. If and when the Senate is called upon to consider the proposal in the 2d session of the 89th Congress, it would seem desirable that these matters be fully explored.

I would agree.

Madam President, I ask unanimous consent that the report of the Library of Congress to which I have referred be printed in the RECORD.

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

STATE LEGISLATIVE APPORTIONMENT: AN ANALYSIS OF PROPOSED CONSTITUTIONAL AMENDMENTS

(By Johnny H. Killian, legislative attorney, American Law Division, December 7, 1965)

INTRODUCTION

Since the decision in *Baker* v. *Carr*, 369 U.S. 186 (1962), holding that the apportionment of State legislatures presented an issue cognizable by the Federal courts, there has been much discussion in Congress of a legislative response. With the decision in *Reynolds* v. *Sims*, 377 U.S. 533 (1964), and five companion cases, that both houses of a bicameral legislature must be apportioned substantially on the basis of population (the so-called one-man, one-vote rule), the discussion assumed greater immediacy and force. The adjournment of the 88th Congress was delayed while Congress debated measures to strip the Federal courts of jurisdiction of the field or to delay implementation of the decisions. Nothing was enacted.

In the 1st session of the 89th Congress the debate resumed. Hearings were held in both Houses. While no action was taken in the House, the Senate debated at length a proposal by Senator DIRKSEN and others for a

constitutional amendment which would have allowed States to apportion one house of their legislatures on a nonpopulation basis, if the voters of the States approved. The proposal (S.J. Res. 2) received a majority vote but fell short of the two-thirds required for proposing constitutional amendments. (CONGRESSIONAL RECORD, vol. 111, pt. 14, p. 19373.)

Late in the session the Senate Judiciary Committee reported without recommendation a revised version of Senator DIRKSEN's proposal, and it is expected that the 2d session of the 89th Congress will be faced with the issue again.

It is the purpose of this paper to analyze the various proposals, with greatest attention paid to the revised Dirksen measure, from a technical viewpoint, raising and considering all the objections to phraseology, meaning, and content which might fairly be made. A constitutional amendment, unlike a statute, cannot easily be amended or revised once it is in effect in order to iron out unforeseen problems, to clarify an ambiguous phrase, or to correct what is thought to be an erroneous interpretation.

Only peripherally will the merits of the proposed amendments be touched upon and then only where unavoidable. Consideration of the merits should be a separate matter from consideration of the technical features of draftsmanship. It is, of course, to be expected that the success or failure of the effort to modify the Supreme Court's decisions will be decided on the merits of the substantive issues, but if it is decided that modification is in order, the interests of both proponents and opponents are served by attempting to make certain that the language used to carry out the intent of the measure adopted actually does so and does not effect more sweeping changes or some not contemplated.

Therefore, the tone of this paper is deliberately and possibly unnecessarily critical in order to develop for consideration, as sharply as possible, the meanings (or possible constructions) of the various proposals.

SENATE JOINT RESOLUTION 103

The measure reported by the Judiciary Committee, Senate Joint Resolution 103, is set out in full below. Other proposed amendments, including Senator DIRKSEN's earlier versions, are set out in appendix A and are referred to throughout this paper. Senate Joint Resolution 103 provides:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years of its submission to the States by the Congress, provided that each such legislature shall include one house apportioned on the basis of substantial equality of population in accordance with the most recent enumeration provided for in section 2 of article I:

" 'ARTICLE —

" 'SECTION 1. The legislature of each State shall be apportioned by the people of that State at each general election for Representatives to the Congress held next following the year in which there is commenced each enumeration provided for in section 2 of article I. In the case of a bicameral legislature, the members of one house shall be apportioned among the people on the basis of their numbers and the members of the other house may be apportioned among the people on the basis of population, geography, and political subdivisions in order to insure effective representation in the State's legislature of the various groups and interests making up the electorate. In the case of a unicameral legislature, the house may be apportioned among the people on the basis of substantial equality of population with such weight given to geography and political subdivisions as will insure effective representation in the State's legislature of the various groups and interests making up the electorate.

" 'SEC. 2. A plan of apportionment shall become effective only after it has been submitted to a vote of the people of the State and approved by a majority of those voting on that issue at a statewide election held in accordance with law and the provisions of the Constitution. If submitted by a bicameral legislature the plan of apportionment shall have been approved prior to such election by both houses, one of which shall be apportioned on the basis of substantial equality of population; if otherwise submitted it shall have been found by the courts prior to such election to be consistent with the provisions of this Constitution, including this article. In addition to any other plans of apportionment which may be submitted at such election, there shall be submitted to a vote of the people an alternative plan of apportionment based solely on substantial equality of population. The plan of apportionment approved by a majority of those voting on that issue shall be promptly placed in effect.' "

In introducing the proposal on August 11, 1965, Senator DIRKSEN stated that it was drafted to take into account "every valid contention" that was made against the original version of the amendment. (CONGRESSIONAL RECORD, vol. 111, pt. 15, p. 20119.) Thus, in the following discussion, reference will be made to Senate Joint Resolution 2 and to the revised version voted on August 4, 1965, both of which are set out in appendix A.

A BROAD VIEW

The proposed amendments adopt several approaches. Some provide simply that the U.S. Constitution does not prohibit States having bicameral legislatures from apportioning one house on nonpopulation factors. An example, set out in appendix A, is House Joint Resolution 2, which was the object of an effort to get at least one proposal to the floor of the House in the 1st session of the 89th Congress.

Others, such as Senate Joint Resolution 2, accept the Reynolds holding and provide a means by which a State can take itself out from under the principle of Reynolds with regard to one house.

If we have read Senate Joint Resolution 103 correctly, it adopts a third approach. The various sentences and phrases will be analyzed in detail below, but briefly, what the proposal seems to do is to set out within itself the Federal constitutional standards for State legislative apportionment. It provides that one house of a bicameral legislature is to be apportioned on a population basis, but that the other house "may" be apportioned on the basis of population, geography, and political subdivisions, or that both houses are to be apportioned on a population basis. Either alternative is acceptable under this proposal provided it is properly submitted to and ratified by a vote of the people every 10 years.

The change from Senate Joint Resolution 2 to Senate Joint Resolution 103 is not, nor does it purport to be, only a matter of style or emphasis. It is a major substantive change. Under Senate Joint Resolution 2, it remained the law of the land that both houses must be population-based and that altering this requirement necessitated the formulation of a nonpopulation plan and submission to the people. Only those States desiring to alter the requirement had to conduct a referendum; until the people approved, the population standard remained and had to be complied with.

Under Senate Joint Resolution 103, there is no such constant standard as to the basis of apportionment, but there is a constant requirement as to the manner of apportionment; that is, the basis may be either of the alternatives set out in the proposal, but to adopt either there must be a vote of the people in every State every 10 years. Until by a vote of the people a plan of apportionment is adopted every 10th year, there is apparently no standard, after the lapse of the 10th year, but a de facto legislature sitting under a no longer valid apportionment.

The change from one form of proposal to the other leads to a number of conclusions which are detailed below.

THE RATIFICATION PROCESS

The earlier versions of the proposed amendment provided simply that it was to be ratified by the legislatures of three-fourths of the States. This provision led to the contention of some opponents that this procedure allowed malapportioned legislatures to ratify the amendment in order to preserve their power and that because of such malapportionment the majority of the people in many States would never have the opportunity to express themselves on ratification. (CONGRESSIONAL RECORD, vol. 111, pt. 14, p. 18954 (Senators TYDINGS and PROXMIRE).)

Senate Joint Resolution 103 partially meets this argument by its requirement that one house of a ratifying legislature must be apportioned on the basis of substantial equality of population.[1] Responding to the contentions of opponents, Senator DIRKSEN first rejected the suggestion of Senator BAYH (CONGRESSIONAL RECORD, vol. 111, pt. 13, p. 18222), that before a legislature could submit a nonpopulation plan to the people, the legislature must itself be apportioned on the basis of population in both houses. Said Senator DIRKSEN:

"It is sufficient unto the purpose to provide that the amendment cannot be ratified unless that ratification is approved by the house of the State legislature which is apportioned on the basis of population. And by that I mean on the basis of the most recent census, so that a State must provide a legislative body which properly reflects the majority will, and the amendment must have the approval of that body." (CONGRESSIONAL RECORD, vol. 111, pt. 15, p. 20121.)

The first problem about this procedure is whether Congress under article V of the Constitution may lay down such a condition on ratification, or for that matter such a condition as Senator BAYH envisages. Article V[2] simply provides for ratification either by legislatures or by conventions; a question may be raised as to whether Congress possesses the power to prescribe as a condition precedent to ratification a certain composition of legislatures. It could be contended that article V limits Congress to the function of selecting the mode of ratification, whether by legislatures or by conventions, and that it is not a grant of any broader power.

On the other hand, it could be argued that article V is a grant of plenary power to Congress to give effect to the will of the people to change the Constitution and that the ratifying agents are instrumentalities, not of their respective States, but of Congress. (See, for instance, *Hawke* v. *Smith*, 253 U.S. 221, 226

---

[1] Considered below in connection with its use in the text of the proposal is the matter of the definition of "population."

[2] "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution * * * which * * * shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

(1920); *"Opinions of the Justices,"* (204 N.C. 806, 172 S.E. 474 (1933).) The argument would follow that if Congress can regulate the composition of ratifying conventions, it can impose standards as to the composition of State legislatures as respects the ratifying process.

There is no conclusive answer to either view. The issue was quite extensively argued during the proposing of the 21st amendment in regard to the power of Congress over ratifying conventions, and nothing definitive emerged. Congress in the end did not attempt to regulate the conventions, but of the 43 ratifying States which adopted legislation providing for conventions, 25 provided that if Congress undertook to regulate the manner in which the conventions should be constituted and function, the State laws would become inoperative, and only one State actually provided that its own law was to supersede any regulation by Congress.[3]

It should also be pointed out that Congress, in the last several proposals of amendments, has inserted a time limit for ratification, an act which has occasioned no particular comment and which seems to have the approval of the Supreme Court. (*Coleman* v. *Miller*, 307 U.S. 433, 452–53 (1939).) The setting of a time limit is, perhaps, analogous, but it does not involve the same exercise of power over State legislatures that the Dirksen and Bayh proposals involve.

Two additional points should also be made about the problem of Congress power over ratifying legislatures. The first is whether it could ever become a justiciable issue and be litigated (*Coleman* v. *Miller*, supra), although it may have been weakened by *Baker* v. *Carr*, supra, seems to be authority that a congressional determination of this kind would not be reviewable.

The second point is that under *Reynolds* v. *Sims*, supra, it is the law of the land that both houses of a legislature must be apportioned substantially on a population basis; any legislature which is not apportioned substantially on population is invalidly constituted, and Congress, insofar as the ratifying provision is concerned, would only be enunciating what is already required. This point is perhaps the strongest argument in favor of such an exercise of power by Congress, but it lends itself logically more to the support of the Bayh proposal than of the requirement in Senate Joint Resolution 103. Why, it may be asked, require only half of what the Supreme Court has held the Constitution to require?

Aside from the question of the power of Congress to enact this restriction on the ratification process, there are a few other points. The first one concerns the language of the proviso; that is, when it says that the ratifying legislature "shall include one house apportioned" on a population basis, does it mean "at least one house" or does it mean "only one house?" No doubt the former meaning was intended since that would accord with the requirement of the Court decisions, but it is a phrase over which argument could possibly develop.

The second point involves a question of determination as to whether one of the houses of a legislature is apportioned on the "basis of substantial equality of population." Who is to make this determination? Congress? The courts? The Administrator of General Services?[4]

Insofar as *Coleman* v. *Miller*, supra, stands for the principle that the questions surrounding the ratification of a proposed constitutional amendment are political in nature with the ultimate authority in Congress to pass upon questions of the adoption of amendments, it would seem to mean that a decision by Congress, by 51 percent of the Members of both Houses, would determine whether each State's attempted ratification is valid, which would necessarily involve a decision by Congress as to whether one house of a ratifying legislature was "apportioned on the basis of substantial equality of population."

Yet, according to *Baker* v. *Carr*, supra, legislative apportionment presents a justiciable issue, which the courts, when properly presented with the question, must rule on. Therefore, the possibility is presented of political conflict between two coequal branches of the Federal Government.

A solution to any dilemma would seem to lie in Congress accepting as conclusive determinations court rulings as to the population apportionments of one or both houses, as in Vermont (*Buckley* v. *Hoff*, 243 F. Supp. 873 (D.C.D. Vt. 1965) (approving legislature's action)); in Oklahoma (*Reynolds* v. *State Election Board*, 233 F. Supp. 323 (D.C.W.D. Okla. 1964) (apportionment of both houses by court)); or in Wyoming (*Schaefer* v. *Thomson*, 240 F. Supp. 247 (D.C.D. Wyo. 1964 (apportionment of house upheld); *Schaefer* v. *Thomson*, Civil No. 4717, D.C.D. Wyo., Oct. 8, 1965 (apportionment of senate by court)). But what would be the situation in the case of a State where reapportionment was approved by the court because no one contested it (*Butterworth* v. *Dempsey*, 237 F. Supp. 302, 313 (D.C.D. Conn 1965)), or where the contest went only to certain features of the plan (*Mann* v. *Davis*, 245 F. Supp. 241 (D.C.D. Va. 1965), aff'd. per curiam 34 Law Week 3141 (Sup. Ct., Oct. 25, 1965)), or where there has been no litigation, as in Massachusetts, Maine, or Oregon? In the absence of a court decision or a completely pertinent court holding, would Congress in each case investigate and determine whether a legislature had one house apportioned substantially on population? What standards would it use? Would it select from among varying standards used by the lower Federal courts or would it formulate its own? Clearly, the provision does raise some difficulties.

JUDICIAL REVIEW

An objection raised under the language of the earlier versions of the Dirksen amendment was that it could be read to deny to the Federal judiciary any power to review the apportionment of either house of a State legislature. (Association of the Bar of the City of New York, committee on Federal legislation, "Proposed Constitutional Amendments and Jurisdictional Limitations on Federal Courts With Respect to Apportionment of State Legislature," p. 6 (New York, 1965) (mimeo), hereafter cited as New York City bar report.) This reading arose from the first sentence of Senate Joint Resolution 2 which provided:

"The right and power to determine the composition of the legislature of a State and the apportionment of the membership thereof shall remain in the people of that State."

Senator DIRKSEN explicitly denied that the sentence was directed toward or would limit judicial review. (Reapportionment of State legislatures, hearings before the Subcommittee on Constitutional Amendments, Senate Judiciary Committee, 89th Cong., 1st sess., hereafter cited as hearings.) Others confessed to some worry about the sentence. Prof. Robert D. Dixon of the George Washington University Law School said:

"I am troubled by the first sentence * * * If it does not relate to court jurisdiction, it is difficult to know what important function it serves that would be lost if it were deleted. In other words, it seems to me there is at best an ambiguity here" (hearings, 343).

The language was deleted from the proposal voted on in August. Senator TYDINGS has suggested that the first sentence of Senate Joint Resolution 103 is a "subtle reincarnation" of the first sentence in Senate Joint Resolution 2.

"Does not apportionment 'by the people' as provided in Senate Joint Resolution 103 prohibit judicial review of an apportionment plan? In the absence of categorical language to the contrary, I would have real doubts." (CONGRESSIONAL RECORD, vol. 111, pt. 15, p. 20903.)

When introducing Senate Joint Resolution 103, Senator DIRKSEN said:

"I might also say that this amendment provides for judicial review of the constitutionality of an apportionment plan before it is submitted to the people unless it has received the approval of the House of the legislature apportioned on population only." (CONGRESSIONAL RECORD, vol. 111, pt. 15, pp. 20121–20122.)

Senator DIRKSEN refers apparently to the second sentence of section 2. In that case, whatever the first sentence of section 1 may mean, the second sentence of section 2 would prevent judicial review of a non-population based plan at least prior to its submission to the voters provided that one house of the submitting legislature was apportioned on population. This denial of review would apparently apply to the plan for the population-apportioned house as well as to the other, thus precluding any determination that the proposed plan did provide for one house in conformity with the holding of the Reynolds case.

Whether review would be possible of the second plan required to be submitted—that is, the population-based plan for both houses—is apparently left open by the prior sentence and would presumably turn, as would the question of judicial review subsequent to approval by the people, upon how the first sentence of section 1 is interpreted.[5]

Although it is not free from ambiguity, it can be argued that a requirement, standing alone, that apportionment be accomplished by the people in a referendum would not deprive the courts of the power to review anything subsequently approved by them. In *Lucas* v. *Forty-fourth General Assembly of Colorado* (377 U.S. 713 (1964)), the Court struck down a plan which had been passed on and approved by the people in a referendum; in other areas the courts have passed upon the constitutionality of measures which have been approved by referendum or accomplished through initiative and referendum, so that it might require more specific language to withdraw apportionment plans from judicial review. Consideration should be given, however, to whether the language of the first sentence of section 2 supplies that additional, more specific language.

That sentence provides that a plan of apportionment "shall become effective" after approval by the people in a referendum. Whether the quoted phrase merely means that after popular approval an apportionment plan shall become law, on the same basis as any other law and subject to constitutional attacks, or whether it provides that after popular approval the plan has Federal constitutional sanction and may not be attacked in court, cannot be determined from the language. The former meaning would comport with the everyday usage of

[3] The arguments, the history and citations to sources may be found in Small, "State Conventions as Instrumentalities for Considering Ratification of Constitutional Amendments," Legislative Reference Service, American Law Division, Dec. 16, 1964.

[4] Under 65 Stat. 710 (1951), 1 U.S.C. § 106b, the Administrator is required to certify receipt of official notice of ratification.

[5] Mention should be made of the likelihood that a court would refuse to adjudicate the question of a plan which was pending before the voters on the ground that no justiciable issue was raised until the plan was actually approved and placed into effect. See, e.g., *Moss* v. *Burkhart*, 220 F. Supp. 149, 152 (D.C.W.D. Okla. 1963), aff'd per curiam, 378 U.S. 558 (1964).

the phrase, but, set out in a constitutional provision, either meaning could be argued.

One phase of judicial review which this and subsequent language would certainly seem to change, however, is the ability of the Federal and State courts to grant relief in apportionment cases by themselves reapportioning recalcitrant legislatures. Courts in Alabama, Illinois (senate), Montana, Oklahoma, Wisconsin, and Wyoming (senate) have to date reapportioned legislatures, and others have indicated a willingness to do so. The language of the first sentence of section 1 and of the first sentence of section 2 clearly indicates that the only way to apportion a legislature is by submitting plans to a vote of the people. The contrary conclusion may be drawn only if the plan referred to in the first sentence of section 2 refers simply to the plans actually required in section 2 to be submitted to the people, but this reading is apparently precluded by the language of the first sentence of section 1. Any apportionment plan which goes into effect must be voted on by the people. A cloud thus would be cast over any power of the courts to reapportion a legislature which has refused to act. That power would seem to be a most effective one to force action from legislatures inasmuch as the courts have shown great reluctance to order directly a legislature to perform a legislative act.

Senator DIRKSEN noted the problem of nonaction as follows:

"Then the point was made that some State legislatures have not reapportioned as required by their own State constitutions. I condemn such a practice, and this present draft of a constitutional amendment requires as a Federal matter the reapportionment of State legislatures every 10 years at the least. Thus, the people of a State have a constitutional remedy if the State legislature refuses to act." (CONGRESSIONAL RECORD, vol. 111, pt. 15, p. 20120.)

The constitutional remedy would have to be a suit in a Federal or State court seeking a remedy based on the requirement of this constitutional amendment. Unless the court is to formulate its own apportionment plan, or to order at-large elections (a plan of apportionment as any other), and devise a procedure to submit the plan to the electorate, the court would of necessity have to direct the legislature to act and to devise means of enforcing its order, a citation for contempt being actually the court's only means to enforce its order.

It is possible to read the proposed amendment as not precluding court reapportionment. Such action would, however, require the court first to formulate a plan, choosing from the two alternatives which the proposal envisages—population apportionment in both houses or one house solely population and the other not. Then it could direct the proper executive officials to make preparations for the requisite referendum and to submit the court-formulated plans. But if the legislature had enacted no measures for the conduct of such a referendum and authorized and appropriated no money to defray the expenses of conducting it, the court would still be faced with the problem of directing the legislature to carry out certain legislative duties.[6]

APPORTIONMENT FACTORS

Senate Joint Resolution 2 provided that one house of a bicameral legislature could be apportioned "upon the basis of factors other than population" without defining or limiting the factors which might be utilized. This wording led many opponents to suggest that the way would be opened to racial or religious discrimination by legislatures in drawing up apportionment plans. (New York City bar report, pp. 3–7; hearings, 852–865; CONGRESSIONAL RECORD, vol. 111, pt. 13, p. 18359 (Senator MONDALE), CONGRESSIONAL RECORD, vol. 111, pt. 14, p. 18947) (Senator PROXMIRE).)

The version finally voted on provided for the apportionment of one house "using population, geography, and political subdivisions as factors" with each factor to be given "appropriate" weight by the legislature.

The present version allows the apportionment of one house on the basis of population, geography, and political subdivisions in order to insure effective representation in the State's legislature of the various groups and interests making up the electorate.

Although it is conceivable that a legislature under the guise of apportioning on geography and political subdivisions might attempt to discriminate racially in drawing district boundaries, there would seem to be nothing in the proposed amendment which could be held to impair the authority of cases invalidating such manipulation of political boundary lines. (*Gomillion* v. *Lightfoot*, 364 U.S. 339 (1960); cf. *Wright* v. *Rockefeller*, 376 U.S. 52 (1964).) And it seems clear that courts would look behind groupings of counties or townships or the like if there were sufficient allegations of racial discrimination. (*Sims* v. *Baggett*, Civil Action No. 1744–N, D.C.M.D. Ala., Oct. 2, 1965.)

The above comment assumes, of course, that the proposed amendment does not affect judicial review, and that Federal and State courts would be open to complaints of racial discrimination. If one concludes to the contrary, then, although the Gomillion case would not be impaired so far as its holding went, there would be no means to obtain a remedy.

The present version retains the conjunctive form of the statement of factors ("population, geography, and political subdivisions") rather than the disjunctive which appeared in the revised Senate Joint Resolution 2.[7] Would using the one or the other word at all affect any different result in the allocation of seats.

The new and interesting language is the clause "in order to insure effective representation" to various groups. If the proposed amendment does away with judicial review, it is not likely that the clause will have any great effect, since the legislature would have within its sole discretion, subject to voter approval, which way to draw boundary lines. But, if judicial review, after adoption of a nonpopulation based plan, is still possible, a number of problems could arise.

First, there is no definition or elucidation of the phrase. According to Senator DIRKSEN, the phrase derives from the language of Justices Stewart and Clark dissenting from the principle of Reynolds and its companion cases. (CONGRESSIONAL RECORD, vol. 111, pt. 15, p. 20119.) The phrase occurs in their opinion as follows:

"Representative government is a process of accommodating group interests through democratic institutional arrangements. Its function is to channel the numerous opinions, interests, and abilities of the people of a State into the making of the State's public policy. Appropriate legislative apportionment, therefore, should ideally be designed to insure effective representation in the State's legislature, in cooperation with other organs of political power, of the various groups and interests making up the electorate. In practice, of course, this ideal is approximated in the particular apportionment system of any State by a realistic accommodation of the diverse and often conflicting political forces operating within the State." (*Lucas* v. *Forty-fourth General Assembly of Colorado*, *supra*, 749.)

It should be noted that while Justices Stewart and Clark, relying on their "effective representation" test, agreed between themselves on disposition of the six cases before them on June 15, 1964, they did not agree on four of the nine cases decided the following week.[8] The phrase, then, may be said not to offer a very firm standard.

As examples of the problems of definition, we might ask: What is "effective representation"? How many representatives of the total does one need to have "effective representation"? Does the number vary or remain constant? Is the number of representatives proportionate to the number of people with a particular interest, and, if not, what is the ratio of numbers of representatives to numbers of people? Are all groups with distinct interests to be insured "effective representation" or just some? If not all, which? How are groups discriminated among?

Is "effective representation" the ability to pass a desired measure? To veto an objectionable one? Only to be heard? Or something else? Is everyone to be given equal voice in the legislature? If not, by what standards is inequality to be introduced?

Faced with these and other questions, a court could decide to leave the matter to the discretion of the legislature, subject, of course, to such prohibitions as that on racial discrimination. Or, the court could attempt to adjudicate the question in the light of, as yet, undeveloped standards, standards which might proceed from what Justice Stewart thought were the two "basic attributes" of an apportionment plan.

"First, it demands that, in the light of the State's own characteristics and needs, the plan must be a rational one. Secondly, it demands that the plan must be such as not to permit the systematic frustration of the will of a majority of the electorate of the State." (*Lucas* v. *Forty-fourth General Assembly of Colorado*, supra 753–54.)

Where this process of adjudication might lead may be seen in *Holt* v. *Richardson* (240 F. Supp. 754 (D.C.D. Hawaii 1965), prob. juris. noted 34 Law Week 3117 (Sup. Ct., October 11, 1965)), in which the court considered not only population but compactness and contiguity of territory, community of interest, community of problems, socio-economic status, political and racial factors in rejecting the reapportionment of the Hawaii Senate. Where the process of adjudication could lead is speculative.

Also to be considered is the possibility of increased litigation arising because of this phrase in the proposed amendment. Presently, legislative apportionment presents a justiciable issue (*Baker* v. *Carr*, supra), but the questions to be litigated are pretty well limited to population inequality (*Reynolds* v. *Sims*, supra), and racial gerrymandering, (*Gomillion* v. *Lightfoot*, supra). Partisan gerrymandering and other such matters are presently not being considered. (*WMCA* v. *Lomenzo*, 238 F. Supp. 916, 926 (D.C.S.D.N.Y. 1965), aff'd per curiam 34 Law Week 3116 (Sup. Ct. Oct. 11, 1965); but cf. *Fortson* v. *Dorsey*, 379 U.S. 433, 439 (1965).) But, under the quoted phrase above, one wonders whether it would be open to anyone, after ratification, to claim a cause of action upon being afforded "ineffective representation" in the legislature.

Thus, not only partisan gerrymandering but legislative determinations of how much representation to afford to any group could

[6] It has been the exception in the apportionment cases when the courts have issued orders directly to legislatures, but for an instance, see *Holt* v. *Richardson* (238 F. Supp. 468 (D.C.D. Hawaii 1965)).

[7] The "or" was changed to "and" by the Hruska amendment. (CONGRESSIONAL RECORD, vol. 111, pt. 14, p. 19354.)

[8] *Swann* v. *Adams*, 378 U.S. 553 (1964); *Meyers* v. *Thigpen*, 378 U.S. 554 (1964); *Nolan* v. *Rhodes*, 378 U.S. 556 (1964); *Hearne* v. *Smylie*, 378 U.S. 563 (1964).

become subject to litigation with the standards to be applied highly ambiguous and unclear. This assumes, of course, that the proposed amendment leaves untouched the power of judicial review.[9]

In regard to unicameral legislatures, many of the same comments could be made as with bicameral ones. The only variation, really, is that the proposal seems to require more of a population base while at the same time allowing a deviation from that base, although with no indication of the amount of permissible deviation.

REFERRAL TO THE PEOPLE[10]

The proposal would apparently require, as noted above, that the people ratify any apportionment plan before it goes into effect, whether the plan be a nonpopulation based plan for one house or a plan for population apportionment of both houses. Several points may be made about the form and manner of submission and the action the voters take.

First, the proposal refers to a plan of apportionment which is to be submitted. The problem is whether this plan is to be a formula which, upon approval by the voters, the legislature would utilize in drawing boundaries and allocating seats or whether the reference is to a specific plan with county A allocated one seat, county B two seats, and so on. The point was raised in connection with the earlier versions and never apparently answered; in regard to Senate Joint Resolution 103, however, the language of the first sentence of section 1 clearly seems to choose the latter meaning. "The legislature of each State shall be apportioned by the people," it reads, and the commonly accepted meaning of the words are that they refer to the actual, physical act of allocating seats in the legislature.

In the Lucas case, the plans which had been voted on by the people were of the formula type, being differing constitutional provisions directing the legislature to accord certain weight to certain factors and to do or not do certain things in apportioning.[11] The formula then governs each apportionment by the legislature after each appointed time for reapportionment until the formula is again changed. If, however, a specific plan must be submitted, all the problems associated with the actual allocation of seats would be carried from the legislative chambers to a statewide political campaign every 10 years.

Second, the proposed amendment fixes the time when this apportioning is to take place, requiring it to be at the general election for Congress following the year of each decennial census. For most States, this would not generally alter the frequency prescribed in their constitutions for reapportionment since most of them do provide for reapportionment following the Federal census.

If, however, it is a correct interpretation of the proposal that it requires the people to pass on a plan of apportionment at the general election for Congress following the census year, the conclusion follows that it would result in a disruption of the normal time schedule. That is, as most State constitutions now require, the legislature meeting after the Federal decennial election reapportions and the legislature selected in the next election reflects the reapportionment. The usual thing is for the census to be taken, for example, in 1970, with the report then fully available to the legislatures meeting in 1971 or 1972; the legislature reapportions either in 1971 or 1972 and the 1972 elections are held under the new reapportionment act.[12]

Still using the same example, under a proposal requiring prior approval by the people, the plan of apportionment would have to go to the people in 1972, and if approved by them the legislative elections next occurring to be held under the new apportionment would be in 1974. The result, then, would be the continuance in office for 4 years instead of 2 of a legislature elected under an apportionment plan based on the census of 10 years before, or 1960 to continue our example.

On the other hand, if all that is required to be submitted is a formula, it is difficult to see what the result in the interim will be. If the first sentence of section 2 does not mean literally what it says, the legislatures meeting next following the census could be obligated to reapportion, either on a population basis for both houses, as Reynolds now requires, or in accordance with a formula approved under the provisions of this proposed amendment in the preceding 10 years, in which case if the people approve the plan submitted to them a second reapportionment would be required at the next session of the legislature. Or, it might be that the legislature would take the position that, having referred a plan to the people, no action need be taken until following a vote of the people.

For those States which prescribe apportionment more often than once every decade or at a different time than following the Federal census, the proposed amendment would, of course, invalidate their constitutional provisions. Massachusetts, for example, requires a reapportionment of its legislature every 10 years following the State census, which is conducted in mid-decade. Other State constitutions provide for reapportionment every 6 years (Indiana), every 5 years (Kansas), or after any presidential election (Rhode Island). It should be noted, of course, that not all such provisions are always carried out. A new constitutional provision adopted by the Vermont legislature requires the reapportionment of the House following each second presidential election.[13]

The first sentence of section 1 apparently assumes without requiring that the apportionment is to be based on population, rather than, for example, registered voters, because of its requiring the apportionment following each Federal census. The second sentence of section 1, however, in its requirement that in one house the members "shall be apportioned among the people on the basis of their numbers," would seem to require that total population be used. Several States presently or prospectively use other bases, such as registered voters—Hawaii, Vermont (house), and Massachusetts—and the votes cast at the preceding gubernatorial election—Arizona. Indiana and Tennessee use total population 21 years and older. It is expected that the Supreme Court in its present term will clarify the question of whether total population is the requisite basis or whether something else, such as registered voters, will suffice. (*Burns* v. *Richardson*, No. 318, prob. juris. noted, 34 Law Week 3117, October 11, 1965.)

It is possible, of course, that the proposed amendment would not disturb the various State bases and that "number" would be interpreted as if it read "as defined by the States." At best, the wording leaves the situation ambiguous.

The same ambiguity exists in regard to the use of the word "population" as it appears several times in S.J. Res. 103. It is unclear whether this is a requirement that total population be used or not. The opinion in *Reynolds* v. *Sims*, supra, referred in various paragraphs to all terms, with, at one point, Chief Justice Warren speaking of "numbers of people," "voters," "citizens," and "qualified voters" in a series of sentences (supra, 560, 561, 562, 563), while at another point, he wrote within the same sentence the phrase "residents or citizens, or voters," (supra, 577). As noted above, the court may determine this term whether total population or a lesser, nondiscriminatory measurement may be used by the States, but that would not necessarily clarify Senate Joint Resolution 103.

A third point to be considered in connection with referral of the plan to the people is the effect upon those States which either have a nonlegislative body do the apportioning or which provide for nonlegislative apportionment in the event the legislature fails to act. If what is required to be submitted to the voters is a formula of apportionment, no particular problem would arise since the legislature would be the proper agency to submit such a formula to the voters and the nonlegislative apportioning agency would simply carry out an allocation of seats according to whatever formula was in effect.[14] If, however, the plan to be submitted is an actual apportionment, a serious problem would arise.

The problem is that once a board or commission of apportionment—as is provided for in such States as Alaska, Arkansas, Michigan, Missouri, and Ohio—formulates an apportionment plan, how does it then refer this plan to the voters? Would the legislature be required to act? Could the board or commission by some procedure get the matter on the ballot? Each State would undoubtedly have to provide by statute or constitutional amendment for the problem and if it did not do so, deadlock would develop necessitating court action.

The same sort of problem, except that it would be more difficult to resolve, would confront those States—such as Arizona and Massachusetts—in which the legislature allocates seats to the counties and then the governing county boards or commissions district the seats within each county. Here, not only would the mechanics of getting the plans to the voters have to be worked out, but the question of the form of submission would be bothersome. Would, for example, the voters be called upon to pass on, as a package, the allocation of particular numbers of seats to each county and the subsequent division of each county? Or would the two matters be presented separately? Would the division of each county be voted on statewide or only by the voters of each county concerned?

Other States, such as Illinois and Oregon, provide that if the legislature does not act, a board or commission is called into play to reapportion. Such an agency would have the same problem as a corresponding agency initially charged with taking such action except that if the legislature has deadlocked in the first place or refused to act, it is

[9] It also leaves undiscussed problems of standing, proof, and remedy which would confront complainants in such a situation.

[10] For consideration in the apportionment context of the working of the referendum system, see Tienken, Initiative and Referendum—with Particular Reference to Apportionment of State Legislatures, American Law Division, Legislative Reference Service, June 14, 1965.

[11] See appendix B for the texts of the two Colorado proposals.

[12] For those States, like New Jersey or Kentucky, with legislative elections in odd numbered years, of course, the corresponding dates could be inserted.

[13] Senate Joint Resolution 103 does not actually forbid reapportionment more often than every 10 years so that it would perhaps be possible to do so provided the vote of the people requirement were fulfilled, which would make reapportionment more frequently somewhat difficult. On the other hand, the first sentence of section 1 could be read as prescribing an exclusive frequency.

[14] The only problem, actually, would be what such agency would do in the interim between the census and the vote of the people; that is, whether it would act on the old formula or wait to see if a new one were adopted.

doubtful that it would provide the regulatory provisions or money to refer any plan produced by an independent agency to the people.

Another feature of this problem is apparently the second clause of the second sentence of section 2, which provides that if the plan of apportionment "is otherwise submitted" to the people; that is, it is not submitted by a legislature, one house of which is apportioned on a population basis, the plan "shall have been found by the courts prior to such election to be consistent with the provisions of this Constitution, including this article." The first function of the clause is apparently to provide for the case of a legislature, neither house of which is apportioned on a population basis, submitting an apportionment to a vote of the people, contrary to the provision of the first clause of the second sentence of section 2.

The second function of the clause apparently provides for submission by a unicameral legislature, without regard to whether it is apportioned substantially on population or on population with weight accorded to geography and political subdivisions as provided in section 1. Third, it could also take into account the submission as considered above of a board or commission.

There are, then, three possibilities comprehended by the phrase "if otherwise submitted," in the second clause, second sentence of section 2. The problem is enlarged when we consider the question of court review. The court is to determine whether the plan is consistent with all provisions of the Constitution, including those added by this proposal. Attempts to discriminate on the basis of race would fall before the 15th amendment and discrimination on the basis of sex before the 19th.

But what would the plan have to provide to be consistent with the equal protection clause of the 14th amendment and the provisions of this proposed amendment?

Reynolds interpreted the equal protection clause to require population-based apportionment in both houses. Section 1 of Senate Joint Resolution 103 requires that one house be apportioned "among the people on the basis of their numbers" while the other house "may" be apportioned on the basis of population, geography, and political subdivisions. The "may" is predicated on the basis of approval by the voters as provided in section 2. But is not the apportionment of the other house on population, or of both houses on population, not also dependent upon approval of the voters as provided in section 2? That is, according to the first sentence of section 2, a plan of apportionment "shall become effective only after" it has been approved by the voters. Is the 14th amendment replaced as a source of judicial standards with the ratified Senate Joint Resolution 103?

There are three possible conclusions, then. First, no plan submitted by anything other than a bicameral legislature with one house apportioned on a population basis could be found by a court to be consistent with the Constitution. This conclusion would invalidate unicameral legislatures and apportionment boards and commissions and leading to such a drastic result would undoubtedly be avoided by the courts.

Second, it could be held that as a prospective plan subject to approval by the voters, it satisfied the requirements of this amendment in that it provided either for a population-based apportionment in both houses [15] or that the plan satisfied the requirement of the first or second sentence of section 1. As we have noted above, the Federal courts have generally taken the position that they do not abjudicate a matter which is of no consequence to anyone in such sufficient amount as to give him legal cause to complain of it. A direction to abjudicate such a matter contained in a constitutional amendment would doubtless be complied with.

Third, the courts could take the view that until and unless the vote of the people occurs, the holding in Reynolds is the law of the land and both houses must be apportioned substantially on equality of population. No plan which deviated from this could be upheld.

No prediction is possible, of course, as to the view the courts would take or indeed whether they might find an entirely different view. The problem arises essentially from the ambiguity of and the undoubtedly unintended logical line of, the language chosen.

Two other points may be raised in regard to the provision for a plan becoming effective upon approval by the voters. The last sentence of section 2 provides that the apportionment plan "approved by a majority of those voting on that issue shall be promptly placed in effect."

First, what is to happen if the voters defeat all the plans submitted to them? It might be that certain features of all the plans were objectionable to a number of voters and that sufficient numbers voted "No" to defeat everything. The legislature would have been elected under the old plan at the same time the new plans were voted down and would be sitting for the next 2 years. Would it be obligated to submit new plans 2 years hence or at a special election in a shorter time? Is the requirement of the first sentence of section 1 as to time exclusive, that is, only at that time may plans be submitted, or does it merely set the first time and each decade the issue is to be referred with the option open to refer new plans in the event of a defeat?

Second, what about the possibility of more than one plan being adopted? If the plans were listed on the ballot with the voter instructed to vote his preference for one, as on a list of candidates, this result would be unlikely, although if there were three or more plans there might be only a plurality instead of a majority as required by the Senate Joint Resolution 103. But if the plans were on the ballot, as such questions normally are, to be voted on separately on a yes-or-no basis, it is theoretically possible for two or more plans to obtain a majority, especially if the same number of people do not cast a vote on all the questions. The prospects of more than one plan winning are admittedly slight but some thought should be given to the possibility as well as to the somewhat more likely prospects of the defeat of all plans or only a plurality vote.

A last point on this subject is the provision in the first sentence of section 2 that the referendum should be held "in accordance with law and the provisions of this Constitution." The phrase "with law" apparently means State law since there are no Federal statutes on the matter, although it might be that with adoption of this amendment Congress would have the authority to legislate in request to such referenda. The phrase "and the provisions of this Constitution" would apparently mean nor more than that a State could not discriminate on the basis of race or sex or in any way which would violate the equal protection clause of the 14th amendment.

CONCLUSION

The change from the form of Senate Joint Resolution 2 to that of Senate Joint Resolution 103 has opened a number of areas to questions and raised many new issues. If and when the Senate is called upon to consider the proposal in the 2d session of the 89th Congress, it would seem desirable that these matters be fully explored.

[15] We take it to be required that any plan submitted by other than the properly apportioned bicameral legislature must be passed upon by the courts.

DEATH OF ROBERT M. BENJAMIN

Mr. LONG of Missouri. Madam President, recently, a great lawyer and a great American, Robert M. Benjamin, died in New York.

Mr. Benjamin became my friend because of his great help and assistance in the field of administrative law.

I ask unanimous consent to have printed in the RECORD at this point a short biography of this great man, as printed in the New York Times.

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

ROBERT M. BENJAMIN DIES AT 69; LAWYER SERVED AS STATE OFFICIAL

Robert M. Benjamin, a lawyer, former Moreland Act Commissioner and former member of the State board of regents, died yesterday at his home, 45 East 82d Street. He was 69 years old.

Mr. Benjamin was a member of the firm of Parker, Duryee, Benjamin, Zunino & Malone until 1955, when he became its counsel. In 1955 he represented Alger Hiss in his unsuccessful appeal of his conviction for perjury.

In 1939 Mr. Benjamin was appointed by Gov. Herbert H. Lehman as a special commissioner under the Moreland Act, charged with investigating administrative law in the State. Two years later he presented his report before the legislature. It was later published as a book under the title "Administrative Adjudication in New York State."

He had a long-standing interest in public education. From 1949 to 1955 he was a member of the Board of Regents, serving as chairman of its committee on discipline. For many years up to 1962 he was a trustee and vice president of the Public Education Association of New York.

Born in New York City on April 26, 1896, Mr. Benjamin attended Harvard College, graduating in 1917. After completing Harvard Law School in 1922, he served as secretary to Justice Oliver Wendell Holmes. It is said that the young clerk won the warm gratitude of the Yankee jurist when he once suggested that a draft of an opinion could be improved by being shortened.

After being admitted to the New York bar in 1923, he joined the firm of Root, Clark, Buckner, and Howland. He went to Parker and Garrison in 1929 and subsequently became a partner.

At his death, he was a member of the Board of Directors of the American Bar Foundation, a vice president of the New York County Lawyers Association and a trustee of the Practicing Law Institute in New York City.

In addition, he was chairman of the special committee on Code of Federal Administrative Procedure of the American Bar Association and a member of the American Judicature Society, of which he was director from 1956 to 1960.

Mr. Benjamin, who had been a captain with the 303d Infantry during World War I, was a member of the Alien Enemy Hearing Board during World War II. This body reviewed cases of enemy aliens turned over by military authorities for internment under civilian control.

He is survived by his widow, the former Helen Weil; a daughter, Mrs. Mary Arnstein, and two sons, Robert Morris and Stephen Benjamin.

A funeral service will be held tomorrow at 1 p.m. at Frank E. Campbell's, Madison Avenue and 81st Street.

TIME IS RUNNING OUT

Mr. BARTLETT. Madam President, the thought of nations striving to obtain nuclear weapons is frightening and depressing.

The thought is frightening because chances for nuclear conflict, either by accident or by design, would be increased immeasurably.

It is depressing because governmental energy, scientific effort, technical skill, and economic resources would be diverted from such pressing human problems as hunger and poverty to weapons of mass destruction, from building better societies to building bigger bombs.

It is distressing that nations can be so misled so as to believe power rather than economic viability, art, and intellectual and political freedom is the key to greatness.

It is distressing that some nations seek nuclear weapons out of an overpowering fear that warps judgments.

It is for those reasons that I support this Nation's policy "to seek agreements that will limit the perilous spread of nuclear weapons and make it possible for all countries to refrain without fear from entering the nuclear arms race."

It is for those reasons that I cosponsored Senate Resolution 179 supporting efforts to carry out that policy.

Time is running out. The number of nations acquiring nuclear capability increases. Unfortunately, as the demand for peaceful uses of nuclear power mounts and is met, it will become increasingly easier for nations to build their own nuclear weapons.

As Henry D. Smyth, U.S. representative to the International Atomic Energy Agency, said in a recent speech:

> It is impossible to produce nuclear power without producing material usable in nuclear weapons.

In other words, with each new nuclear powerplant will come a new temptation to put the plant's so-called waste products to some use. The best way to encourage resistance to that temptation is to create a world in which no nation need fear not having nuclear weapons. There must be a moral climate opposed to construction of nuclear weapons and practical safeguards to support the moral climate.

The International Atomic Energy Agency has taken several small steps toward setting up safeguards. Agency officials are inspecting several small nuclear reactors in several countries.

However, it is up to the countries to create the necessary world opposition to the spread of nuclear weapons so that the safeguards, not the possession of bombs, will spread.

Mr. Smyth, referring to past and future Agency activities in the area of safeguards, observed correctly:

> What we have accomplished is pioneering and preliminary. It is solidly based. Every big powerplant that comes under IAEA safeguards in the next few years will strengthen the structure of international cooperation and control. Every one that stays out of the system will weaken it.

A similar statement can be made about resolutions such as Senate Resolution 179. Each such resolution which receives strong support from such bodies as this will give moral support to the Agency. Each resolution which fails or passes by a small margin will weaken support for the Agency in other countries.

For that reason, I hope that Senate Resolution 179 will pass by a unanimous vote.

Madam President, by seeking to limit the proliferation of nuclear weapons, we are dealing with more than bombs. We are dealing with enforcing and expanding the test ban treaty, which, in turn, is the world's best protection against polluting the atmosphere with radioactive fallout.

For several years I have been concerned about reports that the level of radioactivity is rising in the Arctic, despite the fact that there has been no atmospheric testing of nuclear devices since 1962, despite the predictions of experts to the contrary.

The more I investigate this subject, the more I become convinced that we do not yet possess the necessary information to arrive at a sound fallout policy.

When I seek information about the meaning of the higher fallout levels in Alaska, I receive vague answers referring to tables which are changed between each request for information.

A recent article published in Public Health Reports, by the Department of Health, Education, and Welfare, reported that Alaskans who eat caribou meat have absorbed 22 times the amount of cesium 137 found in persons in other States. The report stated that non-caribou-eating residents of Alaska native areas had absorbed four times the amount of persons living in other States.

A news report quoted a Public Health official as saying:

> These relatively high levels are well below the limit officially viewed as immediately dangerous to health.

Madam President, that answer is not reassuring.

Does the use of the word "official" mean there is another view, perhaps a view which holds the official limit is too high?

What does the phrase, "immediately dangerous to health" mean? Does it mean that the level of fallout in the Arctic may be a hazard to the health of future generations? The statement, like the prediction concerning levels of radioactivity in the Arctic, suggests a lack of information.

I have requested the Federal Radiation Council to review the problem of radiation in the Arctic. The people of Alaska, the people of the country have a right to know at what levels of contamination their Government is prepared to act and precisely what actions their Government is prepared to take.

As I said, time is running out.

The time to gather the necessary information is now, if possible, not after the levels of radioactivity have risen to hazardous levels.

Senate Resolution 179, then, is not only concerned with decreasing chances of nuclear conflict. Those persons who accept stockpiling of weapons as the way of the world, as a necessary evil in these troubled times, should realize that an increase in the level of radioactivity cannot be accepted on the same basis.

And, until we possess the information needed to make sound policy decisions in this area, it is imperative that man not increase the level of radiation in the atmosphere.

One way to ensure that man does not increase the amount of radioactive fallout in the atmosphere is to ensure that nuclear testing is not resumed.

The best ways to ensure the continuation of the test ban treaty are to remove the fears that lead some nations to seek nuclear armaments and to establish international safeguards against nuclear stockpiling.

Perhaps, though I prefer not to have to try, man can successfully refrain, despite the spread of nuclear weapons, from blowing himself up, but he cannot escape the damage resulting from indiscriminately increasing the level of radioactivity in the atmosphere.

Senate Resolution 179 should be approved unanimously.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of the letter I wrote to the Radiation Council requesting a review of the problems of radiation in the Arctic.

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

U.S. SENATE,
COMMITTEE ON COMMERCE,
January 7, 1966.

HON. JOHN W. GARDNER,
Chairman, Federal Radiation Council,
Washington, D.C.

DEAR CHAIRMAN GARDNER: As you know, over the last several years I have watched with increasing concern the buildup of radioactive contamination in the plants, animals and ultimately the people of Alaska. I have worked closely with the Radiological Health Division and other Government agencies in a determined effort to see that all measurements and all research necessary to the safety of the Arctic—its people and its ecology—are undertaken. So long as I am in the Senate, so long as fallout remains a problem, I shall continue in these efforts.

Results of these measurements and research are now becoming available. They make clear that Alaskans are receiving far more radioactivity than are other Americans in the other States. A recent article in Public Health Reports, published by the Department of Health, Education, and Welfare, states that Alaskans who do not eat caribou meat have absorbed levels of radioactive cesium–137 four times higher than the mean for the lower 48 States while Alaskans who make caribou meat a staple of their diet have levels of cesium–137 22 times higher. The Washington Post, in its story of this report of December 24, 1965, quoted Public Health officials as saying "These relatively high levels are well below the limit officially viewed as immediately dangerous to health.

Such statements are not reassuring.

Why the use of the word "officially?" Does this mean there is another, unofficial view which is less sanguine?

What does "immediately" mean? Is there reason to believe that over the long term there might, indeed, be health hazards involved?

The Federal Radiation Council was established by the President to provide him and the Nation with guidance on the evaluation of radiation hazards and the creation of such public policy on the subject as from time to time may be required.

It appears to me to be time for the Council to review the radiation problem in the Arctic, especially in Alaska. It is time to gather and to evaluate all that is known of the contamination by fallout of the indigenous Arctic food supply. And it is especially time for the Council to report to the people of Alaska, in clear, concise, and unequivocal language. Alaskans have a right to know, and their Government has an obligation to tell them, the extent of the hazard—if hazard it is.

They have a right to know what additional amounts can be expected to enter their food chain, at what levels of contamination their Government is prepared to act and precisely what actions their Government is prepared to take.

I would appreciate having from the Council such a report for the people of Alaska.

Sincerely yours,

E. L. BARTLETT.

DESERVED RECOGNITION TO DR. RALPH EDWARD GIBSON, DIRECTOR, JOHNS HOPKINS APPLIED PHYSICS LABORATORY

Mr. BREWSTER. Madam President, early this month, Dr. Ralph Edward Gibson, director of the Johns Hopkins University Applied Physics Laboratory, was named by Queen Elizabeth as an Honorary Commander of the Most Excellent Order of the British Empire—C.B.E.

The high honor was made in recognition of Dr. Gibson's "outstanding contributions to Anglo-American friendship and understanding." It was but one of many honors tendered this eminent American scientist; most of them, however, have come from his own U.S. Government.

Dr. Gibson holds the Navy's Distinguished Public Service Award for the direction he gave to development of the Terrier guided missile at the applied physics laboratory. This supersonic guided missile, which armed the first ships of the Navy's guided missile fleet, now guards the nuclear carrier *Enterprise* and the nuclear frigate U.S.S. *Bainbridge* in the Gulf of Tonkin off Vietnam. From the Navy Dr. Gibson also received the Captain Robert Dexter Conrad Award for "outstanding research and development contributions." He was awarded the Hillebrand Prize of the Chemical Society of Washington and the Presidential Certificate of Merit for his direction in World War II of the development of solid propellant rockets. At that time he was director of research at the Allegany Ballistics Laboratory in Cumberland, Md.

Dr. Gibson has been in charge of the applied physics laboratory since 1947. This organization which now as 2,500 staff members in Howard and Montgomery counties in Maryland, has been responsible for development of the Navy's Talos and Tartar missiles in addition to Terrier. The laboratory has designed and built more than 30 artificial space satellites. Its space research and development for the Bureau of Naval Weapons has provided the Navy with a worldwide system of navigation, extremely precise in any weather day or night.

The applied physics laboratory is also a leader in the field of satellite geodesy, a new discipline based on the observations of our earth from the perspective of orbiting spacecraft. Satellite geodesy has led to the confirmation of the oblateness of the earth, the ellipticity of the equator, and the fact that the ocean surfaces are not level but have highs and lows that differ from each other by as much as 400 feet.

Space research is only one large role played by Dr. Gibson and his laboratory in scientific research. The laboratory also participates in the Navy's Polaris—fleet ballistic missile—program. On each newly commissioned Polaris submarine, an APL team evaluates the complete weapon system, first under controlled conditions at Cape Kennedy and then under the tactical conditions at sea.

The laboratory's work in missiles and space is supported by strong research teams in such fields as combustion and solid state and plasma physics, oceanography, geophysics, and ballistic missile defense. The successful tactics against Soviet antiaircraft missiles used by our fliers in Vietnam were developed by applied physics laboratory this past summer. The laboratory has made major advances in supersonic combustion ramjet engine technology, which holds the key to aircraft and missile engines of the future. Applied physics laboratory staff members recently headed a national study for the Department of Defense which led to improved technology and the understanding of combustion instability in solid fuel rockets, improving the safety and the efficiency of these giant space and defense boosters.

The role of applied physics laboratory in national defense dates back to 1942 when the laboratory was organized in a renovated garage at 8621 Georgia Avenue, in Silver Spring, Md., to develop the radio proximity—VT—fuse for rotating shells. Shells with the fuse's radio sets in their noses were credited with annihilating the buzz bomb over London and helping to stop the German Wehrmacht in the Battle of the Bulge.

When the Japanese high-speed planes and suicide tactics posed a new kind of threat to the fleet, applied physics laboratory undertook to develop an effective antiaircraft defense in the form of a long-range supersonic guided missile. In June 1945, 6 months after accepting this task, applied physics laboratory scientists, had flown the world's first supersonic ramjet-propelled vehicle from a sand spit on the New Jersey shore. In the wake of applied physics laboratory's intensive research and development program the Terrier, Tartar, and Talos guided missiles evolved as the Navy's primary anti-air-warfare weapons.

Since its inception, the laboratory has worked primarily for the Navy, for many years under the Bureau of Ordnance and more recently for its successor, the Bureau of Naval Weapons. In partnerships with many associated industrial and university contractors, this team developed a large part of the Nation's guided missile and space technology.

Dr. Gibson, the director of this outstanding national and Maryland resource, is a graduate of the University of Edinburgh where he received his Ph. D. in physical chemistry in 1924. He came to the United States that same year on a Carnegie research fellowship, and served on the staff of the Carnegie Institution of Washington until 1946, except for a 5-year period when he was on leave of absence to engage in wartime research and development. From 1929 to 1941 he also served as adjunct professor of chemistry at the George Washington University.

DAN BLOCKER ON VIETNAM

Mr. McGOVERN. Madam President, the star of the popular television program "Bonanza," Mr. Dan Blocker of DeKalb, Tex., was the subject of an article written by Lloyd Shearer in Parade magazine for January 23.

One paragraph of that article quotes Mr. Blocker in a manner that I think reflects the very deep apprehension many Americans feel about our deepening involvement in the Vietnam war.

I ask unanimous consent that the paragraph be printed in the RECORD.

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

At one time he was convinced "our posture in Vietnam was right but now I'm not so sure." Blocker fought in the Korean war. His squad was ambushed near hill 255 on Christmas Eve of 1951. "Our tanks were cut off. My squad was pinned down for 10 hours. Up until then I thought I was indestructible. I realized then that I wasn't, that I'd probably never get out alive. I tasted real fear. I thought about war and what it did to men and for what purpose, and I can tell you there is one helluva difference between intellectualizing about war and fighting it. Only those who've never been shot at, who've never crawled in the filthy, stinking mud or who've witnessed firsthand the political corruption in the Far East—only those are quick to send the flower of our manhood to their death. Like I say, I am a Lyndon Johnson supporter. To my way of thinking he is a great and humane President, but still I question in my own mind whether we can in the name of political justification submit young men involuntarily to a war which so many of them don't understand. I just don't know about this thing."

TRIBUTE TO THE LATE CHIEF JUSTICE OF HAWAII, WILFRED C. TSUKIYAMA

Mr. FONG. Madam President, it is with great sadness that I take this occasion to pay tribute to a most distinguished son of Hawaii, the late chief justice of the Supreme Court of Hawaii, Wilfred C. Tsukiyama. Justice Tsukiyama passed away in Honolulu in his 68th year on January 6, 1966, only 1 week after a serious illness caused him to resign his judicial post. He had been hospitalized earlier last year and had partially regained his health and returned to his official duties, when he was taken ill again last month. On the advice of his doctors that he would not be able to continue his service for any prolonged time, Justice Tsukiyama tendered his resignation to the Governor, although he had less than a year before completing his 7-year term as chief justice.

His death ended the long and colorful career of one of the most respected and honored men in Hawaii. Justice Tsukiyama loomed large in the history of

modern Hawaii. His was a brilliant success story of a first generation, native-born American—the son of poor immigrant parents, who achieved his distinction through high ambition, hard work, perseverance, superior ability, and absolute integrity. He was as well known throughout the State of Hawaii as any other contemporary individual. He lived an exemplary life, in public and in private, that won the admiration of the people of his State, regardless of their station in life or their ethnic background.

As a close personal friend and professional colleague of Justice Tsukiyama over a period of many years, I feel keenly the loss of "Tsuki," as he was popularly known. We served together in the Legislature of the Territory of Hawaii, he as president of the senate when I was speaker of the house of representatives. "Tsuki" was the personification of courtesy and considerateness. I could not have wished for a more understanding and cooperative colleague to work with as a legislator.

Justice Tsukiyama was born in Honolulu March 22, 1897, the son of Mr. and Mrs. Koken Tsukiyama, who emigrated from Japan to work as laborers on a sugar plantation in Hawaii. The qualities imbued in "Tsuki" by his parents—honesty, sincerity, good citizenship, and service to country—were to guide him for a lifetime.

"Tsuki" was graduated from McKinley High School in Honolulu, where his interest in a legal career was first sparked, and from the Japanese high school, where his linguistic talents were nurtured.

As a boy he shined shoes, sold papers, and worked in the pineapple canneries. Although small in stature, he excelled in football and baseball in high school and college, making up in nimbleness what he lacked in size.

His schooling was interrupted by 18 months of military service in Hawaii during World War I. After his discharge from the Army, he attended Coe College in Cedar Rapids, Iowa, for his prelaw studies. He worked his way through Coe College and the University of Chicago Law School. At Chicago he worked as a houseboy until the very day of his graduation. In 1949, Coe College awarded him an honorary doctor of civil laws degree.

Returning to Honolulu after receiving his law degree from the University of Chicago, he joined a law firm to practice his profession—the second Japanese-American attorney to do so in Hawaii up to that time. In 1929 he was appointed a deputy attorney for the city and county of Honolulu; he was promoted to city-county attorney, serving in the top post from 1932 to 1940, after which he resumed his private practice.

In 1946 he was elected to the territorial senate. From 1949–54 he was president of the senate, then minority senate floor leader in 1955, accumulating a total of 13 years in the senate.

Throughout his legislative career and for many years before, he was a tireless worker in Hawaii's campaign for statehood. As one who was allied with him in the statehood drive, I can personally attest to the effectiveness of "Tsuki's" efforts. He made numerous appearances before congressional committees in behalf of Hawaiian statehood. His oratorical eloquence and his forceful arguments contributed significantly to the eventual victory of the cause.

His powerful voice was raised, time and time again, in defense of Hawaii's people against unfair accusations. When feelings against Hawaii's Japanese Americans ran high before Pearl Harbor because they were suspected of being disloyal to the United States, he vigorously spoke up for them:

> Thousands of citizens of Japanese ancestry gave up their families and business connections during the First World War to serve under the American flag.

He said:

> There is no question in my mind but that they will all fight for the United States in the event there is war with Japan.

Justice Tsukiyama's words were prophetic. When Pearl Harbor came, Japanese Americans in Hawaii remained completely loyal to the United States. There was not a single act of disloyalty committed by them. When military service was closed to them immediately after the outbreak of the war with Japan, tens of thousands of Japanese Americans petitioned their Government for the opportunity to serve their country. When military service was opened up again, they flocked to volunteer, both in Hawaii and on the Mainland United States. Their combat record in Europe and the Pacific has been widely acclaimed. The 442d Regimental Combat Team and the 100th Infantry Battalion were cited as being the most decorated units for their size in American military history. Others served in the Pacific as military intelligence specialists, using their language ability to defeat the enemy on dangerous missions and thus saving the lives of countless other American fighting men.

The outstanding war record of the Japanese Americans removed one of the chief obstacles in Hawaii's statehood drive.

When statehood was finally attained in 1959, Wilfred Tsukiyama became a candidate for a seat in the U.S. Senate. Although he failed to win election by a very small margin, his popularity with the electorate was clearly shown in the strong race he ran.

Shortly thereafter, he was given the special distinction of being appointed the first chief justice of the supreme court of the new State of Hawaii. He served with great distinction as the top jurist of his State. He ably and effectively presided over a tribunal which was called upon to decide the many legal problems arising out of Hawaii's new status, thereby contributing to the smooth transition of Hawaii from a territory to a State.

In 1960, he was elected to the seven-member executive council of the Conference of Chief Justices, an organization of the country's 50 State supreme court justices.

When illness finally compelled him to step down from the bench last month, Chief Justice Tsukiyama could say, "My memory will linger back to the days when I have served with absolute honesty, conscientiously and judiciously to administer the affairs of the Hawaii State judiciary."

Justice Tsukiyama's activities ranged far beyond the judicial, legislative, and legal realm. Over the years, he served actively with numerous community and civic groups to promote religious, hospital, business, benevolent, and international relations causes.

Last year he was named Community-wide Father of the Year by the retail board of the Honolulu Chamber of Commerce.

His lifetime of distinguished service was also recognized by the Government of Japan. In 1963, the Emperor and the Prime Minister of that country conferred on him the Order of the Sacred Treasure, second class, for his contributions toward promotion of United States-Japan relations. It was the highest award ever presented by Japan to an American of Japanese ancestry.

On that occasion, a Honolulu newspaper editorial commented as follows:

> Those who know him know, too, that a dozen similar awards—if they existed—could well be made to this unobtrusive, scholarly man for promoting good relations with almost any racial group you could name, either in Hawaii or anywhere he has traveled. His qualities are such that he achieves this simply by being himself and talking with anyone he meets, not as a chief justice, or a lawyer, or a former legislator, but as an alert, friendly fellow with sparkling eyes, faultless diction, real interest in the other fellow's ideas and problems, and a vast store of information about Hawaii and its American heritage.

In death, as in life, Wilfred Tsukiyama will be remembered for what he made of himself and for what he gave of himself to this fellow men. His loss will be long felt by the community of which he was such a superlative example for a dedicated public servant and civic leader.

But, even more, he will be remembered as a warm hearted, devoted friend to the countless citizens of Hawaii whose advancement and well-being were his chief concern during his lifetime.

I mourn the loss of this most worthy and faithful friend. Mrs. Fong and I join "Tuski's" friends everywhere in saying a fond farewell and aloha. We extend our heartfelt sympathy to his beloved wife Marian and his family during their bereavement. May their sorrow be assuaged by the knowledge that a grateful community bows in tribute to his lifetime of good deeds. We will always cherish his memory.

RETIREMENT OF GEN. OSMOND J. RITLAND

Mr. CANNON. Madam President, I wish to take this opportunity to bring to the attention of this body, the career retirement of one of this Nation's most outstanding military leaders. I know all of you will want to join me in expressing our heartfelt thanks.

I should like to mention but a few milestones in his remarkable career. He was deputy to the commander, Air Force Sys-

tems Command, for Manned Space Flight, and a command pilot with more than 9,400 flying hours. In his 27 years of military service, he has amassed the equivalent of more than one full year at aircraft controls.

For the past 7 years, he has devoted his abilities primarily to the development and system acquisition of Air Force ballistic missile weapon systems and related military space programs.

He was born in Berthoud, Colo., on October 30, 1909, and attended San Diego State College for 3 years before beginning his Air Force career as a flying cadet at Randolph Field, Tex., in 1932. After completing flying training in 1933, he served at March Field, Calif., as a fighter pilot, and also flew the Army airmail before going on inactive status in 1935 to become a pilot for United Airlines.

After 5 years as an airlines pilot, he accepted a regular commission, and, in 1939, was transferred to Wright Field, Ohio, for a 5-year tour as an Air Corps experimental test pilot. He was awarded the Distinguished Flying Cross for this phase of his work, being closely associated with and responsible for the development, engineering, flight performance, and functional testing of the majority of American aircraft used during and immediately after World War II.

As a test pilot, he flew more than 200 different aircraft, including experimental versions of the P–38, P–39, and P–40. He was also one of the first Air Corps pilots to fly prototype jet aircraft such as the XP–59 and XP–80.

General Ritland's closest brush with death came in March 1943, when he parachuted from a burning British Mosquito seconds before it exploded in midair. The force of catapulting from a plane at high speed snapped some of the suspension lines of his parachute resulting in an excessive rate of descent. Although he sustained a broken back, he was back at work in 2 months with his back in a cast.

In December 1944, he was transferred to the China-Burma-India theater and served as commander of the Assam Air Depot until 1946. For his services in establishing and maintaining a supply system for support of operations against the enemy, he was awarded the Bronze Star and the Air Medal.

Upon his return to the United States, he was again assigned to Wright Field where he worked in research and development for the continuous evaluation and improvement of all U.S. Air Force aircraft. While Chief of the Aircraft Laboratory, he was instrumental in the development of the pilot ejection seat.

February 1950 found him assigned to the Special Weapons Command at Kirtland Air Force Base, N. Mex. There, he organized and commanded the 4925th Test Group which was responsible for the development testing of all equipment needed in attaining an Air Force nuclear weapons capability.

His test group also assisted the Atomic Energy Commission and the Armed Forces Special Weapons Project nuclear weapons effects tests, and developed an operational technique for airborne sampling.

In support of the U.S. nuclear weapons program, he organized, directed, and exercised operational control of all aircraft participating in the AEC Nevada Proving Ground atomic testing and received the Legion of Merit for this work.

Following the Kirtland assignment, General Ritland attended the Industrial College of the Armed Forces. He then served 2 years at U.S. Air Force Headquarters as special assistant to the Deputy Chief of Staff for Development where his performance in this sensitive job earned him a second Legion of Merit.

He was assigned to the Air Force Ballistic Missile Division as vice commander in April 1956, and promoted to brigadier general in October of that year. On April 25, 1959, he was appointed AFBMD commander and promoted to major general in July 1959. He held that position for nearly 2 years until a major reorganization of the Air Research and Development Command and the Air Materiel Command was effected on April 1, 1961. At that time, he assumed command of the newly created Space Systems Division of the Air Force Systems Command, a position he held until May 15, 1962, when he was appointed deputy to the commander, Air Force Systems Command for Manned Space Flight. He was awarded the Distinguished Service Medal in August 1962, in recognition of his outstanding achievements in furthering the aerospace capabilities of the United States while commander of the Air Force Ballistic Missile Division and commander, Space Systems Division. Additionally, in May 1963, he received the Gen. H. H. Arnold Trophy awarded by the Arnold Air Society for outstanding contributions to military aviation and aerospace progress.

He also worked with the Director of Manned Space Flight for NASA, being responsible for maintaining with them the necessary management arrangements on all support provided to Air Force programs by that agency. In recognition of his outstanding performance in carrying out these responsibilities, he was awarded, in November 1965, one of the highest awards of the National Aeronautics and Space Administration, the NASA Exceptional Service Medal and the Air Force Distinguished Service Medal.

ELECTRONIC EAVESDROPPING—BIG BROTHER

Mr. LONG of Missouri. Madam President, during the congressional recess, a comprehensive set of articles on electronic eavesdropping, by Thomas R. Guthrie, were printed in the Sunday edition of the Cleveland Plain Dealer of December 19. I ask that these excellent articles be printed at this point in the RECORD.

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

[From the Cleveland (Ohio) Plain Dealer, Dec. 19, 1965]

NO PLACE TO HIDE

(NOTE.—Wiretapping or "bugging" of private conversations is not only a fascinating topic, but also is fraught with a great deal of danger to our personal freedoms. In the articles on this page, Thomas R. Guthrie, chief of the Plain Dealer's Washington bureau, explores the entire problem.)

WASHINGTON.—Almost literally there is now no place to hide.

Americans today are being mercilessly and pitilessly stripped of their constitutional right to privacy.

In the office and the workshop, in the streets of the city, in the store and even at home they are being listened in on, peered at, inquired about, exposed until they stand naked in all their weakness, at the mercy of a predatory bureaucrat, a hard-driving employer, or just a plain old nosy neighbor.

The Orwellian days of Big Brother are almost upon us. The invention, the development and the refinement of space-age miniature electronic wiretapping and eavesdropping devices has made that possible.

And more devilishly clever gadgets, which already have outmoded Dick Tracy's two-way wrist radio, are on the way. They are all designed to find out what you are doing and saying and, some day perhaps, what you are thinking.

Already they have begun to exercise a form of thought control. People who have reason to believe they are being spied upon or secretly listened to are not now talking with their colleagues as freely as they once did. Why criticize the boss if perhaps he is listening to what you say?

It is the easiest thing in the world to tap a telephone; and it is practically impossible to tell if it is tapped unless you are prepared to take your phone apart each time you use it.

Is your phone bugged? Can you be sure it isn't? Perhaps someone is listening to you next door, in the next block, the next city, the next State, or even in Hawaii. It's quite possible, you know.

Early in January the Senate Subcommittee on Administrative Practice and Procedure will open an investigation into what its chairman, Senator EDWARD V. LONG, Democrat, of Missouri, calls "industry espionage." The airlines, he says, are spying heavily on each other—routes, rates and such things. So are competitors in the chemical industry, the aircraft industry, the auto industry, the distillers, pipeline companies.

"Law enforcement and national security," LONG says, "provide justification for a certain amount of Government surveillance practices * * *. But the right to privacy that Americans have always guarded and cherished must be preserved against the threat of increasingly clever techniques of electronic snooping."

So where do we draw the line?

Is it possible to draft laws to curb these insidious practices?

Does the very desirable end of national security completely justify the diabolically clever means which could, perhaps, one day seriously impair the freedoms Americans have long been wont to take for granted?

The accompanying articles tell how easy it is to poke an electronic nose into your neighbor's wired-for-sound business and how deep is the concern of people aware of this sinister development.

[From the Cleveland (Ohio) Plain Dealer, Dec. 19, 1965]

SNOOPERS' ARSENAL IS FANTASTIC

WASHINGTON.—It used to be that parents told their bug-eyed children the story of the birds and the bees.

Now it would appear that today's precocious children, educated and growing up in this exciting age of electronic wizardry, may soon be able to explain to their passé parents the story of the birds and the bugs.

Today's "bugs" are the electronic super snooper gadgets which listen to, transmit and record the unguarded conversations of people whose words may later be used to

confound and destroy them. The people being spied on are the "birds," and the operators of the "bugs" are known in the jargon on the rapidly growing Machiavellian trade as the "birdwatchers."

To help them maintain their stealthy watch on the unsuspecting "birds," the snoopers have a remarkable arsenal of weapons which grows larger and more fantastic by the day as the genius of the research laboratory flowers in a profusion of miniature gadgets beyond belief only a decade ago.

The most elementary form of electronic bugging is, of course, the wiretap which, believe it or not, has been with us since the late 1800's. It has claimed among its victims Senators, Supreme Court Justices, mayors, police chiefs, even priests.

But that wiretap was a simple, uncomplicated thing—a direct connection to a telephone wire leading to a headset. Today, no such connection is necessary. There is, for instance, a tiny $3 induction coil which fits into the mouthpiece of a desk telephone and goes to work to broadcast its message when the phone is in use.

Perhaps the most remarkable of all the phone taps is one that will permit an eavesdropper in, say, Hawaii or California or Texas, to listen to all the conversations in a room in, say, Cleveland, while the phone is still in its cradle.

The only prerequisite for this type of tap is that the phones concerned be on a direct dialing system.

At the Cleveland end a special tapping gadget will have been placed inside the phone.

At the Hawaii end the eavesdropper will dial the Cleveland phone number. Before the bell can ring he will play a note from a harmonica into the mouthpiece of his telephone in Hawaii. That prevents the bell ringing in Cleveland and at the same time activates the bug. The phone in Cleveland is now live and will pick up any conversations in the room and transmit them to Hawaii. There is no way for the Clevelanders to know they are being listened to.

Progressing beyond wiretapping the snoopers get with the more sophisticated gadgets.

Most readers have heard of the olive transmitter with its toothpick antenna in the martini glass. That's nothing very remarkable these days.

Birdwatchers have the choice of a two-tooth denture which operates, naturally, right in the mouth of the spy. In one tooth there is a microphone, in the other a transmitter. About 60 yards away—probably in a room across the street or in an auto in a nearby parking lot—is another operative with a tape recorder taking every word that comes out of his colleague's mouth.

Then there is the tie-clasp mike with a wire running inside the wearer's shirt to a transmitter or recorder in his pants pocket. Perhaps the transmitter is enclosed in a normal cigarette pack.

Other items the well-heeled birdwatcher uses:

A wristwatch microphone with the wire going up his sleeve and into an inside coat pocket.

A mike and transmitter concealed in a rose.

An innocent looking picture on the wall which is a complete radio station behind the canvas.

A desk calendar with a built-in transmitter, or an ordinary looking stapler to sit on a desk and transmit all it hears.

A parabolic microphone which can be bought for as little as $13 and pick up conversations over considerable distances on a busy street.

TV cameras smaller than an ordinary flashlight which can be coupled to a two-way mirror and be used to obtain divorce evidence much more candid than anything Candid Camera has ever dreamed up.

Microphones smaller than a thin dime which can be concealed in a variety of interesting places.

Mikes which can be attached to a nail and driven through the wall of one apartment to the plaster of the wall in the next apartment and record everything that's said.

And from the realm of the amazing, we now move to the miraculous.

First, let's look at the laser beam for very soon it will be looking at us.

This is the much-publicized concentrated beam of light that can travel for hundreds, perhaps thousands, of miles with extreme accuracy. It has already been used with success in certain branches of surgery and therefore may be regarded as one of science's gifts to mankind.

On the other hand, a modulation device is now being perfected by the Bell Telephone Laboratories which would enable the laser beam to pick up sound and pictures from inside the walls and from behind the closed doors of rooms great distances away. No microphones, no cameras, no wires, no electric power required other than that in the laser's own light, portable case. Just the beam aimed at the room where the "birds" are.

This weapon will not be a practical proposition for the private snooper for years to come. Its price will be prohibitive.

But don't cheer just yet. There is a poor man's substitute that any snooper will be able to afford. It is a diode device—cousin to the ordinary radio transistor—which is only one-hundredth of an inch across and gives out infrared light. This diode has already been used to transmit both voice and TV pictures over a distance of 30 miles on an infrared light beam. The power required was so little that it would take 1,500 of the diode beams to equal the power of a single flashlight bulb.

According to John G. Marinuzzi, of New York, an electronics experts who wrote to the Senate Subcommittee on Administrative Practice and Procedure, which is investigating invasions of privacy by snoopers, these diodes and the associated equipment necessary for this system are both simple and cheap to manufacture.

And if you want any more evidence as to how frail and vulnerable a thing is your constitutional privacy, take a gander at this—if you can see it.

It is an integrated microcircuit which is made by placing layers of metals and materials less than one-thousandth of an inch thick on top of each other to form a kind of electrical sandwich.

It can do everything its big brother made of tubes and wires can do, says Marinuzzi. But it is so small you need a microscope to see it and special sensitive machines to work with it.

A radio transmitter made this way, says the New Yorker, could be concealed in a slit made in the side of a playing card or a piece of wallpaper.

Not only are they practically impossible to detect, but they are reaching the stage where they can be made so cheaply they will be used like paper towels.

"The use of snooping tools by the crook and the curious public," Marinuzzi forecasts, "is about to explode."

There's nothing in these microcircuits to burn out so that their life will be indefinite; and they take their energy from any local broadcasting station, which means the bugs will remain active around the clock.

Already the National Aeronautics and Space Administration has had developed a complete radio transmitter-receiver that can be placed comfortably in the human ear; Case Institute of Technology in Cleveland has placed FM tranmitters smaller than an aspirin in the bodies of experimental animals as a research tool; General Electric has placed transmitters in rats which draw their power from the rats' bodies. No batteries are needed.

Thus the ramifications of snooping are almost limitless, and the chances of anyone being caught with such super-sophisticated equipment is very small. Though why anyone should worry about being caught is difficult to explain, unless their conscience should bother them. There is no law so far saying these gadgets are illegal.

[From the Cleveland (Ohio) Plain Dealer, Dec. 19, 1965]

"BUGS" PREY ON RIGHTS OF CITIZENS

WASHINGTON.—There was this woman in Michigan. A good worker, she was with the telephone company, but her standards began slipping. So her employers put a tap on her telephone and for 14 months recorded her conversations with her friends. They found she had terminal cancer. And she was fired.

"I know telephone people. They are fundamentally decent and honest people. But decency dies when it is too long exposed to immorality, especially where the immorality has some legal basis. Eavesdropping is not just an injustice to the person who is spied upon. Eavesdropping is also a corrosive and corrupting force on the person who does the spying. It corrupted those supervisors in Michigan. It will corrupt others." Joseph A. Beirne, president of the Communications Workers of America, testifying before Senator EDWARD V. LONG's Subcommittee on Administrative Practice and Procedure.

Then there are the three Ohio Internal Revenue Service agents—one each in Toledo, Cincinnati, and Youngstown. They were sent to the Treasury "school" in Washington to learn how to pick locks and plant bugs in the premises they enter. The argument is that the IRS agents' "skills" will be employed against such people as bookmakers, rackets figures, narcotics pushers and so on.

"The snooping that each (Federal) agency does individually may seem innocent enough in appearance. But when the total picture of such Government activities is put together, it may well indicate a frightening encroachment on individual privacy in this country." EDWARD V. LONG, Democrat, of Missouri, chairman of the Senate Subcommittee on Administrative Practice and Procedure, which is investigating invasions of privacy.

In Dade County (Miami) it is reported that one-third of all divorces there last year were granted primarily on the basis of information obtained by wiretapping and bugging.

"The reasons for eavesdropping are many, but one thing is obvious: You cannot eliminate the reasons without eliminating man himself, which brings us to our present dilemma." John G. Marinuzzi, New York electronics expert, in written testimony to LONG's subcommittee.

In California a hospital administrator was caught monitoring, among other things, confidential doctor-patient conversations. He was fired.

"Would it not be possible for the CIA, with its governmental authority, to convince a dentist to install a bug in a suspect's tooth in the name of justice and all our country holds sacred? Could a hospital become an intelligence-gathering center for our police? Or, let's go one step further and put a radio transmitter into a suspect's body which monitors his breathing, his blood pressure, his perspiration rate and his heart. These things are exactly what a lie detector monitors." Marinuzzi.

There is also the problem of the Post Office Department and its "mail covers." When the Post Office uses a "mail cover" on a person, inspectors record from the outside of each piece of mail addressed to the suspect or members of his family, the name and ad-

dress of the sender, the place and date of postmarking and the class of mail. The information is used as leads in an investigation and not as evidence in court.

Among those convicted where "mail covers" were used were:

Racketeer Frank Costello for income tax evasion.

A man named Sam Schwartz for mail fraud in a turf tipster scheme.

A man who raped and murdered a 5-year-old girl, then fled to Mexico. "Mail covers" led to his being deported to the United States.

"What we are dealing with here is clearly a problem of the balancing of interests: privacy of the individual on the one hand and law enforcement on the other. Obviously neither of these interests can be satisfied entirely. What we must seek and attain is a middle road which can best resolve this dilemma." Senator LONG.

In that statement Senator LONG goes to the heart of the matter. Clearly a balance of interests must be found, and found before the new microcircuits flood the market and everyone becomes his own private eye.

"It is obvious," LONG says, "that this proliferation of snooping paraphernalia is increasingly placing the constitutional right of privacy of the individual citizen in peril.

"Surveillance is becoming more and more pervasive in our lives, and privacy is becoming harder to protect.

"If we expect to have any privacy in 1984 or 1985—we must examine the probable advances in technology, and we must provide stringent laws against indiscriminate eavesdropping.

"As incredible as it may seem, there are virtually no statutes, Federal, or State, to protect against eavesdropping, indiscriminate or otherwise."

Beirne argues that eavesdropping and wiretapping equipment of all types should be registered and that all users of such equipment must be licensed by the Federal Government.

In the licensing provisions he urges that strict limits be placed on the eligibility of agencies and individuals entitled to use such equipment.

"In discussing the weapons of eavesdropping and wiretapping," Beirne says, "we are talking about weapons as dangerous to democracy, to personal dignity, and to individual freedom as thermonuclear weapons are to human survival.

"We do not equip the State militia with thermonuclear missiles. Nor can the cop on the beat or the bank guard or the private detective avail himself of tactical nuclear weapons.

"For the survival of privacy, dignity, and freedom, for the survival of those things that make human survival most meaningful, let us sharply limit the number and drastically limit the use of all forms of wiretap and eavesdropping equipment."

A WAR THAT ALL CAN WIN—ADDRESS DELIVERED BY SENATOR McGOVERN OF SOUTH DAKOTA

Mr. KENNEDY of Massachusetts. Madam President, on January 18, 1966, Senator GEORGE MCGOVERN delivered a significant address at the annual convention of the National Limestone Institute here in Washington.

In discussing the International Food and Nutrition Act, authored by Senator MCGOVERN and now pending in the Congress, he said:

All men can be winner of a war against want, just as we are real winners today from the war against domestic want which started in the Thirties to bring an end to the paradox of want and surpluses coexisting within the United States itself.

As a cosponsor of this bill, I call the attention of other Senators to his remarks, and ask unanimous consent that the text of the address be printed at this point in the RECORD.

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

A WAR THAT ALL CAN WIN

(Remarks of Senator GEORGE MCGOVERN, of South Dakota, at the annual convention of the National Limestone Institute, Washington, D.C., January 18, 1966)

For all of the decade I have spent in Washington I have been talking and writing about a war against want.

It is a real pleasure to talk to some of the warriors—to the men of an industry who have helped husband our soil resources and keep them productive both by supplying an essential mineral, calcium-carrying limestone, and by defending the Federal program which has helped to increase limestone use from the 1- to 3-million-ton-level in the 1921–46 period to 27 million tons last year.

All Americans are indebted to you and your industry for your part in the job that has been done.

I know you have a direct interest in the agricultural conservation program. We all do. And we will all benefit if the application of limestone to our farmlands climbs to the 80 million tons annually which the agronomists tell us that we need. You would benefit. Farmers would benefit. The land would benefit. America would be strengthened for the great war against hunger which lies ahead.

Private enterprise—yours, the hybrid seed salesman's, the farm machinery and supply industry's, and the farmers'—has now admittedly made the difference between America's food abundance and the Communist bloc's conspicuous lag in agricultural development and ability to feed its own people. Russia is now trying to build some incentives into her system and stimulate some of the sort of enterprise found in America.

We also have an obligation to the Limestone Institute for the presence in Washington of your president, Bob Koch.

Bob is a genius, and I say that thoughtfully. I have long known him as a man of great organizational ability and as a great legislative strategist. Two or three months ago he produced an edition of your Limestone magazine so effectively you received a well-deserved Freedom From Hunger Foundation Award. I can attest its effectiveness for I got a good many letters asking if I had seen it, or asking how to get a copy. Copies were also sent to me by a dozen people who wanted to be sure that I didn't miss it because they were themselves so impressed.

So Bob has proved himself an editor and publisher of great talent.

Last month, Bob and his staff almost single-handedly arranged an impressive organizational meeting of the Committee on the World Food Crisis. No one else could have assembled such an outstanding group of national leadership people and run a meeting so smoothly and impressively in the short time he had. Thus far, I have found nothing that your president cannot handle in a distinguished way.

I am pleased to have this opportunity to express my appreciation to you of him, as I have already expressed it to him.

Through your national office, this organization has already made a mighty contribution to efforts to awaken our country to what I am sure is the greatest challenge of our times. It is a challenge which involves not only our moral responsibilities as Christians to our fellow men, but also our national security and the possibility of bringing into existence a world at peace. At the same time, it offers us an opportunity for economic growth.

The world is faced with hunger and starvation on a scale never before known, unless we begin at once to plan for tomorrow's food needs, as well as to size population to what this planet can support. The food crises that are occurring this year in Russia, Red China, and India, resulting in food grain transactions of unprecedented size, are a very mild, pallid warning of what lies ahead.

The reality is that the Russia, China, and India emergencies have only tended to divert attention from even larger, chronic hunger and starvation in the world, which we have been taking for granted. Under so-called normal food supply conditions, want is far more extensive than generally realized.

Half a billion of the world's 3 billion people lack enough food. Another billion suffer from malnutrition, or lack of adequate proteins, vitamins and minerals in the foods they eat. Three million children die each year from diseases induced by malnutrition. Countless human beings go through life permanently crippled physically, mentally, and emotionally because they did not have proper food in their formative years. The ever-present companions of malnutrition—lethargy, disease, and premature death—breed a vicious cycle of listless people, powerless to break out of their misery but capable of breeding children and multiplying misery.

The present prospect of this undernourished planet is that population will double in the next 35 years and stand at 6 billion human beings in the year 2000. World population growth is now about 2 percent a year.

The growth rate testifies to the miracles of modern medicine, but it is a miracle, upon us here and now, which mankind cannot manage unless we adopt policies and make adjustments with far greater speed and boldness than ever before in human history. Massive famines that will take the lives of hundreds of thousands of our fellow men will be upon us in another decade unless the planet's agricultural resources—both those of America and of the less-developed world—are brought to maximum production during that decade.

There is one thing certain: the paradox of America restricting production while tens of millions starve cannot continue any more than this Nation in the thirties could tolerate the paradox of extensive want, hunger, and death in the midst of surpluses.

Population control measures are on the way. But they will not be adopted overnight. There remain both social and scientific hurdles to be overcome. Control is unlikely to do a great deal about the anticipated 40-percent increase in world population in the 15 years just ahead, to 1980. That means another 1¼ billion mouths to feed and bodies to be supplied.

Heroic increases in world food supplies are needed now to alleviate want and prevent another generation of warped bodies, extending the problem of handicapped adults another generation. Our surpluses are all but gone. Our 1.4 billion bushel carryover of wheat in 1961 will have been halved next July 1, and is headed down toward 600 million or even 500 million bushels—less than an adequate security reserve. Feed grain carryover has been pulled down from 85 million tons to 57 million tons. Dairy products are already in short supply seasonally. We need to stimulate soybean production for commercial markets this year. We have a statistical surplus of cotton, but less than enough to decently and warmly clothe the people on earth today.

It will take large increases in food production in the years just ahead if the adjustment is to be made with food rather than by reduction of population through war, disease, starvation, and mass deaths.

This grim world outlook can be our greatest international opportunity if we are capable of a grand strategy in world affairs. We have two courses to choose between, now that Public Law 480, the food for peace law, is drawing to an end because of the disappearance of agricultural surpluses on which it is based.

We can treat the race between food and population as a continuing, inevitable human tragedy which is remote from us. We can announce our surpluses are gone and let children and adults die off in the less developed and less fortunate lands, concentrating on protecting our island of affluence in a sea of misery with halfway aid measures and the threat of massive nuclear retaliation. If we choose that course, we will be running the risk of a cataclysmic war which will leave even the survivors in a cauldron of radioactivity to meet an uncertain fate.

Or we can choose, as wise commanders do, to fight on a front where we can win, to fight the war against want. It is the most important war the race of man ever faced, a war we can win, and a war from which our Nation can come off stronger and richer—richer in moral, spiritual, and material ways.

We have a disproportionate share of the world's arable land resources. They are not enough to meet the whole world's food deficits, but we also have unrivaled agricultural production and handling know-how which can increase productivity around the world. And we have a system of democratic government with freedom and enterprise which, copied throughout the world, can help to increase affluence everywhere.

We can fight the war against want with corn instead of cannon, with farmers instead of marines, with tractors instead of tanks, with nitrogen used in fertilizer instead of explosives, with technology instead of battle plans, with food instead of fear, and with development instead of destruction.

All men can be winners in such a war—just as we are real winners today in the war against domestic want which was started in the thirties to end the paradox of want and surpluses here at home. As we ended the depression in the thirties, and as we have created jobs and eliminated poverty in post-World War II days, we have enjoyed growing prosperity, and growing affluence.

A world war against want would be an extension, beyond our national boundaries, of a policy adopted by our first President and Congress that has brought us to our present greatness, strength, and prosperity.

George Washington, Albert Gallatin, and our earliest national leaders worked for Federal programs to bring about development of new areas. We have continued programs to stimulate the expansion of productivity across our land down to the present time. As geographical frontiers have disappeared, we have gone back to redevelop and upgrade the economic activity of some our own less developed areas and to expand vertically.

The Tennessee Valley, the Columbia Basin development, the great western reclamation projects, and now Appalachia and the planned regional commissions in New England, the Ozarks, the upper Great Lakes, and my own upper Great Plains area are examples of that policy.

These area developments have paid dividends to the Nation as well as the immediate territory involved.

Tennessee Valley counties bear twice the share of the Federal tax burden today that they carried in 1935. They pay twice as much income tax. That means they import and export twice as much or more from the rest of the Nation. Their contribution to the total economic strength of the Nation has doubled. The Columbia Basin has become an economic bastion of the Nation as a whole.

The flowback of benefits from economic development abroad is just as clear economically as the flowback from our own regional developments, and it has returns in terms of world peace and human freedom not involved in our own regional development projects.

We gave Japan food assistance after World War II. Japan is today our largest foreign market for agricultural commodities. She buys from us each year more than we granted her over several years.

The Department of Agriculture has made a study of our exports to 54 developing nations which we have given food-for-peace aid. For every 10-percent rise in per capita income their purchases of agricultural commodities from the United States have increased 21 percent.

An in-depth study by the Department of Agriculture, "Foreign Economic Growth and Market Potentials for U.S. Agricultural Products" concludes:

"The results of this study clearly indicate a definite and positive relationship between growth in income and trade. They also indicate that expansion in the demand for U.S. agricultural and other products will continue to be closely tied to world economic conditions. Rapid economic development will help maintain a steady growth in U.S. agricultural and total trade; * * * market outlets for an increasing part of American agricultural products will become more and more dependent upon the rate of economic progress in other countries. And, since the greatest market potential for U.S. agricultural products is in the developing countries, it would be in our own economic interest to help promote economic growth in these less-developed countries."

The techniques for using food assistance to stimulate development in the emerging nations of the world are well known to the agencies that administer our food-for-peace programs.

The voluntary agencies like CARE, Catholic Family Welfare, and the others use grant food for wages on community and rural development projects—and it is rural development that is most needed to meet the challenge of the food and population crisis.

The soft currencies which recipient nations pay for food-for-peace supplies under title I of Public Law 480 are loaned back from many types of development projects; a considerable amount is earmarked for American private business firms to borrow to start business in the issuing countries.

A war against want will require a decade or more to win.

There are bottlenecks of dock facilities, storage facilities, transportation, and of knowledge on how to use our foods, which must be broken. India does not have conventional port facilities adequate to unload the food she needs right now from the ships that bring it to her shores.

We cannot pour food into a less developed country in quantities or on terms which will destroy the incentive for their own farmers to increase their production, as they must if the race with growing population is to be won. We must help those countries with our know-how and supplies to achieve maximum self-sufficiency. There are many other problems, including increasing the support of other developed lands.

But if our great Nation has the skill to put a man on the moon, it has the skills necessary to solve the distribution and development problems connected with a major world food effort.

President Lyndon Johnson, in his state of the Union message, has called for a maximum effort to meet food, education, and health problems in a worldwide attack. He did not call for a limited effort.

I had the pleasure of reporting in the U.S. Senate last Friday that support given my proposed international food and nutrition bill reflected unprecedented unanimity among American citizens.

All of the four major farm organizations favor moving our international food effort from surplus disposal to production to meet the needs of men. Labor organizations and the U.S. Chamber of Commerce are in support. Church groups, professional groups, the college and university community, and scores upon scores of newspapers and magazines—leaders of the fourth estate—have expressed support. The endorsements are bipartisan, and by far the most extensive spontaneous outpouring I have ever known behind any proposal.

We have yet one gamut to run.

Space technologists and the electronics industry think they are the inventors of a new technique of miniaturization.

We have had experts at that technique in Government for a good many years. They sometimes serve a useful purpose, but not always. The war against want, the race between food and population, cannot be won with any miniaturized, pilot projects. It cannot be fought on weekends and holidays. It cannot be won with left-overs.

This war, from which our Nation and mankind can benefit eternally, can only be fought and won if we recognize it as the most important war in the history of mankind and if, in President Johnson's words, we make a "maximum, worldwide effort."

The war against want cannot ultimately be avoided.

What we do about it this year—in 1966—may very well determine whether 15 or 20 or 25 years from now the less developed world has become a world of self-sustaining, cash customers of both our agricultural and industrial industries, of if it is a cauldron of unrest and danger to the peace of the world, which can be brought into a balanced relationship between food and population only by the expenditure of greatly increased amounts for assistance and grants as a result of population growth and lagging development.

ADDRESS DELIVERED BY THE PRIME MINISTER OF SOUTH VIETNAM AT THE ARMED FORCES CONGRESS IN SAIGON

Mr. COOPER. Madam President, on January 15, I was in Saigon. On that day, the Prime Minister of South Vietnam, Air Vice Marshal Nguyen Cao Ky, spoke at the closing ceremony of the Armed Forces Congress, made up of approximately 1,500 officers, who serve in every area of South Vietnam.

In perhaps its most important feature, Prime Minister Ky declared that the Republic of Vietnam should set forth on the road to constitutional democracy. In his speech, he outlined procedures for the drafting of a constitution providing for democratic institutions, and plans to have the constitution voted on by the people at the end of 1966, with elections for office to be held a year later.

A second feature of the address is the stress on the pacification and rebuilding of the civilization. It indicates the importance which Prime Minister Ky attaches to bringing about a peaceful improvement in the living standards of the people. It is a statement that the Central Government is concerned about people throughout the country, and that his Government is taking vigorous action to demonstrate its concern.

I met with Prime Minister Ky and secured a copy of his speech from the U.S. Embassy. I believe it important that it

should be printed in the RECORD, so that the full text will be available to the Members of the Congress of the United States and to the people of our country. I ask unanimous consent that it be printed at this point in the body of the RECORD.

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

ADDRESS OF PRIME MINISTER NGUYEN CAO KY AT THE CLOSING CEREMONY OF THE ARMED FORCES CONGRESS, JANUARY 15, 1966

Dear fellow Vietnamese, dear comrades in arms, in the course of national events, each period should provide an opportunity for these entrusted with national responsibilities, to review the manner in which they have carried out these responsibilities, to assess the situation and to plan adequate actions for the next stage.

This is why, today after over 200 days in the office entrusted to me by the directory as head of the Government and on the occasion which coincides with the end of the At Ty lunar year, I consider it my duty to appear before you, fellow citizens and comrades in arms, to draw, together with you, a yearend balance sheet and to define the objectives for the year ahead.

PART I

Dear fellow citizens and comrades in arms, before dealing with future objectives, we should, of course, glance back at the past and make a sincere review of past activities to determine what we have achieved and frankly acknowledge what we were unable to achieve and what still remains to be completed.

I am going to review the negative part first because what the Government has not done according to its wishes has always obsessed me.

Let me deal straight off with a minor problem but one which, however, is closely related to the daily life of the population in the capital and which has become a cause for criticism of the Government: electricity.

It is, of course, a handicap to industrial and commercial enterprises, and an irritation for private citizens and the government alike, when so vital a commodity as electricity cannot be supplied. In many press conferences and communiques explanations have been given regarding the cause of the electricity shortage and the measures taken to solve it. Some deadlines for solution have been set. But notwithstanding this, the capital still remained short of electricity until the end of 1965.

It was only at the beginning of the year that the electricity cut was limited to nighttime only. Despite the efforts made by the Government to help solve the shortage—efforts that yielded some results—the shortage which prevailed during the last 6 months was a stain which marred the picture of the Government's achievements.

While this stain still remains to be removed, another has appeared: the bus transportation problem. You all know that problem. It has been a chronic disease. Many remedies have been tried to cure the disease but all of them failed. Finally, the Government was compelled to remove the cause of the disease by allowing the bus management authority to wind up business and leave the place to another and sounder organization to run the company.

Outside of Saigon, the existing state of the interprovincial communications network is also a problem, but one which must be blamed totally on the war, not on technical or organizational defects. And the present war is chiefly one of sabotage directed by the enemy mainly against our infrastructure facilities: highways, bridges and so forth. Therefore, to solve the problem of lines of communication is conditional on the solution of this war of sabotage. Now that the war situation has begun to turn to our advantage, the improvement of the communications network seems realizable.

In the area of major concern is the economic problem. No government whatsoever could boast full success in its economic policy after only 6 months in power, especially when it inherits a chaotic situation which lasted for 2 years and which bore the aftermath of a period of 20 war years.

But not to have attained success does not mean failure. The tremendous effort and the achievements recorded will demonstrate this. However, as long as there is a large gap between wages and prices, as long as our people must strive so hard to find such items of prime necessity as milk, sugar and cloth, and so long as our fellow countrymen have to wait long months before being able to buy a motorbike the present government has to admit shortcomings, as it has to make all-out effort to settle the whole problem or at least to reduce the numerous injustices which still abound in all classes of society.

In the list of shortcomings, we must acknowledge the absence of institutions planned in the provisional charter, which to date still fail to be realized: such as the High Economic and Social Council, and the High Council of Magistrates. We must also recognize that, due to the present circumstances, the Government still is unable to create a favorable political climate. This leads to a report of what remains to be done.

These things of which I spoke were only part of the Government's shortcomings.

There were naturally many others, as mentioned almost daily in the press and by the public and that I sincerely admit in order to draw therefrom valuable lessons.

Dear fellow citizens and comrades in arms, while considering these shortcomings from an impartial and objective viewpoint, we cannot, however, deny the achievements made by the Government during the short period of time since it came to power.

In contrast to the earlier 6-month period, and contrary to pessimistic predictions by those malcontent politicians and especially by those ill omen tellers, we have achieved political stability, a key prerequisite if we are to win the present ideological war. The success in this can be ascribed to the spirit of comprehension and cooperation prevailing among all strata of the population and among all political and religious groups.

All of these were aware that the trend to division, to partisanship, and to mutual destruction in the national ranks are serious defects which can only result in hurting the people's fighting potential at a time when the Communists are increasing their war effort. Because of this achievement in national solidarity and unity of mind and action, our rear has been more consolidated than ever before, compared with what prevailed under previous postrevolution governments. It is also evident that this support for the frontline and the consolidation of the rear have taken place in an enthusiastic and stimulating atmosphere which has brought together the major sections of the population.

That is also the reason leading to the obvious improvement of the military situation, and that is also why the free world has shown its confidence in us with a great number of democratic nations giving full assistance in all fields to us. The most eloquent proof has been the participation in the fight, without any conditions, by the allied forces, who fight alongside their Vietnamese comrades in arms on all the battlefields. This has resulted in important military victories, making the situation better every day. If we were not cautious, we would say more and more optimistic. Without having to elaborate the difference compared to what it was 6 months ago it is clear for all to see.

Our military victories began immediately in the rainy season, the very monsoon season in which the Vietcong had boasted many times that they won the initiative in every battlefield. If this Communist propaganda made some lose their confidence and become pessimistic, the Government can point to its victories in the present dry season as something more specific than propaganda.

Since last October, after the world-famed victories of Pleime, Ya Drang, and Chu Prong, where thousands of Communist bodies were left behind, Government forces, with the effective support of allied forces, successively won many other important battles: the Ba Ria ambush, the pursuit operation against the VC Dong Thap Regiment at My Tho, Bau Bang, Ben Cat, as well as the battles at Cau Ke, Cho Gao, Thach Tru, Lap Vo, Tam Ky, Long My, and so on. Everywhere, enemy bodies were lying all over the battlefield along with huge quantities of weapons.

All this testifies to the valiant spirit and the combat tactics of the Government and allied forces. Of course, this fighting spirit can only endure if one has confidence in the Government and in the future of our Nation.

The point most worth mentioning in this present phase of our struggle is that no enemy position and no enemy stronghold can be considered safe, because all these have been smashed in repeated bombings and shellings.

In brief, in constrast with the military situation this month last year, the Government and allied troops have completely in hand the initiative of operations at every battlefront, and the tide of the war has turned in our favor.

Following the military victories, the Government has also scored many valuable successes in the diplomatic field. The Government has striven to restore the national prestige, the confidence, as well as the strengthening of cooperation and support, of the friendly countries in this anti-Communist struggle.

That is one reason why many high-level delegations from our country have made good-will visits to neighboring countries, such as the delegation led by the Secretary General of the National Directory to the Philippines recently and the visits to the Republic of China, Malaysia, the Republic of Korea, and Thailand.

The Vietnamese missions abroad also instructed their personnel to hold conferences and seminars at the universities, associations, press organizations, with student and religious and other groups to explain the aggressive plot of Communist North Vietnam, and the Vietnamese people's and Armed Forces' struggle.

Our diplomatic offensive has greatly diminished any prestige the Vietcong had. The most concrete proof of this is that the British Government has put aside a resolution submitted by a leftist parliamentary group and formally announced that it recognized only the lawful Government of the Republic of Vietnam.

Countries friendly to us, especially those in the Afro-Asian bloc, which include a large majority of nonalined countries that formerly paid little attention to our struggle for self-defense, have changed their attitude and now show good will and sympathy toward us through support for Vietnam at the Algiers conference.

At the United Nations General Assembly, many member nations have affirmed their support of the stand of the Republic of Vietnam. At present, nearly 40 free world countries are actively contributing to our struggle in one form or another and will continue their assistance until our final victory over the Communists and until peace and happiness are restored to the entire people.

Next comes the economic aspect. Though communication difficulties greatly affect the national economy the Government's efforts

in regularizing the internal market have been as follows:

Rice supply: During the past 3 months more than 82,000 tons of rice have been supplied to the eastern provinces, the central highland, and midlands. Some 1,735 tons of paddy and 90 tons of rice have been transported from the Mekong delta to Saigon. Rice imported from the United States totaled more than 27,000 tons shipped to Da Nang and more than 16,000 shipped to Nha Trang. With more than 93,000 tons of imported rice, the Economy Department will have enough rice to provide for local needs and to set up reserves for the provinces.

During the past 3 months, 21,334 tons of sugar and 331,600 cases of condensed milk have been put on sale.

There was an increase in price and a shortage of rice and some other food in September and October but now thanks to the Government's efforts, food is no longer short and prices are stable. For example, Saigon consumes daily from 800 to 1,000 pigs. The price of pork previously was high because the city received only 400 pigs a day. But now the supply has become regular and in the last month the city has received 2,000 pigs every day or twice the quantity it needs.

The price of pork has dropped accordingly.

Since July 1965 the Government has spent $47 million to import rice, condensed milk and wheat flour, the quantity of which largely exceeds local needs for the Lunar New Year.

To supply other needed material for the has set up storage depots to stock needed goods such as rice. These include: two rice depots in Ba Xuyen and Bac Lieu, three in Da Nang, Qui Nhon and Nha Trang, eight depots for the cooperatives in the western provinces, six depots for the tobacco cooperative and other depots for cotton yarn and paper.

To supply other needed material for the population, the Government has provided 25 more million of U.S. dollars to import motorbikes, scooters, radios, sewing machines, and other goods. Meanwhile assistance from countries other than the United States has been used to import industrial equipment.

To cope with artificial shortages and excessive price increases, the establishment of large retail centers is being studied.

Our efforts to improve the standard of living and activities in the field of social welfare are also noteworthy:

Land reform: Thanks to the new land reform program, 3,158 farmers have been made landowners since September 1965. Of this total, 2,268 low-income farmers in 10 provinces were allotted cultivated land in accordance with ordinance 57. A further 758 families in seven provinces were allowed to work public-owned land and 132 families in one province were allotted cultivated land which was purchased from French nationals.

Further, by virtue of the October 8, 1965, decree, 227,629 families that were working on cultivating fallow land in the clearing and resettlement centers have been given ownership of 134,700 hectares of cultivated land.

Electrification of the rural areas: Three rural electrification pilot cooperatives were established in Tuyen Duc, An Giang, and Duc Tu (Bien Hoa) with the view of supplying power to the cooperative members at low prices. The Rural Electrification Cooperative Union was established on October 15, 1965, in order to push ahead the rural electrification program.

Workers' appropriation program: A total of 400 taxicabs and 200 tri-Lambrettas were imported in the first phase of the Government's program to sell these vehicles on an installment basis to drivers who used to rent their cars from others. A first lot drawing of such vehicles took place on January 8, 1966, in the capital. All the vehicles will be distributed by January 17. Other contingents of such vehicles will be imported by the Economy Department for redistribution.

Low-cost housing units: The Public Works and Communications Department built 554 single-story housing units at Vinh Hoi and Tan Qui Dong. Other construction projects such as road paving and drainage operations are underway at Thanh My Tay. Thanh Da and Phu Tho Hoa. Another building project, covering the construction of 1,000 housing units, at VN$25,000 each for workers is under study. Payment for the homes will be made on a 10- to 20-year installment basis and no down payment will be required. At the same time, the Department also plans to buy up vacant lots and sell them on an installment basis to low-income families who wish to do their own building. Another noteworthy fact is that the Government has canceled the "villa" building project for certain civil servants which was initiated by previous governments.

Health: The Health Department made a tremendous effort to build in the capital as well as in various provinces, a dispensary, a psychiatric center, a leprosy center, a surgical section, four maternity clinics, and a farm for mentally ill persons. These efforts have been carried out, along with the training of rural health cadres. We have arranged the reception of foreign medical teams including a number of experts and quantities of materials and drugs.

Social welfare work: As of December 12, 1965, the Social Welfare Department granted a total of VN$285,714,210 to anti-Red refugees throughout the country. Of the total number of refugees, 460,434 have been resettled. The Social Welfare Department also has enlarged the Thu Duc National Orphanage and built two new orphanages in Vinh Long and Binh Thuan at a total cost of VN$12 million. Plans have also been drafted for the construction of 20 day nurseries and 12 other orphanages in 1966 at a total estimated cost of VN$82 million.

All the regional social welfare organizations throughout the country have received financial assistance from the Social Welfare Department for further development. A beggar reformation center has been set up at Phu Binh in an effort to put an end to begging which must be eliminated in any modern society.

In the field of information, with the aim of bringing news to large numbers of people in the rural areas, more than 30 provincial newspapers have been published. During the past 6 months, the Chieu Hoi (open arms) program recorded more than 7,000 returnees who brought in nearly 1,000 weapons.

Television is one of the newest activities in our society. After a series of studies, on January 3, 1966, we signed an agreement with the American Government on television. At the end of this month television programs will be available here. One thousand TV sets will be installed in the heavily populated areas of the capital and in nearby provinces. A following shipment will bring another 1,500 sets to Vietnam.

In the field of culture and education, one can note the following points:

An education reform movement has been launched in order to help students make progress from the moral, intellectual and physical points of view. The movement also aims at giving the students a stronger sense of responsibility as citizens. This is an attempt to form a new generation of youth for the reconstruction of the country. Four pilot centers are now actively operating toward this end.

A large number of schools have been built to cope with our educational needs, such as the Viet Duc (Vietnamese-German) technical education and the craft and industry school at Thu Duc, the school for the deaf and dumb at Lai Thieu, three new primary schools in Thua Thien, Ham Tan, and Binh Tuy and so on. In addition to all this, 546 primary school noon classes which are very detrimental to the health of the children, have been abolished, and 224 new classrooms have been built for the pupils in the Saigon-Gia Dinh area.

The annual examinations at the primary and secondary education levels have been revised for the benefit of the students. The primary education examinations and those for the junior high school certificates will no longer be held, starting with this school year. The baccalaureate I system of examinations will also be abolished starting with the 1968–69 school year.

As another evidence of the Government's efforts in the rural education field, outstanding students from low-income families will be granted official scholarships, thus enabling worthy students to complete their secondary education.

A cultural institute is to be established with a view to promoting all the national cultural activities. The institute will be open to writers, artists, journalists, and to the public as well. A program aimed at improving arts and letters will be announced shortly and put into practice in the near future.

Administrative reforms are also being tackled by the Government. An administrative reform committee has been established to study and to recommend all appropriate measures designed to increase the administrative efficiency of the Government machinery. As a result of such reforms, close cooperation between the Administrative and Financial Inspection Directorate General on the one hand and the inspection divisions of the other departments on the other hand has been initiated. All the administrative abuses such as misuse of authority, bribery, misappropriation, etc., will be eliminated.

In other fields, the Government has done its best to successfully serve the people in accordance with scheduled programs which are scheduled but which I will not mention here.

The Government has strictly run its programs in line with what was announced 7 months ago. The outcome of the prosecution of such programs are modest but unquestionable and are decisive to the success of the social revolution. In fact, the steps which our society are taking have not merely started in another direction, they are already traveling in another direction. All those who directly contribute to the struggle for the emergence and the reconstruction of the fatherland are well treated and supported. All the low-income people who once suffered injustice under the old regime now are getting land of their own to plow or taxicabs of their own to drive. In the economic field, no complete control of consumer goods prices has been made by the Government as yet. But the normalization of the supply of such goods by the Government has been effected. This means that the Government is cutting off opportunities for the profiteers' malpractices by totally controlling the supply of the consumers' goods. In the military area the continuous victories on the battlefields have forced the enemy into a defensive position and he has to take recourse in terrorist acts.

Although these results have not yet entirely satisfied us, they do constitute reasons to strengthen our confidence in the final victory.

PART II

Dear fellow Vietnamese, dear comrades in arms, from the date of assumption of office by the war cabinet, the Government's policies and programs of action have been clarified on several occasions. Therefore, the major targets of the war cabinet could in no way be misunderstood by the people. The assessment of the home situation and the announcement of the major duties of the war cabinet during the inauguration

ceremony of the Government on June 19, 1965, and the declaration of its 26-point program of action still constitute the guiding principles for governmental projects. In addition, on October 1, after 100 days of office, I made an amendment to the war cabinet's role so as to fit its programs of action more closely to the national requirements. On that occasion I also confirmed my standpoint on the national revolution and restoration of peace—a standpoint which the Government is perseveringly and determinately carrying out to respond to the situation.

Within the framework of such general policy of the Government, and on the basis of the results which I have reported, I would like now, on behalf of the cabinet, to announce the main targets to be realized by the Government in 1966:

A. First target: To win the war—to pacify, and to reconstruct the rural areas

First of all, what do we really want?

Such a question posed to any Vietnamese concerned with the fate of his compatriots and the honor of the nation and the happiness of the people in this part of the world—which means the happiness of each individual and each family—gets this unique and unvarying answer: Decidedly, not to communism.

To such an answer, no additional comment is needed.

There is no answer more eloquent than the blood of thousands of combatants who have sacrificed themselves for the survival of the fatherland from the Red imperialists' invasion.

There is no reason stronger than the hardship endured by the Vietnamese combatants and civilians during the lifetime of one generation, the hardships of those who are determined to eradicate Communist ideology from this part of the world.

There is no evidence more concrete than the flow of anti-Red refugees who prefer leaving behind all that is so dear to them: homes, ricefields, villages, rather than live shamefully under Communists' tyranny.

We are determined not to be Communists.

Such is the unanimous determination, the slogan of the whole Vietnamese population, yesterday, today and tomorrow, and until the day the Communist threat is eliminated from this country.

But how do we get rid of this threat?

There is no other alternative to the solution than to defeat the Communists and to rout them from their strongholds. We must defeat the Communists and exterminate communism. Otherwise, the Communists will exterminate us and enslave our people from our generation to our offsprings' generation. No one can foresee when enslavement by Communists will end.

The present anti-Red struggle is a total one. Its battlefields are everywhere. But the main line of resistance is in the rural areas and that is where the struggle will be decided.

So the formula for such a struggle for the war cabinet is: to defeat the Communists, to pacify and to reconstruct the rural areas.

Of course, such a formula is not a new discovery. All the former governments called for rural reforms, back to the countryside, and so on. The policy remains the same, from the so-called strategic hamlet program to the new life hamlet action program, to win the hearts of the people and to remove the poisonous fish from the pure rural waters.

What about the results? There is no need to repeat the results.

The war cabinet will not follow the path of the one which has failed. It is determined to do something for the rural areas, the areas which constitute the main and basic part of our Nation.

To attain this goal, one must have an objective and realistic view of the situation. In fact, after a victorious military operation, one may think that an area is automatically pacified. But a state of insecurity can quickly return to the area by a small number of the Vietcong who mix themselves in with innocent people.

Our viewpoint is not only to root out the Vietcong from the rural areas but also to root ourselves in the rural areas and this not only for some time, but forever.

But, how to put this concept into action?

The task of liberating national territory remains a heavy, but glorious, task of the Armed Forces. But, naturally the Armed Forces cannot be stationed forever in every hamlet and village, and on every portion of the roads. For this reason, immediately after a successful military operation, an effective and well-organized group of cadres will arrive to exploit the advantages brought in by the military operation. They will carry out pacification work with their main task to be the rebuilding of a new life in rural areas. These cadres will immediately set up teams among the people to help them rebuild their homes and till their land. They will contact authorities responsible for reconstruction of social welfare facilities such as schools, dispensaries, maternity clinics and the like. To maintain and consolidate the security in the area, they will also rally and organize the local people.

This effective system of cadres will spread horizontally from hamlet to hamlet and vertically from hamlet to village and village to district and so on. This will constitute an intersupport position having the effect of an oil spot. This is the very key to the problem of pacification and rural reconstruction.

These conceptions and plan of the Government will constitute the main work of the Vietnamese Government for this year. The Government is determined to mobilize every opportunity and every resource and make every effort to recover maximum control of our cherished population and our rural areas by the end of 1966.

B. The second goal is to stabilize the economic situation

Our second important goal in the new year is to stabilize the economic situation.

To draw up a correct economic policy, one must begin by assessing accurately the present economic situation in the country.

Do we have inflation or do we not?

If we take the word in its literal meaning—indiscriminately putting in circulation banknotes without maintaining proper gold and currency reserves—we do not have any inflation because we have sufficient gold reserves to meet any currency demands.

If we understand the word in its popular meaning, i.e. a too large and too rapid circulation of the currency, then we do have this thing called inflation. Why? The following five reasons will explain this situation:

1. For a long time, and particularly for the past few years, because of the increasing tempo of the war, the budget demands increased to meet the war situation. To an already deficit budget we have added more deficits because of the instability and successive changes in the national situation.

2. Due to increasing subversive Vietcong activities, the supply system has encountered many difficulties, many branches of production have slowed down.

3. A number of short-sighted businessmen, thinking only of their immediate interests, have indulged in speculation and hoarding, cornering the market in many items and disturbing the economic life of the people.

4. To stop the expansion of Red imperialism, 200,000 allied troops have come to Vietnam to fight on our side, with expenditures reaching 1 billion piasters a month. In addition to this are the amounts spent on construction.

These reasons are the direct causes of the increase in the volume of currency while goods and other necessities could not supply the demand, thus creating price increases.

We should introduce here a parenthesis: civil servants and employees in the private sector and other people who live on a fixed salary suffer the most from price spirals. At the same time, unemployment has completely disappeared, since services everywhere are paid at the highest rates ever seen. In brief, if there are some classes of people suffering from this situation, other classes have benefited and now have a higher living standard. This is an important change in the overall living standard of the Vietnamese society. It is too soon at present to estimate the effects.

Such is the real situation and the difficulties in the solving of the problems are enormous. I would like to report here a typical event.

When speaking about the increase in the volume of currency and the decrease in available goods, everyone sees that the simple solution is merely to import a large quantity of foreign goods to make up for the shortage in local goods.

Thus, in the last 3 months, the Government has released nearly $200 million from the aid funds as well as the Government-owned foreign currency to import prime necessity goods. But the problem is not that simple.

If you want to import goods, you have not only to pay for then, but also you have to hire ships to transport them and provide docks for landing them.

The commercial port of Saigon can only receive a maximum of 200,000 tons a year. With the present American aid program, the volume of imported goods already exceeds more than double this figure, not counting military materiel.

Thus, with the Government's utmost effort and with the help of the most eminent experts, it still needs a minimum period of several months to enlarge the landing piers and to construct new ones. This is the work the Government is urgently carrying out at Thu Thiem, an islet on Thu Duc River, and at Vung Tau, Cam Ranh, Qui Nhon, and Da Nang, so as to complete in a few months an emergency plan.

This plan includes any urgent and reasonable measures concerning financial, currency, and economic fields which will converge together to the important goal of maintaining the purchasing power of the piaster, arrest price increases, and provide the population with all the prime necessities.

On the one hand, the Government will strictly implement a policy of thrift and economy in its agencies, and reduce the national budget's expenditures to their minimum, despite the increase in military expenses.

The decision to reduce the expenditures down to $55 billion and the decision to give priority in the national budget to rural reconstruction, and to construction of schools and hospitals was a basic element in discussion with the U.S. Government on the aid program. These decisions led to an increase of U.S. aid this year to at least twice the amount of U.S. aid last year.

On the other hand, the Government will strive to increase national resources, mostly its revenues by improving tax-collecting methods. In this respect, I am convinced that our compatriots of all social strata not only are eager to fulfill their duties toward the national budget, but also heartfully contribute to any urgently needed national requirements.

The tax system is under reexamination with new standards on social equity, so as to enable those circles who were enriched greatly due to the war situation to have the opportunity to contribute more than other laboring and needy people. Concerning those

who live on their monthly salary, the Government will carry out every logical and complete supply system for their benefit.

In the meantime, all Government credit and tax agencies will give every assistance to the establishment or development of all useful branches of business. The Government is planning to expand public and semipublic enterprises to enable Vietnamese capital to participate to a greater degree.

Therefore, the savings can be used productively. Investments for increasing production will replace passive holding or illegal trade speculation, and foreign currency blackmarketing, which the Government is determined to eradicate.

I would like to warn once again all those blindfolded profiteers who hoard goods for speculation and provoke price hikes; they will go bankrupt, because in the days to come, with the increase in foreign aid, imported goods will flow into the local markets. Adequate measures and procedures will be adopted to enable an abundant and rapid import of goods.

Concerning the consumers, I would like to call your attention to this fact: Every delay in the supplies and the temporary shortage of goods should be considered normal in a protracted war. So I ask you to avoid rushing into crowded shops to buy some temporarily short product. This only benefits dishonest dealers, pushes forward the speed of the money circulation and thus increases the pressure of inflation.

C. Our third goal: To build democracy

The third goal, building democracy, is as urgent and important as the two previous ones. I would like to clarify once more—to be sure that no one misunderstands the present Government's goal and policy: because of the need in this historic phase, and conscious of their responsibilities toward the national destiny, the Armed Forces have assumed power, not with the intention of clinging to it, but to create the necessary conditions for setting up a genuine democracy that will answer the aspirations of the entire people and the goal of our nation's long war which has been with us since the French domination to present.

My viewpoint in this problem has not originated from my subjective conception but from an objective situation of the 2-year period following the November 1, 1963, events. Two years which saw the profound division of the people, the decomposition of our society, the internal subversion, along with a war that reached its highest intensity—all this caused a loss of confidence in this part of land, increased the people's suspicion, and sowed confusion among them. No one had confidence in anything and every theory, policy, or program submitted was regarded with distrust and cynicism.

In pure theory, democracy is the only factor which can defeat communism; if there is no democracy we lose the reason for our struggle, let alone the means of victory.

A genuine concept of democracy, however, should be based on the true situation of the country, the real circumstances of the society, the political maturity level of the population and, in this case, the subversive war being waged by the Communists.

In fact, in these 2 years, there was no basic document which could serve as a basis for building democracy. A provisional convention which was in effect no longer than 3 months was violated, amended, and some months later, completely buried, only to be replaced by what was called the Vung Tau Charter. This charter had been the cause of a troubled, dark period before a civilian government come into being with a provisional charter. But the fate of this document was no different from that of its predecessors. Now, with the National Leadership Committee, we have a convention, but this is no more than a temporary statute which comes from the Government, not from the people.

When one speaks of democracy, everything should come from the base that is the people—the entire people, or at least the majority of them—and not dictated from the Government and forced on the people.

A democratic regime should begin with a democratic constitution. But a constitution is not the work of a few days, and also it is not an experiment in a laboratory. Thus, the main point of the problem is to build democracy.

Without such a basic medium, a constitution, no matter how ideal, will wilt and fade away, if it is not torn up by the uprisings.

However, I do not mean that this Government will use the state of war, or play up anticommunism or use the present condition of the nation, to restrict democratization. This Government has made up its mind to proceed with democratization, slowly but determinedly by training the people for their responsibilities and their interests, by helping the social organizations and political parties find ways and means to step up their activities and strengthen their positions. Thus will such organizations and parties lend a successful hand to the common performance of the national duties in the future. This Government has also made up its mind to drop demagoguery and to deny any confused, shortsighted and blind democratization which will push the whole nation into chaos.

With such a philosophy, we move on our way toward progress with the following:

1. A democracy building council will be set up after the lunar new year. Upon formation, such a council will propose a draft constitution in the near future.

2. This draft constitution will serve as the main topic of discussion for seminars to be held throughout the country. Invited to participate in such seminars will be city and provincial councilmen, members of political parties, trade-union members, and students. So all the pros and cons of the matter concerned will be aired and recorded. Thus the preparation of the future constitution will be the preoccupation of the whole people, not of just a minority.

3. Once these seminars are launched, the Democracy Building Council will collect and consolidate the opinions and ideas of the participants and arrive at a consensus. The council will then amalgamate the various points into a document to be voted upon in a popular referendum. The referendum will be held next October.

4. After the people's opinions seminars have decided on a particular constitution, that constitution will serve as the basis of our democratic regime and will be officially proclaimed next November.

Those who wonder why we don't elect a constitutional assembly like many other countries have to look straight at the present war situation with its difficulties, complexities, and tricks, to find the answer.

The situation of our country is not like any other, so why take after other countries? We have to establish a constitution which fits our nation.

5. When we have the people's opinions on the constitution, we will prepare for real democratic elections in 1967. With these elections, we will have legislative services, according to the people's will, and come back to the regular government elected by the people.

While accomplishing these objectives we naturally also have to increase our efforts in the war and in the rural reconstruction program, in order to recover the Vietcong-controlled areas and help the anti-Communist refugees. The elections will only have meaning and value if security is assured and the citizens vote in large numbers. This is one reason why we are choosing a gradual and stable solution for the establishment of our democracy.

Besides, it is a reality which everyone has to accept, to be patient and confident, to prepare for the next step. As for the Government, it will carry out its responsibilities in these tasks and provide the organizations and parties with appropriate opportunities and conditions to reach a mature and superior level, to assure the future of the nation. The organizations and the parties themselves will—to be realistic—will review their ranks, reorganize themselves, form new cadres, and reinforce their real strength and prestige to assure themselves of the people's and authorities' confidence.

On this point, I would like to add that, though the present Government may still be awkward and inexperienced, there is no doubt of its good will in collaborating with organizations, parties, and individuals who wholeheartedly want to lay the foundation for our future true democracy.

This completes the report on the objectives of the Government's program.

On this occasion, I deem it my duty to point out the traditional ideal and determination of the Vietnamese people which is to always cherish and seek peace but only a peace which will guarantee its freedom, independence, sovereignty, and territorial integrity. Any other form of peace which fails to provide these guarantees, would only be a lure into slavery and one which the Vietnamese people, with their clearsightedness and courage, would crush down in order to proceed toward a genuine and realistic peace.

For those who still nurture doubts about this issue, I would say to them: our concept of peace is very simple. We have not provoked war, we have not declared war. The present war is an invasion from outside our country and one which at the outset was disguised as an internal struggle. But the disguise has been removed for a long time and the invader has uncovered himself. Now, it is up to the invaders from outside and his subversive henchmen within our country to end the invasion and subversion. Then peace would at once return to this part of the country. Thus we would end the concern of so many nations large and small and of so many statesmen the world over. If the invaders, acting like a blind force, cannot restrain themselves, then it would be our duty and the duty of all those peace-loving people to combine efforts to contain their ambition. Otherwise, the last resort would be to "outlaw them as peace saboteurs" in this peace-loving and freedom-loving part of this country.

I deem it my duty also to express the sincere gratitude of all our people to all the countries and international organizations and statesmen, as well as to all religious leaders, especially Pope Paul VI, who have demonstrated great concern over the plight of the Vietnamese people. I further want to insist that peace is workable only if it can guarantee national independence as well as the people's freedom of thought and human dignity.

I also want to associate all our fellow citizens and comrades-in-arms to the acknowledgment that under whatever circumstances, we should ourselves be responsible for our own destiny. No other nation is qualified and able to decide on our destiny, independently of our own will. For reasons of international solidarity, we have accepted, and are grateful for the moral and material, military and economic, assistance from the friendly countries. But never can we tolerate any interference harmful to our national sovereignty or any decision at variance with our people's aspirations.

Fellow citizens, comrades in arms, now I have spoken out all my feelings, my remarks and my observations and I have reported on the objectives of both the National Directory and the war cabinet from the period just ended to the next one.

Despite the clamor of war roaring around us, despite the noisy provocations hurled by

our enemy to discourage us, despite differences of view touched off by certain people, whether responsible or not, we are determined to hold unflinchingly to our spirit, to endure suffering with great patience, to pursue tenaciously the struggle for national salvation and reconstruction with the purpose of defeating the Communists and bringing back peace to the fatherland. We will prevail in our present national plight in order to bring back democracy, prosperity and happiness to our people.

With this strong belief and decision, I sincerely urge all our compatriots without distinction of class, religion, social stratum group, or party to clearly assist in the effort to sweep aside all friction, confrontation, or jealousy of an individual or communal nature and devote all their efforts and will to the future reconstruction of the fatherland and nation.

When the nation is faltering, when the country is suffering destruction and partition, most of our families will suffer estrangement, separation, misery, and the loss of loved ones.

If there are some classes of our society which are privileged, this is just a minority in the different classes of the national community.

The war situation, along with disorder, oppression and the struggle for survival and for progress have created social injustices, hampered the love of the nation and of mankind, and even has caused that love to be forgotten.

In the face of this state of affairs, I can only make a sincere appeal to every strata of society and to all of our compatriots to share the misfortune and to help the families who have been unfortunate in this national catastrophe. I also urge them to look straight at the situation created by the subversion, the mourning, and the war, in order to come to the assistance of our poor compatriots by sacrificing to a certain extent our own interests.

Only with this can one hope to reduce social injustices, to restore the love for our fellow creatures, so that we may advance toward the reconstruction of this country.

The international situation is now going through tremendous changes which will see either the upsurge or the decline of our people. The period that lies ahead will be a decisive one as far as the salvation and reconstruction of this beloved land of ours is concerned.

We will have opportunities to quickly refill the gaps, the delays, and the waste of time which occurred during the past 2 years.

We should remain united in mind and spirit so that we may try to take advantage of these opportunities. We alone can save ourself. We cannot stay idle waiting for assistance from others.

I am of the opinion that those of us who are still alive have as had those who have died, the duty of contributing to the task of rebuilding, renovating, and developing this land to help it become stronger and to help it progress.

This is our heritage and the heritage of our successive generations.

I resolutely have confidence in the clear-minded recognition and of the reasonable choice of all fellow countrymen as well as of our fellow combatants.

I salute my fellow countrymen and fellow combatants.

THE DISTRICT OF COLUMBIA MINIMUM WAGE LAW

Mr. TYDINGS. Madam President, since my duties as Presiding Officer of the Senate last Thursday kept me from speaking on H.R. 8126, the bill to amend the District of Columbia minimum wage law before it was passed by the Senate, I would like to take a moment now to note for the record, my strong support for this long overdue reform and my pleasure at its passage.

Madam President, the concept of minimum wage legislation for the District of Columbia is not new. Congress first enacted a District of Columbia minimum wage law in 1918. That law was a pioneer in the minimum wage field.

But as the decades have passed, that law stood still. Its coverage was too restrictive and its provisions were too rigid to meet the needs of the National Capital.

Although many workers in the District were protected by the minimum wage provisions of the Fair Labor Standards Act, more than 200,000 employees who work in the District of Columbia were not protected by any minimum wage law.

Indeed, one of the most glaring defects of the 1918 law was that it covered only female and children employees. It gave no protection to men at all. Nor did it cover domestic workers.

Who needs minimum wage protection? Do the lawyers, doctors, architects and other professional people have to worry about earning the $1.25 an hour minimum wage the bill the Senate passed last Thursday authorizes? Do organized and skilled employees work for less than $1.25 an hour?

No, the people who directly benefit from minimum wage legislation and the people who need it most are the unskilled workers whose labor contributes so greatly to the effective functioning of society, but whose skills are so slight or whose employment is so unstable that they have little power to organize and no ability to bargain for a decent wage.

The dishwashers, the waiters, the janitors, the car parkers, the household maids, and the thousands of others who provide many of the services which make life easier and more pleasant for all of us, most often find that society is willing to accept their labor, but not willing to see that they are paid a living wage.

In preparing the minimum wage bill we passed Thursday, the Senate District Committee discovered too many cases like that of a restaurant kitchen worker here in the District who works 48 hours a week and gets only $12.50 a week and two meals a day for his pay. The committee discovered an apartment house maintenance man paid $35.40 for a 40-hour week and a parking lot attendant paid 45 cents an hour.

We cannot tolerate these incredible conditions anywhere in the country, and especially not in the Capital.

H.R. 8126, as amended and passed by the Senate, is a reasonable response to the pressing problem of providing a minimum living wage for thousands of workers in the District of Columbia.

By extending the minimum wage to men, as well as women and children, in the District, the bill will eliminate conditions such as those found to exist in one upholstery shop, where a man was paid 90 cents an hour for doing the same work women do in the same shop for $1.10 an hour.

By requiring payment of time and a half for overtime, the bill will reduce the excessive hours worked in many District of Columbia places of business and spread the number of jobs available.

By extending the minimum wage to domestic workers in the District of Columbia for the first time, the bill will guarantee a decent wage for the many women who labor in others' homes to provide or supplement a bare subsistence income for their families.

All this bill does is to make sure that District of Columbia workers receive at least the national minimum wage for their labors. All this bill basically provides is that for a 40-hour week, 52 weeks a year, a worker should receive at least $2,600.

A reasonable minimum wage for the workers of the District of Columbia will help hold families together, help contain welfare costs, and help provide a decent opportunity for family dignity. A decent minimum wage will generate increased purchasing power for District of Columbia businesses, thereby improving economic conditions generally, and providing greater employment opportunity.

But an equally compelling reason for enacting this District of Columbia minimum wage bill is that the human cost of a lower minimum wage is simply too high to bear. When the father of a family cannot make enough to feed and clothe his family, the community cost in increased crime and delinquency, worsened slums, and rising welfare expenses is intolerable through the cost to our conscience of standing by while fellow citizens are exploited by a cynical and heartless wage slavery.

This revision of the District of Columbia minimum wage law was long overdue. It was necessary. It was right.

PRAISE FOR JACK VAUGHN AND LINCOLN GORDON

Mr. CHURCH. Madam President, "A Good Reshuffle"—that is what the New York Times called the change which brought Jack Vaughn in as Director of the Peace Corps and Lincoln Gordon to take his place as Assistant Secretary of State for Latin American Affairs. Knowing them both, I can say "amen" to the praise they have both received.

Jack Vaughn was in on the ground floor of the Peace Corps. He was there from the first, and was one of those who kept its programs close to the earth. He has emphasized a community development approach by which corpsmen act as catalysts, cheerleaders, gadflies, and promoters for self-help projects which begin when the local people identify their needs. When he came to the Peace Corps, there were 123 volunteers in Latin America. When he left to become Ambassador to Panama, there were 3,000. I have seen them at work in the urban slums and destitute backlands of Brazil, and I can testify that they are doing a praiseworthy job.

It was in Brazil, where he has served as our Ambassador, that I first met Lincoln Gordon. I endorse the appraisal of him made by the New York Times. Their editorial of January 19 said:

The appointment of Lincoln Gordon as the new Assistant Secretary of State for Latin

America brings to that difficult assignment a man with penetrating judgment and a wealth of useful experience as an economist, Government official, and diplomat.

He has been an enthusiastic Ambassador to Brazil, providing that country with sensible economic advice and trying tactfully to steer its present military regime toward a democratic solution of its difficulties. Mr. Gordon understands what the Alliance for Progress is all about and can be depended upon to give it resolute support.

The Washington Evening Star said of Jack Vaughn:

(He) was doing a remarkable job as Assistant Secretary of State for Latin American Affairs and U.S. coordinator of the Alliance * * *. His selection does assure the Peace Corps of an able, imaginative Director.

Mr. President, both men promise well. We have reason for reassurance in their selection.

I ask unanimous consent that the two editorials to which I have referred be printed in the RECORD.

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

[From the New York Times, Jan. 19, 1966]

A GOOD RESHUFFLE

Whether his directorship of the poverty program enhances or detracts from his reputation in the future, Sargent Shriver's service with the Peace Corps has marked him as an effective idealist.

The idea for the Peace Corps was first broached by Vice President HUBERT HUMPHREY in the Senate and Representative REUSS, of Wisconsin, in the House and was later taken up by President Kennedy; but it was Mr. Shriver who transformed an exciting idea into a convincing success. His zest and energy have helped thousands of volunteers, young and old, cut through the deadly smog of cynicism that tends to envelop foreign policy and to reach the poignant human realities that lie behind today's crises.

Jack Hood Vaughn, who now takes over the leadership of the Peace Corps, is doubtless happy to be leaving the State Department, where he has been Assistant Secretary for Latin America. As an outsider with an academic background, he has been sandwiched between the career Foreign Service officers below him and the dominating personality of Under Secretary Thomas C. Mann above him.

He had barely assumed office a year ago when the Dominican crisis erupted. Mr. Vaughn has loyally defended administration actions in that crisis, but the evidence suggests that he was a bystander, as President Johnson and Under Secretary Mann did most of the policymaking. Back in the Peace Corps, where he previously served as Latin American chief, Mr. Vaughn can deploy his talents in a line of work totally congenial to him.

The appointment of Lincoln Gordon as the new Assistant Secretary of State for Latin America brings to that difficult assignment a man with penetrating judgment and a wealth of useful experience as an economist, Government official, and diplomat. He has been an enthusiastic Ambassador to Brazil, providing that country with sensible economic advice and trying tactfully to steer its present military regime toward a democratic solution of its difficulties. Mr. Gordon understands what the Alliance for Progress is all about and can be depended upon to give it resolute support. If any man can reassert the full authority of the Assistant Secretary as chief policymaker for Latin America in the bureaucratic jungles of Washington, Mr. Gordon is the man.

[From the Washington (D.C.) Evening Star, Jan. 19, 1966]

GIRDING FOR BATTLE

The White House showed good judgment in giving the war on poverty its first full-time administrator. This is the most ambitious of all the domestic programs created by the Johnson administration—and, at the moment, the most vulnerable. The Republicans are talking of scandals in the anti-poverty war that will be revealed in due course. And such extravagant failures as New York City's Haryou-Act program have left the public skeptical of the whole operation. Relieved of his Peace Corps job, Mr. Shriver still will have his hands full defending and guiding what has become a prime target of congressional criticism.

The White House had to raid the State Department to find a Peace Corps Director—and the Alliance for Progress seems to be the loser. We agree with Representative SELDEN, chairman of the Inter-American Affairs Subcommittee, that Jack Hood Vaughn was doing a remarkable job as Assistant Secretary of State for Latin American Affairs and United States coordinator of the alliance. It is even possible that Vaughn's present tasks are a good deal more important than anything he could do as Peace Corps Director. But his selection does assure the Peace Corps of an able, imaginative director—leaving Sargent Shriver free to wage the bigger war at home.

SAGA OF THE SEA

Mr. BARTLETT. Madam President, on November 26, 1965, the SS *Oduna*, battered by high seas and 50-mile-an-hour winds, ran aground between rocks and a high cliff on Unimak Island, off western Alaska.

The angle of the ship made it impossible to lower lifeboats. Thus the scene was set for another great saga of the sea. In the true tradition of those that go down to the sea in ships, courageous attempts to take the men off the SS *Oduna* were successful. The entire crew of 37 was rescued.

The ship, on a regular run from Adak to Seattle, was owned by the Alaska Steamship Co. The company's agent in Kodiak submitted a report on the crew. The report is fascinating reading. I ask unanimous consent that the report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BARTLETT. Madam President, those reading the report will learn of the courageous actions of four members of the crew of the MV *Adeline Foss*, a Seattle-based tug which sped to the stricken ship on receiving its S O S.

Weather conditions made it impossible to approach the *Oduna* from the sea or the air. Military helicopters sent to the scene were forced to wait for a turn in the weather.

However, the *Adeline Foss* crewmen did not wait. A party consisting of 1st Mate W. D. Thompson and Seamen Russ Christensen, Larry Ostby, and Ted Snider, managed to land on Unimak Island. After making their way down the cliff they successfully set up a breeches buoy line and brought 19 members of the *Oduna* safely to shore. At that point, the weather improved and the rescue was completed by helicopter.

A report of the rescue operation has been submitted to the Merchant Marine Awards Committee for consideration of possible awards for the four men of the *Adeline Foss*.

Special mention must be made of the efforts of Air Force Capt. Gerald Belanger and his helicopter crew, which completed the rescue. Describing the work of these men, the captain of the *Oduna* said:

What he did is beyond words. We owe a great deal to him.

And finally, words of praise and thanks should go to all the units, military and civilian, which were alerted and ready to take part in the rescue operations if needed.

Madam President, the story of the rescue of the crew of the *Oduna* indeed belongs among the great stories about those who go down to the sea in ships.

EXHIBIT 1

REPORT ON THE SS "ODUNA"

The tragic ending of this voyage of SS *Oduna* under the sheer 700-foot cliffs of Ikatan Peninsula, Alaska, can only be tempered by the successful rescue of all 37 crewmen aboard in spite of battering seas and 50-knot wind conditions.

At 0655 November 26 we were notified of the *Oduna's* distress by Capt. R. E. Emerson, commanding officer, U.S. Coast Guard Air Station, Kodiak, with the terse information that she was aground, breaking up, and safety of the crew was deemed to be in extreme danger. Our office staff was alerted and reported for duty immediately. The facilities of Alaska Communication System were also notified and placed in full emergency status by their Kodiak commanding officer, M. Sgt. Gordon Wells, which subsequently contributed immeasurably to the successful communications network for the ensuing rescue operations.

On my arrival at the Kodiak Coast Guard Rescue Center at 0735, it was learned that the U.S. Coast Guard Cutter *Storis* and one of their Albatross aircraft, both based at Kodiak, were already en route to the scene, and intense operations were in progress for the dispatch of other vessels and aircraft. Kodiak Rescue Center was in full charge of all rescue operations, and the facilities of related commands in the Alaska Sea Frontier and on the mainland were made available as required. The nearest suitable helicopter was dispatched from the Air Force at King Salmon. The Air Force also supplied a C–130 transport aircraft from Elmendorf to move a detachment of Army mountain troops from Fort Richardson which were deemed necessary in the event it became appropriate to perform a rescue from the beach cliff area. Another U.S. Coast Guard Albatross was dispatched from Kodiak with additional equipment and personnel, including Lt. Comdr. John Hancock, U.S. Coast Guard, who was directed to assume mission command of all rescue forces on arrival at Cold Bay.

Commercial marine units also responded to the distress call. The nearby tug *Adeline Foss* quickly anchored her tow in a cove near the area and proceeded to *Oduna*. A Japanese vessel also responded, *Taiyo Saru No. 82*, and permission was obtained from the Navy to place a Japanese landing party on the beach should it be necessary before arrival of the Army mountain troops. The fisheries research vessel *Reed*, and U.S. Fish and Wildlife vessel U.S.S. *Pribiloff*, operating in the Dutch Harbor area, were also dispatched to the scene.

By 0900 rescue operations had assumed massive proportions. Weather conditions at

the scene did not abate, and were reported to worsen. A Reeve Aleutian Airways Goose, based at Cold Bay, managed a hazardous flight to position of *Oduna,* and resulting reports were indeed grim. Seas were breaking over the stranded vessel, and 50- to 60-knot wind conditions prevailed.

We waited for arrival of rescue units. By 1100 both the *Adeline Foss* and the Japanese vessel reported any attempted approach to *Oduna* was impossible by sea. Rocks offshore and on both sides of the stranded vessel prevented any close approach, as well as any launching of the *Oduna's* lifeboats.

The first Albatross from Kodiak arrived at the scene at 1145 and the helicopter from King Salmon arrived at Cold Bay at 1245. Attempts to get near the Ikatan cliff were fruitless due to extreme air turbulence. It was reported *Oduna* was foundering.

At 1400, the *Albatross* reported *Adeline Foss* had managed to get a beach party of four men ashore on the leeward side of the peninsula, and somehow they had scaled down the cliff area to *Oduna,* planted a "dead-man," received a line from the vessel, and set up a breeches buoy operation. This feat of accomplishment was viewed with amazement and admiration by the USCG on scene as well as at Rescue Command. Although the beach party was battered by surf and spray, the first reports of this operation began to filter through—1 man ashore, 3 men ashore, 9 men ashore, 13, 19. At this point, winds had subsided somewhat. and the helicopter was able to approach *Oduna.* In rapid succession they removed the remaining 18 crewmen from the vessel, as well as those already on the beach—including the *Foss* rescue party—to safe area. It is to be noted that the master and two of his ship's officers had to be ordered by the USCG to evacuate the vessel, as they apparently desired to remain aboard, in spite of the danger involved, until arrival of company salvage officials. The helicopter then transported all the personnel to the leeward side of the peninsula where they could safely get aboard the vessel *Pribilof,* who had offered her services to transport the survivors to Cold Bay, and where food and lodging facilities were available pending transportation arrangements to Anchorage and Seattle.

Although the mountain troops and their paramedics were held in readiness at Cold Bay, it was comforting to know they were available for deployment to the Ikatan Peninsula 35 miles away should the circumstances have required. *Adeline Foss* was back alongside her tow by 1030, and all rescue processes were secured. The *Pribilof* arrived Cold Bay at 2200, and in phone conversation with Captain Karbbe, he reported that all 37 crewmen were present, and no injuries reported, although some of the crew were wet and badly chilled.

We referred all requests for press releases or statements to our Seattle office, where detailed information about the stricken vessel and her crew was available.

We also kept our Seattle officials advised by periodic direct telephone reports from our position at Kodiak Rescue Center of all developments as they occurred, and furnished the Coast Guard with information as required concerning rescue equipment aboard *Oduna,* crew list company salvage personnel en route, plans for transportation of *Oduna* survivors from Cold Bay to Anchorage, and answers to numerous other questions as the rescue operation progressed.

The Coast Guard mission commander has advised us that on his departure from Cold Bay November 27 for return to Kodiak, he flew over *Oduna,* and vessel is now practically parallel to the beach and cliff with propeller completely out of the water, but is still on even keel in upright position, and crack in after hull is clearly visible.

The overall rescue effort under the direction of Captain Emerson was indeed remarkable, and offer our highest commendation to all who responded and/or participated in the successful rescue and evacuation of the officers and crew of SS *Oduna Vey 24.* Orchids to the *Adeline Foss,* and to the helicopter pilot Capt. G. R. Belanger and his crew, and we understand that those two units are being recommended for citation by appropriate authority.

THE VINLAND MAP

Mr. FULBRIGHT. Madam President, I have had the privilege of reading a very interesting article by Mr. Amintore Fanfani, professor of economic history at the University of Rome. This article is entitled "The 'Vinland Map' and the New Controversy over the Discovery of America."

I ask unanimous consent that the article be printed in the body of the RECORD.

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

THE "VINLAND MAP" AND THE NEW CONTROVERSY OVER THE DISCOVERY OF AMERICA

(By Amintore Fanfani, professor of economic history, at the University of Rome)

1. REEVALUATION OF THE VIKINGS ON COLUMBUS DAY OF 1965

On the eve of Columbus Day, 1965, the American press turned into a battlefield laid out for the explosion of a bombshell. The first uproar threatened to produce something like a revolution of all our previous notions of history and geography. Then, when the smoke had blown away, it became evident that the crux of the matter was the very timely publicity given to a book published by the Yale University Press under the title "The Vinland Map and the Tartar Relation."

The front page of the New York Times of October 11 proclaimed: "1440 Map Depicts the New World," and the continuation of the article on page 48 accentuated the importance of the discovery with the headline "1440 Map Gives Details of New World." The New York Herald Tribune's treatment of the item was even more provocatory; on both the front page and on page 22 the announcement of the book was headlined "New Evidence; Vikings Did Beat Columbus."

As might have been foreseen, the day after the yearly Columbus Day parade dawned upon a raging controversy. Scandinavians exulted, Latins protested, professors clashed and reporters assumed the mantle of scholarship. On October 12 itself the New York Times headlined the reaction with the words "Columbus' crew won't switch," and on the following days the ink storm continued unabated. On October 13 the New York Times reported the reactions in Italy, Norway and Spain, under the title "Did Erickson do it? Battle rages on." And on October 15 another roundup of news came out under the heading "Columbus loses another round: Pope, in 1160, let Vikings in America marry." One of the many sections of the Sunday edition of the New York Times (sec. 4–E) let loose another salvo: "Who discovered America? New evidence." Meanwhile the New York Herald Tribune of October 13 had carried news of the Columbus Day celebrations under the title "Parades Eschew That Yale Thing," stressing the fact that the chief contenders in the forthcoming mayoralty election of November 2—Lindsay and Beame—had been obliged to enter the fray because of the agitation of certain ethnic groups among the voters. The next day the same paper recorded the Spanish echoes of the controversy: "The Plaint in Spain: It Was, Too, Columbus," and on Sunday, October 17 carried an article on "The Man Who Discovered America."

The weeklies were not slow to enter the lists. In the book review section of the issue of October 15 Time magazine reviewed the Yale publication under the title "Map of History," and a week later, on October 22, under the title "A windblown Leif," gave news of the controversy aroused. Newsweek of October 18 presented the controversial volume on page 103 with the words "Seeing America First."

Several book publishers took advantage of this publicity to advertise such wares as C. E. Oxenstierna's "The Norsemen" (New York Graphic Society) and F. Mowat's "Westviking" (Little, Brown).

Meanwhile, following the flow of the Gulf Stream, American press treatment of the supposedly revolutionary contents of the Yale University Press publication had beat upon the shores of the North Sea and the Mediterranean, with all the effects of a tidal wave.

2. THE COLUMBUS CREW STRIKES BACK

Already on October 12 Italian dailies, in their anniversary commemorations, tossed the ball back to their American counterparts, taking them to task for their futile attacks on Columbus' glory. The Corriere della Sera reported that "Scandinavians were enthusiastic" about the revelations of the Vinland map, and that, according to the Svenska Dagbladet, "we know with certainty that Leif Erickson rather than Columbus discovered America." The Milanese paper, of course, had its reservations about the new contribution supposedly made by the Yale book. On the same day La Stampa of Turin made the point that Erickson's explorations had no consequences, whereas the voyages of Columbus marked a turning point in history. Similar observations were made public by the mayor of Genoa and by Ligurian scholars versed in the lore of Columbus. On October 17 the Communist daily, L'Unita, joined the effort to belittle the importance of the supposed revelations. Il Giorno of November joined the chorus in an almost humoristic vein, by stating that George D. Painter, one of the authors of the Yale volume, had been chiefly known, heretofore, for his biography of Marcel Proust.

The weekly Espresso gave the news a modest title: "They beat Columbus by four centuries," while Epoca entrusted to the Honorable Paolo Emilio Taviani—not because he is Minister of the Interior but because he is a Genoese scholar—the task of upholding the merits of Christopher Columbus.

After a lapse of a whole month, in the Roman evening paper, Paese sera, Giulio Obici entered the fray with a new weapon, the 16th-century publication of the 15th-century voyages to America of the Zeno brothers. The writer, however, failed to take into account the fact that this chronicle was mentioned on pages 197–198 of the Yale volume.

This last reference demonstrates how the first participants in the controversy were content to give summary news of the happening, without taking the trouble to examine the facts and their documentation. Such neglect is not uncommon in arguments of this kind. We may recall the two 16th-century noblemen who waged a duel in order to settle the question of whether a live fish weighs more than a dead one and flailed away on the dueling ground, without its ever having occurred to them to weigh the fish on a scale.

The director of the Yale University Press, Mr. Chester Kerr, apparently had some second thoughts on the subject, for on October 27, from Mexico City, he declared that "the university had no intention of diminishing the merits of Columbus or of attributing the discovery of America to the Vikings." But this statement came too late. In Italy, Dr. Mario Gattoni Celli told the Institute of Etruscan Studies of Florence that, on the basis of a similarity between the vocabularies and religious symbols of the ancient Tuscans and the pre-Columbian people of

Guiana, he was impelled to advance the hypothesis that America had been first discovered neither by Columbus nor the Vikings but by the Etruscans.

This new theory had a triple effect. First, it rekindled the controversy in the American press; second, it put to shame the supporters of the Vikings and third, it reawakened the suspicion that if, as it seems, certain aspects of pre-Columbian Indian culture relate to that of the Far East, the first arrivals in America were actually Asiatics.

If the controversy had dipped further into the past it might have raised from his tomb the Bolognese Trombetti, who half a century ago concluded, on glottological grounds, that Asiatics had island-hopped across the Bering Sea from Siberia to Alaska and then filtered down, through Mexico, Peru, and Chile, all the way to Tierra del Fuego.

At this point, among the American voices there was raised that of a Columbus expert, the eminent historian, Samuel Eliot Morison of Harvard University. In the book review section of the New York Times of November 7 and also in the Chicago Tribune, Morison sagely said that although it is a good thing for scholars to break through to the general public, the publicity given to the Yale publication on the eve of Columbus Day had distorted the true significance of the newly discovered manuscript and the scholarly text which accompanied it.

This publicity, however, had practical results. According to Harry Gilroy, in the New York Times, of November 25, the first edition of 5,000 copies was sold out and the Book-of-the-Month Club proposed to distribute 10,000 more.

3. THE SOURCE OF THE CONTROVERSY—A BOOK PUBLISHED BY THE YALE UNIVERSITY PRESS

So far I have reported the widespread controversy which took place in October and November of 1965. It is time, now, to talk of its object, the Yale University Press publication, "The Vinland Map and the Tartar Relation."

With a foreword by Alexander O. Vietor, curator of maps of the Yale University Library, the volume consists of 303 pages, containing the history and description of the Tartar Relation manuscript by T. E. Marston (pp. 2–16), an edited text, translation and commentary by G. D. Painter (pp. 19–106), a long essay on the Vinland Map by R. A. Skelton (pp. 107–240), an interpretation of both manuscript and map by G. D. Painter (pp. 241–262); a lengthy bibliography (pp. 263–269), three indexes (of subjects, of Latin proper names and of Mongol and other non-Latin words (pp. 273–291), facsimile reproductions of the map and the manuscript (pp. 17 and 19), 19 illustrations (after pp. 2, 139, and 146), and 10 figures (pp. 156, 158, 170, 172, 174, 184, 190, and 193).

This detailed account of the contents goes to show that in both content and form the book is intended to set forth the results of a scholarly research project which had two definite aims, first, to locate in their historical and cultural context a medieval map (here referred to, because of one particularly marked portion, as the "Vinland Map" and a manuscript, also medieval, containing a section which begins with the words "Incipit hystoria tartarorum" (called for this reason "The Tartar Relation") and, second, to explain the possible connections between the two.

Both map and manuscript were bought from a private collection in Europe by an antiquarian bookdealer of New Haven, L. Witten. When he showed them to Messrs. Marston and Vietor of the Yale University Library, these two scholars opined that they were by the same hand and from the area of the Rhine valley, dating around the middle of the 15th century. Some of the wording on the map led them to believe that it went with the Tartar story, which tells of a mission to Mongolia on the part of Fra Giovanni del Plan del Carpini between 1245 and 1247.

From these stimulating suppositions arose the urge to study the two items further. This study, conducted in a spirit of exemplary cooperation between New Haven and London, led to the publication of the volume in which the answers to the two questions which the authors asked themselves may be summarized as follow.

The manuscript of the "Hystoria Tartarorum" can be dated by its structure in the first half of the 15th century; the type of paper on which it is written points to around the year 1440. The paper, the binding and paleographical considerations indicate that it comes from the upper Rhine Valley. The Council of Basle, which took place between 1431 and 1449, may have furnished the occasion for presenting both manuscript and map.[1]

The manuscript seems to be a copy of an older, undiscovered text in which the "Tartar Relation," the Vinland map and the "Speculum Historiale" of Vincent de Beauvais (C. 1190–1264) were at one time bound together.[2] Or rather, the map was drawn immediately after the copying of the complete manuscript, at the same desk, so to speak, and was intended to illustrate the text which it accompanied.[3]

The map, which is of the three parts of the medieval world (Europe, Africa, and Asia), shows islands to both the east and west of the continental mass. Among the latter group, to the northwest, are Isolanda Iberníca, Gronelanda and Vinland Insula.[4] Because of its geographical and other features the map fits in, chronologically, after the map of Andrea Bianco (Venice, 1436), which may, indeed, have served as its model. The details regarding Greenland cause Skelton to say that this copy of the Vinland may have been drawn some 40 years after the last historically proved voyage between Norway and Greenland.[5]

This map is not the first document to inform us of Vinland's existence. The first news of this land is in the "Descriptio insularum aquilonis" of Adam of Bremen (c. 1070), the "Islendigabok" of Ari Thorgilsson (c. 1124) and the itinerary of Nicholas Bergsson of Thvera (d. 1159). The saga of Eric the Red refers to Vinland as having been discovered early in the 11th century. The Vinland map gives this land a vague outline, placing it, so it seems, somewhere between the strait of Hudson Bay, the estuary of the Saint Lawrence and Newfoundland.[6] The fact that the Vikings sailed as far south as Hudson Bay seems to be confirmed by the archeological discoveries made between 1960 and 1963 by Helge Ingstad, which were published in 1964.[7]

R. A. Skelton makes a guarded comment on the suppositions reached by Helge Ingstad[8] and, after summarizing the Viking contribution to the discovery of America, concludes that "to our knowledge of such occasional communication with America the Vinland map adds nothing."[9] Although "the map * * * records in graphic form the only documented pre-Columbian discovery of America,"[10] based on orally transmitted writings and recollections which may have furnished some stimulation to further exploration, it is Morison's opinion that it did not actually stimulate them because "Columbus never heard of it."[11]

4. THE VIKING VOYAGES AND THE VINLAND MAP

If the conclusions reached by the team of editors of the Yale volume are correct and further research—such as is called for by Franklin D. Scott[12]—does not modify their importance, we may still ask what they add to our historical knowledge and to what extent they clarify the longstanding problem of to whom to give credit for the first discovery of America.

In the first place, the Vinland map is another proof that between the 13th and 14th centuries there was a record of the Viking voyages and explorations of around the year 1000. But the remarks of the editors of the map indicate that while its author had a fairly clear geographical notion of Iceland and Greenland, his notion of Vinland was much less definite.

The difference between these notions, indicated by the different quality of the reproduced details, allow us to point out that the Vinland map confirms the fact the Vikings' ideas of geography were limited and generic where Vinland is concerned, that is, in that part of the map which is supposed to show that the Vikings reached the mainland of the future America 500 years before Columbus. The map proves, in any case, that the Vikings did not go far enough south or west to make them guess at the existence of a continent or, indeed, of anything more than an island, larger and more southerly and westernly than Greenland.

The map, dating from a few years before, of the Venetian Andrea Bianco, does not show Vinland. But the Vinland map proves that its author, although he added Vinland to the mapmaking tradition, was not able to show other territory south of Vinland, belonging to the area which, a century later, was to be identified as continental America.

If this is true, then the map, while it confirms the Vikings' acquaintance with Vinland, shows also that, to the knowledge of the most advanced mapmaker of the mid-15th century, they or their successors had not gone any farther south or west of it. In other words, the Vinland map confirms the fact that, around the year 1000, the Vikings had identified Vinland, but had considered it the ultima Thule and failed to go beyond it or even to try to learn more about it because it seemed to them of no particular interest.

We know from our schooldays that Scandinavian relations with the lands discovered by the Vikings tapered off and practically ceased to exist after the 13th century, perhaps because of a general deterioration of the region's climate.[13] The vague character of the Vinland area, as depicted on the map, and the lack of any other landmarks to the south and west show that the Viking exploits had no consequences; they led to no further explorations or descriptions but remained within the original geographical limits, without arousing interest, curiosity, or repercussions of any kind on the basis of the first discoveries. All this was known before the publication of the Vinland map, and its

---

[1] Marston, T. E.: "The Manuscript: History and Description," in "The Vinland Map and the Tartar Relation." Yale University Press, New Haven, 1965, p. 16.

[2] Painter, G. D.: "The Tartar Relation," in "The Vinland Map and the Tartar Relation," op. cit., p. 24–25.

[3] Skelton, R. A.: "The Vinland Map," in "The Vinland Map and the Tartar Relation," op. cit., p. 109.

[4] Skelton, R. A.: ibid., p. 110.

[5] Skelton, R. A.: ibid., p. 208.

[6] Skelton, R. A.: ibid., pp. 210–212, 216, 222.

[7] Ingstad, H.: "Vinland ruins prove Viking found the New World," in National Geographic, November 1964, p. 708 ff.

[8] Skelton, R. A.: op. cit., pp. 220–21.

[9] Skelton, R. A.: op. cit., p. 227.

[10] Skelton, R.A.: op. cit., p. 233.

[11] Morison, S. E.: "Admiral of the Ocean Sea," Boston, 1942, vol. I, p. 35.

[12] Scott, F. D.: "Red Beards in the Sunset," in Book Week of the New York Herald Tribune, Nov. 7, 1965, p. 4.

[13] Skelton, R. A.: op. cit., p. 186. This point is also treated in "What did the Norsemen discover?" in Saturday Review, Nov. 6, 1965, pp. 49–52.

explicit confirmation in the Yale volume[14] shows, on the one hand, that the document has none of the revolutionary value which certain debaters claimed and, on the other, that it adds no merits to the Vikings' American discoveries beyond those which we all grant them, whether or not we live in Scandinavia, whether we are Nordics or Latins.

5. THE VINLAND MAP AND THE VOYAGES OF COLUMBUS

In the controversy over the importance of the Vinland map there has been renewed talk of voyages of Columbus to North Sea ports and of the possibility that he acquired knowledge of the discoveries recorded by the Vinland map of the middle of the 15th century and was inspired by them to launch his own undertaking.

This story of Columbus' geological knowledge and of his contacts with northern ports and seamen is taken up by the editors of the Yale volume,[15] but in a far more cautious manner than that of the publicity-minded newsmen and with honest recognition of the fact that the historian Morison does not believe that the Genoese navigator knew about Vinland.

But let us suppose, on a quite reasonable basis, that in preparation of his great voyage Columbus took cognizance of, among other things, the existence of Vinland, as discovered by the Vikings. Let us further suppose that either the original or a copy of the Vinland map fell under his eyes. What would it go to prove?

It would prove, first, that Columbus came to the conclusion that the Viking route was inadvisable, in view of the fact that not even the Vikings' descendants had followed it. And, second, that if indeed he knew of the map and of the voyages, they persuaded him not to emulate them but rather to set off on a completely different tack, to abandon the unproductive northwestern route and to set sail from the south in a straight westerly direction. If Columbus deliberately chose his route on this basis, it is because he correctly evaluated the difficulties which caused the Vikings to stop at Vinland and prevented following generations from exploiting their discoveries. It is an historical fact that Columbus chose points of departure and routes different from those of the Vikings, and if he did so with full awareness of the partial success which they had obtained 4 centuries before, it goes to show that he understood the reasons for the inconclusive nature of their explorations and learned from them that he had best strike out in a different direction.

In this light the publication of the Vinland map does not detract from the originality of Columbus' achievement; indeed, it aggrandizes it, by demonstrating that—if he was acquainted with the map—he showed keen judgment in evaluating the accomplishments of his predecessors. Anyone who thinks to belittle Columbus on the basis of his knowledge of the Vinland map is, in very fact, adding to his stature, by this proof of the fact that he was no lucky adventurer but a painstaking student of the experience of his elders in the field of his own endeavors.

6. VOYAGES AND EXPLORATIONS

The renewal of the controversy over the first discovery of America has served to draw attention to the whole question of the importance of geographical discovery. The proponents of the Vikings' priority have seen their arguments demolished by a simple question: Does the value of a discovery reside in the identification of a point or an area hitherto unknown, or does it not lie, rather, in the addition of this point or area to the network of world communications? This question leads to a noteworthy distinction between the first identification of a place or fact or phenomenon and the discovery, in a broader sense, of the possibilities of its permanent and systematic utilization.

This distinction is necessary in every field. In physics, for instance, we may say that Newton had millions of forerunners who had an apple fall on their heads from an overhanging tree. But he had no forerunners, in the real sense of the word, inasmuch as we justly attribute to him not the fact that an apple fell on his head but rather the discovery of the cause and laws of such a fall.

If we transfer this reasoning to the field of geographical knowledge, we can and must recognize that, around the year 1000, on the sea routes between known Europe and the unknown west, the Vikings discovered new lands which turned out to be located between the two continents. But this discovery, because of its partial and incomplete nature and the failure to exploit it, did not reveal the New World as a ground for further exploration or fit it into a permanent relationship with the Old.

We conclude, then, that the discovery of America, in the sense of a conscious identification of a new world and the establishment of communications between it and the old one was not made by the Vikings and their immediate successors. The real discovery was that of Columbus, on October 12, 1492, which, because it was shortly followed by further exploration, made Europeans genuinely aware of the New World's existence and led them to make it one with their own.

On these grounds there is reasons for the institution and celebration of Columbus Day as the anniversary not of the promised union between known Europe and unknown America (as the Vikings foretold it) but of a moment when Europe was fatefully anticipating the great event and ready to put it to fruitful use.

The world honors the meeting of Newton's mind and the falling apple as the discovery of the law of universal gravity, and this is as it should be, in spite of the fact that other heads and other apples had collided, over the centuries, with no appreciable consequences for the human race. With equal reason the world decided and should continue to celebrate October 12 as the day of the discovery of America, because it is on this day, and not at the unknown time of the Vikings' landing on Greenland and Vinland, that Columbus had the premonition, to be realized during his lifetime, of the existence of vast lands west of the Ocean Sea, which gave an impulse to a relationship that has changed the political, economic, and spiritual course of world history.

The Vinland controversy serves to confirm the fact that brave and fortunate voyages such as those of the Vikings do not lead to full-fledged discoveries. Such voyages must be systematically repeated and exploited if they are to give way, as they did in the time of Columbus, to a true discovery with all the attributions which physical and geographical science lend to the word.

7. A LESSON IN COOPERATIVE RESEARCH

After these considerations of the contribution made by the Yale publication to our knowledge of the discovery of America, it seems opportune to add a few words about the lesson which it teaches us about scientific methods.

Three points emerge from the study of the volume and the circumstances of its presentation.

First, the critical edition of "The Vinland Map and the Tartar Relation" confirms the validity and efficacy of scholarly teamwork. The long and patient effort of Yale University was bolstered up by the meaningful collaboration of a group of specialists, American and non-American.[16]

Second, the difficulty and length of the research involved show what a close link there is between success and the financial means necessary to achieve it. The history of science abounds in eloquent example of sensational success obtained by a single innovator with small means at his disposal. The character and talent of the individual scholar or scientist are irreplacable, and no number of heads can make up for one real brain, no outpouring of money for brilliant intuition. But the joint efforts of trained, well directed and cooperating brains and addition of adequate financial support serve to eliminate the disadvantages of isolation and poverty which have in the past hampered and frustrated scientific research. Yale's publication of the Vinland map is another example of the systematic cooperation and the financial support which characterize the work of American scholars, to their own benefit and as a model for other nations.

But if these two factors are positive elements of the Yale volume, the timing and method of its presentation carry with them a grave warning. The initial excitement actually detracted from the book's fundamental worth. The apparently aggressive timing of its publication dragged it into a dispute in the realm of folklore (the Columbus Day parade) and of nationalism (the priority of one discovery over another). As the controversy spread, the general public got the idea not of a delicate research job of fitting a fragmentary manuscript into its original context, of establishing the time and place of a literary source, not the conclusion reached by comparing the newly discovered manuscript with previously known texts, but only a loud outcry. And when this outcry died down, the public was left in doubt as to whether previous knowledge of the discovery of America still held water or whether a new theory should replace it. If such was the reaction—and such it was—what did scholarship gain thereby?

For—why should we not say so?—this third point must be made in regard to the Yale volume. A scholar must defend himself against the excesses of publicity. He must, of course, make known the results of his study, but he must not let high-powered publicity methods distort them by calling them to the attention not of those who are anxious to learn but to that of those who worship a tribal idol. Otherwise he will be hard put to it to defend the intrinsic value of his thesis, the soundness of his conclusions and the serious quality of his method of research. If his work falls into the hands of the hawkers he pays a high price for their disservice, and much time may be wasted before he establishes the seriousness of his intentions.

8. A FEW CONCLUSIONS

From the publication of the Vinland map, the ensuing controversy, and the comments upon the controversy, we may draw several conclusions.

(1) The 1440 map (if this is the exact date of its conception and drawing) confirms the fact that a memory of the Viking voyages was handed down as far as the middle of the 15th century.

(2) The vagueness of the outlines of Vinland, as compared with those of Greenland and Iceland, confirms the fact that the westernmost Viking explorations did not develop in such a way as to bring Europeans' knowledge of Vinland up to the level of their knowledge of Greenland and Iceland.

(3) Vinland is not shown on the map as an island with other insular or continental bodies to the west and south of it, although

[14] Skelton, R. A.: op. cit., p. 209: "We have also to remember that the Norse voyages to America, unlike those to Greenland and along its coasts, were isolated episodes, covering only a brief span of time, and that (so far as we know) they were not followed up by any regular navigation."

[15] Skelton, R.A.: op. cit., p. 236.

[16] Quinn, D.: "A Map of the Norse World," in the New Statesman, Oct. 25, 1965, p. 568.

such bodies did exist. Thus Vinland was the farthest point reached by the Vikings, and it gave them not even the foggiest notion that they had come upon a new continent. In their notion, Vinland was an island only slightly larger than Greenland.

(4) Acknowledging the value of the Viking voyages and granting that Columbus may have known about them and even have seen the Vinland map, his remains, nevertheless, the merit of having understood that the Viking discoveries could be enlarged only by following a different route. So it was that he set sail not from a northern port and on a westward tract between the 50° and 60° parallels, but from the south and on a track below the 40° parallel. By following this route Columbus found land to the south and west of the Viking discoveries and paved the way for the opening of other routes, fanning out in both a nothwesterly and a southwesterly direction. Within a few decades came the certainty of having discovered an entire continent and the possibility of staking out its eastern boundaries. This was done in one-fifth the time which went by between the Viking voyages and the drawing of a map (such as the Vinland map) which illustrated their discoveries.

(5) If we accept the above conclusions we must further state that Columbus' voyages were those which opened the way to the systematic exploration of America and to the establishment of an organic relationship between the Old World and the New.

(6) The beginning of what may be called the American phase of world history—whether we date it from the arrival of gold and silver from Central and South America before the middle of the 16th century, or, in more spectacular fashion, with the revolt of the English colonies of the northern hemisphere in the 19th century, or with the participation of the full-grown American Nation in the two world wars between 1900 and 1950, or with the era of atom-splitting and space exploration of the present day [17]—was not a short- or long-term result of the Viking voyages but the almost immediate consequence of the voyages and explorations of Columbus. Let this not be forgotten by those who appreciate the impact of the discovery of a continent upon world history.

(7) The organic insertion of America into world history required three conditions: (a) The discovery of an easily navigable route between the major political, economic and cultural centers of Europe and the new continent; (b) the systematic exploration of the new continent such as to identify its most habitable portions and the location of its natural resources; (c) the installation of lasting communications, of continuous political relations, of economic and cultural exchanges. All these things were necessary for inserting the new lands into the life of the old, so that all of them could proceed together along the new paths of world history, whose course was in part determined by the 16th century's geographical discoveries.

These three conditions were fulfilled, not after the Viking voyages of around the year 1000, but after Columbus' arrival at the tropical islands of the Caribbean in 1492.

(8) Acceptance of the above conclusions does not imply the least belittlement of the Viking exploits; it entails only restoring them to the proportion in which they were viewed before the Vinland map controversy. Then and now they were regarded as bold pioneering feats, which had no consequences either for the European lands from which they originated or for the future of the new continent whose northernmost shores the Vikings were not even aware of having reached, as is proved by the fact that their descendants neither pursued the explorations nor exploited them.

The so-called good fortune of Columbus lies really in the fact that he, by design, not by mere accident, took a giant stride on behalf of humanity, one which the Vikings—whether because their starting point was ill chosen, their route mistakenly directed or their landing place barren and inhospitable—were unable to accomplish.

In short, a comparison between the Viking voyages and those of Columbus leads us to consider the fate of all discoveries. Those which endure take place in an epoch in which their value is understood and there is a possibility of exploiting them and carrying them further. Their artificers are the true discovers and those who went before, inconclusively, must be content with the title of forerunner. We shall give everyone his just deserts if we wind up our commentary on the controversy aroused by the publication of the Vinland map in the following manner. Christopher Columbus revealed America to the world, with his voyages and their universal and still enduring consequences. The Vikings, 500 years before, were pioneers, whose efforts were ill-starred and inconclusive. The determining factor lay in the difference between the points of departure, the navigability of the sea routes and the wealth of the lands discovered.

[17] Chaunu, P.: "L'Amerique et les Ameriques," Paris, 1964, and the presentation of this work by a Fantani in "Economia e Storia," No. II, 1965.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the morning hour be considered concluded.

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

PROPOSED REPEAL OF SECTION 14 (b) OF THE TAFT-HARTLEY ACT

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 680, H.R. 77.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

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

Mr. HOLLAND. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MANSFIELD. Madam President, it is my intention to move that the Senate proceed to the consideration of Calendar No. 680, H.R. 77, but, before I do so, I ask unanimous consent that I may retain the floor while a quorum is being called, for the purpose of being recognized at the conclusion of the quorum call.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 9 Leg.]

Aiken	Harris	Muskie
Allott	Hart	Nelson
Anderson	Hartke	Neuberger
Bartlett	Hayden	Pastore
Bass	Hickenlooper	Pearson
Bennett	Hill	Pell
Bible	Holland	Prouty
Boggs	Jackson	Proxmire
Brewster	Jordan, Idaho	Randolph
Burdick	Kennedy, Mass.	Robertson
Byrd, Va.	Kennedy, N.Y.	Russell, S.C.
Byrd, W. Va.	Kuchel	Russell, Ga.
Cannon	Lausche	Saltonstall
Carlson	Long, Mo.	Scott
Case	Long, La.	Simpson
Church	Magnuson	Smith
Clark	Mansfield	Sparkman
Cooper	McCarthy	Stennis
Cotton	McClellan	Symington
Dirksen	McGee	Talmadge
Dodd	McGovern	Thurmond
Dominick	McIntyre	Tower
Douglas	Metcalf	Tydings
Ellender	Mondale	Williams, N.J.
Ervin	Monroney	Williams, Del.
Fannin	Montoya	Yarborough
Fong	Morse	Young, N. Dak.
Fulbright	Morton	Young, Ohio
Gore	Moss	
Gruening	Mundt	

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Hawaii [Mr. INOUYE], and the Senator from North Carolina [Mr. JORDAN] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. MCNAMARA], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. DIRKSEN. I announce that the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. MURPHY] are necessarily absent.

The Senator from Iowa [Mr. MILLER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Madam President, for the information of the Senate, the calendar is clear. There is at the present time no pending business.

I was a little surprised to read in yesterday's press a statement by a distinguished Member of this body in which he criticized bringing up the repeal of section 14(b) at this time, considering the situation in Vietnam.

If there had been any legislation on the calendar concerning Vietnam, I can assure that Senator and all others that that legislation would have been given primary consideration.

Insofar as the majority leader, the Senator from Montana, is concerned, it is not his intention at any time or under any circumstances to hold up or in anyway impede legislation of that nature, no matter what is pending at the moment.

What other Senators do is, of course, their individual responsibility.

The bill, H.R. 77, was reported from the Committee on Labor and Public Welfare by a very large majority last year.

I would like to see that bill made the pending business. But I anticipate that, in view of the action taken by Senators opposing the measure last year, we very likely may have some difficulty—but hopefully, not an insurmountable amount. Only time will tell. The merits of the bill should be reached and discussed. And that is what I shall work for.

I only hope that Members of the Senate consider it their duty to consider this measure and in doing so, to give to all Senators the privilege which is theirs: to vote for or against its merits on the basis of their convictions and in accordance with the Senate rules and procedures, and to vote on a measure which has been studied and reported by one of the standing committees of this body.

For, it is my understanding that when a bill is reported by a regular committee, the Senate as a whole usually gives the committee the simple courtesy of having that bill laid down and discussed.

May I say to my distinguished colleague the minority leader that, as far as the majority leader is concerned, there will be no tricks or procedural gimmicks, and, as far as moves go, the minority leader will be made fully aware of any motions I intend to make.

I feel this is the only way to execute procedures. But I make this statement with this factor in mind: The rules will be examined thoroughly with a view to determining a proper and expeditious manner for making H.R. 77 the pending business and, if at all possible, it will be made the pending business and decided on its merits.

Also may I say that, while I do not intend to have round-the-clock sessions on this measure, it is my hope that beginning tomorrow we shall be able to come in a little early and stay a little late. In that way, we can at least reach a position where the proposal and its suggested amendments may be considered.

That concludes my remarks, Madam President.

At this time, I move that the Senate turn to the consideration of Calendar No. 680, H.R. 77.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

Mr. DIRKSEN. Madam President——

The PRESIDING OFFICER. The Senator from Illinois.

SECOND BATTLE OF SECTION 14(b)

Mr. DIRKSEN. Madam President, before time is counted, I would first submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. In view of what happened last year, after some days of discussion, a cloture motion was filed, and this measure was withdrawn. Time was accurately kept by the Parliamentarian, and I would like to be officially advised that whatever time was consumed by any Member of the Senate does not now count as we resume discussion of H.R. 77.

The PRESIDING OFFICER. Everything starts de novo, as of this hour.

Mr. DIRKSEN. Madam President, the majority leader has very well and correctly stated the situation. First, let me say for him that no more honorable person ever graced this body, and particularly the leadership chair, than the distinguished Senator from Montana.

On many occasions, both publicly and privately, I have expressed my deep and abiding affection for him. I cherish that affection and I cherish his esteem as never before. He has never resorted to any sub rosa, or undercover methods or procedures in order to gain a point. He has a responsibility as the majority leader of this body to steer legislation under the rules of the Senate by an orderly procedure, and that he has always done.

He recognizes also the depth of our feeling with respect to the issue that is here involved and that is before the Senate.

As a member of the loyal opposition I have had no choice except to adopt whatever weapons are available, consonant with Senate rules, in order to prevent what I believe to be offensive legislation from coming to a vote.

If that were not a recognized procedure there would be no excuse to continue rule XXII in the rules of the Senate.

But we have to fight as best we can. On the other hand, in the discharge of his responsibility and his sense of duty he must take whatever honorable means are available in order to get a vote on the bill.

So, we are right where we were last year, at least, up to this point.

We intend to carry on this discussion on the motion to take up. That is nothing new to the Senate. It has been done on many occasions and very notably on the civil rights bill.

Here we are dealing with a civil right. It is the right of a person to work without paying tribute to an organization or a despotic leader in order to sustain his family and to sustain himself. If there is any greater civil right that inures to mankind, frankly, Madam President, I do not know what it is.

So, I do this because I believe in it. I take the course I pursue because I feel that the interests of the country and the American people are involved. I come not in any sense of hostility or prejudice, because I came up the hard way.

My mother came from the old country when she was only 17 years of age. She came here on a sailing vessel, buffeted by the tumultuous North Atlantic, when even the crew caught scurvy. She knew nothing about this new land except from letters of those who had gone before and who said that this was the land of freedom and opportunity, where only one's diligence, one's perseverance, one's willingness to achieve, one's willingness to engage in the great virtues of thrift and frugality could put a limit on what a person could accomplish.

My father came here at a young age only a few years after the Civil War. He, too, brought here a craft. He died when I was a youngster of 5 years of age.

Let no man stand in his place in the Senate and say that the Dirksen family did not come up the hard way. Here was a widowed mother with a brood of orphan children, and we had to strike out and make it as best we could.

A thousand times I have said to people in all parts of the country: There is one debt greater than the public debt itself and that is the debt that EVERETT DIRKSEN owes to this country and to all that it represents, to the freedoms that are here, because it afforded an opportunity that is well within the grasp of every citizen, young and old, if he will undertake to apply himself to it.

I have tried to bring to this task that same degree of fidelity which my distinguished friend from Montana brings to his sense of responsibility. I recognize him for it, and I commend him for it. I know, too, that he understands fully my feelings in this matter.

So far as I know, I have had no cause whatever to relent in my determination to resist this procedure as best I can.

In reviewing what has happened, I went back and reexamined the action taken in the House of Representatives.

The bill came from the House Committee on Labor and Education, and it received a rule on the 26th of July, in the 1st session of this Congress. The House debated it from July 26 to the 28th. That was only 2 days.

Every amendment except one was held to be out of order. I know something about the provincial narrowness of the House rules. I served under those rules for a period of 16 years; so did my distinguished friend, the majority leader. He knows what a job it used to be, when a bill was called up, to offer an amendment and to have it ruled to be germane by the presiding officer, on the advice of the Parliamentarian.

Every amendment was stricken before its merit had a chance to be exhibited and explained to the House.

Then, of course, there was one amendment that was finally allowed, and it was rejected because it dealt only with the effective date of this proposal. Of course, it is difficult even for a Parliamentarian to argue with the calendar. That one amendment escaped the House guillotine.

There was, and there always has been, available to the minority in the House of Representatives the right to offer a motion to recommit; and if any Member of the House stands in his place and claims that right, he shall have it, no matter what the difference in the ratio of the parties may be.

So a motion to recommit was made. It lost by a vote of 223 to 200. On passage, the vote was 221 to 203. That meant, Madam President, that there was a difference of only 18 votes in the House of Representatives that made it possible to get this bill out of the House.

There are in the House of Representatives some young men, very honorable and very ambitious young men, who in their earlier days have not always

been submitted to pressure. But pressure is expected in this atmosphere. I know that on the day we voted on conscription in the House of Representatives, every Cabinet Member was on the Hill, buttonholing Members. I was buttonholed. I know something about the pressures that take place in these legislative halls. So notwithstanding the pressures, it commanded a majority of only 18 votes.

I have seen some statements to the effect that it is the people's will that we proceed to vote on the merit of this proposal. I have seen no such expression; and I shall get around to that in a little while. But let us go on now and review the RECORD.

To the Official Reporters, I suggest that they entitle these remarks—because I shall be all over the field—"The Second Battle of Section 14(b)." I am familiar with the Second Battle of the Marne in World War I; I am familiar with the Second Battle of Ypres in World War I. I am not familiar—although my very distinguished friend from Virginia [Mr. BYRD] is familiar, as a scholar who has pursued Virginia history—with the Second Battle of Manassas—and I do not live very far from the Manassas battlefield. So it is my pleasure that when these remarks appear in the RECORD, they be given a good, bold title: "The Second Battle of Section 14 (b) in the Senate of the United States."

A motion for the consideration of this bill was made on the 4th day of October. On October 8, the distinguished majority leader moved to table. We had joined issue, and we had had some discussion of the matter.

Again I compliment and salute the majority leader, for at the moment when he said he would move to table, he told the Senate that he intended to vote against his own motion. It is an awkward and difficult fix to be in. As he so well knows, I got my head into that noose in the civil rights struggles. I found myself, humble in spirit, suddenly saying that I had to offer a motion to table, and that I would vote against my own motion. But I had to do it because the circumstances of the occasion called for it. Those are not happy situations.

Madam President, as one lives his life and accumulates a little wisdom, he also accumulates a little humility and somehow dissipates all the fears that spring mainly out of personal pride. Long ago, I learned to confess my sins in public when the occasion called for it; I have learned to apologize for my deviations from the law or the rule or the duty whenever the occasion called for it.

So our distinguished majority leader very honorably said to the Senate, "I intend to vote against my own motion to table." I was delighted, obviously, because I shared that feeling. I did a little missionary work, particularly on this side of the aisle. I said, "I think we should accommodate our distinguished majority leader. We should give him a vote"; and we did support him. As a result, the vote against tabling was 94 to 0. Madam President, one really has to go some to achieve a unanimous vote like that. I do not know where the recreant six were, but perhaps if they had been here they would have made the vote 100 percent with the greatest of pleasure.

Mr. MANSFIELD. Madam President, all I want to say is that I could do without that sort of accommodation in the future. [Laughter.]

Mr. DIRKSEN. But, Madam President, the majority leader accepted the results in the best of grace, as he always does. That is, indeed, the stature of statesmanship.

On October 11, the Senate voted on the cloture motion which had been filed one day but one before, and on that occasion the cloture vote was 45 yeas and 47 nays.

My distinguished friend the majority leader and I have often been through that. We have traveled many valleys of sorrow together, because together we offered a cloture motion on the literacy test. On that occasion the Senate rose in its dignity and struck us down, and we went to the dreamless dust. But somehow we brushed ourselves off, and back we are.

But that was a part of what happened in the first battle of section 14(b). At long last, the motion to consider the bill was withdrawn.

Congress adjourned on the 23d day of October, and we went to our respective homes or other duties, whether abroad or at home.

I had an excellent vacation. It lasted exactly 7 days—4 days at a desk and 3 days of sunshine and 8 hours of fishing. On the first day—and I might as well give the ugly details—I caught one fish. No man worthy of the accolade of Izaak Walton would ever boast about that. But on the other day that I had a chance to fish, I caught five fish. I cannot say that I boasted about that, either. But that was the end of the vacation.

Then I began to travel, not abroad, but in this, our own sainted land. I traveled west as far as Boise, Idaho. I traveled south to Alabama, to Texas, and elsewhere. I traveled north to New York and Pennsylvania. I traveled to the Middle Eastern States. There, in my rather feeble way, I undertook to bring light and truth to the people and tell them of this issue. Never have I seen such spirit at the grassroots level of this country. I am pleasantly astonished with what discrimination the people read the news dispatches and know quite well what is going on in their Capital. If anything were needed to entrench more deeply in mind and conscience the need for encompassing the defeat of the measure which the leadership is undertaking to place before us, that was it.

So I recur to the second battle of section 14(b). Sinister things have happened since last it was before us. There is in the Empire State a gentleman by the name of Michael Quill. I do not know him. I have never seen him. I only know that he is the president and the general director of the Transport Workers in New York City, 138,000 in number. It was not too long ago that he gave an exhibition of his power as a leader in inconveniencing 20 million people when the public interest was at stake. There is a public interest in loading and unloading vessels, some of which vessels, perchance, may have been destined for that unhappy and troubled spot in Asia. I do not argue the details. I merely say, Madam President, what vast power and what arrogance it breeds.

Before the television cameras, he tore up the court subpena to show his contempt for the judiciary that stands for the trial of the rights and the enforcement of the law.

It is giving the people an opportunity to know what is happening in this country and at what point we become a monolithic country and a monolithic Congress. To make sure that we have some notion of what we mean by monolithic, its definition is, "a single stone." It means exactly that—that at long last we have people going in only one direction, and that creates monolithic government, even as it is now being reestablished in Nigeria, in which country they found the dead body of the Prime Minister. That is force in ruling. Nigeria is the showcase that we brag about. It is the country to which went our millions of dollars in foreign aid. That is another story, Madam President, and that story shall be told during this session, too, when foreign aid comes up.

We had a little unpleasantness in my own State. I received a telephone call from the Olin Industries at Alton, Ill. They manufacture powder there for small arms ammunition, and some larger gage for larger calibers. A group, one union, put 4,600 men out of work and kept them out of work. The management could do nothing toward bringing them back to work.

Meanwhile, our Defense Establishment had to send to Europe for millions of rounds of small arms ammunition for the youngsters who spill their blood on the monsoon mud in Vietnam.

I followed this situation, every thread of it. I then called Defense officials, told them what was going to happen. They said, "We will make out with small arms ammunition by cannibalizing our stores elsewhere." Then they told me that they would reactivate a powder plant at Baraboo, Wis., and that, when reactivated, it would stay reactivated. There would then be some competition and perhaps a few jobs would begin to filter away.

It is then that the union came to its senses, and only after that was made manifest. I telephoned the Alton newspaper and said to the reporter, "Get this straight, one, two, three, four, five, six, so that it will leak into their consciousness as to what they are doing." That strike was against the war effort. Perhaps at a time or at times I may undertake something like that, and then I reserve to be roundly scored.

Those things have happened since the first battle on 14(b). Putting it all together, what does it all add up to?

George Gallup is one of those distinguished people who has formulas and devices to ascertain the public mind. I would not believe that George Gallup in the 1964 election. I suppose I should have believed him, because it came out that way. However, that is neither here nor there.

Mr. Gallup has been polling people; and he really gets no name up in big letters. "Public Favors DIRKSEN Side in Fight on Union Shop."

The junior Senator from Louisiana can see this from back in the rear row. What does it say? It says: "Should be required to join a union, 44 percent; should not, 47 percent; no opinion, 9 percent."

This is interesting. As between men and women: "Men should be required to join a union, 46 percent; should not, 50 percent; no opinion, 4 percent; women should be required, 42 percent; should not be required, 45 percent; no opinion, 13 percent."

Here is one that is really ducky. This is graded as to education. Among college men we have the following: "Should be required, 22 percent; should not be required, 71 percent." Those are the young custodians and trustees of this country in our tomorrow.

Among high school students: "Should be required to join a union, 45 percent; should not, 47 percent." Even at high school age, repeal is not favored. It was only at the grade school level that the repeal of 14(b) got a break.

In the grade schools they are not yet ready to get a job. How can we get a reasoned judgment from boys and girls in grade schools?

This is a pretty well diffused vote. It covered 180 areas. Here are the results geographically. In the East, "Should be required, 52 percent; should not, 39 percent." That is where the repeal of section 14(b) gets an edge. In the Midwest, "should be required, 46 percent; should not, 48 percent." In the South, "should be required, 34 percent; should not, 54 percent." In the West, "should be required, 42 percent; should not, 50 percent."

They try to make it emphatic that there is a great resurgence of opinion behind this, that the people want it. The people did not tell George Gallup that they wanted it. They had their opportunity. Do not let anybody persuade you differently on that point.

We have the country behind us on this issue, and that is the reason that we are determined, God willing—and I say it in all humility—to fight to the finish.

I wish to make it abundantly clear this does not involve the State right-to-work laws. That is not the issue before the Senate. The issue here is the sovereign authority of the 50 States to legislate in this field if they so desire.

If what is sought to be accomplished here were accomplished, it would be only another deeper intrusion of the kind that is going to founder this great Republic where, Mr. President, we have not only a sovereign Federal Government, but sovereign State governments as well. The Founding Fathers set it up that way. They knew what they were about. They did it beautifully. They not only gave us a structure of government, but they built it on the broad foundation of freedom. They delegated express powers to the Central Government, and, in the residual clause, they said the powers not expressly delegated are reserved to the States and the people, respectively.

That is still in the Constitution. So they have some rights. The constitution of my State, the third one we have adopted, begins with the words, "We the people." That has meaning for me, and I am not afraid of them. I am not afraid to confront them at any time. They are my bosses; and the day I am afraid of them, I should clean out my office and walk out of this body; because I do not believe that one who is afraid of the people can very properly discharge his legislative responsibilities.

(At this point Mr. TALMADGE took the chair.)

Mr. DIRKSEN. Mr. President, that is an element which needs plenty of emphasis, to make clear what this is about: Whether or not the people in the 50 States of the Union, through their respective legislatures, are to be entitled to vote upon this matter and determine it for themselves, and whether or not they can head off a requirement that either a man join the union and pay dues, or that at the end of 30 days his employer is mandated to fire him. Then what about his livelihood? I have heard some nonsense at times that he can go here, he can go there, he can go anywhere.

Mr. President, that is "a lot of stuff." One of the real difficulties today with labor people is the operation of the seniority rule. The most skilled machinist in the Caterpillar Tractor Co., in Peoria, if he decides to move to Cleveland or Buffalo or New York, or any other place, and then finds a job, begins at the bottom. He is anchored by the seniority rule. Otherwise, he starts at the bottom. And the rule is last on, first off, when there comes a slackening in business. He may be the most precise machinist and one of the ablest craftsmen in the whole wide world, but it will make no difference, because he will go to the end of the line.

I believe that the States have a right, if they so desire, to legislate on this subject. If they do not wish to do so, that is not my business, but I want that right to be safeguarded, if that is the only issue before the Senate.

Mr. President, if we can say no to them on this issue, what will be the next issue, with respect to which we will say, "You cannot legislate in this field"? We did it to them where subversion was involved. Pennsylvania, the classic example, had a law of its own. It was finally struck down and made invalid, for the very good reason that it went to the Federal courts, and they said, "The Government of the United States, by having the Congress enact the Smith Act, has preempted the field, and therefore you cannot enter into that sanctuary." What will be next, and next, and next?

Mr. President, we shall be destroying the Republic by cutting off the dog's tail a little at a time. Stay at it, and we shall put that dog in a doggy grave. That is the issue; and it must be kept before us all the time.

Now I must allude to some interim incidents, as we address ourselves to the second battle of 14(b). One suggestion that was made, in order to get this matter to a vote, was to start putting pressure on rule XXII—that we modify rule XXII all over again. We have been through that battle before, Mr. President, not once, but many times.

As I recall, rule XXII has been a part of the Senate rules since 1917; and if I have something to say about it, it will remain in the rules. There is a disposition to relent, to soften, and to modify. What about the voice of the minority? Where are their defenses? Where are their protections?

We have not always been in the minority, and I, for one, do not believe we always shall be. I begin to see a ground swell of restive feeling in the land, at long last, and it peeks out and expresses itself when the people exercise their right of suffrage.

It has been said that perhaps there ought to be more threats in this connection, and that the Senate should be sweated around the clock. Thank God for our majority leader, who is a humble and generous person of good will and of the utmost felicity.

The other day I had a birthday—and I have never concealed my birthdays. If the world does not know it now, Mr. President, then I give up, because by cartoon, by article, and by every graphic art, the country has discovered that on the 4th day of January, I became 70 years of age. I have to pinch myself now and then, Brother MUSKIE, to see whether it is true that somehow the spirit is waning.

No, the spirit is always willing, but sometimes, as the Book says, the flesh grows a little weak; and then one must be on his guard. So I thought of the Senate. There are probably 18 or 20 Members of the Senate who are 70 years of age or older. There is one Member who is well above fourscore years.

If this is to be a deliberative body, we do not allow the rest of the country to go on an 8-hour day and a 40-hour week, yet put the Senate on a 16-hour day and a 6-day week. Someone might drop over and we would never stop apologizing for our excesses. Why 40 hours a week elsewhere and then whiplash this body because an organized group in this country wishes action on something which is offensive to a majority of the people, as George Gallup has stated after surveying 180 areas in this country.

No—our distinguished majority leader has stated that we are going to have regular hours, and it is with regular hours that any Member of this or any other legislative body can do his best work.

I do not know how it is with most Senators, but I am on the platform so much at night that I have to stop it. It has become a major chore. Four or five nights a week—travel—going out to the State—going to New York, going here, going there—that is the extracurricular work. We feel that we have a duty to talk to people according to our likes, but we do a day's work in the Senate from morning until night and then off we go to make a speech somewhere.

Obviously, we have to have some regard for the social amenities. The Women's Press Club recently had their annual dinner. They had some difficulty in fitting it into our fast-moving Capitol schedule. Our distinguished Vice President was to be the speaker. He could not come. They tried to find a speaker in other quarters and then frantically, at 5 o'clock the night before their dinner was to take place, they called me up and said, "Please Senator, do not say no. We are in difficulty."

I told them that they could have given me a little longer because my days are so taken up with visitors and problems, and I must have a little time to look at a blank wall and think up a few pleasantries, because such witicisms are compounded with a little wisdom of the durable kind. So, I went there to speak. I got home at midnight. I got home from another meeting last week at 1:30 in the morning because I actually got on the platform at 11:50, and the Vice President was still behind me to speak. Those are late hours.

I was about to take all the time, because the toastmaster said, "We have had so many of the opposite political faith that we should give equal time to the other "

I said, "Mr. Toastmaster, I am far ahead of you. I have calculated the time used up to now, and I am going to give them an hour. It is now 11:50, so get comfortable in your seats because you are going to get a speech for the next hour."

Then, somehow, a great, ennobling, charitable impulse come over me and I was content to let them go on a Sunday morning at the hour of 12:15; yet the Vice President was still to speak. He is a bear—he is a Minnesota bear—for punishment, because this is hard work and it does sap the energies.

Consequently, I thank the distinguished majority leader when he said that the Senate will sit regular hours—and I am confident he will fulfill that promise.

Mr. President, in that interim period, I have read stacks of stuff. I sometimes wonder where we get the printer's ink, the paper, and sufficient talent to get it all together. Letters galore. It is too bad that I shall have to inflict myself upon the Senate—which will have Senators in the Chamber now and then, and on occasion there will not be very many because they will have to go out and eat, and I will have to forget my lunch, but that is perfectly all right—because I am trying to make the whole case against repeal of Section 14(b).

I almost became lost in all this stuff that I have collected. Let me refer to a letter from an old gentleman in Appomattox, Va. He has been a member of the Communications Union for a great many years. He wrote his letter in longhand, double spaced, one page. He said, "Don't let them repeal 14(b). It is the only disciplinary weapon that we ordinary members of the union have to make sure that our officers and trustees stay in line."

Oh, how right he is. Whenever they get smart alecky, or words to that effect, we can say, "Here is your card. You get your dues from someone else." That will bring them back into line.

The other morning, I went to the railroad station in Washington at 7 o'clock in the morning and walked into the station master's office. Here was a man in railroad uniform—a conductor—I noticed by the hashmarks on his arm that he had 30 years of service. He said to me, "Senator, don't you let them repeal 14(b). It is the only weapon we have."

I went down that long staircase to the station platform to meet the train, and there was a man in oily clothes, pouring grease into the axleboxes. He looked around and when he saw me, he said, "You look like DIRKSEN to me."

"Yes," I said, "I am. I admit the impeachment."

He did not wish any more pleasantries and said, "Don't you let them repeal 14(b)."

I said to him, "Do you carry a card?"

He said, "I am a longtime card-carrying member of the Maintenance Union."

The man in uniform in the station-master's office was also a 30-year member of his union.

Thus, when I say on the floor of the Senate that I have stacks and stacks of mail from union members from all over the country who do not wish to see section 14(b) repealed, I will never let Mr. Meany sell me his kind of goods, if I can help it.

It is a little tragic that he should have gone to San Francisco, to that industrial union council, whatever it was, and made some unkind remarks.

Mr. President, I like George Meany. He is a nice fellow. I also like Mrs. Meany. She is a charming person. Mrs. Dirksen likes her also. We meet often at dinner. We met at the Touchdown Club recently. He was on the program, but for reasons unknown to me we were not introduced. We did not have to be, of course. But, I am always glad to acknowledge him, to acknowledge what he has done for labor and labor organizations in the country. But Mr. Meany, like many other people, can be fallible; he can be wrong.

I remember from my college days what Sir Richard Steele said about the Church of England and the Church of Rome in one of his essays, "The one is infallible and the other is never wrong."

One cannot quite claim that for an individual, and so he can be wrong.

I tried to make it plain that this was a matter of principle and that I thought we had the people on our side. But people are being called names. Mr. President, anybody can call one a name, but that does not make him what he is called. Mr. Meany called me a windbag. He called me other things, too. It does not make me a windbag.

I am reminded of a story that Mr. Lincoln used to tell about two men who were arguing and fussing. Finally one of the men said, "If you call a sheep's tail a leg, how many legs does that sheep have?" He said, "Five." The friend said, "Oh, no. Calling a sheep's tail a leg does not make it a leg."

And calling me a name does not make me that. But there is enough of a charitable spirit in me to overlook that, because it is the atmosphere in which we live, and so I accept it for whatever it is worth.

Mr. President, I am about to present to the Senate a discussion dealing with 16 different arguments that have been advanced in favor of repealing 14(b) and against the position that we take. It will take a little while. Before I start, perhaps I should tell Senators that the memorandum is 34 pages long. If any Senator wishes to go out and get lunch, he is free to do so. I would like to go to lunch myself, but I cannot. So with that fair warning, here we go.

Some 100 years ago a man of great wisdom and compassion for his fellow man, the 16th President of the United States, Abraham Lincoln, made a statement on liberty which clearly defines the meaning of today's debate. He said:

> We all declare for liberty, but in using the same word we do not mean the same thing. With some the word "liberty" may mean for each man to do as he pleases for himself and the product of his labor; while with others the same word may mean for some men to do as they please with other men and the product of other men's labor.

That ends the quotation from Abraham Lincoln.

Unfortunately, we have ignored the words and wisdom of this man, and in the past few decades thousands of American workers have lost their liberty, their freedom of choice. Thousands of rank-and-file union members are victims of compulsory union membership.

Today we are here to discuss whether or not the Federal Government should enact legislation that would legalize compulsory union membership in all 50 States, legislation that, by all evidence, would benefit only a handful of the people in this country—the union leaders who demand compulsory unionism because they know it is the key to limitless political and economic and ideological power.

What makes this so appalling to many Members of the U.S. Senate, and most Americans, is that the men leading the fight to repeal section 14(b) of the Taft-Hartley Act are the same ones who have expressed the most concern for the civil and human rights of all Americans.

For example, Mr. George Meany said, in a column written for Victor Riesel on July 12, 1965:

> Experience has taught that any movement which opposes freedom of association, conscience and worship, any government which denies its people these basic human rights, any regime which prohibits free trade unions is hopelessly reactionary—regardless of how radical it may pretend to be or how revolutionary its slogans may sound.

Mr. President, that is not the Senator from Illinois speaking. That is my friend Mr. George Meany, the president of the AFL–CIO.

Walter Reuther said on March 15 in Selma, Ala.:

> When you deny freedom to any person, you are destroying your own freedom.

I carried in my pocket for a long time a little verse, but I lost it. At the moment I can reconstruct only the first

line, although it made a deep impression. That line was:

When freedom fails, no man escapes.

Nothing truer was ever written. Our Secretary of Labor, Mr. W. Willard Wirtz, perhaps in a sense, and I say it in a kind sense, the most paradoxical of all advocates of compulsory unionism, said not long ago:

The large edifice of civil rights is dependent on equality of employment opportunity. If men are to be truly free in accord with the tenets of democracy, then they must be free to seek a livelihood without prejudice.

That is not the Senator from Illinois speaking. That is the distinguished Secretary of Labor, and a member of the incumbent administration.

Finally, one of the most ardent supporters of the Texas right-to-work law and the Taft-Harley Act, and a former Senator from that great State, once said:

I have never sought, nor do I seek now, the support of any labor bosses dictating to freemen anywhere, any time.

I am not going to tell the Senate who that was. Senators will have to guess. But I do not believe they will have difficulty in guessing.

This same gentleman, highly respected, highly honored, and highly revered, said in his state of the Union message last January:

Ours is a history of freedom and of concern for all freemen. We are dedicated to freedom from arbitrary power, not merely for Americans, but for all.

Then there comes later a man, who by his words is greatly concerned with the need for self-determination by the people in Africa, Asia, and other countries, calling for changes in the Taft-Hartley Act, including section 14(b), that would mean a return to nationwide compulsory union membership.

Do these men truly believe in civil and human rights, including the right of an individual to freedom of choice or are they so beholden to a handful of power-hungry leaders that they will sell their souls to Lucifer?

If the latter is true, they can be described only in the words of that great Revolutionary liberal Thomas Paine, who said:

It is impossible to calculate the moral mischief that a certain type of approach has produced in our society.

I had better leave the next sentence out, Mr. President, because it is a pretty stern sentence. I will delete it.

Even though voluntarism has universally regarded as a fundamental principle of our American way of life throughout the history of the Republic, we now have a Federal law that permits a supposedly free citizen to be forced into a labor union except in those States which have enacted right-to-work laws. In the remaining States an individual can be compelled to join a union as a condition of earning a livelihood.

Union-company agreements requiring all workers to be union members are inappropriately called "union security" or "union shop" contracts. They were legalized in 1935 by the passage of the National Labor Relations Act, otherwise known as the Wagner Act.

Mr. President, I was serving my second term in the House of Representatives when the Wagner Act was enacted by Congress. However, increasing public rebellion against the element of compulsion in the union movement led Congress to include section 14(b) in the Taft-Hartley Act.

This all-important section recognized and reaffirmed the historical right of the States to outlaw compulsory unionism.

There is a point, Mr. President, that I emphasized only a short time ago to make sure that the issue was abundantly clear; namely, the right of the States to legislate in that field if they so desired. If they do not want to do so, that cannot be my concern, but that is the nub of the issue.

Section 14(b), which must sound highly cryptic to lots of people, and which is just now creeping into crossword puzzles, strangely is very simple and the RECORD should show the exact language. I shall read it:

Nothing in this act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

That is how simple it is. I fancy it has had much to do with that surge of feeling that is becoming so readily evident throughout the country.

Speaking in the Senate on June 6, 1947, the late Senator Robert Taft, coauthor of the act, explained the purpose of section 14(b). Incidentally, he was a great statesman whom I was honored to nominate at the National Convention in Chicago in 1952. This is what Senator Taft stated:

Many States have enacted laws or adopted constitutional provisions to make all forms of compulsory unionism illegal. It is not the intent of Congress to deprive the States of that power.

That is the point. It is the right of the State to do it if it so desires; if its legislature feels that way and if the Governor signs the bill, or if they override the Governor's veto. That should be their prerogative in a country where the States and those who represented the States in the Constitutional Convention in 1787 were safeguarded by that residual clause in the Constitution.

The right of States to prohibit compulsory union membership has been challenged repeatedly by union officials. But that right has been upheld consistently by the judiciary, including the U.S. Supreme Court.

Mr. President, I must suspend for a moment to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Is it in violation of the Senate rules if the Senator from Illinois asks one of the page boys to go to the restaurant and bring him a glass of milk? If it is in violation of the rules I will forget it.

The PRESIDING OFFICER. There is nothing in the rules to prohibit the Senator from requesting a glass of milk.

Mr. DIRKSEN. I thank the Chair, because water becomes pretty thin after a period of time. My lunch today will be a tall glass of milk.

The constitutionality of the right-to-work measures adopted by Nebraska, North Carolina, and Arizona was the concern in 1949 by the U.S. Supreme Court. The decision was written by Justice Hugo Black, once a Member of this body, and a distinguished Member, with the variant concurrence of all other Justices. That was the case of *Lincoln Union* v. *Northwestern Co.*, 335 U.S. 525 and 531. The following are some of the highlights:

It is also argued that the State laws do not provide protection for union members equal to that provided for nonunion members. But in identical language these State laws forbid employers to discriminate against union and nonunion members. Nebraska and North Carolina, thus command equal opportunity for both groups of workers.

But Justice Black goes on to say in this same case:

Much of the appellant's argument here——

Meaning the union's argument——

seeks to establish that due process of law is denied employees and union men by that part of these State laws that forbids them to make contracts with the employer obligating him to refuse to hire or retain nonunion workers.

But that part of these laws does no more than provide a method of aid enforcement of the heart of the laws; namely, their command that employers must not discriminate against either union or nonunion members because they are such. If the States have constitutional power to ban such discrimination by law, they also have power to ban contracts which if performed bring about the prohibited discrimination.

The court continues in that same decision:

There cannot be wrung from a constitutional right of workers to assemble to discuss improvement of their working standards, a further constitutional right to drive from remunerative employment all other persons who will not or cannot participate in union assemblies. The constitutional right of workers to assemble, to discuss and formulate plans for furthering their own self-interest in jobs cannot be construed as a constitutional guarantee that none shall get and hold jobs except those who will join in the assembly or will agree to abide by the assembly's plans.

But the court continues:

Claiming that the Federal Constitution itself affords protection for union members against discrimination, they (the unions), nevertheless assert that the same Constitution forbids a State from providing the same protection for nonunion members. Just as we have held that the due process clause erects no obstacle to block legislative protection for union members, we now hold that legislative protection can be afforded nonunion workers.

The court continues:

Precisely what these State laws do is to forbid employers acting alone or in concert with labor organizations deliberately to restrict employment to none but union members.

In legal briefs presented to the court, attorneys attacking the validity of right-to-work legislation asserted "that the right-to-work as a nonunionist is in no

way equivalent to or the parallel of the right to work as a union member."

The court ruled as follows:

We deem it unnecessary to elaborate the numerous reasons for our rejection of this contention of the appellants (the unions).

Nor need we appraise or analyze with particularity, the rather startling ideas suggested to support some of the premises on which the appellants' conclusions rest.

The court refers to that argument against section 14(b) as "startling"—and no wonder.

Mr. President, freedom of individual choice is the bedrock upon which the right-to-work laws rest. The right to work is a basic personal liberty of freedom of association, guaranteed by the first amendment of the Bill of Rights, the same amendment that protects freedom of religion, speech, press, and assembly, and the very same amendment which constitutionally protects the right of unions to exist as private associations.

Justice Wenke, in Hanson against Union Pacific, summed up the essence of the individual's freedom to associate or not to associate in terse language.

We think the freedom of association, of freedom to join or not to join in association with others for whatever purposes such association is lawfully organized, is a freedom guaranteed by the first amendment.

Mr. President, that could not be said better or in shorter form That opinion is found in 71 Northwestern Reporter, Second Edition, 545, 546.

The importance and fundamental character of these rights are not only recognized in American constitutional law, but they are attested by express recognition in the Declaration of Human Rights, approved by the General Assembly of the United Nations in 1948.

Section 1 of article 23 of the U.N. Charter provides:

Everyone has the right to work, to free choice of employment, to just and favorable conditions of work, and to protection against unemployment.

Then, if we refer to article 20 of the U.N. Charter itself, we find that that section states:

1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

Mr. President, I do not know how to account for these interesting double standards. We summoned the leaders of the whole world to San Francisco in 1945. I shall never forget it. I was in the little country of Lebanon, on the Levantine coast. I had gone to see a member of the faculty—for all I know, the president—of the American University at Beirut. He spoke perfect English. He was a professor of electrical engineering and held a high station in his Government. He had never been on an airplane in his life. President Roosevelt sent a plane for him. The plane went to Egypt. To get to Egypt, my distinguished friend in Lebanon had to travel in a smaller plane to get to Cairo or any other good place for a takeoff. It alarmed him a little. I spent all afternoon giving him encouragement. I said, "I have flown all over the world." I told him I had flown the North Atlantic when it was not as easy or as fast as it is today. I finally got him to come to that plane, then to New York, and then to San Francisco, where the world leaders, moved by noble purposes, were undertaking to fashion an organization that ultimately would develop stability and lasting peace, noble purposes, and great undertakings for the expansion and the enjoyment of living of all mankind.

So we had a hand in shaping that charter. There are now 113 countries, I believe, which are members of the United Nations. One must watch the press every morning to make sure that he knows the accurate count, because another country might have gotten in the night before. There are many nations in the United Nations.

This is the charter under which they labor in the General Assembly. We said this is good for the world and for ourselves included. We subscribe to that charter.

The second item in article 20 provides:

No one may be compelled to belong to an association.

That is good for Texas, because they have it there. It is good for Virginia; they have it. It is good for 17 other States. It is good for the nations because they said so when they subscribed to that charter. We are now asked to renege on this principle and to take it out of our laws by denying to the States the right to legislate in that field. That, to me, is clearly an astonishing thing.

In country after country in the free world, the right to work or the freedom of association—or both—is embedded in the law and is held to invalidate compulsory union membership.

In Belgium, the Netherlands, Austria, Denmark, Switzerland, and France these rights are protected by code or a statutory provision. In Western Germany they are secured by the postwar Bonn Constitution. In those countries the dignity and liberty of the individual are accorded a higher degree of respect than in many of our own States, despite our vaunted fidelity to liberty and our Bill of Rights which, in this field at least, are all too often honored in the breach. Because of the existence of section 14(b) of the Taft-Hartley Act, all 50 States are now empowered to adopt right-to-work laws. All forms of mandatory union membership are presently forbidden by the laws of 19 States.

These laws protect the individual's right to work at his job, whether he is a union member or not. They forbid discrimination against either union members or nonunion members.

This traditional right of the States is threatened by bills calling for the repeal of section 14(b). Union officials have failed in their repeated attempts to nullify these laws at the State level, with one exception, and are now demanding that Congress do their bidding.

Twenty States had right-to-work laws. However, that law was repealed in Indiana. It will be rather interesting to follow the political destiny of that State over the next 2 years and to see precisely what will happen to those good Hoosiers out in the Middle West. They are my neighbors, and they are good people.

Repeal of section 14(b) would shatter industrial harmony by automatically imposing union membership, and would also strike down all of the existing 19 State right-to-work laws.

Organizations, fortified with talent of all kinds, legal, propaganda, and so forth, rather quickly discover that it is easier to deal with one legislature than with 50. It is easier to deal with a national legislature than it is to have to go to the capitals of the 50 States, including Alaska and Hawaii, although I doubt whether those who are interested would shrug particularly at the thought of a trip to Hawaii. But here is the National Legislature, the Congress, only one body. That makes an easier dish, and so they have come here. They have had their opportunity to speak for the repeal of section 14(b) during House and Senate hearings.

Every reliable survey of public opinion reflects overwhelming opposition to the practice of forcing working men and women into labor organizations. Virtually every Representative who polled his constituents on this issue found that the people of his district were against compulsory unionism. All but a handful of Members of Congress conceded that their mail ran overwhelmingly against the radical proposal.

Most organizations and associations actively interested in public affairs are on record against repeal. Union shops candidly admitted that they cannot get their membership to support repeal with letters to Congressmen. They have gotten some, to be sure, but what was astonishing to me was the vast amount of union mail supporting the position that we take, against the repeal of 14(b).

Unnumbered thousands of representative citizens have written letters to their newspaper editors on this subject, and almost all major newspapers in the country have arrayed themselves against repeal.

Now for the argument. The demand for the legalization of compulsory union membership is difficult to understand in view of the generation-long battle fought by the labor unions against "yellow dog contracts." Devised by management, these onerous agreements made joining a "company" union or agreeing not to join a union a mandatory condition of employment. To free labor from such coercion, "yellow dog contracts" were made unlawful by National and State law.

Today, union labor leaders are demanding that their own version of a "yellow dog contract" be legalized. This is called a union shop agreement.

Under such an agreement a new employee must join a particular union within a specified time, usually 30 or 60 days, or lose his job. The union may be a good or bad union. It may be loyal to the workers and to the Government, or it may be a Communist-controlled union, disloyal to both. However, no matter. The employee must join or look for another job.

How can labor unions, which developed as voluntary organizations to free labor from any oppressions of employer power, justify their present program to force men into unions to which they do not wish to belong?

The major arguments in behalf of compulsory unionism—all fundamentally unsound—are as follows:

First. Right-to-work laws do not give anyone the right to work.

Second. Right-to-work laws are anti-union.

Third. Right-to-work laws promote labor strife.

Fourth. Right-to-work laws deny trade unions their right to gain union security through collective bargaining.

Fifth. Right-to-work laws violate the majority rule principle.

Sixth. Right-to-work laws permit "free riders."

Seventh. Other organizations, such as the bar association, have compulsory membership.

Eighth. Right-to-work laws stifle a State's economic growth.

Ninth. Right-to-work laws violate the employers' and unions' "freedom of contract."

The facts refute the fallacies inherent in all of the arguments. Let us take a careful look at each one and see how.

First, that right to work is a fraud.

One, the advocates of compulsory unionism argue that a right-to-work law is a fraud because it does not give anyone the right to work.

This argument erroneously implies that proponents of right to work are misrepresenting the facts regarding this legislation. Popular support for right-to-work laws are based upon a correct understanding of the basic principle involved That principle is the freedom of the individual to choose either membership or nonmembership in a labor union without losing his job or being prevented from getting a job.

Right-to-work laws do not give anyone the right to work. But they do protect any employee from being forced to join or pay money to a labor union—or any other private organization—in order to get a job, or hold a job. Conversely, right-to-work laws protect the right of an employee to join a union if he so chooses.

Right-to-work laws do not interfere in any way with legitimate union activity. They do not restrict the right of employees to organize and bargain collectively with their employers. Right-to-work laws relate to only one issue: compulsory unionism, and the only issue before us is the right of any State to legislate in that field, and deal with it, and accept it or reject it if the State so desires.

Right-to-work advocates are often accused falsely of dishonest sloganizing. Union spokesmen and their apologists use the words "union security" in an attempt to disguise compulsory unionism. They thereby hope to make their use of compulsion palatable to the general public. This is an attempt at deception in pretty nearly, Mr. President, its rankest form. "Right to work" is a legal term with a long history. It was first defined in this country by the U.S. Supreme Court during the 19th century. The Civil War was followed by passage of Federal legislation which denied supporters of the Confederate cause the right to engage in their professions. Defining the "right to work," the Supreme Court nullified this spite legislation. Right-to-work laws are aptly and honestly named in that they protect the individual's inherent right to work whether he is or is not a union member.

But the issue before us is not a right-to-work law; it is a section in the Taft-Hartley Act which has been repeatedly upheld as constitutional by the courts of this country, including the U.S. Supreme Court, and it has been there for the past 18 years.

Now, they would like to refer to this—and perhaps we had better call this by the Roman numeral II—"the right to wreck."

The second major argument describes right-to-work laws as really right to wreck laws. The union bosses—Mr. President, I think I would like to strike that word "bosses" and say "the union leaders"—describe them as laws designed to destroy the labor movement by discouraging workers from becoming union members.

When anyone takes the position that a strong labor movement is dependent upon compulsory unionism, he is saying in effect that no one would belong to the union unless forced to join.

America's working men and women have clearly demonstrated that they will voluntarily join and support those unions which effectively represent the best interests of their members.

The history of the union known as the Communications Workers of America illustrates how a union can grow and prosper without compulsory membership. Virtually all of its members work under collective bargaining contracts which stipulate that employees represented by the CWA are free to join or not join the union. Between 1934 and 1951 the railroad unions were prevented by Federal law from compelling membership. Despite this prohibition, the railroad unions trebled their membership during that 17-year period.

I might refer back a moment, Mr. President, to the so-called Communications Workers of America, of which Joe Byrne is the president. That humble man down in Appomattox, Va., who wrote me a longhand note, was a member and is a member of the Communications Workers. In the letter he said, "We have a good union." They do; and Joe Byrne has given it good direction. It did not have to depend upon compulsion to get members or to keep the union intact and make it an effective force.

What the language of the right-to-work laws obviously indicates is borne out by the practical experience of unions in right-to-work States. Numerous statistical studies demonstrate that unions have had no less success in organizing employees in States which have right-to-work laws than they have had in other States. In fact, from all indications, they have had more organizing success in the right-to-work States. This should not be surprising when one takes into consideration the fact that right-to-work laws protect union membership as fully as they protect nonunion membership.

For example, the Texas right-to-work law, one of the earliest, is representative. It provides:

> SECTION 1. The inherent right of a person to work and bargain freely with his employer, individually or collectively, for terms and conditions of his employment shall not be denied or infringed by law, or by any organization of whatever nature.
>
> SEC. 2. No person shall be denied employment on account of membership or nonmembership in a labor union.

Mr. President, that is the law in the largest, unfrozen State in the Union—the great State of Texas, the home of our President. They have had this law for some time, and I have heard the Governor of that State come to Chicago and, before a large luncheon group, defend it with all the vigor at his command. I am referring, of course, to Gov. John Connally.

It will be observed immediately that the Texas law, like its counterparts in the other right-to-work States, extends precisely the same protection to union membership as it does to nonunion membership. As a matter of fact, union members have frequently resorted to right-to-work laws for protection against employer discrimination. See, for example, *Lunsford* v. *City of Bryan*, 156 Tex. 520 (1957).

This fact is what made Mr. Justice Black regard the union challenge to the constitutionality of the right-to-work laws as so "startling." In the leading Lincoln Federal Labor Union case of 1949 (335 U.S. 525, 532), he said:

> It is also argued that the State laws do not provide protection for union members equal to that provided for nonunion members. But in identical language these State laws forbid employers to discriminate against union and nonunion members.

Justice Black learned in this case that when referring to the right-to-work laws as "right to wreck" laws, union leaders use language in a peculiar way. What they really mean, he discovered, is that the right-to-work laws have the unfortunate quality—from the point of view of the union leaders—of giving equal employment right indiscriminately to union and nonunion employees.

In view of the evidence, it is genuinely surprising that unions continue to refer to them as "union busting" measures. The evidence proves otherwise.

III. PROMOTE STRIFE

The third major argument presented by the union bosses is the right-to-work laws promote strife and disrupt industrial peace.

This argument falls completely apart by merely referring to the testimony of George Meany, president of the AFL–CIO, presented to the House Labor Subcommittee on May 25. Mr. Meany admitted that union demands for compulsory unionism are a major cause of industrial strife.

Union officials, in an effort to enforce their demands for making union membership a condition of employment, often foment strikes which lead to acts of violence.

For example, in June 1965, there was a bloody and bitter strike of electrical workers in Garrett, Ind.—a strike called as a result of the union's demand for a union shop agreement. During the strike, pickets held more than 70 workers, mostly women, hostage overnight; set off fire and broke out windows in the building where they were held captive; and burned and wrecked automobiles with gasoline and other fire bombs.

And only 6 months before this strike, the Indiana labor bosses were demanding the repeal of Indiana's right-to-work law on the ground that only by eliminating the worker's freedom to join or not to join a labor organization could labor-management peace and tranquillity be attained.

Instead of "peace and tranquillity" the repeal of Indiana's right-to-work law has erupted into an epidemic of coercion of both management and the individual worker. Repeal, in effect, constituted a directive to a certain element in the union hierarchy to resort to all illegal and violent procedures at their command to force both management and workers into the bondage of compulsory membership contracts.

It is simple fact that every known study of the subject, including those of the Bureau of Labor Statistics of the Department of Labor, show that in States which permit compulsory unionism almost twice as much time is lost because of work stoppages as is lost in right-to-work States.

Rather than encourage strife, right-to-work laws actually contribute toward harmonious union-management relations. They remove the explosive issue of compulsory union membership from the collective bargaining table.

Irresponsible and lawless behavior by union officials can only be curbed by the rank-and-file members—provided the members are free to withdraw from the union without forfeiting their jobs.

UNION SECURITY

The union hierarchy next claims that right-to-work laws deny the American trade unions their right to gain union security through the collective bargaining system and, they claim, union security, the very strength of the union, depends upon universal acceptance of membership.

This argument is absurd, since it is a simple historical fact that the unions have vastly increased their economic and political power in the last 30 years. Today, as we all know, any one of the number of unions can tie our economy into knots in a matter of hours.

Donald R. Richberg, a lifetime fighter for the legitimate rights of labor, coauthor of the famed Railway Labor Act of 1926 and the National Industrial Recovery Act of 1933, said in his book, "Labor Union Monopoly—A Clear and Present Danger," that:

> Americans are more-out-of-date and ill-informed concerning the realities of the labor movement in the United States than they are in any other area of public interest. Fifty years ago, the picture of a labor union as a weak, idealistic organization of downtrodden workers struggling against an oppressive concentration of property power was often accurate. Any such picture of an established union today is not merely ridiculous; it is willfully or ignorantly untruthful.
>
> Today the greatest concentrations of political and economic power in the United States of America are found, not in the over-regulated, over-criticized, over-investigated, and over-taxed business corporation, and certainly not in their hag-ridden, brow-beaten, publicity-fearful managers. The greatest concentrations of political and economic power are found in the under-regulated, under-criticized, under-investigated, tax-exempt, and specially privileged labor organizations, and in their belligerent, aggressive, and far-too-often lawless and corrupt managers.
>
> During the last quarter century, while the American people kept vigilant guard against the formation of business monopolies, numerous labor union monopolies have been established behind their backs. These new and hidden monopolies—of which the public, bemused by carefully fostered misconceptions, remains blissfully unaware—carry with them all the dangers of any monopoly: the tendency that unlimited power concentrated in a few hands will be used irresponsibly for personal or collective aggrandizement rather than for the common interests; the ease with which that power can, by direct or indirect pressures, bypass the established rules of law and order; the extreme difficulty of correcting concentrated power when it has grown corrupt.

It is also hardly debatable that a voluntary organization of workers united for self-help is inherently a much stronger organization than a union composed to a considerable extent of unwilling members. To argue that compulsion is necessary for union "security" is to argue that the union bosses could not organize a union without the power of compulsion.

Many of the strongest friends of organized labor have pointed out on various occasions that the strength of unionism would be greatly weakened by converting them into compulsory, monopolistic organizations which, if legally permitted, would inevitably require detailed regulation by Government which would otherwise be unnecessary.

Voluntary union membership for Federal employees was formally established by Executive Order No. 10988 which set up labor-management relations for the Federal Government with its employees.

Then Secretary of Labor Arthur Goldberg commented on this Executive order and voluntary union membership in a speech on January 20, 1962, in Washington, D.C., at a dinner meeting of the American Federation of Government Employees.

I am referring to Hon. Arthur Goldberg, who has been a close and intimate friend of mine for 25 years or more. He has had a great career as a brilliant labor lawyer and as counsel for the AFL–CIO. He was a member of the Council on Labor Relations Law of the American Bar Association. He was appointed as a Justice of the U.S. Supreme Court and confirmed by this body. He was selected as Secretary of Labor and confirmed without a dissenting vote of the Senate. Now he is a distinguished U.S. Ambassador to the United Nations and has gone many places to carry out work in the interest of peace. I regard him as a profound and able person. I quote what Mr. Goldberg said:

> Now there is another thing. We all want to preserve the merit system for entry and retention in the Federal service. I had my share of winning the union shops for example for unions in private industries, but I know you will agree with me that the union shop and the closed shop are inappropriate to the Federal Government. And because of this, there is a larger responsibility for enlightenment on the part of the Government union. In your own organization you have to win acceptance not by an automatic device which brings a new employee into your organization, but you have to win acceptance by your own conduct, your own action, your own wisdom, your own responsibility and your own achievements. And let me say to you from my experience representing the trade union movement that this is not a handicap necessarily. This is a great advantage because very often the union shop has been very much justified in private industry as a result of modern development. Very often even the union that has won the union shop will frankly admit that people who come in through that route do not always participate in the same knowing way as people who come in through the method of education and voluntarism. So you have an opportunity to bring into your organization people who come in because they want to come in and who will participate, therefore, in the full activity of your organization.

That great liberal Supreme Court Judge, Louis Brandeis, had this to say on the subject:

> The union, in order to attain or preserve for its members industrial liberty, must be strong and stable. It need not include every member of the trade. Indeed, it is desirable for both the employer and the union that it should not. Absolute power leads to excesses and to weakness: Neither our character nor our intelligence can long bear the strain of unrestricted power. The union attains success when it reaches the ideal condition, and the ideal condition for a union is to be strong and stable, and yet to have in the trade outside its own ranks an appreciable number of men who are nonunionists. In any free community the diversity of character, of beliefs, of taste—indeed mere selfishness—will insure such a supply, if the enjoyment of this privilege of individualism is protected by law. Such a nucleus of unorganized labor will check oppression by the union as the union checks oppression by the employer.

That is the end of the quotation from Justice Brandeis.

All the experience we have had since the beginning of the century bears out the views expressed by Justice Brandeis. To the degree that corruption exists among unions today—and the McClellan committee hearings demonstrated that there is much, too much—the remarkable fact is that it is concentrated exclusively among unions which practice one or another form of compulsory unionism.

That no well managed union needs compulsory membership to gain "security" has been demonstrated by actual experience in the railroad industry.

From 1934 to 1951, all unions covered by the Railway Labor Act were under what has now come to be known as a right-to-work law. Section 2, 11th of the act provided that membership in covered unions must be voluntary, not compulsory. It was during this period

that the railroad union movement became strong and effective. The membership in railroad unions under that right-to-work law trebled in 17 years. The influence of the railway unions under that law expanded to the point that in 1951 they represented 94 percent of the rail trackage in the United States.

Having reached that position of great strength under voluntarism, union officials went to Congress and asked it to legalize compulsory unionism.

During hearings on the subject held by the House Committee on Interstate and Foreign Commerce the unions actually conceded that they did not need a union shop for union security. George Harrison, president of the Railway Clerks and chief spokesman for the railroad unions made this point clear in his testimony. When asked by Congressman HARRIS whether the union shop would strengthen the unions' bargaining position, he replied:

> No, I do not think it would affect the power of bargaining one way or the other, Congressman HARRIS * * * if I get a majority of the employees to vote for my union as the bargaining agent, I have got as much economic power at that stage of development as I will ever have.

Sylvester Petro, professor of law at New York University, summed up the case against this argument in a recent essay on 14(b). He said:

> As Justice Brandeis so wisely observed, the human character is fallible; it is never at its best in a situation of unrestrained power. Just as businessmen need the market check of free competition to remind them persistently that their job is to serve consumers to the best of their ability, so too union leaders need market checks to remind them that their job is to serve workers, not to master or abuse them. The basic check for businessmen is the right and the freedom of consumers to quit buying their products. In the same way, the basic and most effective check for union leaders is the right and the freedom of workers to refuse to become members—or to resign their membership when they feel abused—without losing their jobs. All the policemen, bureaucrats, and judges in the world could not duplicate the restraining effect upon union corruption that an inability to secure members, or to keep them, has.
>
> In the light of these considerations, the contention of union leaders that they must practice compulsory unionism if they are to be strong and responsible carries a singularly light weight of conviction. Union leaders are men like other men. If unions are to acquire enduring strength they must do so by persuading workers, not coercing them, to the belief that their interests will be served most effectively and responsibly by joining unions.

That is the end of the quotation from Professor Petro of New York University.

I proceed now to the argument on majority rule.

MAJORITY RULE

The next argument states that right-to-work laws violate the majority rule principle, that if a majority of employees vote to organize a union, it is undemocratic to prevent a union from entering into a collective bargaining agreement which provides for union security.

This is a wholly fictitious argument because our labor laws, enacted through the demands of unions themselves, already require the minority of employees who are not members of a labor union to accept the terms and work under the contracts of the majority.

A collective bargaining agreement which provides for union security compels all employees to belong to the union as a condition of employment. There is nothing democratic about the tyranny of an unrestrained majority. Compulsory unionism is clearly a form of totalitarianism, in that it tramples the rights of the minority.

The individual citizen has rights which the governing majority may not transgress. He must abide by the will of the majority as expressed in a free public election. But he cannot be compelled to join the political party of the majority.

Under the U.S. Constitution, only the Government has the sovereign power to compel submission to rule, and its power is limited by the protection enjoyed by minorities under the Bill of Rights. The very purpose of the Bill of Rights is to lay restraints upon the majority for the protection of the fundamental rights of minorities. Under constitutional government majority rule cannot be employed as an instrument for the obliteration of minority rights.

In talking about "majority rule," union spokesmen erroneously assumed there is no difference between public government and private labor organizations, so far as power over the individual is concerned. Sovereign rights cannot be claimed by a labor union or any other private organization. If a minority of employees does not want to be unionized, no democratic principle will support action which compels that minority to join the union of a majority.

Some union leaders have recognized the value of voluntarism in the matter of union membership and the dangers inherent in compulsion. Warren S. Stone, for many years grand chief engineer of the Brotherhood of Locomotive Engineers, is on record as follows:

> I do not believe in forcing a man to join a union. If he wants to join all right; but it is contrary to the principles of free government and the Constitution of the United States to try to make him join. We of the engineers work willingly side by side with other engineers every day who do not belong to our union though they enjoy without any objection on our part the advantages we have obtained. Some of them we would not have in the union; others we cannot get.

In 1953, Guy L. Brown, grand chief of the Brotherhood of Locomotives Engineers, told a reporter for a national magazine that his union did not ask Congress for the union shop and had actually opposed it as a matter of policy.

He went on to say:

> We support it only on individual roads where other unions have put it into effect. Engineers just simply resent being told they must join anything. We still think that labor in the long run has a good-enough product that you won't have to force men to join. We must go along on a union shop in some instances where it is necessary because of the possible encroachment upon our membership by some other organization.

As Donald Richberg said:

> The claim of democratic majority rule by compulsory unionism is a pure fraud. Our democratic theory of majority rule is based on the preservation of minority rights and minority opposition and the possibility of shifting the majority power. But when the workers are required to join and support a union regardless of their desire to oppose it, the whole democratic basis of majority rule disappears. It is supplanted by a monopoly rule which has no place in a democratic society.

The next topic in this argument would be topic VI, the so-called free rider argument. I think I have continued sufficiently long. I have quite a number of people to see yet this afternoon. So I now suggest the absence of a quorum. Mr friend, the distinguished Senator from Utah [Mr. BENNETT] will follow me in this discussion.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I move that the order for the quorum call be rescinded.

The motion was agreed to.

Mr. BENNETT. Mr. President, I appreciate the courtesy of the Senator from Illinois in changing the normal pattern of this exercise, so that I might have enough time to place in the RECORD a substantial amount of what I intended to say while the Senate was still in session.

Before I enter into a serious discussion of the problem, I have two interesting obligations to fulfill. The first is based on a telegram I received on October 12, last year from Jerrold J. Myrup, president of local No. 750 of the Typographical Union of Provo, Utah.

Mr. Myrup's telegram reads as follows:

PROVO, UTAH,
October 12, 1965.

Senator BENNETT,
U.S. Senate,
Washington, D.C.:

We are sending you this telegram to let you know how disappointed we are in you. Your vote on cloture we mean. Last year the people of the State of Utah elected Senator Moss, Representative KING, Governor Rampton, and President Johnson by large majorities. They were elected on the platform which included repeal of right to work. The telegram that was sent to you by BYU students was a shame. How many of the 2,000 students are of voting age and are even registered? How many of them are even citizens of the State of Utah? Think it over and vote for repeal of section 14(b). Have you the courage to read this on the Senate floor?

JERROLD J. MYRUP,
President, Local No. 750,
Typographical Union.

I believe the RECORD will now reflect that, if it required any courage to read that telegram on the Senate floor, it has been read. That brings me to the other telegram which this gentleman said was a shame. This is a telegram signed by 2,000 students of Brigham Young University. It is 56 feet long.

I believe that I have the same obligation to these students to read this telegram that I had to read Mr. Myrup's

message. In the beginning of the telegram it states:

We, the undersigned, as citizens of the United States of America—

That answers Mr. Myrup's first question.

The telegram reads as follows:

PROVO, UTAH,
October 14, 1965.

Senator WALLACE F. BENNETT,
U.S. Senate Office,
Washington, D.C.:

We, the undersigned, as citizens of the United States of America, being keenly aware of our heritage, desire to express our continued support and allegiance to the traditional constitutional principles that our Founding Fathers sacrificed so much to establish for the benefit of their posterity. The greatness of our country lies in its respect and desire to maintain the freedoms guaranteed to the individual in the Bill of Rights. It is with these thoughts in mind that we find it necessary to express our concern regarding legislation presently before the Congress of the United States of America; in particular the proposed repeal of section 14(b) of the Taft-Hartley Act.

We cannot support any movement which may, in effect, deprive the individual citizen of the freedom of acquiring gainful employment free from the direct influence of collective bargaining through labor unions should he choose to do so. We cannot support any movement which would tend to weaken, or dilute the free agency of man. An agency established by the Creator for the benefit of mankind, and which we feel a responsibility to do all in our power to preserve and strengthen. How can it be fair and just for all those concerned when, as a condition of sustained employment, membership in a union organization is required? Should not the individual have the right to express his free agency as a contributor to the economic sphere of America?

We believe this right can and must be preserved, and that the personal liberties of each citizen must be safeguarded at all costs. Therefore we do heartily sustain retention of 14(b).

I shall unroll this 56-foot telegram to let the Senate realize just how extensive it is, and read the names as I go down the list. The names are:

Mary Kaye Thurston, Richard Flint, Denice Barainca, Susan Tout, Gerald Stott, Irma Ruiz, Marilyn Smout, Helen Robison, Mary Ann Braia, David Adams, Carol Ann Schafer, Mr. and Mrs. Glade Barr, Lynn Rowe, Terril Memmort, Dennis Burgi, Ken Nelson, Robert Bair, Gerald Bowns, Patricia Marie Sakisbury, Dan Baker, Ray Cleverly.

Janet Fornalski, John Barainca, Dennis Smith, Gerald Stott, Alvin Mitehill, Charles Eberhard, Robert Hall, Ramon Yorgason, G. Bruce Braithwaite, Reed Bartlet, Gary Hendrix, David Baker, Patricia Hatch, Judy Mitchell, John Winters, David King, John Corless, Sandra Kay Terry, Carolyn Hill, C. Brian Hardy, Ivan Tyler.

Robert Berry, Karin Eriksson, Ruth Jacob, Ray Ann Bowers, David Faulkner, Willard Burge, Mr. and Mrs. Fenton Tyler, Linda Hallett, James Waters, Charla Neilson, Dorothy Anderson, Carolyn Larsen, Joan Ellen Smith, Linda Beebe, Jim Sipe, D'Wayne Baird, Sara Chadwick, Claudia Smith, Jean Drinkwater, Billy Crystal.

Walter Chudleigh, David Kest, Scott Nickerson, Darwin Rygg, Lee Cooper, Noel Reynolds, Sandy Barnes, Marie Butler, Ken Larsen, Connie Brooks, Marianne Bye, Dabbie Rowe, Lynell Bennett, Darlene Tousley, William Simper, Cheryl Deann Nelson, Paula Rust, Sydney Nethercott, Mary Bohn, Edith Larsen.

Dennis Biggs, Lynn Despain, Kenneth Higa, Michael Creasy, Marilyn Johnson, Tina Wilkinson, Karen Andersen, Euleen Clay, Sharon Voutaz, Larae Gardner, Margaret Dyreng, Carole Ann Kennedy, Joanne Harlan, Pamela Dewitt, Jean Johnson, Joan Johnson, Jeanene Sprague, Margaret Brown, Karen Arthur, Shauna Knight, Lowell Coy Barber, Barry Romney, Elizabeth Kirk, Jeff Jacobsen.

Taunita Stock, Susan E. Cram, Linda Miller, Nancy Sidwell, Roberta Dwigley, Virginia McAllister, Kathryn Dusenberry, Berine Babble, Alice Daly, Karen Colette Nixon, Nadine Maxfield, Janet Thomas, Mary Gartrell, Kathlene Anne Baker, Helen Madsen, G. B. Done, John McTea, Bob Hughes, Rodger Wandy, Gail Miles, Larry Weight.

David Draper, Stephen Nelsen, Kim Despain, Marilyn Lamoreaux, Judy Chadwick, Jan Hanks, Chris Trauntrein, Colleen Shields, Gilbert Guecr, Roger Brient, James Ratos, Rick Winward, Janine Collier, Bobbie Putter, Linda Crabb, Jimmie Chandler, Mary Kay Lawrence, Maxine Ryser, Myrna Scheigel.

Kathy Candland, Jay Las, Milton C. Baker, Wiebeum Pine, Nancy Taylor, Bill Homer, Don Mangum, Dave Groves, Steve Spears, Kathy Slocum, David Hamilton, Frank West, Kathleen Hatcher, Chuck Christensen, Ron Scheson, Gordon Thayne, Renae Huck, Lynne Hammond.

Edwin Beus, Gene Merrill, Dave Tovey, Joseph Johnson, Ole Dunn, Kathleen Dunn, Levier and Linda Gardner, Larry Allen, Brent Alder, John Vanorman, George Ulin, Keith Bates, Keith James, James Berry, Jeffrey Delia, Nancy Stowe, Barbara Jacobsen, Ida Dawn Gubles, Barbara Betner, Lula Gray, Keith Light.

Charlene Billings, Mary White, Terry Delaney, Darrylin Fry, Dean Zimmerman, Mildred Ulbricht, Bruce Galbraith, Rex Friaut, Noel Stewart, Linda Fleming, Tony Martin, Diana Lynn Sorenson, Mary Jane Ludwig, Kathy Olson, Tammy Malmbert, Diane Spagenski, Gail Leavitt, Claudia Wright, Janet Page, Ines Stolworthy.

Marius Christensen, Ronald Lewis, Sharon Corbin, Mary Peterson, Anabel Lee Leslie, Bernell Benett, Preston Kies, Clark Christensen, Clyde Taylor, Kaye Bickmore, William Timmins, David Day, Douglas Wakefield, Val Jolley, Raphel Huntzinger, Joe Parker, Ronald Snouge, Reed Turnbow.

Richard Smith, Val Jones, D. Wade Richards, Carolyn Swenson, Leona Jo Spencer, A. Galla Helmes, Susan Spencer, Keith C. Porter, David Carle Bohn, Lamont Devong, Wayne Turley, Don Jay Brown, Diana C. Rowson, Charles Nodling, Fern Smith, Leta Boyer, Wayne Hansen, Lawrence Hills, Roderick Cameron, R. Q. Shupe, Shari Mecham.

Rosemarie Neal, Varla Burkhart, Erica Feuz, Carol Barrus, John Bingham, Dennis Martin, Samuel Harper, Georgenia Stewart, Kathleen Johnson, H. Scott Margan, Elizabeth, Groberg, Paul Platero, Michael Robinson, M. H. Lightburne, Cass Bettinger, Sherry Beardall, Lyn Clayton, Nancy Birch, Durlin Bailey, Ruth Ann Harrison, Sandra Hemshay.

John Peter Graves, Richard Budge, Duane Huff, Harold Smith, Raymond Cantrell, Cary Howard, Charlotte Chamberlain, Vincent Congreves, Merwin Ladd Biggs, Wilford E. Biggs, Donna Lou Solosabal, Paula Remsburg, Eugene Lane, Floy Crandall, Eldon Hurst, William Ellis Strunk, Phyllis Anderson, George Cobabe, Dorr Hanson, John Dohl, Judith Johnon, Rulon Ballow, Gordan Bissegger.

Donald Schrieder, Carl Hunter, Maxine Bays, N. Carl Tenney, Betty Delph Wilson, Suzie Heaviside, Bill Brady, Stephen Millor, Henry Micholes, Don Hoburg, Burton Reald, Winston Sam Fong, Mark Taylor, John Rigile, Gary Draler, Anthoney Verey Razozzine, Stan Ferguson, Jane Blackielder.

Duane Carling, Susan Neisereau, Elaine Renell, Pafail Johnson, Patricia Steinman, Claudia Smith, Jill Greenwood, Robert Folkman, Rita McMinn, J. Allen Green, Kirk Nielson, Elaine Eastmond, Phyllis Wendel, Thais Carlson, Eloise Davis, Ilene Todd, John Peterson, Cory Allred, J. Ross Taner, Leonard Brimley.

Joel Ketch, Heber Done, Ned Karren, Richard Villa, Gary Poole, Jeff Leblaes, Frank Tuft, Fred Helsmaner, Dick Rees, Keith Higginbotham, Wesley Hoover, Kathryn Luke, Lyle Burnett, Steven Wilson, Rawlin Evans, Bill McCurdy, Charles Rush, Diane Erickson, Rebecca Anderson.

Max Loerlscher, Gary Stevens, Devon Hokanson, Judi Jones, Sarah Jane Keeler, Larry Keeler, John Meacham, Jimmy Hill, Joyce Clawson, Colleen Nilson, Richard Hunt, Mike Ahlstromp, Lynne Ahlstromp, Richard Young, Doug Jacobsen, Steve Jex, John Smith, Gary Clunar, Hubert Larne Crockett, James Frank Anderson.

Marianne West, Dick Clark, Eugene Reynolds, David Hoggerty, Val Judd, Val Bunker, Gayla Bunker, Elizabeth Shellman, Bonnie Baier, Phyllis Nuttall, Neil Smith, Alan Smith, Arnold Hult, Craig Witt, Weiley Hurren, Clayne Yeates, Ivan Emery, L. Loran Lee.

Preston Larson, Beth Clegg, D. M. Youth, Don Gull, John Marshall, Mr. and Mrs. P. H. Cunningham, Rocky Kuoner, Ann Behnmin, Kirk Webster, Alton Percival, Robert Johnson, Keith Norman, Shiekl Montgomery, Lou Jean Willis, Douglas Thompson, Paul Loscano, Larry Clark, Sherry Walder, Mr. and Mrs. M. Kim Sharp.

Margaret Malin, Jerry Fullmer, Reed C. Rasmussen, Dennis Flint, Leroy Dean Bird, Sue Grant, Gerald Tingey Aaron, Dean L. Castle, Garth Moore, Vickey Mickelson, Eleanor Knowles, W. Don Rogers, Janet Rogers, Ronald Lewston, Vernon R. Morgan, Gilbert J. Sandley, Wayne Bevan, Michael Moody, Louise Kerr, Emily H. Josephson.

Jill Roundy, Murlyn Brown, Floyd Smith, Alan Keele, Edmond Wayne Vanlawren, Anthony Albrethsen, Bill H. Taylor, Lennard Gabrielson, J. Norman Smith, Cardell Jacobson, Allen Sambert, Howard Kempton, Franklin Dimich, Juliana Woolley, Ronald Rosade, Dick Smith, Calvin Summer, Blaine Liljenquist, Larry Rands, Jack Hoagland.

Howard Palmer, Preston Nielson, Lynn Bradford, William J. Berry, Lynn Stewart, Bryan Hartley, Robert Bruce Wilson, Orin Dilworth, James Smith, Levere Merritt, Paul Johnston, Malcolm H. Johnson, Wayne Braithwaite, Gary Allen, Fugo Boren, Kjartan Magnusson, Brent Jones, John Dilz.

H. Gerald Pedersen, Robert Fears, Judith Magnusson, Steve Gilbland, Bonnie Anderson, Rosalie Erekson, R. Gayle Hohnan, Pamela Bromley, Keith Latan, Kirt Matthis, Craig Lello, Carolyn Cathey, John Marshall, Alice Clayton, Thomas Taylor, Janine Taylor, Barbara Chaffin, Sanrolane Larsen, Doug Keeler, Robert Gray, Grant Madsen.

M. V. Bond, Myron Hopkins, Judith Gardner, Keith Durfey, Bill Nuttall, Jacquelyn Osborne, Wayne Bingham, Robert Delplain, Evelyn Stiborek, George Cook, Kay Merrill, Judy Walk, Richard Diaper, Jordan Ridel, Bob Winlet, Kenneth Cox, Stephen Taylor.

William Gufforts, Gary Brown, Amel Levy, Ralph Redford, E. Brent Tragun, H. William Thomas, Vernalynn Andres, John S. Andrews, Kathleen Glade, Philip W. Winkler, Mille C. Brien, Royce Henningson, Harold Wilkinson, Mike Twitty, J. Deanne Ferrin, Dennis Dereranx, James Lloyd Lee, Glen Boyle, Nancy Berry, Michael Dickerson.

Craig Smith, Lynda Hunter, Larry Vaughn, Alan Folkman, David Hoskisson, William Halless, Daniel Harrison, Dianne Carter, Neal Thomas, Michael Vanwert, Henry Laisen, Jerry Prigmor, Joan Roylance, Kathy Ostler, Cjus Knaip, Kenneth Gledhill, Stephen Sevuft, Jeff Holl.

Deanne Peterson, Beverly Peterson, Hazel Hughes, Roger Mitroy, Nancy Tate, Carolee Tonk, Davis Tonks, Vicki Enders, Richard Smuin, Kathy Laferty, Michael Barthlomer,

Dixie Pearce, David Butler, Macy Lynne Goodwin, Douglas Smith, Nedra Nelson, Loma Lund, Carl Golden, Ronald Swapp, Ronald Nelson.

Ronald Bischoff, Diane Smith, Lynn Dahle, Michael Sessions, George Hall, Leslie Stuart, John Nieman, Vernon Benson, Linda Wirner, John Miller, Charlotte Smith, Jerry Hawksworth, Shirley Sialey, Harold Clark, Steve Wheatley, Richard Stone, Ernest Baird, Bradford McMullin, Kenneth Holmstead.

Cheryl Kirk, Art Barker, Evelyn Hull, Tony Jeffers, David Hoover, Bennett Bracken, Jim Snarr, Tamara Towler, Dennis Griffith, Hordon Davies, Roger Lewis, Robert Morley, Rodney Hickman, Lames Pritchard, Johnnie Tobler, Ronald Backe, Carwin Peterson, Roger Hogan.

Jay Thomas, Paul Meredith, Dodd Clark, Robert C. George, Harry Brown, Edson Barton, Aldon Gene Tyler, Milton M. Beck, Dwight Clark, Bruce Bennett, Richard Lamb, Keith Brown, Rulon Hohnson, Charles Grace, Joel Tate, Lynn Dittman, Leroy Jones, Georgia Law, Loraine Sims, Richard Wright.

Ronald Hawkins, Denzel Fillmore, James Adams, Casheu Donahoe, Jr., Michael Terry, Leon Young, Richard Whiting, Del Nebeker, John Wagner, David Sawyer, Frederick Huchel, Even Wright, Fred Bush, William Bush, E. William Sigapus, Dennis Hoagland, Janc Hoagland, Franklin Walker, Paul Pack, Laurie Platt, Guy Chamberlain.

Glen Jernon, Kevan Smith, Dennis Berrett, Gerry Weiner, Richard Gribbs, Marcia Gibs, Wilson Cononer, Glen Hopkinson, Richard Rowland, Kenneth Larson, Richard Alderst, Bill Lee, Lee Haney, Patricia White, David Aldred, Wayne Boss, Francis Alder.

James Lamb, Don Williams, Maurice Beaujeu, K. Allan Zahel, James Leo Keller, Gerald Kammerman, Alan Bohl, Gary Eberhard, Carl Palmer, David R. Shorten, David Brown, Kenneth Fugal, Joyce Boyle, Denmark Jensen, Harlan Ashby, David Dahl, Dorothy Anne Fielton, Jeanne Sorenson, Betty Lee Hooker.

Lynette Cardall, Stephen Bardsley, Edward Erdsisak, Stephen Clark, Kent Bradford, Paul Crapo, James Kirkwood, Irene Andreason, Gene Barlow, Bruce Brown, Thomas Mochay, David Palmer, Ron Riggs, Malcolm Young, Tim Puhr, Douglas Nettles, D. Scott Megregor, Ralphel Smith, Ralph Roberts.

Steve Richman, John Lamont, Stanley Morrell, Reid Beers, Michael Kovacs, Sidney Howk, Deloy Pierce, Sidney Howk, Deloy Lawrence, Gary Lawrence, Kenneth Gay, Louis Pope, Donald Ellison, Darl Christensen, Robert Travis, Arthur Draper, Lamont Reaps, Gary Allred, Wila Smith, Robert Christensen.

R. Dennis Ickes, Kent Hughes, Grant Sharp, Lee Barney, Marie Rinquest, Hanle Rinquest, Robert Campbell, James Meldrum, Jr., Ruth Acher, Janet Mealy, Stephen Rich, Marilyn Erickson, Cynthia Hathaway, Barbara Saver, Robert Wilson, William Boardman, Jay Johnston, Don Redd, Joseph Douglas Harris, Steven Jorgensen.

James Riggs, Bruce Allgood, Kenneth Woolf, Kenneth Bevan, Blaine Nichols, Catherine Nichols, Kim Johnson, Ernest Kiltermann, Judy Baugh, Kenneth Fairchild, Marian Roudle, Joanna Haris, Jay Garner, Gary Barron, Richard Paul, Merilynne Rich, Reese Edwin Rugg, Wally Rugg, Sheryl Strong, Kent Eksbrom, Marcia Eksbrom, Gail Marble.

Denna Marble, Ruth Benson, Myrna, Rasmussen, Ramona Marchant, Maria Clark, Glenn Rowland, Janet Irons, Clarence Dent, Oscar Rowland, Margaret Rowland, Mary Deut, Texaicria Rowland, Julia Greenwood, Susan M. Johnson, Betty Child, Alene Montgomery, Jayne Litster, Duane G. Francis.

Daryl Parker, Carl Glassford, Steve Albrect, Allan Brinkerhoff, David Dewer, Dan Passomore, Patti O'Brian, Gordon Harknes, Donne Dee Padden, Kristina Johnson, Lennie Sue Singleton, Kay Bobbel, Anita Edwards, Carma Brescott, Leslie Pugmine, Joan Ruplinger, Jacher Jones, John Judd, Krichard Holdaway, Don Thompson.

Willard Zurcher, Neal Van Alfer, Phil Writ, John Kibler, Larry Snupson, L. Thomas Fife, Garth Nelson, Merrill H. Perman, Rose Ann Finberson, Carole Davis, Jay Sudweeks, Pes Flake, Chall McRoberts, Gordon Kimball, Bob Taylor, Howard Rything, Keith Clayton.

Ed Ginn, Wayno Fortie, James McMelby, Malce Forsythe, Kenneth R. Walker, Selby Herrin, Dianne Astle, Blanche Tomlinson, Laura Davinport, Gordon McDane, Val Wessey, Kathi Sadleir, Donald Allred, Jenkin Vaughn Williams, Laura Mae Reynolds, Diann Morris, Mark Nielson, Patricia Man, Duane Roberts.

Russell Thompson, Kaye Bergquist, Gordon Hinderson, Cheri Clunas, Robert Bushman, Lani Hubbard, Gayle Hanssen, Victoria Cammack, E. Melvin Commack, Brent Julander, John Elbreith, S. Paul Steed, George Rogers, Eilleen Sheffield, Jay Chamberlin, Richard S. Morrison, Carol Ann Goodson.

Pamela Stott, Allen J. Chubbs, Kathleen Childs, Lynn R. Cook, Dianne Pierce, Linda Tate, George Young, Josephine Hanson, Marlene Hanson, Stan Albrect, Linda Kesel, Robert Westover, Pat Snelgrove, Charles Dowist, Bradley Green, Lamar Nybe, Roena Pollart, Dennis Parker.

Dennis Heaston, Mark Bell, Larry Parks, Bayne McMillan, Charles W. Whitaker, David E. Greenwood, Miriam Pamela Jones, Gary Bobber, Gary Johnson, Mar Allan, Hanie Schuson, Robert Valentine, David Geddes, Stephen Wiedner, Corwin S. Lewis, Curt Crandall, Patrese Stosich, Clyde Merritt, Leroy Christensen.

Martin Palmer, David Lorsen, Diane Dennis, Dianne Clyde, Wallace Carr, Karen Day, Edgel Liechton, Thomas B. Payne, Carlan Madshaw, Charles W. Hansen, Charles Richey, Steven Wolsey, Norma Vandaar, Joyce Skiba, Betty Nyholm, Rynn Kerrison, William Stirband, C. Randall Peterson, C. Bruce Barton, Ronald Bennie.

James L. McKumey, Ellis C. Worthen, Sidney Paulson, W. Blake Sonne, Gary Walberger, Barry Nielsen, Richard Douglas, Dennis Riggsly, Douglas Chadwich, Maryln Jensen, Sue Hallstrom, Kay Johnson, Larry Lyman, Trinh Dam, Martin L. Kelly, D. Paul Sampson, Douglas F. Baird, Michel L. Coll.

Harvey R. Self, John Hartvigsen, David Felton, Jerry Brown, Verla Beck, Fay Analla, Carol Anne Schuster, Douglas R. Medlyn, Steve Groat, Lonnie Olsen, Brent Jones, Arthur Reid Nelson, Keith Borrowman, Bruce Bird, Joyce Carnes, David Wilkins, Gary Wood, Stanley Hodge, Max Allenp, Stephen Fitt.

Dan Bachman, Loyd Campbell, Jr., Timothy Wayne Bramm, Monroe Tyler, Gary Brown, Craig Carter, Joseph James Ahlstrom, Russell Killpack, Paul Christensen, Dennis Rushforth, Richard Kennedy, Alan Wardell, Bob Christiansen, Pauline Van Dyke, Lawrence Hood, Stewart Fausett.

Richard Hilk, Paul Harmstan, Berthold Werner, John Cannon, Jon Hazelgren, Wayne Harvey, Bart Mortensen, David Gillingwater, Dale Clark, David Call, Hoover Clark, J. Rodney Day, Ladelle Cook, Arlete Galloway, Judy Goodrich, Lunnette Haycock, Robert Wyatt, Robert Kremer, Mark Haymann, Marvin Jones, Patricia Ann Taylor.

James Steven Good, Kent Harrettp, Paul Mintongrel, Bonnie Brown Marshall, James McDavid, Michael Anderson, Jim Sheffield, R. Kent Horsly, Adrian Stienbaugh, Anita Hebert, Becky Dilworth, Renee Thomas, William Ostler, Neil A. Riddle, Alice R. Bates, Carol Anderson.

Karyne Donald, Ron Snow, Richard Koch, Susan Applegate, Kathy Stephen, Pat Worthineton, David Roel Candland, Diane Stark, Stephen N. W. Newman, Marlin Criddle, Sharon Miller, Karl Miller, John Alen, Laraine Webecke, B. J. Gent, Scott L. Reave, Phil Spears, Milvin Kay Brown, Kay Ryan, Vernon Moon.

David Smith, Charles Hawley, Lucin Wadsworth, David Smith, James Fisher, Ken Carter, Jerry Anderson, Roger Rice, Roy Rose, Daniel Jackson, Val Brown, Gordon Bielzing, Roger Dixon, Rodney Crocket, Richard Anthony, Ken Batson, Patricia McCoy, Stephen Hauley.

Stephen Hays Russell, Douglas Bennion Butler, Raou Searle, Richard Jones, Susie Larson, Nancy Saunders, J. A. Hanson, Von L. Thompson, James Church, James Davis, Lanning Porter, Ried Wilcox, Rulon Smithson, William Waddellern, Alfred Gunn, Sydney Reynolds, Thomas Crockett, Elwis Pettingill, Marvin Stater, Neil Haris.

Dennis McCuder, Thomas Watts, William Rondall, Carol Ann Frischknect, Regina Read, Robert Stone, Lloyd Pendleton, Russell Barber, Linda Shumway, Michael W. Draper, Bruce Taylor, Ted Wittmayer, Vernon Davenport, Graham Wensen, Alice Hill, Pat Macey, Alan Snelgrove Layton, H. Sharon Dutkus.

David L. Ron, Howard B. Birstol, Nelson A. Merkley, Mason Harrell, Mary McConkie, Lina Thompson, Lois M. Thompson, Paul M. Tinker, Nyle R. Soper, Gerald Brown, Boyd Garriott, I. Wilson Anthompson, Garl Drake, Michael Gardner, Marsha Gardner, Gwendolyn Gwynel, Nancy Jean Rawlinson, Janet Pace, Pamela Sindel, Glen Lowry.

Ross T. Christensen, Lynn Caylor, Art Stoddard, Ted Davis, John Harker, Gareth Donaldson, Robert Kent Gardner, Erwin Farsworth, Marcia Nelson, Clyde Gibson, Robert Crawford, Gene Puckett, Kethlenn Robbins, Margaret Harspool, Don Eardley, David Hobson, Mary Woodberry, Ladd Bennett.

Peter Mortensen, Jr., Dennis Johns, Terrance Olsonstephen Peterson, John Latter, Max Jargensen, C. J. Scharles, Clair Miller, Candace Gutzman, Bob Shedd, Cheryl Temples, Sandia Browns, Danielle Bedstead, Charles Harrison, Tedd Reimer, Reed Morrill, Stanford Garrett, Patrick Scholfield, Amy Divey.

Patrick Sherrill, David Jay Bessey, Phillip Seager, Judith Rickards, V. Steven Fales, Janet A. Richards, Pamela Sharp, David Barton, Miviam Wright, Alan Culter, Marjorie Jensen, Ann Chipman, Brad Anderson, Jerold Knighton, Terrance Gallagher, John Tate, Jr., Roy Renchen, Charle Larsen, Louise Goates, Daniel B. Evans.

Kay Beebe, Lyce Larson, Richard Hopkinson, Larry Haucks, Farrell Pond, Farelyn Pond, Nanci Redford, Laurel Cale, Sonoma Goodwill, Mitch McCann, Steven Osteen, Thomas Jensen, Renae Morris, Kathleen Riches, Deloy Pack, Dianne Larsen, Cystal Fossum, Joanne Morrill.

Susan Brown, Dr. C. R. Harms, Kathleen Boyack, Terril Barney, Ronald Jolley, Bruce Harvey, Lynda Garrett, Stephen Lamad Garrett, George Berry, Joseph Bossi, Ric Paul Jim Thompson, Stan Warnich, Sarah Soderborg, Larry O. Lebaron, Donald Worden, Gary Pocock, Anal Pettit, Joanne R. Packard, Brian Richardson, N. Roger Anderson.

Gary Rogers, R. Bruce Sundrud, Rock Brady Clam, John Anderson, Isabel Barlon, Richard Deimott, Robin Titenson, Ralph Rowley, Orlo McEwen, Douglas A. Zincke, Walter Kilton, Jr., Stanley John Cutler, Charles H. Duke, Vaughn Benson, Lynn Southam, Peter Witt, Susan Hatford, John Samplers.

Mary Taylor, Janet Richards, Lawrence Mellor, David Henry, Loyd Drimman, Max Garber, Larry Jensen, Allen Isaac, Kathleen Isaac, Elsie May Paulson, Terry Hjorth, Kathleen Ritner, Judith Henderson, Keith Paulson, Gery Stephens, John Robison, Pat Airy, Fritze Fitzpatrick, Donald Bass, Ronald Kent.

Bob Reynolds, Carol Sue Buffington, Jerry Parkin, Joseph Hilton, Jr., Kermit Wright, Marilyn Black, Carol Lynn Page, Marilyn

Boren, Douglan McCombie, F. H. Gillespie, Alan W. Jensen, Richard Lasson, Nancy Hyatt, Sonja Holland, J. George Hill, Corlie Ann King, Susan Schmutz, Carolyn Weaver, Cheryl Chatterley.

Marie C. Lafond, G. Duane Nichols, Marjorie Nichols, Ivan Lucas, Patricia Hill, Ruth Ann, Terrill Price, David Christensen, Katherine Bannion, Mary Jane Johnston, Jeanne Huff, Richard David Bush, Vern Wolfley, John Warnich, Stephen Jay Hammer, Allen White, Grant Starley, Kenneth Oswald.

Richard Wilson, Roger Mechan, Margaret Black, Douglas Hamilton, Charles Hassard, Dave H. Johnson, J. Roy Brown, J. Rihard Sharp, Alyn Rockwood, Kent Boley, Janet Mielson, John Yales, Krista Hayes, Anita S. Call, Paul W. Roberts, Shirley Ann Smurthwaite, R. F. Michael Eujuicl, Teddy Smith, Julie Ann Alder, Linda Shaw.

Kenneth, Marilynne Jorgensen, Marie Atwood, Rite Edmonds, Darleen Sabin, Eve Haslan, Melvin Park, Paul Adams, Kelly McBride, Dennis Schade, Calvin Cutler, Timothy Fewkes, Marshall Romney, Jerry W. Sonkens, Chris Clautier, Robert Cheney, Francis Lewis Pratt, Edward L. Ford, Marilyn Capell, James Christensen.

Arbin Jolly, Tom Whitaker, David Zundel, Karl Wood, Donald R. Poole, Gary Guthrie, Elva Davis, Dee Peterson, Phil Painter, Ron Crompton, Bruce Richardson, John Alstrom, Pat Eldridge, John Madarsie, Dale Linton, Barry Jordan, Lawrence Klenk, Colin Vesterfelt.

Gail Gullekson, Thomas Ellsworth, Shirley Robertson, D. Frank Norton, Walter Lohnar, Patricia Halgren, Alma Wendillwebb, Duane Carlson, Susan Ogden, Carolyn Mortensen, R. L. Hammond, Phillip Bruelk, Jim Hinton, John Emmett, Morman Bodily, David Ward, Bruce Bammes, Carl Pletsch, Bryan Jones, Howard Turpin, Grant Holland.

Shula Spruell, Judi Kodel, Reulan Floyd Asher, Leslie Toggard, Mary Reynolds, Donald McDalton, Bruce Louthan, W. Richard Sandus, Bill Atwood, Douglas P. Sibley, Carylye Perkes, Bruce Matis, Victor L. Ludlow, Virginia Ann Ludlow, George S. Price, Bryce G. Christensen, Robert T. Raines, Marvin C. Hall, Richard W. Kimball.

Loren T. Honeycutt, Jr., Julie Barnes, Lare Eastand, Bill Morgan, Joseph W. Clark, G. Bruce Rogers, Larry D. Jensen, Mark Walkenhorst, William L. Fillmore, Keith B. Stoddard, Quentin E. Crockett, Jr., Martin B. Empey, Dale Andersen, David Sandberg, Marie Sandberg, Marilyn McVey, Evan L. Anderson, Jr., John Cameron.

Kenton Willis, Marvin A. Wiggins, Randall R. Scott, David B. Paraman, Jim Avery, Gar E. Jensen, David B. Stephens, Robert Estill Wood, Stephen W. Morgan, Gary Bett Richins, David Sheen, Eric Fossum, Briant Coombs, Judy Haynes, John J. Hess, Karen Mills, Alan Westover, Phoebe Wilkins, Don Lee.

Rod Harris, Marion K. Mortensen, Nancy Severns, Arlan Rasmussen, Linda Kingsford, Marsh Tanner, Larry G. Sass, Joseph P. Leonard, Gilbert Laron Hancock, Vonda Grace Merrill, Rodney M. Jex, Jane Massey, Gary Montgomery, Jade J. Leblanc, Gerald Meir, Charles Kinsey, Louise Gail Kovt, Russ Parker, Gerald W. Names, Terry J. Nielsen.

Joseph L. Reimann, Ed Richardson, Carvell Thatcher, Sally Ann Nebeker, Rosemary M. Irwin, Gordon T. Weir, Jr., Lester L. Slade, Randolph V. Bates, Richard B. Hopper, Paul K. Sharp, Wayne H. Brown, Paul A. Scherbel, David L. Henion, Dale B. Pearce, Arthur Pheysey, Larry Litster, Keith Sumsion, Layne Hinckley.

Helen Clair Stout, Stephen B. Gillespie, Barry R. Sanders, Forrest C. Smith, Walter B. Sudweeks, Lawrence A. Schreiner, M. K. Ruplinger, Tamara Call, Duane B. Call, Robert George, Garry Lee Cook, Diana Edens, Merlin J. Allred, Garry Kay McGregor, David G. Williams, Susie Hammond, Marguerite M. Fatiwitz, Dale G. Bailey.

Wayne Ront, Kent Garrett, Dennis Chandler, Ronald Kay, Elan C. Ray, Jr., Clive Jones, James L. Eggett, Gordon Stewart, G. Mark Davey, John H. Wittorf, Stanley H. Roberts, Jr., Ray J. Greer, Steven Carter, R. Alan Aiken, Earl W. Bascom, Ernest T. Bramwell, Dale Peterson, Richard M. Smith.

William J. Despain, Richard V. Watts, Robert Jones, David Wright, M. Garvin Wells, Dan Ray Taylor, Chati Malepeau, Karl Ahlstrom, Vern Young, Carnes Burson, H. James Locke, Carol Twelves, Veda Petersen, Barbara Walker, Alan Cassell, Elizabeth Huntington, Terry Tullis, Lyle R. West, Nora M. West.

David Hullinger, Russell R. Elen, Alan Murphy, Charles E. Powell, Sondra R. Grow, Roy H. Marloy, Lewis Wilson, James R. Edwards, Mike Larochelle, Donald L. Wright, Con Nohtheniss, Vaughn E. Nordes, Wayne Black, Karen Dawn Ford, Darlene Viola Thather Olsen, Merrill Gee, Marvin Rytting, James Green, Stephen Thomas.

Lorin A. Harris, James C. Eckhart, CPA, Robert Fuhriman, Stephen Terry, Sheila Hutchison, Diane Day, Chris Wright, Clair Price, Bud J. Winber, Steven C. Arthor, James Mangum, Jr., Elizabeth Allen, Elaine Gurr, Marley H. Davis, L. Carlyle Bowers, Pamela J. Shuey, Stephen B. Oldroyd, Legrande Avery, Jennifer K. Mendenhall, David L. Corbett.

Jack Baxter, B. Blake Bird, Greg Kelsey, Evan H. Curtis, Joseph D. Millward, Thomas B. Brighton III, James R. Wyler, Iva Galway, Robert H. Lewis, Richard Boyce, Larry E. Wood, Boyd L. Cardon, Owen Carter, William R. Prece III.

James R. Fox, Monte L. Roe, D. Clark Richardson, Shannon Jacobsen, Sharon Noble, Dennis W. Hoover, Walt C. Muller, Steven Ranzinbinger, Melva Lee Allred, Daniel A. Johnson, Kenneth A. Nielson, Karen Stevens, Duane J. Williams, Vicki L. Stein, Frosty Hansen, Angelo Demarco, Van W. McCarlie, David Rimington, Dale H. Larkin, R. Lynn Pugmire, Dan Aldridge, Jr., Reed Gibby, Barbara Gibby.

Robert Hill, Elaine Hill, Michael Georgeson, J. Richard Vance, Tim Hill, Fred Benson, Lee Beardall, Ann Marie Hales, Edith C. Knoblock, Paul D. Redd, Sonia Byrton, Gary Steed, Allen Yolno, Don Mayton Fackrell, John McKenzie, Jack A. Spigarelli, F. C. Ferguson, Todd Weaver.

Dave G. Smith, Cloy Jenkins, Howard Sorensen, Sharon S. Brown, Jill Bowen, Nita Jean Thurlin, Lynda Cox, Sharon Rowsell, Lynda Lawson, Bruce Ricks, Robert H. Benden, Duane Pratt, Bert Schilling, Lajuana Worthen, Wes White, Duane Stoydill, Lucille Fullmer, James K. Petersen, Sandee Mathewson, Diane McMullin.

Karen Molen, Elaine Goodman, Lester R. Burrell, Janet Packe, Donna Pack, Roeann E. Wilkins, Robert L. Hallewell, Linda Diane Lawonen, Steven A. Reich, Karl Lehndorfer, Elizabeth Enke, Brooks Sarand, Gordon Shipley, Dan Sallander, Jeanie Coy, Jeanie Zutter.

Harold Monson, Diane Ostler, Ray Luce, Clair Mitchell, Harvey West, Steven Gregory, Tom M. Gardner, William Hartley, Mary Austin, Clinton G. Harrison, Jerry Lund Hintze, Val W. Kendell, Evan D. Harrison, James H. Parker, Max Webb, Jr., Charlene Beam, Robert Kent Blazer, Max L. Mangelson, Valerie Barbato, Chery Morrison, Wendy Woolley, Carl Waymon, Lavar Rockwood.

William E. Southworth, John and Joan Kammerman, Richard A. McKinney, Judy MacDonald, Pauline Corbridge, David Thompson, Shirley Johnson, Peggy Lisonbee, Sue Roach, Carma Horne, Holly Neville, Renee Dirkmatt, Jania Lewen, Joyce M. Moore, Elaine Jones, Christend Hunt, Paul Hoskisson, Janis Stout.

Jenel Anhder, Barbara Gene Litster, Kay Whitney, Lee Ann Reeve, Valerie Harten, Suzanne Valentine, Robert S. McDuarrie, Susanne Boyce, Trudy Teichert, Vicki Brown, Lynn Garie Teeter, Ranae Stokes, Kent A. Dee, Gary Laweher, Charles H. Stanton, Robert Erich Paul, Darriel R. Shurtleff, Rex T. Davis, Doug Wheeler, David J. Schwendiamn.

Harold C. Brown, Judith Grimes, Donovan Dow Davisson, Doyle P. Buchanan, Gerald G. Blackburn, Dwayne C. Watson, Gene Walser, Jack Waller, Mila Paskett, David K. Woolf, Merlin F. Goode, Robert B. Gledhill, Max Spatig, Sharon A. Miller, Andrea Watkins, John Bennett, D. Allan Firmage.

Kenneth L. Kenitzler, S. Harold Smith, V. Dianne Smith, John D. Chase, Toni Rae Merrill, Dave Kelsey, Dean Hansen, Lynn Blamires, Ralph L. Daniels, Elbert E. Dittman, Stanley J. Andrews, David L. Wheeler, Richard Bockholt, M. Don Sabin, Gaylan V. Stewart, Amike Merzell, Craig N. Wright, John H. Adams, Bart E. Harrison, Joe Murdock.

Brent Koyle, Russell M. Wheeler, Jr., Wilbur Glen Jubeck, Kenneth Jensen, Owen A. Dixon, W. R. Heaton, Jr., Gary R. Thurber, Bruce Boswell, Jack Weyland, Merrill P. Finlayson, Ronald B. Funk, Robert R. Bert, Donald R. Darnell, Paulene McBride, Thomas W. Griffiths, Blaine B. Campbell, Jr., David F. Shoell, Alan Pace.

Mary Kay Marley, Judith L. Call, Carol Lee Brockers, Marsha Jacobs, Janice Briggs, Rosemary L. Belcan, Marsha Vandenburg, Linda Marie Ingram, Teddy Mann, Marsha Thorne, Mr. Michael P. Louhas III, Ileen Ferkovich, Nancy Stanger, Bertrand Logan Ball, Jr., Steve Boyd, George J. Crane, Kay Winegar, Tom Whitley.

Lilly Nohara, Dennis P. Sharp, John R. Calvin, Gayle Evans, John Wahlstrom, Andrea Bowers, Mitchell Stevens, John L. Blake, Elmer H. Davis, Jr., Fred L. Beck, Leon Stewart, Terry W. Jessop, Lela Jean Mourtsen, Margaret Lafontaine, Stephen G. Stews, Laraine Lee.

Susan Polley, Jim Little, Jessie Jones, Richard H. Jackson, Susan M. Albrechtsen, Douglas A. Wixom, Paul E. Barker (young Democrat), H. Trace Hall, Richard J. Doty, Charles H. Cumminsen, Barbara M. Pack, Stanley Roobins, Mary Jane Robbins, Royden L. Wittwer, William C. Harvey, Floyd I. Lewis, Ralph Muhlestein, Elwood L. Loveridge, Edward A. Parent, David A. Taylor.

Charles C. Langley, Jr., Lynn J. McKell, Lisle Updike II, Bruce Lloyd, E. Howard Hardy, Lee Shurlock, John R. Larsen, Duane A. Alleman, Judy Butler, Craig M. Allen, Donald G. Bearnson, Kent Ferguson, Kenneth L. Babcock, David Higginson, Gary M. Price, Jayanna Carlton, Lyle Waters, Mark A. Skousen.

E. M. Harvey Neubert, Arlene R. Taylor, Brian Dees, Des Yarrington, Jim Hunter, Susan Lewis, Gerald Greenwood, Ernest S. Romney, Bonnie Keith, Ralph W. Keith, Linda Shousen, Richard Maheny, Rebecca Moss, John F. Hall, Pam Robison, Rebecca Smith, John D. Stemmons, William W. Matthews, Grant Nielsen, Susan Nelson, Janice Work.

Lyn Bright, Charles L. Fairfield, Jeanne Thomas, Kenneth B. Backer, David L. Olsen, Lane A. Myers, Joseph C. Paul, Lamont W. Law, Wally Hennifson, Roger H. Goodwill, Don Alsop, Mary K. Davis, Gaylen Lane, Shoron Skousen, Linda May, Lyle F. Hinney, Clay Michael Conway, Dah George Wilder, Elisabeth H. Vassel.

Darian B. Andersen, Jess L. Green, Jay R. Michaelson, Linda Elaine Grover, Ray Thompson, Michael Bendio, Stephen Skarda, Herald O. Mackay, Robert B. Michel, Karen Chesley, Wilford Day, Harry J. Lyons, Keill S. Gundersen, Voy Menjory, Anthonh J. Legerski, Duane Olsen, Barbara Kay Rytting, Rosetta Smith, James A. Vance, Hal J. Allen.

Alana White, Brent Cordon, Lauren L. Locey, William T. Coysen, Dawn Ricci, David B. Ashworth, K. Douglas Chamberlain, Albert H. Brown, Calvin Carrelland, Dr. Richard W. Hanks, assistant professor, David R. Holdaway, Lin D. Miller, Dennis T. Beham, Marlene Berry, Alen H. Hansen, Gayle M. Lain.

Marlane Ralliff, Susan McGuire, H. Gary Niederhausen, Karl Weight, Richard Beard, Tommy W. Case, Don M. Wathall, Douglas Turley, Leroy E. Sievers, Ed Taylor, Paul Loveday, Linda Watson, Bernard S. Salken, Jr., Robert M. Baxter, Marvin L. Cozier, Mark F. Lau, Janet M. Johnson, Mary Jackson, James Murdock Reynolds, Jean Carol Boberg, Frank Davis, Jr.

Leann C. Rushton, Ken J. Christensen, Kent H. Price, Leland B. Nelson, Dan Blakesee, Susie Greathouse, Richard J. Farnsworth, R. Buckley Jensen, Mark F. Breinholt, Bill Paul, Lynn P. Ballard, Carla Baier, Richard J. Wilson, Patsy Crockett, Lanny R. Gneiting, Kathy Campbell, Robert M. Hogge, Royce Francis.

Brent W. Palmer, Karla Jensen, Steven Keith Ricks, Roger Lehr, Valerie Spray, Sue Adkins, Kathy Schlendorf, Sterlin Tanner, Martha Ward, David K. Harmon, Dawne L. Powell, Colen H. Wheatly, Kenneth F. McAllister, E. Rex Talbot, Jill R. Freidman, William R. McCracken, Douglas Alan Richardson, Ellen Furness.

David Christensen, Brent R. Hutchings, Michael Skousen, Harry Nez, F. Douglas Mather, Merrill Webb, Marcus White, David J. Blake, Owen D. Wright, Craig Sampson, Robert Mouritsen, Scott Lunceford, D. L. Court, Gary Leemaster, Clark B. Hinckley, Linda Clark, Angela Hecker.

Charles T. Mitchell, Dave Hansen, Becky Hatch, Lynda Mackey, McGregor Williamson, Dennis Smith, Winona Witt, George Tenney, Jerry Grossnickle, Roslyn Lillywhite, Theron Kay Haws, Snady Long, Judi Wolff, Anne W. Bews, Dick Dahl, Jerry Preator, Dixie Whicker, Scott Lynn Malan, Mrs. Don Fowler, Lary Reed Larson.

William T. Cluld, Jynn J. Cook, Sylvia Schaelling, Ruth Walker, Sam Marriotti, Farrell A. Lee, Jr., Lynn Fowler, Michal L. Aley, Francis Nielson, Jeanne H. Nielson, Myrle Fowler, Dorothy Nielson, Kay P. Johnson, Fernando R. Gomez, Janis Gay Kerkes, Francine Sherwood.

Guginia Merritt, Sue Hunt, Lynn Stott, Theron H. Luke, Zelda Luke, Stacy Luke, Melvin D. Cheney, Mjane S. Martin, Alta A. Johnsen, Carol A. Senke, Rulon O. Gibson, Barbara Tanner.

Interestingly enough, the list contains the name of David King, which is the name of our Democratic Representative in the other body. I am not sure this is not he, but the similarity of names is striking.

The list also contains the name of Winston Sam Fong, a name borne by one of our colleagues in the Senate.

This, to me, was a significant manifestation of the concern that these young people have for their future. I believe that it bears out what the distinguished minority leader, the junior Senator from Illinois, said earlier, that 77 percent of the students in the United States at the college level are opposed to the repeal of section 14(b).

GOOD UNIONS DON'T NEED REPEAL OF 14(b)—BAD UNIONS DON'T DESERVE IT

Mr. President, I have abounding faith in the wisdom and good judgment of the American people. They have always demonstrated the highest level of political comprehension, an awareness of important public issues, and a keen understanding of the political processes inherent in our democratic system.

This faith of mine has been reinforced once again during the interim period between the close of the last session of Congress and the beginning of the current session. Like the other Members of this body, during that period I returned to my home State and had the opportunity to discuss with the people who sent me here to the U.S. Senate, the important public issue of the day. I talked to many people throughout the various sections of the State of Utah and I was struck by the exceptionally keen interest which they displayed in the subject of repeal of section 14(b) of the Taft-Hartley Act. Everywhere I went, people in various walks of life and at various economic levels brought up the subject and expressed their views on this issue.

I cannot forget, Mr. President, that I am here to represent the people of the State of Utah, and within the limits of my powers, I am but an extension of the voice of the people of my State. I am their delegate, sent here to represent their views and feelings and their convictions. On the issue of repeal of section 14(b), I have found that the overwhelming majority of the people of Utah are opposed to repeal. They are opposed to repeal primarily because they believe that compulsory unionism is fundamentally wrong and that it is contrary to American concepts of individual liberty. They believe that labor union officials should not be given the power to control the very means of livelihood of any individual, or that any man should be compelled to join any private organization as a necessary condition to being able to work and to earn a living for himself and his family.

FREEDOM IS THE REAL ISSUE

The people of Utah are steeped in the idea of individual freedom. It has been their tradition and their way of life and they have grown to political maturity by exercising their individual freedom wisely. They are not, of course, unique in this respect, because the same can undoubtedly be said of Americans in every State of the Union. As the immortal Abraham Lincoln so aptly stated, this Nation is a nation "conceived in liberty"—liberty is the birthright and heritage of our people, and we in this generation have the duty to preserve this liberty and to resist every encroachment upon it by the Government, by labor unions, or by any other group or organization.

We are so committed to the concept of freedom that we are willing to bear the heavy burden of free world leadership and to expend our resources and our young men in an effort to preserve human freedom in other parts of the world. For this reason it is particularly ironic that while the young men of this Nation are fighting to preserve freedom 12,000 miles away in Vietnam, the Congress of the United States is being asked here at home to strike down with one blow the laws of 19 States which have as their only purpose the preservation of individual freedom—the freedom to work for a living without being compelled to join a labor union or pay tribute to a labor union for the right to hold a job or, conversely, the right to join a union and pay dues if one wishes.

In 1955 the people of the State of Utah adopted a law which prohibits compulsory unionism. They want to preserve this law because they believe in the principle of freedom that it represents.

Earlier I read a telegram from the president of a typographical union in my State, who ticked off the men who were elected in Utah in 1964. It is significant that we have gone through a legislative session since then, and no member of the Democratic Party raises his voice or proposed to the legislature that Utah's right-to-work law be repealed. It is ironic that they would come to the Congress and ask us to repeal it. The people of Utah are not willing to trade this freedom for the specious "free rider" argument, or the glib and superficial reason that it is necessary to have "uniformity" in the application of labor laws throughout every State. If there is any reason why we must have uniformity on this question, the people say, why should not the uniformity be in the direction of protecting individual freedom rather than destroying it? If we must have uniformity let us have a uniform rule which would prohibit compulsion and protect the free choice of our people.

PUBLIC IS AWARE OF REAL ISSUE

When the President, the Vice President, and the Secretary of Labor talk about repealing section 14(b) in the interest of "uniformity" they are not giving the true reason, and the public is not being deceived.

As Lincoln said:

The people are always much nearer the truth than the politicians suppose.

The political comprehension of the American public is not so obscure that they cannot see the real reason why this administration insists upon repealing section 14(b). That reason, they know, is simply the payment of a political debt to satisfy the selfish demands of the labor leaders, and to enhance the political effectiveness of these labor leaders. The people of Utah, as well as other American citizens, can rightly ask whether those who support this effort to repeal 14(b) have betrayed their trust of those labor leaders. And I interpose here to observe that all of the telegrams I have received calling for the repeal of 14(b) have come from the officials of labor unions—none from the people themselves.

The people know that repeal of section 14(b) is not in their best interest, they know it is not in the best interest of the rank-and-file workingman whose freedom of choice will be denied, and they know that repeal will not be of benefit to any segment of the public other than that very small minority of union officials who would reap harvest of compulsory dues payments from additional millions of American working men and women.

The wide cross section of people with whom I have discussed this issue are deeply offended by this whole idea. They believe that no private group, no matter if their intentions are of the purest, should have the authority or power to deny freedom of choice to the individual workingman or compel him to pay money for his fundamental right to work.

Let there be no mistake about it, the right to work is a fundamental right, and compulsory unionism is an infringement upon that right. Contrary to the union propagandists, the right-to-work laws are not misnamed. Nor does the title "right to work" misrepresent the true purpose of these laws. Their true and only purpose is to protect the individual worker's freedom of choice in deciding whether to join a union or refrain from joining a union, and thereby protect his right to work from either an employer or a union that would seek to deprive him of that right or impose some condition upon it. Union propagandists, however, fail to admit that right-to-work laws also guarantee a man the right to join a union.

CONSTITUTIONAL ISSUE

The right to work concept was very well expressed a few years ago in an opinion written by Mr. Justice Terrell of the Florida Supreme Court in the case of Carpenters District Council against Miami Chapter, Associated General Contractors. In this 1952 decision Justice Terrell stated:

> The right to work is equivalent to the right to eat and the right to eat and provide raiment for his dependents is man's most dominant urge. In a free country like ours such a right should not depend on one's race, color, the lodge, craft, church, or other organizations to which he belongs. Such a requirement is contrary to the spirit of our institutions, the basis on which our democracy was founded and every impulse of the forefathers who gave it existence. I can think of nothing more out of harmony with true Americanism. Membership in one's lodge, craft or church may be a means of enlarging spiritual, cultural, and physical assets, but to make his breed depend on craft, or church membership, would be the worst species of anti-Americanism.

In this brief statement Justice Terrell expresses, I believe, the feeling of the vast majority of Americans. Most Americans feel that compulsory unionism is an infringement and violation of the constitutional rights guaranteed to the citizens of this Nation by the Bill of Rights.

They feel that compulsory unionism in operation cuts across virtually all of the basic rights guaranteed by the Constitution.

They feel that by taking money from a man without his consent, compulsory unionism contravenes the principle expressed in the due process clause in the 5th and 14th amendments of the Constitution.

Compulsory unionism by taking money from an individual to be used for the furtherance of political and ideological causes violates the freedom of speech guaranteed by the first amendment of the Constitution.

Compulsory unionism by denying a man the right to make his own choice in joining or declining to join a particular group violates his freedom of association as guaranteed by the first amendment.

Compulsory unionism by forcing membership in or support of a particular group violates the privacy of the individual as guaranteed in the ninth amendment of the Constitution.

Compulsory unionism by denying individual freedom of choice attacks the very foundation of the structure of individual liberty upon which this country was built.

HISTORY BACKS VOLUNTARY UNIONISM

It is well to remind this body that every elected official in this Government has taken an oath to uphold and sustain the Constitution of the United States. It is my firm belief that if I were to vote to repeal section 14(b) I would not only be acting contrary to the will of the people, but I would have failed in my obligation to uphold and support the Constitution and the principles upon which it is based. There is no doubt in my mind that the framers of the Constitution would unequivocably hold compulsory unionism contrary to the ideas expressed in the document they so carefully drafted. Evidence of this can be found in many of the statements and writings of the Founding Fathers. They would have rejected the free-rider argument for compulsory unionism as they rejected the free-rider argument for other types of restrictions on individual liberty.

A good example of this was provided in the year 1784 by a bill introduced in the Virginia Assembly calling for a tax, the proceeds of which would be used for the maintenance of religion—in other words, for the establishment of one particular church. The proposal would have required all Virginians—both church members and nonmembers—to pay the tax, and supporters of the bill argued that because everyone benefited from the influence of religion, everyone should contribute to its support.

A principal opponent of that bill was James Madison, who was later to become the fourth President of the United States. He argued:

> The same authority which can force a citizen to contribute for the support of any one establishment may force him to conform to any other establishment.

James Madison and Thomas Jefferson then introduced a bill for religious freedom which in its preamble declared that "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical." This bill was appropriately adopted by the Virginia Legislature as the forerunner of the first amendment of the Bill of Rights.

The belief that compulsory unionism violates constitutional rights has been forcefully expressed by present-day authorities. For example, Supreme Court Justice William O. Douglas in his concurring opinion in Machinists Union against Street, a 1961 decision, said:

> Once an association with others is compelled by the facts of life, special safeguards are necessary lest the spirit of the first, fourth, and fifth amendments be lost and we all succumb to regimentation. I expressed this concern in *Public Utilities Co.* v. *Pollak*, 343 U.S. 451, 467, 96 L. Ed. 1068, 1080 72 S. Ct. 813 (dissenting opinion), where a "captive audience" was forced to listen to special radio broadcasts. If an association is compelled, the individual should not be forced to surrender any matters of conscience, belief, or expression. He should be allowed to enter the group with his own flag flying, whether it be religious, political, or philosophical; nothing that the group does should deprive him of the privilege of preserving and expressing his agreement, disagreement, or dissent, whether it coincides with the view of the group, or conflicts with it in minor or major ways; and he should not be required to finance the promotion of causes with which he disagrees.

In a debate on the Universal Declaration of Human Rights, later adopted by the General Assembly of the United Nations on December 10, 1948, Mr. Malik of Lebanon stated what I think is the controlling principle in cases of the character now before us:

> "The social group to which the individual belongs, may, like the human person himself, be wrong or right: the person alone is the judge."

This means that membership in a group cannot be conditioned on the individual's acceptance of the group's philosophy. Otherwise, first amendment rights are required to be exchanged for the group's attitude, philosophy, or politics. I do not see how that is permissible under the Constitution. Since neither Congress nor the State legislatures can abridge those rights, they cannot grant the power to private groups to abridge them. As I read the first amendment, it forbids any abridgment by Government whether directly or indirectly.

The collection of dues for paying the costs of collective bargaining of which each member is a beneficiary is one thing. If, however, dues are used or assessments are made, to promote or oppose birth control, to repeal or increase the taxes on cosmetics, to promote or oppose the admission of Red China into the United Nations, and the like, then the group compels an individual to support with his money causes beyond what gave rise to the need for group action.

Writing in the same case, Justice Hugo Black stated in his dissenting opinion:

> There is, of course, no constitutional reason why a union or other private group may not spend its funds for political or ideological causes if its members voluntarily join it and can voluntarily get out of it. Labor unions made up of voluntary members free to get in or out of the unions when they please have played important and useful roles in politics and economic affairs. How to spend its money is a question for each voluntary group to decide for itself in the absence of some valid law forbidding activities for which the money is spent. But a different situation arises when a Federal law steps in and authorizes such a group to carry on activities at the expense of persons who do not choose to be members of the group as well as those who do. Such a law, even though validly passed by Congress, cannot be used in a way that abridges the specifically defined freedoms on the first amendment. And whether there is such abridgment depends not only on how the law is written but also on how it works.
>
> There can be no doubt that the federally sanctioned union shop contract here, as it actually works, takes a part of the earnings of some men and turns it over to others, who spend a substantial part of the funds so received in efforts to thwart the political, economic and ideological hopes of those whose money has been forced from them under authority of law. This injects Federal compulsion into the political and ideological processes, a result which I have supposed everyone would agree the first amendment was particularly intended to prevent. And it makes no difference if, as is urged, political and legislative activities are helpful adjuncts of collective bargaining. Doubtless employers could make the same arguments in favor of compulsory contributions to an association of employers for use in political and economic programs calculated to help collective bargaining on their side. But the argument is equally unappealing whoever makes it. The stark fact is that this act of Congress is being used as a means to exact money from these employees to help get

votes to win elections for parties and candidates and to support doctrines they are against. If this is constitutional the first amendment is not the charter of political and religious liberty its sponsors believed it to be.

The court ducked the constitutional questions on the *Machinists Union* v. *Street* case on a much narrower base. Justice Douglas thought they should have faced their question, and I hope some day that they will.

JUSTIFICATION FOR EXTENDED DEBATE

We have heard much lately, Mr. President, about "government by consensus," and we are constantly told that the program of the present administration is a program which represents the consensus of the various groups within our society. I think we can be sure of one thing, however, and that is that the proposal to repeal section 14(b) is not part of any consensus, other than the consensus of the labor union professionals. Every public opinion poll shows that the vast majority of the American people are opposed to repeal, and I feel that we have a duty here in the Senate of the United States to carry out the will of the people on this most important issue which is before us for the second time in as many years.

And, as last year, the debate will be on the motion to bring up H.R. 77.

This debate has been organized by the distinguished minority leader and a number of Senators from both parties because the American people have demanded it. The press by an overwhelming majority has cheered it. Our people and our press both know that this is a cause in defense of human freedom. Yet, it is ironical that the debate on this issue once again will take many hours of time, which the Senate undoubtedly could spend in examining other issues of major importance. This debate will require stamina and much hard work to get the message across. My colleagues and I will not shirk from that responsibility.

The Nation is entitled to know why this debate is being continued during the second session of the 89th Congress. Apparently, it is because the Johnson administration and its allies have once again promised those favoring compulsory unionism that they will attempt to repeal the right-to-work law. All this despite the fact that having failed dramatically last year—they should know that they are bound to fail again this year.

They have ignored the fact that last year when the backers of repeal attempted to shut off debate, they not only failed to gain the required two-thirds majority, they also failed even to gain a simple majority.

They have ignored the polls, the editorials, the letters, the ground swell of public opinion.

They have also ignored the fact that most Senators would like to leave this issue of compulsory unionism on the table as unwise legislation and move on to greater and more pressing matters now facing our people; matters such as inflation, taxes, and especially that brutal war in Vietnam.

They have ignored the fact that repeal would represent another serious invasion of the Federal Government into the rights of the States under the Constitution. My friend, colleague, and leader, the Senator from Illinois [Mr. DIRKSEN], discussed this issue at great length earlier today.

And so, here we are again going through the motions of explaining to the American people an issue on which the majority have clearly already made up their minds—but on which someone else is failing to get the message. None are so blind as they who will not see. Evidence that the American people understand has come from many quarters; rich and poor, members of unions and nonmembers, doctors and philosophers, lawyers and laymen, businessmen, and workers.

One of the most thoughtful presentations of what the American people clearly understand has come to me from Mr. O. C. Tanner, a prominent Salt Laker, who has an unusually broad basis of experience and variety of vantage-point. He is at once a professor of philosophy at the University of Utah, a member of the Utah Bar and founder and president of the O. C. Tanner Jewelry Co., which is the largest company in the United States manufacturing industrial service emblems.

In a personalized opening of his statement—which I will not quote in its entirety—Mr. Tanner wrote:

I do not feel any real business interest in 14(b). My company employs many people, all of whom freely and independently decide for themselves the basis of our labor-management relations.

Continuing, Mr. Tanner wrote:

Like all great issues, 14(b) has two sides, strongly defended, deeply felt, and far-reaching in consequences.

Hopefully and modestly, the following may pinpoint, and also explain (1) why 14(b) is so controversial; (2) why the main issue of 14(b) is important to (a) the success of the American labor movement, (b) the success of American democracy.

14(b) raises many issues. Some of them are: (1) The right to work, (2) the free-rider problem, (3) majority rule of union democracy, (4) Federal versus States' rights, (5) economics of right-to-work laws, and (6) political obligations, either way.

14(b) is the age-old problem of individualism versus collectivism.

Some favor, in the repeal of 14(b), what they believe is the larger social gain of a stronger labor movement. Some favor, in retaining 14(b), what they believe is the greater importance of individual freedom.

Questions the Congress, and all of us ask of 14(b), are these:

Which side is right—or more right than wrong?

Which side is best for American labor?

Which side is best for our democracy?

Whatever the answer, 14(b) should be carefully examined for one great purpose—its meaning in the daily lives of the people involved.

Such an approach, if carefully done, may aid in clarity, and possibly also, in understanding.

To begin with, the first part of the meaning of 14(b), for the worker involved, may be explained by the concept of "institution joining."

This concept of institution joining, if clarified may get at the controversy, and also explain the main problem of 14(b).

All institutions, and all institution-joining, for simplicity, may be roughly divided into two kinds:

First, there are those institutions which do not deeply affect the individual lives of their members—institutions necessary for some service, that are dues-collecting and which impose certain obligations, but institutions which do not penetrate deeply into an individual's life—his ideas, emotions, and personal convictions.

To interpolate, I would think that servicemen's clubs or luncheon clubs, to which so many businessmen belong, would fall into the category of institutions of this type.

Then there are other institutions, whose requirements are intended to deeply involve the inner life of individual members. Such depth-institutions, to be successful, must profoundly affect a member's way of life—approving certain ideas while condemning other ideas, praising some attitudes and condemning others, calling at times for great personal sacrifices.

If I may interpolate again—and calling for a high degree of conformance.

A labor union, if considered carefully, is the second of these two kinds of institutions. It is necessarily a depth institution, deeply and rightly affecting each conscientious member's ideas, emotions, convictions, freedoms, and responsibilities.

Perhaps next to religion, good unionism involves the individual with more total commitment than any other institution.

Joining a union, however lightly done by many, is eventually no surface affair of paying dues in return for benefits received.

Unionism, both in the joining and belonging, becomes an attempt to solve many of life's great personal and social problems: The struggle for bread, the fight for justice, the rivalries for leadership, the arguments of policy, the uses of power, the payments of dues, and the sacrifices of strikes.

Responsible union joining is no light decision, with easy obligations, and indifferent consequences. Perhaps no institution joining will more profoundly affect a person's ideas, emotions, and way of life.

This fact involves 14(b) in the ultimate issue of real freedom—the freedom of the inner life—of the mind and spirit of man. This fact involves the Congress with the problem of a great freedom in American life.

Some freedoms are not so important, such as choices of economic opportunities and surface decisions of everyday living.

Other freedoms are about a person's ideas, private judgments, individual preferences, personal convictions—

And, I may interpolate, personal loyalties—

here is the greatest freedom, or the greatest coercion.

A labor union, and therefore 14(b), is involved with both these freedoms—economic freedoms, but also the inner freedoms that are intellectual or moral or spiritual.

The free-rider argument is the simple justice that he who receives a benefit from the efforts and expense of his fellow workers, should help to pay for it. When this fact is established, he should pay his share—in money or effort—but not in lost personal freedoms of the mind, that or a lost job. Money justice is an easy problem for legislation. The vastly greater problem in 14(b), is the preservation of personal dignity.

So when the Congress decides 14(b), it will be involved with the meaning of depth institution-joining for an individual worker—the meaning this has for the inner life of personal freedom.

The above analysis, the meaning of 14(b) in the daily lives of working people, this is

only partly explained by the concept of institution-joining.

The other part of the meaning of the issue of 14(b) in the daily lives of millions of Americans, is the kind of coercion involved. All agree that 14(b) is mainly a concern about coercion. But what kind of coercion? How much coercion? What is the nature of this coercion? How powerful?

To be sure, all agree that the cause of unionism is one that requires a strong collective unity. To achieve this, great individual pressures are necessary.

The question of 14(b) is this: How far, how much, how deep, may a majority of union members go, in order to achieve the solidarity required for success?

What pressure applied against a minority is legitimate?

What pressure applied against a minority is excessive?

14(b) becomes the grave issue of whether the power of jobholding, and the power of job losing—such a power used by a majority in coercing a minority—whether this is excessive.

The argument used so widely by those who would repeal 14(b), is that a "majority rule" is sound democracy. Is it? What is the majority trying to do? How much rule, how much coercion—in what realms, and by what degree of coercion?

Whether a majority should rule, depends upon what the "ruling" is about, and how the "ruling" is used.

Perhaps next to force, the threat of losing, or the promise of keeping a job, is the ultimate coercion.

Life's great struggle is for bread. Life's great fear is poverty. Few powers can match the threat of failure, or the promise of success, in breadwinning.

14(b) already permits many unions to bargain for the great power of a job, or no job.

The issue of repeal of 14(b) is whether the Congress, our Federal Government, over the expressed wishes of 19 States—whether the Congress should now make such a powerful coercion universal in American life.

It is one thing for a partisan group to pressure their minority, it is a more serious matter for the Government of a free people to legalize this partisan coercion against a minority, involving perhaps millions of otherwise unwilling Americans.

The conclusion is that 14(b) joins two important elements in the lives of working people: (a) Their inner personal convictions, (b) their success or failure in breadwinning.

These two elements involve two of the most important freedoms in their daily living: (1) Their freedom of mind, of decision; (2) their freedom of economic opportunity, of keeping their jobs.

Repeal of 14(b) would make a national policy; namely, that economic opportunity for millions of Americans will be dependent upon that kind of institution-joining that profoundly affects the inner lives of these same millions of Americans.

Finally, the last important question of 14(b) is whether the American labor movement will be helped or hurt by its repeal.

Wherein lies the success of the American labor movement?

With the health and well-being of the American labor movement in mind, how may the issues raised by 14(b) be most wisely decided?

With apology, I attempt my reply from the background of my dual professional life—a professor of philosophy and president of a large manufacturing company. This background necessarily colors my views, so it is important that it be mentioned.

What follows would be my reasoning, if I were a Congressman attempting to solve 14(b), both for the best interests of our democracy, and also the best interests of the labor movement.

As a student of democrary, I have reached one rather firmly held conclusion, if a free people would remain free from within—they must avoid internal corruptions and internal tyrannies.

Here is my conclusion:

To remain free and healthy, the government of a democracy must firmly insist that all institutions, all special interest groups, including business and labor—all must live and prosper, if they can, by the hard and difficult tests of free, open, and fair competition.

The pinpoint of the wrong, if 14(b) is repealed, is this:

Our Government would, in this case, abandon the healthy competition of persuasion, for an unhealthy coercion, within the labor movement.

In earlier years our labor movement needed special Government protection and encouragement. Today, under the present NLRB, unions are able to grow very successfully, not as fast and as much as they desire, yet very successfully.

A healthy labor movement will therefore be more successful if it faces the following hard and difficult, yet healthy competition of the following three forms:

(1) Winning individual memberships and personal loyalties, by persuasion, rather than by the coercion involved in the repeal of 14(b).

(2) Winning union elections, in competition with companies, whose management tries to outdo the unions in benefits to workers. Our democracy gains by this wholesome competition.

(3) By proving with persuasion, the value of unionism, in right-to-work States.

(The above three forms of competition are understandably not favored by union leaders. Very naturally they will avoid the harder labors of unionism by persuasion in favor of easier success, if 14(b) is repealed. But their choice is not the last word for a Congressman or Senator. The last word is the ultimate freedom and health of our democracy.)

While unionism will be strengthened in numbers, finances, and political influences, if 14(b) is repealed, the big question for Congress is this:

Will unionism, in the long run, be healthier if it grows (a) by persuasion? (b) or by coercion?

Which of these two kinds of unionism is healthier for a democracy—the persuasive or the coercive?

The moral, spiritual, political issue of repealing 14(b) is this:

Since the health of a democracy is the highest possible degree of individual freedom, and since the sickness of a democracy is the unnecessary increase of individual coercion, is there now great urgency for the Congress to greatly increase the total amount of coercion in American life?

Finally, how far, how deep, how powerfully, will the Congress decide to invade the personal life of an individual?

All the freedom there is, is known only by an individual.

It is appropriate to conclude by a reminder, that the Bill of Rights was added to the Constitution, after it was fully realized that a majority could tyrannize over a minority, quite as much as an aristocracy or a single dictator.

This ends the very truthful discussion and consideration of the problem before us by Dr. O. C. Tanner writing from his mixed point of view as philosopher, employer, and lawyer.

I represent the State of Utah, which has had a right-to-work law on its books since 1955.

I shall now go into the editorial attitude of Utah newspapers. There are five daily newspapers in Utah. There has never been a prorepeal editorial in any of those five daily newspapers.

Shortly after last October's attempt to gag the Senate and prevent us from explaining this issue to the American people I came across three very interesting editorials, one in each of three Utah daily newspapers: The Salt Lake Tribune, the Salt Lake Deseret News, and the Ogden Standard Examiner.

Because of the message these editorials convey, I shall read them into the RECORD for the edification and information of the Senate. I have selected first an editorial which appeared in the Salt Lake Tribune of Tuesday, October 12, 1965.

THE 14(b) TEST VOTE JUSTIFIES TABLING ISSUE

The vote against cloture to shut off debate on repeal of section 14(b) of the Taft-Hartley Act fell far short of the necessary two-thirds majority.

Supporters of repeal failed even to muster a simply majority. Of 92 Senators, recorded, only 45 voted for cloture, 47 against. This was 17 votes short of a required two-thirds majority of 62 of those Senators voting. It is not known how the absent eight Senators would have voted, but even had they all voted favorably, prorepeal forces would still have fallen 14 votes short of the needed 67 votes.

The antirepeal vote was considerably greater than Senator DIRKSEN, minority leader who is master-minding the fight, had predicted. He indicated he was only certain of perhaps three dozen votes.

Of course some of those 48 anticloture votes undoubtedly were not so much against repeal as against shutting off the time-honored senatorial privilege of unlimited debate.

VOTES FOR ADJOURMENT

And some, accepting the reality of a successful filibuster, were really voting in favor of putting the issue over to next January, winding up congressional business, and going home.

And that last still makes good sense.

After the cloture vote, Senate Majority Leader MIKE MANSFIELD said: "The debate will continue." But it seems obvious neither he nor the administration has much heart in it.

The President, partially incapacitated after his gall bladder operation, is certainly in no position to twist senatorial arms. Nor indeed in the rebellious mood of many Members of Congress is there much reason to think he could accomplish much by arm-twisting were he physically fit.

Senator MANSFIELD has already said the President would not apply pressure on Senators, and that he himself would not call all-night sessions to try to break the filibuster.

These statements, and the strong anti-cloture vote, doom 14(b) repeal at this session. Why, then, waste more time carrying on a useless debate?

HOUSE CLEARING CALENDAR

The House is rapidly clearing up its calendar and may be ready to adjourn by the end of the week. The Senate has considerably more work to do before it can quit—and it ought to get to it without any further procrastination in a useless effort to bring 14(b) to a vote.

We would hope that, despite Mr. MANSFIELD'S announcement that debate will continue, he and other prorepeal Senators will now decide to put the matter over to the opening of the 2d session of the 89th Congress in January. Senator MANSFIELD previously had said: "It all depends on the size of the vote." He also admitted: "We have no rabbits to pull out of the hat."

Well, the vote shows clearly there were no rabbits, and the majority against cloture is surely strong enough to justify temporary retreat. Prorepeal forces would lose nothing by such a maneuver. While we still hope 14(b) can be retained in the law, advocates of repeal can renew the fight without prejudice next year, and with no basis for a charge of bad faith from their organized labor supporters.

Mr. President, I turn now to an editorial entitled "14(b) Stays on the Books," published in the Deseret News of Salt Lake City on October 12, 1965. It reads as follows:

14(b) STAYS ON THE BOOKS

The Senate's smashing defeat of the move to cut off debate on repeal of section 14(b) reflects a new mood in Congress.

It reflects a determination, after months of meekly rubberstamping the administration's proposals, to be pushed around no longer.

It reflects a determination that the Senate, once described as the "greatest deliberative body in the world," will stand on the dignity of its calling and make its own decisions.

It reflects an awareness of the undeniable fact that the great majority of Americans feel that there should be no further tampering with the Taft-Hartley law and no more coercion on workers to join labor unions as a condition of employment.

And it reflects the fact that Senators have long memories. They recall how another President was indebted to the union political machine, how he threw his entire weight into an effort to kill the original Taft-Hartley Act, how his veto was overridden by Congress, and how even the labor-strong State of Ohio repudiated him by overwhelmingly reelecting his major opponent in that fight, Senator Robert A. Taft.

Apparently, many Senators remembered that 1950 election, and got the message.

Incidentally, it was in that election that I came to the Senate over the opposition of organized labor groups in my State. I continue to read:

There is such a thing as a special interest group throwing its weight around too heavily, to the point where independent-minded men, both lawmakers and constituents, stand up and rebel. That point apparently had been reached in respect to the 14(b) repeal drive. The cloture vote would seem to have stopped it cold.

It now remains for the repeal supporters to admit the defeat and clear the way to table this measure, get on to the remaining few essential measures, and adjourn. Among the remaining bills are several essential to the West. They include a reenactment of sugar legislation which is now expiring, the public works appropriation, which includes the central Utah project, and others. Certainly western Senators should now use their influence to get 14(b) promptly out of the way and get to these vital measures.

Then, let Senators and Representatives get back to their constituents and find out first-hand how they feel about right to work. It is a fairly safe bet that after this experience, and with an election coming up next fall, there will be a considerably different attitude toward this issue in the 1966 Congress.

This issue has been an education in the democratic process. Despite the way the House caved in to administration persuasion, and despite the unremitting pressure of organized labor, the bill failed to get over its last remaining hurdle. A man's faith in the way we do business in Congress is strengthened.

Two days later, the Ogden Standard-Examiner published an editorial entitled "First Round Battle Victory on 14(b)." It reads as follows:

FIRST ROUND BATTLE VICTORY ON 14(b)

The first round of the fight to preserve States' rights to retain "right-to-work" clauses in their labor regulations is over.

It's a victory for those forces who believe that affiliation with a labor union is a voluntary privilege, not an obligation.

But the overall battle is not finished.

It will be resumed in January when the 2d session of the 89th Congress convenes in Washington. So the temporarily victorious supporters of "right to work" have only momentary cause for rejoicing—they should not let down their guards.

The first round success in the campaign to retain section 14(b)—the "right-to-work" clause—in the Taft-Hartley Labor Act came late Tuesday when Senate Majority Leader MIKE MANSFIELD conceeded he could not achieve repeal at this session.

Senator MANSFIELD's decision was a case of bowing to the inevitable. In a test vote Monday, only 45 Senators were in favor of ending the filibuster that had been mounted against the repeal. Forty-seven Senators voted for the "talkathon" to continue, if necessary.

With the filibuster—and repeal of 14(b)—now sidetracked, both the Senate and House can get on with other vital legislation. Adjournment by the end of next week is now possible.

Defeat of President Lyndon B. Johnson's effort to steamroller the 14(b) repeal through Congress this year is a blow to the prestige of both the President and the bosses of organized labor.

A spokesman for a major independent union blamed both Mr. Johnson and the AFL–CIO for failure of the repeal campaign.

He asserted that the President could have "broken the filibuster" on 14(b) by the same arm-twisting tactics he used to cut off debate earlier on the civil rights bill.

The Chief Executive didn't make an all-out push, this observer added, because the AFL–CIO failed to stir enough grass roots pressure on Congress or the White House.

On the other hand, there was a tremendous swell of opposition to repeal of 14(b). Senator Minority Leader EVERETT M. DIRKSEN, leader of the filibuster, and his colleagues had literally reams of editorials and letters to read against the repealer.

Utah's two Democratic Congressmen, Representative DAVID S. KING and Senator FRANK E. MOSS, were subjected to considerable pressure from home. Representative KING voted for repeal. Senator Moss consistently favored discarding section 14(b) and, to the end, said he would vote for repeal when and if he had the opportunity.

This pressure to retain the "right-to-work" law will not relent as Senator Moss and Representative KING come back to Utah between sessions.

It shouldn't.

Utah is one of the 19 States that have "right-to-work" provisions in their labor laws, giving employees a choice of whether they wish to join a union or desire to remain independent of union affiliation.

Utahans would lose this choice if section 14(b) is tossed into the legislative garbage dump.

Not long after we defeated the administration effort to repeal section 14(b) just 4 short months ago, there came to my Washington office a very interesting telegram from a number of citizens in Provo, Utah. I have already shown that telegram to Senators and stretched it out across the well of the Senate. It had 2,000 signatures affixed thereto, and I assume that every person who signed it paid for that privilege. The telegram has been printed in the RECORD.

Mr. President, as the right-to-work question goes through the legislative mill in Congress, the Nation's editorial writers, opinionmakers, and columnists, took pen in hand and set their thoughts down on paper.

I have just read three editorials, one from each of the three largest Utah dailies.

I have here today a few more articles from Utah newspapers. Included among them are articles from all five Utah daily newspapers, a number from some of the Utah weeklies, and from a Salt Lake City radio station.

I have also been informed that an unofficial survey was taken in Utah during the past month or so and every weekly and daily newspaper in the State is for retention of our right-to-work laws.

I think the Senate will find some of these articles and editorials very interesting. They began to appear in October 1964, before the presidential election of that year, and continued down to the present.

Mr. President, it was my intention at this point to begin reading from these editorials. That would require another hour or so.

When the majority leader left the Chamber, earlier, he gave to me the responsibility of closing the session tonight. He suggested that I should not exercise that privilege until 5 o'clock. It is now within 7 minutes of that time, and I do not want to divide my material in two obviously awkward situations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of 10 United States Code 6968(a), the Speaker had appointed Mr. FLOOD, Mr. FRIEDEL, Mr. MINSHALL, and Mr. KING of New York, as members of the Board of Visitors to the U.S. Naval Academy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 10 United States Code 4355(a), the Speaker had appointed Mr. TEAGUE, of Texas, Mr. NATCHER, Mr. LIPSCOMB, and Mr. PIRNIE, as members of the Board of Visitors to the U.S. Military Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 46 United States Code 1126c, the Speaker had appointed Mr. CAREY and Mr. MAILLIARD as members of the Board of Visitors to the U.S. Merchant Marine Academy, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 14 United States Code 194(a), the Speaker had appointed Mr. ST. ONGE and Mr. WYATT as members of the Board of Visitors to the U.S. Coast Guard Academy, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 10 United States Code 9355(a), the Speaker had appointed Mr. ROGERS of

Colorado, Mr. FLYNT, Mr. LAIRD, and Mr. DOLE, as members of the Board of Visitors to the U.S. Air Force Academy, on the part of the House.

WHITE HOUSE CONFERENCE ON HEALTH

Mrs. NEUBERGER. Mr. President, during the congressional recess I attended the White House Conference on Health. This gathering of distinguished leaders in health and welfare and health professions education responded overwhelmingly to two fine addresses by Secretary Gardner and the Surgeon General, Dr. William Stewart.

Secretary Gardner spoke of the innovations in the new legislation which forms a creative partnership between health professions, universities, hospitals, and other institutions in the health field. Among these innovations he cited:

> The inclusion of health insurance in the social security program is surely as significant in terms of social innovation, as the adoption of the original program 30 years ago.

Mr. President, I might add that there are innovations taking place within the Department of Health, Education, and Welfare as to organization and administration which I think will be beneficial to the wide scope of programs handled through this important department of our Government.

Mr. President, I ask unanimous consent that the remarks of Secretary Gardner be included in the RECORD following my remarks.

Dr. William H. Stewart established the theme of the conference when he said:

> Today we aspire and fully intend to make the best health services readily accessible to all who need them.

Mr. President, I ask unanimous consent that Dr. Stewart's statement be included in the RECORD following my remarks.

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

A GREAT MOVE FORWARD [1]

(By John W. Gardner, Secretary of Health, Education, and Welfare)

If the sheer gathering together of eminent and talented people can insure the success of a conference, this one is going to be great. I estimate that there is enough intelligence and experience and dedication packed into this room today to transform our future—if it could be effectively released. But since no one knows what the results of such an explosion might be, perhaps it's fortunate that conferences are less than perfectly efficient instruments for the release of ideas and energy.

In any case, I look forward to an exciting Conference.

In his book, "Year of Decision," Bernard de Voto wrote: "Sometimes there are exceedingly brief periods which determine a long future. The affairs of nations are shaped by the actions of men, and sometimes, looking back, we can understand which actions were decisive."

De Voto's year of decision was 1846, a year of westward march and external crisis for the United States. Events move more swiftly today. In the turbulent world of the mid-20th century, every year is a year of decision.

Yet there are areas of demarcation and resolution which can be fixed firmly in a period of time. We now stand at such a period in the field of health. Surely future historians will look back and say that 1965 was a year of decisive action for the health of the American people.

The decision began with the President of the United States. His ardent belief that we could do a better job in health set the tone. "It is imperative," he said in the first of his special messages to the Congress, "that we give first attention to our opportunities—and our obligations—for advancing the Nation's health. For the health of our people is, inescapably, the foundation for the fulfillment of our aspirations."

And so a remarkably productive Congress enacted a series of laws which paved the way for advances in every area of health.

The sheer volume is impressive. Since the start of the 89th Congress, at least 12 major pieces of health legislation have been enacted. Several of these measures have multiple provisions, so that almost 2 dozen separate programs are affected. In addition, health was an important component of other major legislation—the poverty and area redevelopment programs, for example.

All of these measures are worthy of note. Several that have received little notice would have earned star billing in any lesser year.

To grasp the dimensions of what has been accomplished we need to stand back a bit. We need to see the trends reflected in the legislation, the pattern that emerges from the details.

If the Great Society is to mean anything it must mean something for the quality of our lives. And health, as all of us except the very young have had occasion to know, has a great deal to do with the quality of our lives. It is both an end and a means in the quest for quality. It is desirable for its own sake, but it is also fundamental if people are to live creatively and constructively. Health frees the individual to live up to his potential.

We have said that the good life is possible, not only for the favored few but for all the people. And we have said that each person should have the opportunity to fulfill the possibilities that are in him. That is why we seek to arrange things so that every American will enjoy the liberation and fulfillment that is possible through education. And that is why we should strive to make the blessings of health just as widely available.

But we have been slow to see health in that light. Over the past 50 years, during which we have taken truly extraordinary steps to make education available to all, we have moved relatively slowly in making the best health care universally available. And that is the first significance of the 1965 health legislation. At last we have made a great move forward.

With that as background, we can discern several other common threads in the recent health legislation.

First, comprehensiveness, in strategy as well as vision. In the past, our attack often has been piecemeal, fragmentary. We thought in negatives as we reacted to problems that threatened to overwhelm us. The familiar word was "control." We built a fence around disease and contained it.

Mutual protection is still essential, of course, but we have moved beyond it. Today we view our responsibility in terms of advancing the human condition as well as controlling disease. Our focus is on the larger problem, the individual and his place in society.

Our approach to the practical probelms of advancing the health fields matches the comprehensiveness of our vision. We go at it through research, through education, through the construction of facilities, through demonstration programs, through the delivery of services, and so on.

Another consideration worthy of comment in the recent legislation is the way in which the Federal Government has formed a creative partnership with the health professions, the universities, the hospitals, and a wide range of other institutions in the health fields. The great debate about Federal responsibility in health is well on the way toward being resolved. The responsibility is inescapable, but it must never lead to Federal domination. Rather it must express itself in the creation of fruitful patterns of collaboration between Federal, State, local, and nongovernmental interests.

Finally, I'd like to call attention to the innovative aspects of the new legislation. It is not simply more of the same. We are doing new and different things. And we are doing things differently.

We have known for a long time, for example, that older people, who are so vulnerable to long and costly illnesses, needed help in meeting their medical expenses. We struggled for years to find a formula that would protect their economic security without impairing the integrity of the medical profession or the dignity of the individual.

The medicare law does this by using the time-tested insurance mechanisms of social security.

The inclusion of health insurance in the social security program is surely as significant in terms of social innovation, as the adoption of the original program 30 years ago.

But the significance of the Social Security Amendments of 1965 is not limited to medicare. The act represents a commitment to the young as well as to the aged. It expands the Kerr-Mills medical assistance program and extends it to other needy groups. It launches new programs of health services for children of impoverished families. And, most important of all, it calls for standards of health care. Standards established for treating patients under the health insurance program will ultimately mean better care for all patients. In short, the new law is a powerful affirmative force for improved health practice in the United States.

The heart disease, cancer, and stroke legislation represents a genuinely innovative step in public policy. For years, we have been seeking a mechanism to make the best in medical care available to all the people. We have searched for a practical method to distribute new knowledge widely and quickly. We have sought ways to fuse the largely isolated worlds of research, education, and medical care.

The new legislation is designed to help do all these things. It will create, across our Nation, regional programs to bring together the best in medical research with the best in medical care for heart disease, cancer, and stroke. Through these programs doctors will be able to draw upon highly specialized knowledge and equipment for the benefit of their patients. When the program reaches full fruition, every patient will have access to the latest in early detection, in surgery, in treatment, in rehabilitation. Every doctor will have the opportunity to receive advanced training in the skills that will help him treat his patients better.

It looks as though we may also be turning a corner in our efforts to combat the pollution of our physical environment. Heretofore, we have been picking up the pieces, frantically seeking to stem a tide of pollution which has often reached crisis proportions. We are no longer content with a finger-in-the-dike operation. Our aim now is to halt pollution before it starts. Under the new legislation the Government is for the first time involved in setting standards of water quality and controlling automobile exhausts.

[1] As delivered at the White House Conference on Health, Shoreham Hotel, Washington, D.C., Wednesday, Nov. 3, 1965, 9:30 a.m., e.s.t.

It is against the backdrop of developments such as these that the President has called this Conference.

Walter Lippmann recently said that the achievements of the 89th Congress are "a series of promissory notes." That is most certainly true in the field of health. You and I must honor those promissory notes. The tough job is still ahead of us.

Within the Department of Health, Education, and Welfare, we are tooling up for our new responsibilities, and it is a huge task. As part of this task we are reexamining the way we are organized. I have asked the Surgeon General to review thoroughly the organization of health activities under his jurisdiction and their relationship to other health programs in the Department and elsewhere. To help him in this job, I have appointed a small committee of distinguished and informed citizens.

We shall move expeditiously to resolve our internal problems. But with respect to our broader relationships, we want your help in defining our most appropriate role. We need to know how we can work more closely with practitioners and with hospitals, medical schools, and local agencies. We need to learn how we can develop the Federal partnership with these groups and agencies in such a way as to help them grow but without subordinating them or endangering their autonomy. And they need to learn how to play their role as creative partners determined to preserve their integrity and independence but also determined to value the public good above their own vested interests. This will take statesmanship as well as dedication to a common goal.

Statesmanship will also be needed in education for the health professions. I am happy to see that you are devoting your first morning's discussion to this crucial question. Our medical future can be no brighter than the men and women who will provide the skills and services that we need.

Progress in health depends also on the strengthening of our society. There are limits to what we can accomplish in health as long as poverty, ignorance, and discrimination exist. These conditions not only aggravate but often create health problems.

People need to seek out health services and use them wisely, and for this they need education. They must know when to see a doctor. They need a certain level of knowledge to follow the doctor's instructions accurately. Yet the poor and the segregated, bypassed as surely by educational and social advances as by modern medical progress, may be unaware of health resources and uncertain of their worth.

How can we break this vicious circle?

Or to put the question in positive terms, and terms that open up considerably broader vistas, how can we design a society that will advance the physical and mental health of the individual?

You may say: "Why, we're just on the brink of such a society." But of course it's not at all clear what we're on the brink of.

Our technology has showered us with material riches. Few of us would turn back the clock and do without the cities and factories and automobiles and computers which our modern technology makes possible. Yet the price is high. We live in a world of machines, of noise, of pollution, of tensions, of bruised and fragmented lives. We must learn to capture the benefits of technology without losing our identity or individual integrity. And this, too, is essential in a society that aspires to greatness.

Those of you assembled here today represent the highest levels of leadership in American health. I know that the key questions have concerned you. And I know you are aware of the stakes. I want to thank you all for coming, and I wish you a successful conference.

EDUCATION FOR THE HEALTH PROFESSIONS[1]

(By William H. Stewart, M.D., Surgeon General, Public Health Service, U.S. Department of Health, Education, and Welfare)

We are convened as the heirs to remarkable progress in health and medicine. Our inheritance is bountiful, measured in terms not only of growth in scientific capability but also of growth in social philosophy related to health.

The scientific advance has been widely heralded. By comparison, the dramatic change that has taken place in our thinking has come quietly, without benefit of trumpets. But it is the more significant of the two. Yesterday we tacitly accepted a limited challenge—to make health services available to most of the people, most of the time. Today we aspire and fully intend to make the best health services readily accessible to all who need them.

Forging a way to match our national will is the unwritten charge before this White House Conference convened by President Johnson as an expression of his own deep concern with the challenge of better health for the American people.

To my mind it is most appropriate that the opening discussions of this Conference should be directed toward health professions education. For health manpower will shape and limit the health care we provide and the health protection we afford to the American people in the years ahead. Thus, your Conference planners have properly put first things first.

Moreover, in terms of health manpower, this Conference is particularly timely. The time has come for us to turn a sharp corner in our thinking about education for the health disciplines.

Thus far, faced with manpower shortages and recognizing a growing need, we have concerned ourselves primarily with "Education for how many?" We have been largely preoccupied with quantity.

Now, I strongly believe, it is time for us to focus sharply on the nature of the training we provide. I urge you, in your discussions this morning, to give higher priority to the question, "Education for what?"

I am aware, of course, that the quantitative battle is far from won. The decisive legislative actions of recent years are merely a beginning. Years must pass before the first products of the Health Professions Educational Assistance Act and the Nurse Training Act become working members of our health resource. For those of you who represent academic medicine, the end-point of the legislative process is your starting point.

Nevertheless, the battle for adequate numbers is well joined. A few critical gaps remain—most notably, perhaps, among the top-level disciplines allied to medicine. New mechanisms and incentives are needed to increase our supply of physical therapists, occupational therapists, medical record librarians, and others whose skills are more in demand with every passing year.

But even if we reach the millenial day when every category of health manpower is adequately manned, we shall have done only part of the job. The other part, the harder part, is to tune our training and use of medical manpower to the changing needs of the people we serve.

All of us who have a hand in shaping education for the health professions take pride in the axiom that the training we provide today shapes the medical care pattern of tomorrow. But if we are to make good on this claim, we must also accept the corollary—that the medical care needs of tomorrow must shape the training of today.

I hope that in your brief discussions this morning, and in your long hours of work at home after the conference is over, you will ask searching questions and project your answers against the swiftly moving backdrop of evolving health needs.

You who are here today represent a part of the "general staff" of an enormous and rapidly growing army. The health services industry employed about 1 million people in 1940. Today its ranks are approaching 3 million. One out of every 25 gainfully employed persons in the United States today serves the cause of health.

How shall these forces be marshalled toward the accomplishment of our objective—the best health service, universally accessible?

To approach an answer to this enormous question, we must first look with unclouded vision at how these forces are being used today. And immediately we find that relatively little is known about what today's health workers actually do, how they spend their time, to what extent they make full use of the training they receive. Such data are urgently needed.

We must look objectively at the summit of the pyramid—the medical profession itself. What meaningful response can we devise—in terms of meeting human needs—to the challenge of specialization? Does the answer lie in further refinement of the principles of group practice? Does it lie in the conscious development of a new kind of family physician? Can we train a generalist who, like most generals, is at the top rather than the bottom of the totem pole, calling on specialists to assist him as the patient's condition demands? What combination will maximize scientific benefit and minimize the loss of the human touch on which medicine is built?

We need to examine critically our current patterns of distribution of health manpower—both broadly, in terms of regions, and narrowly, in terms of urban neighborhoods and suburban complexes. Will today's trends simplify or complicate tomorrow's tasks of meeting health needs? If the distribution trends appear undesirable, how can we influence them?

The developments of the recent past have produced a medical culture which has been characterized as "islands of excellence in a sea of mediocrity." Is this a fair description? Are we, in our professional schools, so preoccupied with the purity of clinical excellence—as exemplified in our super-equipped and super-staffed teaching hospitals—that there is nothing left over for raising the base of medical care in the broader community? Do we have educational programs that will prepare people to meet the needs of Appalachia, of Harlem, or even of Westchester County, N.Y.?

Moreover, our influence and our clientele are worldwide. What do our schools offer for meeting the health needs of southeast Asia? How long can the United States continue to support a position as an importer of physicians, an importer of nurses?

Year by year, our top professional personnel are being trained to perform still more complex tasks. How long can each profession afford to hang onto its simpler functions—the routine filling of a tooth, for example, or the several easily automated steps in a medical examination? How can we train the physician or dentist to make full use of the skills available in other people, freeing himself to perform only those duties for which he is uniquely qualified?

Moreover, artificial barriers separate one stratum of the health manpower pyramid from another, buttressed by such considerations as academic credits. Can we devise career ladders to permit the highly capable practical nurse to move into professional nursing, the professional nurse into medicine, the hygienist into dentistry? Wouldn't

[1] For delivery at the White House Conference on Health, Washington, D.C., November 3, 1965.

all the disciplines ultimately gain from such vertical mobility?

These questions, and many more. Questions in search of not one but many answers, which will give shape and substance to the education of health manpower.

Most important of all, these answers must come from many sources. The great strength of our American system of health service lies in its diversity. No single element—neither private medicine nor academic medicine nor Government—can write the prescription and impose it on the rest of the partnership. Nor can all the elements of the health partnership, acting collectively, impose our answers upon the whole of society. For health is so interwoven into the fabric of the American culture that its ultimate design can only be determined by the people themselves.

But the people are looking to us for guidance, for leadership. They have accepted our new aspiration—the best health services for all—as their right. Indeed, in a sense, they have thrust the challenge upon us. They are only dimly aware of the questions I have posed this morning. But they expect us to find the answers.

Each of us brings to a meeting like this one, and to his daily work, a set of acquired assumptions and institutional biases. Emerson wrote, a long time ago, "If I know your sect, I anticipate your argument." He went on to say that each man is pledged to himself to look only at one side—what he called "the permitted side." This Conference will fall short of fulfilling its high promise if each of us looks only at the permitted side today.

As most of you know, we in the Public Health Service are now embarking upon a process of self-examination and self-appraisal. To protect ourselves against our own preconceptions, we are being assisted by clear and uncommitted minds from outside our own institutional culture. It is too early to foresee the nature and dimensions of the changes that will evolve. But our purpose is plain, and can be plainly stated: to fashion an agency that will deliver its full measure of the Federal commitment to the health of the American people.

As you consider the education of health manpower this morning, I invite each of you to adopt a similar posture toward your own individual and institutional patterns of practice. For we are much more than heirs to progress. We are also executors who can, if we will, raise the condition of man to heights that match his aspirations.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BENNETT. Mr. President, I move, in accordance with the previous order, that the Senate adjourn until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 53 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, January 25, 1966, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate January 24, 1966:

DEPARTMENT OF STATE

Lincoln Gordon, of Massachusetts, to be an Assistant Secretary of State, vice Jack Hood Vaughn.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Robert C. Seamans, Jr., of Massachusetts to be Deputy Administrator of the National Aeronautics and Space Administration, to which office he was appointed during the last recess of the Senate.

IN THE NAVY

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated subject to qualification therefor as provided by law:

MEDICAL CORPS

Frank T. Norris.

SUPPLY CORPS

George E. Moore II.

CIVIL ENGINEER CORPS

Robert R. Wooding.

The following-named officers of the Navy for permanent promotion to the grade of rear admiral in the line and staff corps indicated subject to qualification therefor as provided by law:

LINE

Norvell G. Ward
Constantine A. Karaberis
William S. Guest
Edward C. Outlaw
Russell Kefauver
Allan F. Fleming
John M. Alford
James W. O'Grady
William F. Bringle
Edward E. Grimm
John D. Bulkeley
Ben W. Sarver
Don W. Wulzen
Frederick J. Harfinger II
Dennis C. Lyndon
Fred G. Bennett
David C. Richardson
Richard R. Pratt
Norman C. Gillette, Jr.
William P. Mack
Paul E. Hartmann
Donald Gay, Jr.
Charles S. Minter, Jr.
John P. Sager
Emery A. Grantham
Nathan Sonenshein

MEDICAL CORPS

Edward P. Irons
John W. Albrittain
George M. Davis, Jr.

SUPPLY CORPS

Harry J. P. Foley, Jr.
Jack J. Appleby
Winston H. Schleef

CIVIL ENGINEER CORPS

William M. Heaman
Walter M. Enger

Rear Adm. Edward J. Fahy, U.S. Navy, for appointment as Chief of the Bureau of Ships in the Department of the Navy for a term of 4 years.

CONFIRMATION

Executive nomination confirmed by the Senate January 24, 1966:

COUNCIL OF ECONOMIC ADVISERS

James S. Duesenberry, of Massachusetts, to be a member of the Council of Economic Advisers.

EXTENSIONS OF REMARKS

The Polish Insurrection of 1863

EXTENSION OF REMARKS
OF
HON. GLENN CUNNINGHAM
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 24, 1966

Mr. CUNNINGHAM. Mr. Speaker, on January 22, Americans of Polish descent in my State celebrated the 103d anniversary of the Polish insurrection of 1863. That heroic event has been a symbol to generations of Poles who have loved liberty but have been deprived of it. It continues to be so today.

The uprising against Russian rule broke out in the middle of religious ceremonies. There were collisions with Russian troops and victims fell in the streets of Warsaw. In response, the pro-Russian ruler, Count Aleksander Wielpolski, ordered that the revolutionary youth be recruited into the Russian Army. The young people fled to the forests, and on January 22, set up a revolutionary committee. The struggle of the ill-equipped but gallant insurgents lasted for almost 2 years in many parts of the country. A secret national government was set up in Warsaw. However, the promised assistance of Napoleon III never materialized and wholesale executions and deportations followed the suppression of the revolt. Poland became a Russian province.

But the Polish people have never forgotten the young patriots of 1863. On this occasion I wish to reaffirm my personal dedication to the cause of freedom in Poland. The history of the Polish people gives us reason for hope.

The City of East Point

EXTENSION OF REMARKS
OF
HON. CHARLES L. WELTNER
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 24, 1966

Mr. WELTNER. Mr. Speaker, the Federal Government's war on poverty has long been needed. However, the efforts of the Government are not intended to and cannot replace the charitable efforts of individuals and private organizations. The two attacks—by Government and by private endeavor—must complement one another.

The city of East Point, in my congressional district, deserves special recognition of the manner in which it serves its people. This is accomplished through fine community pride and the concern of civic organizations of the city.

One example of the successful work of the civic organizations is the Tri Cities and Forest Park Clothing Bank, begun on Christmas Eve 1959 by the East Point Moose Lodge. From small quarters in a building on Main Street, the project has grown to occupy new quarters at 1949 Grove Avenue, East Point. This new building and land, valued at $27,000, was built through the donation of money, material, and labor by individuals, business firms, and civic organizations. The mortgage on this property will be burnt on February 3, thanks to the dedicated efforts of Ed Crumley and his associates.

Over 500 children in South Fulton and Clayton County receive their clothing